

**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:** Redevelopment of site to demolish existing building and erect 7 dwellings and 12 flats with associated vehicle and pedestrian access and landscaping (Protected Trees).

**LOCATION:** English & Guernsey Arms, South Quay, St. Sampson.

**APPLICANT:** HVC Limited

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:** 30/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Tyrrell Dowinton Associates: 1951 - 01.01, 03.01B 03.02B, 03.03A, 03.04, 03.05, 03.06A, 03.07B, 03.08B, 03.09B, 03.10B, 03.11B, 03.12B, 03.13B, 03.14B, 03.15B, 03.16B, 03.17B, 03.18B, 03.19A, 03.20A, 03.21B, 03.22A, 03.23A, 03.24A, 03.25A, 03.26A.  
Richard Loyd: Arboricultural Impact Assessment dated 06/09/2022  
Auburn Gardens:Landscape Design Detail Plant List  
Environoise: Noise Assessment dated 15/08/2022  
EXI Group: GP9 Sustainability Statement

**Application Ref:** FULL/2022/0931

**Property Ref:** B003060000

**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, including demolition and site works, shall begin until there has been submitted to and agreed in writing by the Authority a desktop study identifying any potential contaminating features.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5. Unless the Authority has confirmed in writing that such a report is unnecessary, no development, including demolition and site works, but excluding works required to meet the requirements of this condition, shall begin until there has been submitted to and agreed in writing by the Authority a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desktop study.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

6. Unless the Authority has confirmed in writing that such a report is unnecessary, no development, including demolition and site works, shall begin until there has been submitted to and agreed in writing by the Authority a detailed scheme for remedial

works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. The development shall be carried out only in accordance with the agreed scheme.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

7. Unless the Authority has confirmed in writing that verification is unnecessary, no part of the development shall be occupied or brought into use until there has been submitted to and agreed in writing by the Authority a report providing verification that the remediation scheme agreed under condition 6 above has been implemented fully in accordance with the agreed details. The development shall be monitored and maintained in accordance with the scheme agreed under condition 6 above for a period of 2 years or in accordance with a programme previously agreed in writing by the Authority.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

8. No development, including site works, shall begin on site until the Evergreen Oak tree shown to be retained on the approved plans has been protected, in accordance with the Richard Loyd Arboricultural Impact Assessment dated 06/09/2022. The Evergreen Oak tree shall then be protected in accordance with the Richard Loyd Arboricultural Impact Assessment dated 06/09/2022 for the duration of building operations on the application site.

Reason - The tree is an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site.

9. No development, excluding demolition and site works, shall begin on site until precise details of all hard surfaced areas have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - In the interests of visual amenity.

10. No development, excluding demolition and site works, shall begin until details of the construction, including levels, of the footpath along South Quay at the vehicular entrances to the site have been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed details.

Reason - To ensure the footpath is accessible to all and gives a clear priority to pedestrians.

11. No development, excluding demolition and site works, shall begin until a revised scheme showing the provision to be made for the parking of bicycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and no dwelling

hereby permitted shall be occupied until the agreed scheme has been fully implemented. The parking provision for bicycles shall thereafter be maintained in perpetuity (see notes below).

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

12. No development, excluding demolition and site works, shall begin until details at a scale of 1:20 of the eaves/fascia design of the flat roof of the terraced houses has been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - In the interests of visual amenity.

13. Notwithstanding the details submitted, the upper ground floor windows in the west elevation of unit A5 serving the living/dining/kitchen area and the bedroom shall be bottom hung and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times (see notes below).

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

14. The landscaping scheme shall be fully completed, in accordance with plan number 1951.03.18B and Auburn Gardens Landscape Design Detail Plan List, 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 help assimilate the development into its surroundings in the interests of visual amenity.

15. No dwelling shall be occupied until details of the bollard at the eastern entrance adjacent to the bin store has been submitted to and agreed in writing by the Authority and the bollard has been installed in accordance with the agreed details. The bollard at the eastern entrance adjacent to the bin store shall thereafter remain in situ at all times except for when it is required to be temporarily removed to enable the use of the access by emergency vehicles and refuse collection vehicles only.

Reason - To minimise the number of points of vehicular access, in the interests of highway safety.

16. No part of the development hereby permitted shall be occupied or brought into use until the 1.7m high screen along the west elevation of the podium deck has been installed with obscure glass to a minimum of level 3 on the Pilkington scale (or

equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

17. No stone or composite cladding to be used on the exterior of the buildings shall be placed on the site until details of those materials have been submitted to and agreed in writing by the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - In the interests of visual amenity.

18. The development shall be constructed in accordance with the Noise Assessment report produced by Environoise, ref. 21779R01MWSW, issued on 15th August 2022.

Reason - In the interests of the quality of the living environment for future occupiers of the development.

