

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Erect 12 flats with landscaping and associated parking. (Revised).

LOCATION: Coupee Lane, Cornet Street, St. Peter Port.

APPLICANT: Coupee Lane Ltd

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 22/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Drawing No's: 1696 SK-01A, 02A, 03, 04 & 05

Application Ref: FULL/2021/1933

Property Ref: A40155A000&A401540000

Conditions and reasons:-

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter

period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the

development.

Reason - To secure the satisfactory appearance of the completed development.

7. No development, shall begin until full details of the proposed cycle storage has been submitted to and agreed in writing by the Authority, and no part of the building or development hereby permitted shall be used or occupied until the agreed details have been fully implemented. The provision for cycles shall not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

8. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

9. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 8 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

10. No part of the development, hereby permitted, shall be occupied or used until details of a lighting scheme has been submitted to show how the pedestrian entrance point to the rear of the site will be lit to provide a safe access point. Any lighting to be installed shall only be in accordance with the agreed details which shall be installed prior to the first occupation of any of the approved units.

Reason - To make sure that the rear entrance point is appropriately lit to provide a safe access point into the site and to ensure that the level of any lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

Expiry Date: This permission will cease to have effect on 21/04/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

1. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation.

2. This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

3. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Planning Service a method statement to identify, risk assess and address the unidentified contaminants, and obtain written agreement from the Department for works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained within the agreed report.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning

Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/1933
Property Ref: A40155A000&A401540000
Valid date: 24/08/2021
Location: Coupee Lane Cornet Street St. Peter Port Guernsey
Proposal: Erect 12 flats with landscaping and associated parking.
(Revised).
Applicant: Coupee Lane Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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- ii) full details of tree and hedge planting;
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- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

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5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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Reason - To encourage the use of bicycles as an alternative to the car.

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Reason - To make sure that the rear entrance point is appropriately lit to provide a safe access point into the site and to ensure that the level of any lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

INFORMATIVES

1. Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation.

2. This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

3. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Planning Service a method statement to identify, risk assess and address the unidentified contaminants, and obtain written agreement from the Department for works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained within the agreed report.

OFFICER'S REPORT

Site Description:

The application site is located off Coupee Lane, between Cornet Street and Cliff Street. Surrounding the site, the area comprises residential properties of mixed design and type to the north, south and west, with a mixture of residential and office accommodation to the east.

The site is situated within a Main Centre Inner Area and a Conservation Area as designated in the Island Development Plan. Some of the properties to the north and west are Protected Buildings.

Relevant History:

FULL/2019/0617	Erect a four storey block of 16 apartments with basement car parking.	Withdrawn 16/10/2019
FULL/2016/1555	Erect a four storey block of 16 apartments with basement car parking.	Approved 2016
FULL/2013/1695	Variation for 6 extra flats, total 16 flats,	Approved 2013
FULL/2012/3352	Residential development comprising 17 flats with basement parking,	Refused 2012
FULL/2010/4108	Revised application for 10 flats	Approved 2010
FULL/2009/3606	Revised application for 11 flats	Refused 2009
FULL/2009/3605	Application for renewal of the previous permission to construct office, archive store and residential development	Approved 2009
FULL/2009/2356	Alternative scheme for the creation of 12 flats	Withdrawn 2009

PAPP/2006/0831	Construct office, archive store & residential development	Approved 2006
PAPP/2004/1558	Construct office, archive store & residential development	Permission in principle approved 2004
PAPP/2003/2646	Construct office and residential and refurbish existing dwelling	Refused 2003
PREI/2002/5810	Construct 6 units of residential accommodation (re-issue)	Permission in principle approved 2002
PAPP/2001/3626	Construct 6 units of residential accommodation & car parking	Permission in principle approved 2001

Existing Use(s):

Vacant/residential

Brief Description of Development:

Planning permission is sought to erect 12 flats with landscaping and associated parking.

The flats are proposed over five floors of development and will provide a mixture of one and two bedroom flats. Access to the building is provided to the front and rear of the premises with the rear access providing a level threshold to an internal lift to all floors.

