

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: Demolish dwelling (Residential Use Class 1), erect building to create 3 flats (Residential Use Class 2).

LOCATION: 10 Le Bouet, St. Peter Port.

APPLICANT: Mr M Hughes

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: 17/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners: AA84-10665-S1-60B, -61A, -70B, -71A, & -80A.

Application Ref: FULL/2023/1001

Property Ref: A106910000

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.Cycle and waste/recycling storage areas (shown on the approved drawing) shall be provided prior to the first occupation of the development hereby permitted, and shall thereafter be retained and so maintained.

Reason - In the interests of the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

Expiry Date: This permission will cease to have effect on 17/04/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2023/1001
Property Ref: A106910000
Valid date: 23/05/2023
Location: 10 Le Bouet St. Peter Port Guernsey GY1 2BF
Proposal: Demolish dwelling (Residential Use Class 1), erect building to create 3 flats (Residential Use Class 2).

Applicant: Mr M Hughes

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.

4. Cycle and waste/recycling storage areas (shown on the approved drawing) shall be provided prior to the first occupation of the development hereby permitted, and shall thereafter be retained and so maintained.

Reason - In the interests of the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

OFFICER'S REPORT

Site Description:

The property is a traditional two storey dwelling facing north on to Le Bouet and is set close to the road in a wedge shaped plot, constrained by the Jamaica Inn to the east and Jamaica Hall to the south and west. The existing dwelling faces north onto Le Bouet and is set forward of its neighbours abutting the road, it has a small, enclosed courtyard to the rear, which is overlooked by the existing ground floor windows along the northeast elevation of Jamaica Hall.

The property is located in a Main Centre Outer Area and is within a Conservation Area as defined in the Island Development Plan (IDP). The building is also a pre-1900 dwelling.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The application proposes the demolition of the existing two storey dwelling and replacement with a three-storey building, containing three flats (3 x one beds).

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

MC2: Housing in Main Centres and Main Centre Outer Areas

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

IP6: Transport Infrastructure and Support Facilities

IP7: Private and Communal Car Parking

Representations:

One letter of representation has been received; the following comments were made:

- Concern over accuracy of plans and inclusion of land outside applicants ownership without consent.
- Overdevelopment of site

- Poor design- single aspect, facing north.
- Overshadowing and loss of amenity to neighbour property,
- Harmful impact on Conservation Area
- Existing building is in poor condition but should be retained.
- Lack of detailed Waste Management Plan.

Consultations:

Conservation and Design were consulted on the original proposal and made the following observations:

10 Le Bouet is a traditional-style pitched-roof house of two storeys which stands amid development of a range of ages at a distance of nearly 100m inland from the Island's east coast. The building is not protected but is within the St Peter Port Conservation Area. IDP Policy GP4 is therefore engaged, as well as S38 of the law, which sets a statutory duty to "[pay] special attention... to the desirability of preserving [i.e. not harming] and enhancing the character and appearance of that area."

This part of the Conservation Area is characterised by buildings of traditional and classical proportions. The vast majority of buildings have steeply pitched roofs, either slate or pan-tile (often of natural materials) and front on to Le Bouet. Some are fronted with stone and some are finished in render; some have dormer windows and many have brick chimney stacks with clay pots. Most of the buildings have narrow front gardens behind low walls. Jamaica Hall, to the south west of No.10, is a larger scale building (a former chapel) which also follows these cues albeit the fenestration has been altered.

Buildings to the east of the application site, between No.10 and Les Banques, are anomalies, having flat and mono-pitched roofs. The Jamaica Inn, which abuts No.10, comprises a number of elements, some of which accord with the characteristics of the area but some – namely the flat roofed elements, in particular the two-storey section – which detract both in bulk but also in solid: void ratio. The Co-Op building at the junction, constructed in the early 1970s, is of a much greater scale and similarly does not adhere to the proportions of the buildings which make up the majority of development in the area. I therefore considered it detracts from this part of the Conservation Area.