19. The permeable hard surfaces shall not be constructed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing, electric car charging points and all other sustainable design features set out in the EXI Group GP9 Sustainability Statement (date stamped 20/09/2022) have been installed/completed/made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

20. 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.

21. 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 20 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.

**Expiry Date: This permission will cease to have effect on 29/12/2025 unless development is commenced by that date.**

#### **ADVICE AND OTHER REMARKS:-**

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Conditions 4 to 7 of this permission require a phased approach involving:

- collection of information about the site to establish if it is likely to be affected by contamination;
- if the first phase indicates potential contamination, a full site investigation to confirm any contamination;
- remediation proposals to satisfactorily address any contamination identified by the site investigation; and
- verification that the necessary remediation works have been fully completed.

It is strongly recommended that in submitting details in accordance with the above conditions that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

With regards to condition 11, the 20 space bike store to the south of flats A1 and A2 does not appear to have sufficient spacing to enable bicycles to be easily manoeuvred into and out of spaces, especially when operating at high levels of use. It is therefore recommended that alternative bicycle parking arrangements are made for the flats and visitors for a minimum of 23 bicycles.

With regards to condition 13 and to enhance the living environment of unit A5, it is recommended that the west elevation window serving the bedroom is relocated to the south elevation or an additional window is installed in the south elevation serving the bedroom. If a window is proposed to be installed in the south elevation of unit A5, details of such a window would require to be submitted to and approved in writing by the Authority prior to its installation.

As proposed the dwellings do not meet all of the Lifetime Homes Standards. To improve the adaptability and flexibility of the dwellings it is recommended that all of the dwellings are designed to fully meet the Lifetime Homes Standards. In particular your attention is drawn to criteria: 11 (WC and bathroom walls), 13 (Potential for fitting of hoists and bedroom/bathroom relationship) and 16 (Location of service controls).

To support biodiversity and to mitigate against the loss of the Sweet Chestnut tree, it is recommended that bird and bat boxes are incorporated into the built development.

With regards to the Construction Environmental Management Plan, The Office of Environmental Health and Pollution Regulation welcomes reference to ongoing communication and the submission of written reports to them and recommend that as part of these additional documents a construction site lighting plan is submitted.

**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](http://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](mailto: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/2022/0931  
**Property Ref:** B003060000  
**Valid date:** 19/04/2022  
**Location:** English & Guernsey Arms South Quay St. Sampson Guernsey GY2 4QH  
**Proposal:** Redevelopment of site to demolish existing building and erect 7 dwellings and 12 flats with associated vehicle and pedestrian access and landscaping (Protected Trees).  
**Applicant:** HVC Limited

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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.

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6. Unless the Authority has confirmed in writing that such a report is unnecessary, no development, including demolition and site works, shall begin until there has been submitted to and agreed in writing by the Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. The development shall be carried out only in accordance with the agreed scheme.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

7. Unless the Authority has confirmed in writing that verification is unnecessary, no part of the development shall be occupied or brought into use until there has been submitted to and agreed in writing by the Authority a report providing verification that the remediation scheme agreed under condition 6 above has been implemented fully in accordance with the agreed details. The development shall be monitored and maintained in accordance with the scheme agreed under condition 6 above for a period of 2 years or in accordance with a programme previously agreed in writing by the Authority.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

8. No development, including site works, shall begin on site until the Evergreen Oak tree shown to be retained on the approved plans has been protected, in accordance with the Richard Loyd Arboricultural Impact Assessment dated 06/09/2022. The Evergreen Oak tree shall then be protected in accordance with the Richard Loyd Arboricultural Impact Assessment dated 06/09/2022 for the duration of building operations on the application site.

Reason - The tree is an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site.

9. No development, excluding demolition and site works, shall begin on site until precise details of all hard surfaced areas have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - In the interests of visual amenity.

10. No development, excluding demolition and site works, shall begin until details of the construction, including levels, of the footpath along South Quay at the vehicular entrances to the site have been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed details.

Reason - To ensure the footpath is accessible to all and gives a clear priority to pedestrians.

11. No development, excluding demolition and site works, shall begin until a revised scheme showing the provision to be made for the parking of bicycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and no dwelling hereby permitted shall be occupied until the agreed scheme has been fully implemented. The parking provision for bicycles shall thereafter be maintained in perpetuity (see notes below).

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

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Reason - In the interests of visual amenity.

13. Notwithstanding the details submitted, the upper ground floor windows in the west elevation of unit A5 serving the living/dining/kitchen area and the bedroom shall be bottom hung and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times (see notes below).

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

14. The landscaping scheme shall be fully completed, in accordance with plan number 1951.03.18B and Auburn Gardens Landscape Design Detail Plan List, 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 help assimilate the development into its surroundings in the interests of visual amenity.