During the course of consideration the application was deferred to seek additional information and revised plans.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan Policies:

- MC2: Housing in Main Centres and Main Centres Outer Areas;
- GP1: Landscape Character and Open Land
- GP4: Conservation Areas
- GP5: Protected Buildings
- GP8: Design;
- GP9: Sustainable development;
- IP7: Private and communal parking
- IP9: Highway Safety, Accessibility and Capacity

Representations:

Two letters/emails of representation were received from neighbours, one confirming no objection to the proposals and one objecting to the application.

The grounds for objection are summarised as follows:

- Although the design is an improvement the new building will tower over adjacent properties with direct views into Esperair Cottage, the bedroom, study and private garden;
- Views from the balconies would cause a detriment to the amenities afforded to Esperair Cottage;
- The full height windows on the southeast corner should contain obscure glazing to provide privacy;
- The proposal will overshadow neighbouring properties;
- Receiving direct sunlight and a high level of daylight in the centre of densely populated area should be retained where possible;
- The scale of the development particularly the southeast corner is overpowering and dominating;
- Given the topography of the site sloping to the east the proposal would appear as an additional storey to that proposed;
- Although an improvement to what is there at present this does not mean that the site should cram as many units in as possible;
- The proposal would be clearly visible from the Harbour and should be designed so as not to affect the surroundings;
- The proposal is not in-keeping with the attractive exposed granite rear elevations of the properties on Cornet Street;
- It is disappointing that the design of the proposed development does not appear sympathetic with the historic nature of its surroundings;
- Rather than develop the site for housing it could be used as a tiered garden for neighbouring properties or for the National Trust of Guernsey;
- Traffic will increase on the narrow roads surrounding the site.

In addition, comments were received from the National Trust of Guernsey as follows:

By email dated 6th October 2021 stated the following:

“Whilst the National Trust of Guernsey supports the principle of development on this site and has no objections to the scale or mass of the development, given its proximity to a number of Protected buildings, including our own 26 Cornet Street and its setting amongst some of the oldest man-made features of St Peter Port, the Council are disappointed with the standard of design, which includes features and proportions that do not appear to compliment or enhance the site or its surroundings.”

By email dated 11th October 2021 stated the following:

“The National Trust of Guernsey note the current planning application, FULL/2021/1933, to erect 12 flats with landscaping and associated parking at Coupee Lane, Cornet Street, St. Peter Port.

We have spotted from the accompanying images from Cadastre and DRP that the site plan seems to have 'adopted' a small strip of NTG land immediately to the rear of 26CS for part of their car parking area.

The 1983 Conveyance and associated Plan are also attached, which support the boundary shown in the Cadastre images, not the one shown by DRP.”

Consultations:

None

Summary of Issues:

- Whether the principle of residential development is acceptable in this location;
- Design and impact of the development on the character and appearance of the Conservation Area and on the setting of nearby protected buildings
- Impact on neighbour amenity;
- Whether the proposal would provide a good living environment for future occupiers;
- Road safety, traffic management and parking.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, ‘the Law’, have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Whether the principle of residential development is acceptable in this location

Policy MC2: Housing in Main Centre and Main Centre Outer Areas; supports proposals for housing development provided that they are in accordance with all other relevant policies of the Island Development Plan (IDP); and where able they provide an appropriate mix and type of dwellings.

In respect of the mix and type of housing proposed, the preceding text (which carries equal weight) states that, where new housing proposals can accommodate a variety of dwellings, it will normally be expected that the mix and type of dwellings is reflective of the demographic profile of households requiring housing. To establish

this housing requirement, the text sets out a list of documents produced by the States of Guernsey relating to this issue, including the most recent Housing Needs Study or any subsequent amended or revised document provided by Housing.

The Guernsey Housing Market Review published by KPMG in 2017 provides an analysis of the local housing stock in the Island and identifies the additional housing requirement for the period 2014-2021. That report identifies an additional requirement for 1, 2, and 3 bedroom units. The Guernsey Annual Residential Property Stock Bulletin provides statistics on the Island's existing housing stock. Applying the findings of the 2019 bulletin to the requirements identified in the KPMG report, it is clear that the additional housing requirement remains for 1-3 bedroomed properties, with an emphasis on 2-3 bedrooms.

The proposal includes four one bedroom apartments and eight 2 bedroom apartments spread over five floors of the building and therefore meets the identified housing requirements.