At pre-application stage (PREA/2023/0492) the Authority's advice was that a particularly high standard of design would be required to ensure that Policies GP4 and GP8 were met. High quality details and materials would be required but the mass, in particular at second floor level, would require careful consideration.

It is proposed to demolish the building and replace it with 3 apartments.

The application submitted differs little from the pre-application proposal, excepting that additional supporting information is provided regarding the effect on the Conservation Area.

Assessment against Policy GP4

The agent asserts that the 'dilapidated condition' of the building detracts from the character and special interest of the Conservation Area. However, this is not a compelling reason to conclude the building detracts from the Conservation Area because the condition of a historic building can be improved by repairs and maintenance as well as bringing the building into use.

10 Le Bouet is a building of traditional proportions and construction which dates from the early 19th century. By 1843 – the first map on which the building appears – the area had begun to develop and this continued throughout the rest of the 19th century. It is this development that gives the area its characteristics, which are set out above. I therefore consider that 10 Le Bouet makes a positive contribution to the character, architectural and historic interest and appearance of the Conservation Area by virtue of its proportions, materials, solid: void ratio of the north elevation and its position in the street.

To accord with Policy GP4 its demolition will only be supported where the replacement building makes an equal or enhanced contribution to the character of the Conservation Area.

It is proposed to replace No.10 with an apartment block of 3 storeys. The lower 2 storeys would be constructed on the back edge of the pavement (as is the existing building) and the 2nd floor would have a shallow pitched roof and be set back from the front elevation behind a terrace that forms a flat-roofed element wrapping around the west corner of the building. A flat roofed element of 3 storeys high with a passageway at ground floor level would be positioned on the west side of the building, behind the principal building lines. Windows in the façade vary in size and position and a Juliet balcony is proposed. Materials would comprise natural slate, painted render, aluminium-framed windows/doors and a glazed balustrade.

In the opinion of the agent, the proposed replacement building responds to, "without slavishly replicating" the traditional context of the immediate locality thereby making an enhanced contribution to the Conservation Area.

I am not able to agree with this assessment.

Contrary to the simple form, scale and classical proportions of those buildings in the locality which contribute to the Conservation Area, the proposed building is made up of a number of different levels and forms. This combines to result in a 'blocky' and disjointed appearance which, rather than focussing on the positive contributors, seems to take cues from 20th century buildings to the east which detract from the Conservation Area.

The height of the building is not especially contentious. However, the pitched roof, in conjunction with the set-back of the 2nd floor terrace, contributes to the impression of the building being made up of a number of blocks. The differing size and alignment

of the windows and doors within and between each level of the façade, along with the introduction of a Juliet balcony further this point.

The overall effect is one of a building with extensions rather than a scheme that provides a simple building form that is characteristic of other buildings in the vicinity that contribute to the character of the Conservation Area, which is evident in Figures 6.1, 6.3 and 6.4 of the Planning Design Statement (Lovell Ozanne, May 2023).

For these reasons, the replacement building does not make an equal or enhanced contribution to the character of the Conservation Area and so does not meet the requirements of Policy GP4.

Assessment against Policy GP8

For the reasons set out against Policy GP4, above, the proposal fails to respect the character of the local built environment, contrary to criterion c of Policy GP8. Nor does it conserve the particular special interest of the Conservation Area, one of the areas of higher protection specified in that Policy.

It is acknowledged that developments in Conservation Areas need not replicate the surrounding built form (as set out in 19.9.4) but the submitted design does not respect the scale, mass, detail and special interest of the surrounding built form that complements the local character and fails to achieve the particularly high standard required by the Policy.

Summary

For the reasons set out above, objections are raised to replacement of 10 Le Bouet with the building proposed.