15. No dwelling shall be occupied until details of the bollard at the eastern entrance adjacent to the bin store has been submitted to and agreed in writing by the Authority and the bollard has been installed in accordance with the agreed details. The bollard at the eastern entrance adjacent to the bin store shall thereafter remain in situ at all times except for when it is required to be temporarily removed to enable the use of the access by emergency vehicles and refuse collection vehicles only.

Reason - To minimise the number of points of vehicular access, in the interests of highway safety.

16. No part of the development hereby permitted shall be occupied or brought into use until the 1.7m high screen along the west elevation of the podium deck has been installed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

17. No stone or composite cladding to be used on the exterior of the buildings shall be placed on the site until details of those materials have been submitted to and agreed in writing by the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - In the interests of visual amenity.

18. The development shall be constructed in accordance with the Noise Assessment report produced by Environoise, ref. 21779R01MWSW, issued on 15th August 2022.

Reason - In the interests of the quality of the living environment for future occupiers of the development.

19. The permeable hard surfaces shall not be constructed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing, electric car charging points and all other sustainable design features set out in the EXI Group GP9 Sustainability Statement (date stamped 20/09/2022) have been installed/completed/made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

20. 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.

21. 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 20 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.

## **INFORMATIVES**

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Conditions 4 to 7 of this permission require a phased approach involving:

- collection of information about the site to establish if it is likely to be affected by contamination;
- if the first phase indicates potential contamination, a full site investigation to confirm any contamination;
- remediation proposals to satisfactorily address any contamination identified by the site investigation; and
- verification that the necessary remediation works have been fully completed.

It is strongly recommended that in submitting details in accordance with the above conditions that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

With regards to condition 11, the 20 space bike store to the south of flats A1 and A2 does not appear to have sufficient spacing to enable bicycles to be easily manoeuvred into and out of spaces, especially when operating at high levels of use. It is therefore recommended that alternative bicycle parking arrangements are made for the flats and visitors for a minimum of 23 bicycles.

With regards to condition 13 and to enhance the living environment of unit A5, it is recommended that the west elevation window serving the bedroom is relocated to the south elevation or an additional window is installed in the south elevation serving the bedroom. If a window is proposed to be installed in the south elevation of unit A5, details of such a window would require to be submitted to and approved in writing by the Authority prior to its installation.

As proposed the dwellings do not meet all of the Lifetime Homes Standards. To improve the adaptability and flexibility of the dwellings it is recommended that all of the dwellings are designed to fully meet the Lifetime Homes Standards. In particular your attention is drawn to criteria: 11 (WC and bathroom walls), 13 (Potential for fitting of hoists and bedroom/bathroom relationship) and 16 (Location of service controls).

To support biodiversity and to mitigate against the loss of the Sweet Chestnut tree, it is recommended that bird and bat boxes are incorporated into the built development.

With regards to the Construction Environmental Management Plan, The Office of Environmental Health and Pollution Regulation welcomes reference to ongoing communication and the submission of written reports to them and recommend that as part of these additional documents a construction site lighting plan is submitted.

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## **OFFICER'S REPORT**

### **Site Description:**

The site is located adjacent to St Sampson's Harbour along the South Quay and consists of a traditional 2½ storey building orientated gable end to South Quay with later extensive single storey additions to the south and north. There are two protected trees (PT63) within the site, an Evergreen Oak and a Sweet Chestnut. The site comprises the former English & Guernsey Arms public house, an ancillary manager's flat on the upper floors and an associated parking area with access to the site from South Quay.

The site is in The Bridge Conservation Area, Harbour Action Area and Main Centre Inner Area. A limited section of the eastern end of the site (up to 4m in from the east boundary) falls within the Outer Zone of the Major Hazards Public Safety Zone associated with the jetty for the Bulwer Avenue fuel storage site.

**Relevant History:**

Pre-application advice was sought regarding the residential development of the site.

March 2019 – Development Framework approved

**Existing Use(s):**

Retail use class 11: Public house

**Brief Description of Development:**

Planning permission is requested for the redevelopment of the site to demolish the existing building, to remove a protected Sweet Chestnut tree and to erect 7 dwellings and 12 flats, comprising of 7 x three bedroom terraced houses, 8 x two bedroom flats and 4 x one bedroom flats.

The site would be laid out with a block of 12 flats fronting onto South Quay comprising of a 2½ storey pitched roof building with a series of narrow gables fronting onto South Quay and a vehicular access through an archway in the centre of the building. A separate 4 storey flat roof building comprising of a terrace of 7 dwellings would be situated along the rear (south) boundary. A podium communal terrace, with small private patios for the terraced houses would be created between and connecting the block of flats and terraced houses at first floor level (described in the plans as upper ground floor) with car and bicycle parking provided at ground floor level under the podium deck. A communal garden would be created in the eastern section of the site and including the retention of a protected Evergreen Oak tree and the creation of a refuse store.