Planning permission was previously granted on site to create 16 units (FULL/2016/1555). Since the approval of permission, work has commenced on site to implement part of that permission which therefore remains extant and the remaining buildings under that permission could be constructed at any time.

Design and impact of the development on the character and appearance of the Conservation Area and on the setting of nearby protected buildings

The site is within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

'St Peter Port Conservation Area' (December 2021) and Annex VII of the IDP provide a Summary of the Special Interest of the St Peter Port Conservation Area. The following points can be used to help identify the key characteristics and appearance of the Conservation Area in the vicinity of the application site.

- The application site forms part of the Hillside Town sitting above the Esplanade and below Cornet Street and St Barnabas (a landmark building).
- The application site is visible from many locations in the harbours and marinas as well as Castle Cornet.
- The application site is vacant, which slightly detracts from the immediate character of the Conservation Area.
- The immediate context is of domestic scale buildings under steep pitched roofs with gables facing onto the street (and some eaves facing the street).
- The buildings enclose narrow streets and steps.

- The buildings are of simple traditional form with vertical proportions and little decoration/adornment; a high solid/void ratio, 19th century proportions with fenestration arranged in a 19th century classical manner. Typically, 3 or 4 storeys with rendered or stone facades.
- Similarity in scale, materials, colouring and fenestration, and a uniformity of architectural character.

Policy GP8 seeks to ensure that new development within conservation areas, achieves a particularly high standard of design and makes an effective use of land whilst respecting the character of the local built environment. Development should also give consideration to the amenities of occupiers and surrounding neighbours, provide accessibility for all and offer flexible and adaptable accommodation.

The proposed building faces onto and encloses the adjacent streets and steps surrounding the site. The design of the building represents vertical emphasis and the architectural composition draws from the underlying principles of classical architecture with the Georgian and Victorian buildings in the immediate context. The details of the building, its balconies and junction of materials have been appropriately considered and form a coherent architectural design. The design, scale and massing of the proposal and the building height are in-keeping with the character of the surrounding area. The associated facilities such as the bin storage and cycle storage have been appropriately located and designed and will also be in-keeping with the immediate surroundings.

The proposed building respects the character of a largely Georgian/Victorian collection of buildings that form this part of the Hillside Town and Conservation Area and represents an enhancement to the Conservation Area when compared with the existing vacant site. The proposal comprises residential accommodation over five floors and uses the topography of the site and the space available efficiently and effectively.

Based on the above the scheme complies with Policy GP4 and GP8 of the IDP in this respect.

Setting of Nearby Protected Buildings or Protected Monument.

The last paragraph of GP8 also requires the setting of protected buildings and monuments to be considered. This is also cross-referenced to IDP Policy GP5, which allows any harm to the setting of a protected building to be balanced against the benefits and/or the reasonable aspirations of the property owner.

There are several protected building in the immediate vicinity of the application site. The setting (i.e. the surrounding in which the buildings are experienced) has urban characteristics, where the buildings are positioned to front onto and create narrow distinctive streets. None of the protected buildings in the immediate vicinity have a direct association with the application site.

The proposed building will enclose the existing streets and steps/paths that surround the site. The scale/mass of the proposed building is similar to those in the immediate surroundings and its architectural composition and materials have been drawn from other buildings in its context. It is considered therefore that the proposal will have a negligible effect on the setting of the protected buildings and this effect is outweighed by the benefits of the development by bringing a vacant site back into an appropriate use and by the reasonable aspirations of the property owner. The application complies with Policy GP8 and GP5 insofar as relating to the setting of nearby protected buildings.

Impact on neighbour amenity

Objections received on the application relate to the impact of the proposal and particularly views from the windows and balconies in the south facing elevation overlooking the properties and garden areas of properties to the south and southeast. One of the representations recommends that the full height windows in the southeast corner should be obscure glazed to provide privacy.

Whilst the windows in this elevation will serve habitable accommodation, a separation distance greater than 10m (which is generally considered acceptable in densely populated urban areas such as this) will be maintained between the proposed windows and the private amenity/garden areas of the adjacent properties to the south. At this distance any harm would not be so substantial to warrant the refusal of permission and the requirement for obscure glazing as suggested would be unreasonable.