As proposed, the application does not meet the requirements of Policy GP4 or Policy GP8. Objections are raised on the following grounds:

- 10 Le Bouet makes a positive contribution to the character, architectural and historic interest and appearance of the Conservation Area. The replacement building does not make an equal or enhanced contribution to the character of the Conservation Area (GP4);*
- The proposal fails to respect the character of the local built environment, contrary to criterion c of Policy GP8, nor does it conserve the particular special interest of the Conservation Area or achieve the particularly high standard required within one of the areas of higher protection specified (GP8).*

Following this feedback, the application was deferred and revised plans which altered the proposed fenestration to the frontage, were accepted. Further comments were received from Conservation and Design, as follows:

“The revisions comprise alterations to the windows of the north (roadside) elevation to unify their size and to introduce smaller panes of glass and sills. The Juliet balcony has been removed, reconstituted stone has been specified to cap the elevated terrace

and a timber fascia and PVCu rainwater goods have been added to the second floor eaves.

In the context of previous objections to the proposal, these revisions represent a minimal change which fails to address those objections. Therefore, the previous objections continue to stand and the proposal fails to meet Policies GP4 and GP8.

Summary

For the reasons set out above, objections are raised to replacement of 10 Le Bouet with the building proposed.

As proposed, the application does not meet the requirements of Policy GP4 or Policy GP8. Objections are raised on the following grounds:

- 10 Le Bouet makes a positive contribution to the character, architectural and historic interest and appearance of the Conservation Area. The replacement building does not make an equal or enhanced contribution to the character of the Conservation Area (GP4);*
- The proposal fails to respect the character of the local built environment, contrary to criterion c of Policy GP8, nor does it conserve the particular special interest of the Conservation Area or achieve the particularly high standard required within one of the areas of higher protection specified (GP8).*

Subsequently the plans were revised, proposing a more traditional design providing 3 x one bedroom flats instead.

Conservation and Design made the following comments on the revised scheme:

Assessment against Policy GP4

The revised scheme entails replacement of the existing cottage with a three-storey building containing 3 1-bedroom flats. The building would front the rear edge of the pavement, taking the same building line as the existing house, and would be of a classical 3-bay form under a pitched roof with a flat roofed section to the rear. The door would be in a side wing but visible from the road. Windows would be 1/1 sashes and render detailing would include quoins, window heads, sills and a band above the ground floor windows.

Previous advice of the Authority, based on the earlier scheme, was that the “height of the building is not especially contentious”. This is not to say that there were no concerns about an increase in height, but that other aspects being resolved may be sufficient to mitigate any concerns over increased scale.

Removal of the stepped façade and side wing together with a reduction in eaves height has resulted in the appearance of the building now far better according with the surrounding development which contributes to the Conservation Area. The off-set position of the door is justifiable in road safety terms and does little to detract from the balance of the building. The flat roofed section to the rear is little changed from the previous scheme but was not a concern at that time.

To accord with Policy GP4 demolition of the existing building, which contributes to the Conservation Area, will only be supported where the replacement building makes an equal or enhanced contribution to the character of the Conservation Area.

Assessment against Policy GP8

a. Does the proposal achieve a good standard of architectural design?

The general appearance and composition of the building is acceptable. Use of render quoins, etc. breaks up what could otherwise be an overwhelming proportion of render when considered in relation to the proportions and position of windows. The development would sit amid generally residential buildings (at least in origin), which date predominantly from the 19th century or reflect the features and proportions of such.

Certain amenities of the neighbouring building to the south west would be impacted. However, the neighbouring building is in commercial use and so I surmise that the overall amenity for the neighbours will be sufficient.

b. Does the proposal demonstrate the most effective and efficient use of land?

The proposed building would provide 3 1-bedroom flats over 3 storeys under a pitched roof and flat roof, respectively to front and rear. In height, it would exceed some of the neighbouring buildings. Its position is such that it would not be overbearing to buildings to the north, but may have an overbearing effect on the building to the south west. Provision of obscure glazing would mitigate concerns regarding overlooking. The density of development is not at odds with that of surrounding development. This height and density is appropriate in part of the Main Centre.

c. Does the proposal respect the character of the local environment or the open landscape concerned?