The application is accompanied by a Planning Report and a Construction Environmental Management Plan Report dated 13/04/2022, a Structural Inspection Report dated Jan 2022, a Waste Management Plan dated 12/04/2022, an Arboricultural Impact Assessment dated 12/01/2021, a Noise Assessment dated 15/08/2022, an updated Arboricultural Impact Assessment dated 06/09/2022 and a Landscape Design Detail Plant List (received 03/11/2022).

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

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy MC6: Retail in Main Centres

Policy MC10: Harbour Action Areas

Policy GP1: Landscape Character and Open Land

Policy GP4: Conservation Areas

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP10: Comprehensive Development

Policy GP17: Public Safety and Hazardous Development  
Policy GP18: Public Realm and Public Art  
Policy IP6: Transport Infrastructure and Support Facilities  
Policy IP7: Private and Communal Car Parking  
Policy IP9: Highway Safety, Accessibility and Capacity

**Representations:**

None

**Consultations:**

Agriculture Countryside & Land Management Services, 04/11/2022

"The planting proposal appears to offer a selection of various species using two main planting systems, either into the ground or into containers with a minimum depth of 600mm. I don't hold any particularly strong views on the planting scheme in terms of species selection. The site is right on the coast, possibly on reclaimed land so where plants are exposed to the full forces of the wind they may struggle. The development itself will afford a level of shelter which should be sufficient to enable reasonable growth. No planting can fully mitigate for the loss of the old Sweet chestnut but in terms of providing greenery and softening the impact of development this scheme will provide that.

Planters need careful consideration. Provided they are free draining and there is a source of irrigation, with some means to provide nutrition once the controlled release fertiliser runs out, then plantings should thrive into maturity. The scheme is not particularly clear about what plants go where but as far as I could tell only smaller woody and herbaceous species are specified for the planters".

Agriculture Countryside & Land Management Services, 28/10/2022

"Following receipt of the revised plans for the E&G development proposal I can report as follows:

My original concerns regarding the potential impact of development, on the existing mature Evergreen oak, related to the incorporation of hardscaping within the Root Protection Area (as drawn on the submitted plans). The revised drawings have now removed this component and, in respect of this aspect at least, I am content that the revision will reduce the potential for damage or loss of that part of the root system.

It is noted in the Loyd report that the total percentage of encroachment of buildings into the Root Protection Area (RPA), as drawn, will be just over 4%. Whilst this is likely to be higher (assuming the calculation is based on the strict building footprint, which does not allow for working space to install foundations etc) I am content that the impact on the health of the tree will be minimal insofar as the buildings are concerned. It is further noted from the report that when the permeable pavement is included this will encroach into the RPA as drawn to the extent of 9%. I am satisfied that the methodology prescribed in the Loyd report, dated 6<sup>th</sup> September 2022, will

be sufficient to reduce damage to the root system of the tree to an acceptable minimum. The most important contributor to tree protection will be the retention of the existing car park surface until construction is complete. Once the tarmac surface is (carefully) removed the RPA will be vulnerable to damage if access is not properly controlled, especially of plant, materials, equipment and vehicles. This is mainly from compaction which must be avoided at all costs.

The application of 75 millimetres of stable composted organic material to promote good soil structure and to improve the vigour of the tree is strongly supported. Whilst the application of “compost teas” or the introduction of ectomycorrhizal fungi is unlikely to cause harm I would question the efficacy and benefit since there is little evidence to justify their general use. Ectomycorrhizal associations should be already established based on local native populations of fungi. The application of mulch and removal of tarmac will encourage existing mycorrhizae. The application of irrigation should be carefully considered since it can cause more harm than good. Where significant root damage is caused there may be a case for irrigation, however in general it should be avoided because it may adversely influence root development. That said, irrigation could be considered if there is a risk of root desiccation from for example, the removal of tarmac and associated sub base”.

The Office of Environmental Health and Pollution Regulation, 06/10/2022

“I write further to my letter dated 15<sup>th</sup> June 2022 and the submission on 23<sup>rd</sup> August 2022 by the applicant of a Noise Assessment report, as requested.

I have reviewed the report and note this confirms residents of the proposed housing units would be subject to a potential significant impact from noise arising from industrial units close to the site. The report makes recommendations regarding glazing and ventilation for the proposed units. To protect residents’ amenity from noise, I would recommend that the following condition is attached to any granted planning consent:

- The development shall be constructed in accordance with the Noise Assessment report produced by Environoise, ref. 21779R01MWSW, issued on 15<sup>th</sup> August 2022.

I would be grateful if this issue is considered during the determination of this application”.

The Office of Environmental Health and Pollution Regulation, 15/06/2022

“I have reviewed the proposed plans for the redevelopment of the above site, to demolish existing building and erect seven dwellings and 12 flats with associated vehicle and pedestrian access and landscaping. These plans were received by post on 24<sup>th</sup> May 2022.