Furthermore, in the previous grant of planning permission (FULL/2016/1555) for residential development at this site, windows serving habitable accommodation on all floors were included in the southern elevation of the scheme (situated slightly closer to the southern boundary than those proposed as part of the application the subject of this report). Work has previously commenced on that approved development and the permission remains extant and could be built out at any time, therefore the principle of windows in the southern elevation has been established.

The windows proposed in the west elevation will face towards the blank gable of a neighbouring property in this direction. The windows in the east facing elevation will face towards a carpark of an adjacent office building.

The bin storage would be situated in the northern corner of the site and its positioning is unlikely to cause nuisance to neighbouring properties.

Based on the above any detrimental impact on amenity afforded to the occupiers of neighbouring properties as a result of the development proposed would not be so substantial to warrant the refusal of planning permission.

Whether the proposal would provide a good living environment for future occupiers

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced with, but should not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposed dwellings all exceed the Guernsey Technical Standards minimum internal space standards. The units will be provided with a high level/quality of outlook from windows serving habitable rooms such as lounges and bedrooms and also allowing for a sufficient level of daylight/sunlight and ventilation to be provided into the units providing a good standard of accommodation.

At the lower ground and ground floor, amenity space is provided for the two bedroom units in the form of private patio areas. On the upper floors amenity space is provided to the two bedroom units in the form of balconies or roof terraces. Although no private amenity space is provided for the one bedroom units, given the limitations of the site and the fact that it is situated within St Peter Port Main Centre and close to public outdoor amenity spaces provided for within the Town, the refusal of permission based on this would not be reasonable.

With regards to accessibility and the adaptability of the units, although the main entrance is compromised due to a stepped entrance, the revised plans show that the access to the rear of the site provides a level threshold that links to an internal lift providing access to all floors of the development. The applicant's agent has confirmed that a suitable lighting scheme will be included (which can be controlled by condition) to ensure that the access route to the rear entrance of the building is appropriately lit.

The layout of the flats will incorporate Lifetime Homes principles including a level threshold to the entrance doors, adequate widths of entrance doors and suitable internal configurations. The information submitted is sufficient to demonstrate that the development provides adequate accessibility and offers flexible and adaptable accommodation, in accordance with Policy GP8.

In summary, although there would be some deficiencies, as a whole the proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8 of the IDP.

Road safety, traffic management and parking.

Policy IP7 requires the Authority to take into account in proposals for development the provision of appropriate levels of private and communal car parking in

accordance with Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessments.

A total of four car parking spaces have been provided for the development. The site is situated in a sustainable urban location within a Main Centre Inner Area where new housing development is encouraged by States-approved planning policy. Furthermore, the IDP recognises that there is a need to make the best and most efficient use of the land where appropriate. The proposal will make effective and efficient use of the site at an appropriate density in accordance with IDP Policy creating a good living environment for the proposed occupiers.

The site is situated within walking distance of the shops and services provided in town and various car parks and locations that provide on-street car parking, and bicycle parking. Furthermore, being situated close to the main Town bus terminus the site is accessible by other more sustainable means of transport than the motor car.

A covered cycle store (details of which can be required by condition) is proposed to the rear of the site which is sufficient to provide future covered bicycle parking in accordance with the SPG. The proposal would not cause any detriment to highway safety and complies with the provisions of Policy IP7.

Other matters

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. Taking into account the nature of the development, the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9. A site waste management plan has also been provided which demonstrates how waste associated with the development will be appropriately controlled.

As part of the previous application at this site (FULL/2019/0617) the Office of Environmental Health and Pollution Regulation requested that an informative be included on any permission relating to the potential for contaminated land. It is recommended that this informative be included in the event that planning permission is granted.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; the

effect of the proposed which the site could be put without further planning permission; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

The comments received during consideration of the application regarding land ownership do not relate to a material planning consideration that can be considered in the assessment of this planning application. It is recommended however that should planning permission be granted an informative is included to confirm that the grant of planning permission does not override third party or prejudice any legal rights or constraints which exist in relation to the application site.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The impact of the proposal on the setting of the nearby Protected Buildings has been considered above. The proposal would not negatively impact on any protected trees, monuments or on any SSS's.

For the reasons set out within this report the proposal complies with the relevant provisions of the Island Development Plan and satisfies the other relevant material planning considerations; it is therefore recommended that planning permission be granted with conditions.

Date: 22/04/2022