As set out above, the amended scheme would conserve the Conservation Area. The site is enclosed by existing development. As a result there would be no adverse effect on the open landscape and little impact on the local environment. There would be no adverse effect on the overall special interest of the setting of any protected building.

d. Does the proposal consider the health and well-being of occupiers and neighbours?

This criterion is explained in more detail in Annex I of the IDP. The Annex is the main document to refer to. Matters that must be considered are:

- Internal space provision,*
- Privacy*
- Aspect/outlook*
- Access to external open space*
- Daylight/sunlight.*

Internal Space Standards

Annex I explains (paragraph I.9) that the GTS set out minimum standards for the layout, size and arrangement of habitable rooms but that the Authority would normally expect new development to demonstrate that those minimum space standards are substantially exceeded.

In considering the amount of space provided within new housing units, therefore, Technical Housing Standards – Nationally Described Space Standards (DCLG, March 2015) is used as a starting point and a guide. This sets out a minimum gross internal floor area of 50m² for a single storey 1 bedroom/2 person house.

The minimum gross internal floor areas exceed the standard, just in the case of the ground floor flat. The bedrooms meet the minimum standard of 12m². The built-in storage meets the minimum standard.

The minimum space standards are not substantially exceeded but are acceptable.

Provisions enabling occupants to 'age in place' are not specifically set out in the design. These are further discussed below, in sections f and g.

Privacy

The windows of the new flats would be at a minimum distance of 8m from the neighbouring buildings across the road to the north. This degree of separation, given the presence of the road, is acceptable.

Windows at the south west corner of the building (serving the non-habitable stairwell, lobbies and utility rooms of the flats) would be an average, at each floor, of 2.5m from the neighbouring commercial building in that direction. Windows are present in the north east elevation of the neighbouring building. I do not know the use of the rooms served by those windows. A solution may be to require the new windows to be obscure glazed.

Daylight and sunlight

The position of the building and orientation of windows means that provision of daylight is adequate. All windows serving habitable rooms face north, meaning provision of sunlight would be limited to very restricted times of day, i.e. early morning during the summer.

The increased height of the building relative to the neighbour to the south west has potential to obstruct daylight and sunlight (the latter, again, limited according to time and season) to windows in the north east elevation of that building. The use of those rooms is unknown.

Aspect/Outlook

The position of the house and orientation of windows means that aspect/outlook is adequate.

Aspect/outlook of the neighbouring property to the south west may be impinged upon, again subject to the use of the rooms served by windows in its north east elevation.

Access to Private or Communal Open Space

The development does not provide access to on-site private or communal open amenity space. There are public amenity spaces nearby (e.g. Belle Greve Bay, Beau Sejour and Cambridge Park), all within walking distance of the application site. I therefore consider the access to private or communal open space will be acceptable.

Summary

The application site is within the St Peter Port Main Centre Outer Area in an area that is built-up but generally not of a particularly dense grain. Existing buildings, a curve in the road and elevated land to the south enable new development to be absorbed into its surroundings.

The below table summarises my assessment of amenity provision:

Amenity	Application site	Neighbours
<i>Internal space provision</i>	<i>adequate</i>	<i>n/a</i>
<i>Privacy</i>	<i>adequate</i>	<i>adequate, poss. with obscure glazing to SW</i>
<i>Aspect/outlook</i>	<i>adequate</i>	<i>poor</i>
<i>Access to external open space</i>	<i>adequate</i>	<i>n/a</i>
<i>Daylight</i>	<i>adequate</i>	<i>poor</i>
<i>Sunlight</i>	<i>poor</i>	<i>poor</i>

The above table highlights that, with the exception of provision of sunlight, the amenity factors for the new building are adequate. It also highlights that the proposed building may have an adverse effect on outlook, daylight and sunlight to that building. However, the neighbouring building is in commercial use and so I surmise that the overall amenity for the neighbours will be sufficient and the development meets this criterion.

e. Does the proposal provide appropriate hard and soft landscaping?