I refer to the comments previously made by this office during the consultation process for the Development Framework for this site, which were incorporated into the Approved Development Framework Supplementary Planning Guidance March

2019 at 6.4.1. As the proposal for the site includes residential dwellings, I would recommend that the following condition is attached to any issued consent:

- an acoustic report must be submitted to determine the noise impact on potential receptors due to the close proximity of industrial units to the site. The report must be carried out in accordance with BS8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings' and any identified noise reduction measures must be implemented prior to occupation of the development dwellings.

I have reviewed the CEMP and Waste Management Plan. It is noted that the CEMP refers to ongoing communication and provision of written reports to the OEHP. This would be welcomed and we would be happy to review any additional documents as they become available. As part of these additional documents we would request that:

- a construction site lighting plan is submitted
- a copy of any updates to the CEMP should be sent to us.

Having regard to previous usages of surrounding land, we would recommend the following condition is attached to any issued consent:

#### Potential Contaminated Land Condition

Please note this is one condition with multiple sub-sections:

(i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by Planning Services: (A desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below, however, this will all be confirmed in writing).

- (i) (a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by Planning Services,

- (i) (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by Planning Services,

- (i) (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the

site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to Planning Services verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of Planning Services in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

- (ii) a) as built drawings of the implemented scheme;
- (ii) b) photographs of the remediation works in progress;
- (ii) c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i)c.”

#### Informatives/Advice Notes

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above conditions that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>”.

#### Guernsey Fire Service, 14/07/2022

“After having carefully considered the Outline Application for the redevelopment of English & Guernsey Arms South Quay St. Sampson. I am pleased to inform you that the Fire Service would have no fire safety related reasons to object to a future building development on this site, as long as the proposed development is built in strict accordance with the guidance issued in the Guernsey Technical Standard, Volume 1, B1-B5 inclusive.

Please note the following comments that may have a direct impact on the proposed redevelopment :

1. Domestic sprinklers must be provided in all of the rear terraced apartments/houses.
2. The Parking deck must be protected by a commercial sprinkler system. Guernsey Water are currently refusing any request for a commercial sprinkler

system to be connected to a Towns Main supply. Furthermore Guernsey Water are insisting that any new sprinkler systems must have separate water tank supplies and pumps. This could seriously impact the space available on site, and the tanks and pump houses may not be aesthetically pleasing to Planning”.

#### The Constables of St Sampson, 06/06/2022

“The Douzaine have perused the plans and documentation pertaining to the application and are positive in their support for this particular development. It is well designed and will enhance the South Side area of the Bridge. It will hopefully be a precursor to the long awaited regeneration of the Bridge which is long overdue.

We have however been contacted by local businesses who point out that the site is bounded on three sides by commercial and industrial businesses. They sincerely hope their businesses will not be restricted in regards to working hours, noise and dust, now or in the future, should Planning deem this site suitable for residential dwellings.

Further comment, which although it is not a material consideration for this application, would be that it is hoped the anticipated long awaited development of Leale’s Yard will incorporate eateries and social amenities as this development will be increasing the footfall of those actually living on the Bridge”.

#### **Summary of Issues:**

The main issues in deciding this application are:

1. Whether the principle of new housing is acceptable.
2. Loss of/impact on the protected trees.
3. Design, scale, bulk and impact of the development on the character and appearance of the Conservation Area.
4. The impact of the development on the amenity of people living in the area.
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
6. Road safety and traffic management.

#### **Assessment against:**

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS’s).**

During the course of consideration the application was deferred to request further information including a detailed landscape scheme to partially mitigate the loss of the Sweet Chestnut tree, a methodology statement to ensure the protection of the Oak tree and concerns were raised with the siting and design of bin stores, the

design of the west boundary to the podium deck, bicycle parking provision and intervisibility issues to the west and south.

In response, further information and revised plans have been submitted seeking to address the requested additional information and the concerns raised. This has included the submission of a landscape scheme and an updated Arboricultural Impact Assessment, and various alterations including to the siting and design of bin stores, the design of the west boundary treatment around the podium deck, the bicycle parking and the internal layout of the terraced houses.

#### Whether the principle of new housing is acceptable

As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres. The site is located in a Main Centre Inner Area and does not form Important Open Land. A Development Framework was approved for the site in March 2019.

The approved Development Framework sets out that a range of uses could be possible on the site and that the change of use away from the existing retail use will be permitted where the new use supports the objective of ensuring the Main Centres remain attractive focal points for economic and social activity (para 6.5). The approved Development Framework goes on to state that while residential development can contribute to economic and social activity, more active commercial or community uses would provide greater benefit and a mixed use was considered the most appropriate option for the site, including an active frontage to South Quay.

Whilst the proposal is solely for residential purposes, the development includes an active frontage onto South Quay, and the increase in the residential population in close proximity to the central core of The Bridge would support existing social and economic uses. As a result, the development of the site solely for residential purposes could accord with the approved Development Framework and Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan and where the site provides an appropriate mix and type of dwellings.

Current evidence regarding private market housing suggests a need for homes of 1-3 bedrooms, with an emphasis on 2 and 3 bedrooms. The proposal provides a range of 1, 2 and 3 bedroom properties, with an emphasis on 2 and 3 bedrooms and therefore it broadly reflects current housing need.

#### Loss of/impact on the protected trees

The proposed development seeks to retain the Evergreen Oak tree, providing a communal garden beneath its canopy, and to remove the Sweet Chestnut tree. A revised Arboricultural Impact Assessment dated 06/09/2022 sets out how the Evergreen Oak tree is to be protected during the construction phase of the development. The revised plans have reduced the extent of hard surfacing within the Root Protection Area of the Evergreen Oak and the limited encroachment of buildings into the Root Protection Area is likely to have a minimal impact on the

health of the tree. The submitted tree protection measures for the Evergreen Oak are likely to be sufficient to reduce damage to the root system of the tree to an acceptable minimum.

The Development Framework (paragraph 6.26) sets out that should a development propose to remove a protected tree, a planning application must be accompanied by a full tree survey and justification to demonstrate the benefits of the development in removing the tree. The Authority must have regard to the desirability of protecting the amenity value of the tree; the health of the protected tree; any harm likely to be caused by the protected tree; and the likely amenity value of any proposals to mitigate any detrimental effect on amenity which is likely to arise from the development.

Information submitted with the application refers to the low public visual amenity value of the Sweet Chestnut tree due to its siting towards the rear of the site and the siting and scale of existing buildings, the potential harm that would be caused to the health of the tree by the demolition of the existing buildings and the potential for a landscape scheme to offset the visual and biodiversity effects resulting from the loss of the Sweet Chestnut tree. In addition, the application is accompanied by an Arboricultural Impact Assessment dated 12/01/2021, an updated Arboricultural Impact Assessment dated 06/09/2022 and a Landscape Design Detail Plant List (received 03/11/2022). These reports set out how the existing Oak tree will be retained and protected during the construction works and provides details of the proposed landscape scheme.

An Arboricultural Report dated 31/01/2022 by an officer of Agriculture Countryside & Land Management Services advised that the tree appeared structurally sound with no obvious visual indications of fungal infection or decay. There was evidence of dieback and decline in the crown and a previous survey in 2018 suggested a level of dysfunction in the root system or root crown which can lead to decline, although against this the tree demonstrates reasonable vigour and fair vitality. The report concluded that the Sweet Chestnut tree holds a low visual amenity value overall due its concealed position behind existing development which means that it has no public visibility. As a naturalised, as opposed to a native species, the Sweet Chestnut tree does not have a high biological importance and there is no published evidence that this particular tree offers any cultural or historic significance. Where it is not possible or desirable to gain better public visibility of the tree, the principal value of the tree is related to its age, which was estimated to be 160-170 years old, and the consequent high intrinsic historic value as a veteran tree in the context of Guernsey where there are few veteran trees. The tree was considered to meet criterion B3 of the British Standard BS5837:2012 on the basis of the material conservation or other cultural value of the tree within the context of Guernsey which has very few veteran trees.

The retention of the Sweet Chestnut tree would have fundamental implications for the design of the proposed development and it is likely that a revised scheme which retained the tree and increased its public visibility would generate a significant

reduction in the density and yield of the development. Despite its veteran status the Sweet Chestnut tree currently provides a low visual amenity value from public places due to its concealed position behind existing development. The proposed development would retain the Evergreen Oak tree, which has a far greater public visual amenity value and will maintain its visibility in short and long range views. No planting can fully mitigate for the loss of the old Sweet Chestnut tree but in terms of providing greenery and softening the impact of development the landscape scheme will provide this, including increasing greenery in the form of tree planting along South Quay. To further support biodiversity and to mitigate against the loss of the Sweet Chestnut tree, it is recommended that bird and bat boxes are incorporated into the development.

The spatial strategy of the Island Development Plan seeks to concentrate development within the Main Centres and to make an efficient and effective use of land with multi-storey developments as a means of reducing development pressure on greenfield land elsewhere in the Island. The loss of the Sweet Chestnut tree is partially mitigated by the proposed landscape scheme and provided that the design of the proposed development as a whole would conserve or enhance the character and appearance of the Conservation Area (see assessment below), on balance the loss of the Sweet Chestnut tree to enable the proposed development is supported.

#### Design, scale, bulk and impact of the development on the character and appearance of the Conservation Area

The Development Framework sets out that there would be a preference to retain the 19<sup>th</sup> century house element of the existing building but that Policy GP4 allows for the demolition of the entire building where the replacement development makes an equal or enhanced contribution to the Conservation Area.

The proposed building that faces onto Southside is set back approximately 1.5m from the north boundary with the space between the building and the boundary used for front gardens. Doors to the ground floor flats of the building provide an active frontage at ground floor level. Similarly, windows and balconies in the upper floor flats front onto and provide an active frontage and passive surveillance of South Quay.

The proposed building that fronts onto Southside is 2½ storeys with the upper storey partially within the roof space. The submitted information illustrates that the scale and mass of the building is similar to neighbouring buildings that front onto South Quay. However, due to the building divisions and vertical proportions, the architectural composition of the north elevation of the building will differ to the predominant design and character of buildings along South Quay where 19<sup>th</sup> century domestic scale buildings with widths typically ranging from 5m to 12m tend to have their eaves facing the street and harbour with 20<sup>th</sup> century industrial buildings sitting behind the 19<sup>th</sup> century buildings.

The 4 storey terraced houses are of a contemporary flat roof design which achieves a good standard of design. Large scale details of the eaves/fascia design of the flat roof

can be requested by condition and it is recommended that the fascia of the flat roof is designed to be as thin as possible. Due to its siting behind the block of apartments and the protected Evergreen Oak tree, the terraced houses would be largely screened from public view with some limited views along South and North Quay and distant views from Vale Castle. The building would screen a large utilitarian industrial building to the south of the site which would have a positive effect on the visual amenity of the area.

The proposed external materials comprise of render and stone with quoins and slate roofs. These materials are drawn from materials that are prevalent within the Conservation Area.

The proposed development retains the Evergreen Oak tree and maintains its visibility in short- and long-range views. Retaining this tree and providing a communal garden beneath its canopy, retains the rare open space, to the benefit of the character and appearance of the Conservation Area. The loss of the Sweet Chestnut tree would have the effect of thinning out the green canopy on South Quay however this effect on greenery would be offset by the proposed landscaping scheme which includes trees along the South Quay road frontage which would be more visible from public view than the existing Sweet Chestnut tree.

The proposed development will not directly affect protected buildings within the vicinity of the site and the scale, mass and appearance of the buildings will not detract from the protected buildings as local landmarks. As a result, the proposed buildings will have a neutral effect on the setting of Le Crocq Clock Tower and St Sampson's Church and the development complies with Policies GP5 and GP8 insofar as it affects the setting of nearby protected buildings.

In summary, the scale, mass, location and materials of the replacement buildings achieve a high standard of design, the development will maintain and increase the publicly visible greenery along South Quay, it will screen a large utilitarian industrial building to the south, it will have a neutral effect on the setting of nearby protected buildings and overall the development will conserve and enhance the character and appearance of the Conservation Area, in accordance with Policies GP4 and GP8.

#### The impact of the development on the amenity of people living in the area

The site is bounded by industrial and storage uses to the east and south and by South Quay to the north. To the west of the site there is a mix of uses including a residential property with first floor east elevation windows facing towards the site. The apartment building would be set back between 2m and 3.5m from the west boundary and between 4.5m and 6.5m from the neighbouring building to the west.

Due to its scale, mass and orientation, the apartment building has the potential to affect the outlook and sunlight/daylight of the neighbouring property to the west, however, it is unlikely that the effects will be to such a negative degree as to have a material adverse effect on the amenities of neighbouring residents. The windows at upper ground floor level on the submitted plans in the west elevation serving flat A5

have the potential to create privacy/intervisibility issues with the neighbouring property to the west. To address these concerns revised plans have been submitted which indicate the windows serving the living area to be obscure glazed and bottom hung. These measures would be sufficient to protect the amenities of neighbouring residents and the living area also includes windows to the north which would provide an outlook over the harbour for occupiers of the flat. The revised plans do not indicate the bedroom window in the west elevation to be obscure glazed and whilst a similar approach of obscured glazing and bottom hung windows would prevent privacy/intervisibility issues, this would also adversely affect the amenities of the occupiers of flat A5 as the bedroom is not served by any other windows. To address these concerns it is recommended that the window serving the bedroom is relocated to the south elevation or an additional window is installed in the west elevation. An additional window in the south elevation facing into the application site is unlikely to adversely affect the amenities of neighbouring residents and it is likely that such a change could be dealt with as a minor amendment.

The windows and doors at first floor level on the submitted plans in the west elevation serving flat A9 would be positioned above and would not align with the windows on the neighbouring property. As a result, views from flat A9 would largely be directed over the neighbouring property to the west and it is unlikely that the window and doors at first floor level would result in a significant loss of privacy for neighbouring residents.

#### Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

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, but 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 substantially exceed the Guernsey Technical Standards minimum internal space standards and they all exceed the best practice minimum internal space standards which are published on the Authority's website. All of the dwellings, except for flats A2 and A3, are dual aspect and would have adequate daylight and sunlight. The rear elevation of the apartment block and the front elevation of the terraced houses are separated by between 13m and 18m but due to a combination of the positioning of windows, the use of rooms and the slightly offset angle between the buildings, the overall level of privacy would be adequate. All of the dwellings have access to the communal gardens and all of the dwellings have either a balcony, private terrace and/or an outlook over the harbour which together with the communal gardens would provide an amount of useable outdoor space which is generally proportionate to the type and nature of dwellings that they would serve.

The Office of Environmental Health and Pollution Regulation advises that the submitted Noise Assessment report confirms that residents of the proposed dwellings would be subject to a potential significant impact from noise arising from industrial units close to the site. However, the report makes recommendations regarding glazing, ventilation and the form of construction for the proposed dwellings and provided that the development is constructed in accordance with the submitted Noise Assessment report, the measures proposed are likely to be sufficient to protect future occupiers from undue noise disturbance.

Overall, despite some deficiencies, particularly for flats A2 and A3, all of the dwellings would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

With regards to the adaptability and flexibility of the dwellings, the agent advises that the dwellings have been designed to accord with the 16 Lifetime Homes Standards. However, the terraced houses do not fully accord with criterion 2 (Approach to dwelling from parking) and insufficient information has been submitted to assess whether all of the dwellings accord with criteria 11 (WC and bathroom walls), 13 (Potential for fitting of hoists and bedroom/bathroom relationship) and 16 (Location of service controls). Whilst all of the dwellings do not meet all of the Lifetime Homes Standards, overall the design and layout of the dwellings and the information submitted is sufficient to demonstrate that the development provides adequate accessibility and offers flexible and adaptable accommodation, in accordance with Policy GP8.

#### Road safety and traffic management

South Quay forms part of the Inter Harbour Route. The development proposes to relocate the existing access approximately 7m to the west, and further away from the access to Dyson's Quarry, as recommend in the Development Framework. A consultation response has not been received from Traffic and Highway Services but it would appear that the entrance complies with visibility and road width requirements in Part P of the Guernsey Technical Standards, although a rumble strip to demark ownership would be required if the access road is to be surfaced in tarmac.

The proposal recommends alterations to the layout of the on-street parking which would lead to the loss of one public parking space. Alterations to the layout of the on-street parking will need to be approved separately by Traffic and Highway Services but the loss of one parking space raises no significant concerns.

A secondary vehicular access is proposed to the east of the site for use by emergency vehicles and for access to the bin store. A second vehicular access for frequent or general use would raise road safety and traffic management concerns due to the addition of an extra access onto the Inter Harbour Route and due to its proximity to and potential conflict with the access to Dyson's Quarry. The application indicates a retractable bollard to be installed to prevent a more frequent or general use of the secondary access and provided that the installation and retention of the bollard and

use of this access is strictly controlled, the proposal would not raise any significant road safety or traffic management concerns.

The development includes 25 car parking spaces, 11 spaces for the 12 apartments, and 2 spaces for each of the 7 terraced houses. The on-site parking provision does not exceed the maximum parking standards and is appropriate for this central Main Centre location. The total number of bicycle parking spaces accords with the parking standards however the 20 space bike store to the south of flats A1 and A2 does not appear to have sufficient spacing to enable bicycles to be easily manoeuvred into and out of spaces, especially when operating at high levels of use. It is therefore recommended that alternative bicycle parking arrangements are made for the flats and visitors for a minimum of 23 bicycles, this can be dealt with by condition.

The precise design of the existing footpath at the proposed vehicular access points is unclear and potentially indicates breaks in the existing continuous footpath which would be detrimental to the quality of the pedestrian environment. Further details of the design of the vehicular access points are required to ensure that the footpath running past the accesses remain continuous with pedestrians clearly having priority over vehicles entering or leaving the site. This can be dealt with by condition.

#### 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. The application is supported by a sustainability statement which sets out how the development has been designed to take into account sustainable design principles.

Information has been submitted to indicate that the dwellings will meet or exceed Building Regulations in terms of the thermal performance of the buildings envelope, that the design seeks to maximise daylight to reduce the use of artificial lighting and that energy efficient lighting will be used. Permeable paving is to be used in the communal garden to the east of the site and the terraced houses will include electric car charging points. A Waste Management Plan has been submitted detailing how waste is to be minimised and managed. Overall the layout and form of the development and 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 Construction Environmental Management Plan has been submitted which includes information about how the site is to be managed during the construction phase and the measures to be incorporated to reduce the impact on surrounding uses. The Office of Environmental Health and Pollution Regulation welcomes reference to ongoing communication and the submission of written reports to them and recommend that as part of these additional documents a construction site lighting plan is submitted.

The comments of The Office of Environmental Health and Pollution Regulation regarding the potential for contaminated land are noted and it is recommended that a phased site investigation is undertaken to address this.

The proposed active frontage and planting along the South Quay has the potential to enhance the public realm along South Quay, in accordance with Policy GP18.

With regards to the comments of the Fire Service, the agent advises that they have been in consultation with Building Control and the Fire Service and that a sprinkler system will be installed which will be included in their Building Control submission.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

**Date:** 22/12/2022