No reference is made to hard and soft landscaping within the submission. It is presumed, as the route to the side of the building is to provide access, bicycle and bin storage, that this area would be paved in some way. It is not clear whether it is proposed to utilise a SUDs approach or how roof run-off will be dealt with.

f. Does the proposal demonstrate accessibility to and within the building? and g. Does the proposal offer flexible and adaptable residential accommodation?

The site on a bus route and is within easy walking distance of bus stops at Les Banques (c.200m) which is served by several additional buses. Access to the building is over flat land. Gradients within the development appear acceptable and a ramp is proposed to

provide access to the ground floor door. No on-site parking is provided. On-street parking is available in neighbouring roads, but not in Le Bouet.

Level entrances are proposed to each flat and there may be scope to install a stairlift although future scope for this is not set out on the plans. The main door of each unit, along with hallway, room and doorway widths at the entrance level, are sufficient. Provision is not specified for future installation of grab rails in bathrooms and WCs.

Summary

There would be no adverse effect on the special interest of the setting of any protected building and the character, architectural and historic interest and appearance of the Conservation Area would be conserved and so the requirements of Policy GP4 and GP5 are met. For the reasons set out above, the proposal also meets the criteria of Policy GP8.

Summary of Issues:

- Principle of development
- Impact on Conservation Area and Character of Area
- Amenity of future occupants
- Impacts on amenity of neighbours

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).**

Principle of Development

The IDP follows the direction of the SLUP by directing the majority of new residential development to the Main Centres. Policy MC2 supports new housing development where the development accords with all other relevant policies and, where able to, accommodates a variety of dwellings in size and type. The site area is too small to accommodate a variety of dwelling types, but the application proposes 3 x one-bedroom flats which have been identified by the most recent States Strategic Housing Assessment as required.

The proposed development is considered to represent an effective and efficient use of land, and the three-storey development would contribute to meeting the current identified housing need. The principle of development is therefore acceptable in accordance with the provisions of Policy MC2.

Impact on the Conservation Area

To accord with Policy GP4 demolition of the existing building, which contributes to the Conservation Area, will only be supported where the replacement building makes an equal or enhanced contribution to the character of the Conservation Area.

The development replaces the traditional two storey dwelling in the same positioning close to the road, with a three storey unit with pitched roof. Although taller than the existing two storey dwelling, the proposed classical 3-bay form with appropriate details such as sash windows, quoins and window heads/sills. The removal of the stepped frontage and side wing has resulted in a form of development which integrates better with the surrounding development which contributes positively to the Conservation Area.

As a result, the proposal is considered to preserve the character of the surrounding conservation area, and the application is considered to comply with the statutory duties under the Law and the requirements of GP4.

The building is not a protected building, and so the application of Policy GP5 would not be appropriate.

Impact on the Character of the Area

The proposals achieve a good standard of architectural design and blends with the existing streetscene which is composed of a variety of development heights, and designs, with a dense urban grain. The proposed replacement building is higher than the surrounding buildings, but its position is such that it would not appear overbearing in the streetscene and is appropriate for the Main Centre location.

The layout of the development, along with the overall design, scale and form of the development, including the palette of materials, reflects the positive contributors to the existing local built environment. The density of the development is compatible with the site's location, and it represents an efficient use of land.

Impacts on Amenity of Future Occupants

The proposed one bedroom flats offer a floor area of 51.16 – 55.8m². This comfortably exceeds the GTS minimum space standards for accommodation for two people required by Guernsey Building Regulations. The UK DCLG national space standards are higher and considered best practice, and the total floor area also meets the UK standard of 50m² for two people.

The design takes into account the health and wellbeing of the occupiers and provides adequate levels of daylight and sunlight to habitable rooms despite the single aspect due to constraints imposed by the size of the site and location enclosed by surrounding buildings.

Amenity levels for future occupants of the flats, in terms of noise, outlook and privacy may be more limited due to the constraints imposed by the position of the building set very close to the road, and single aspect, with north facing windows. In addition, there is no private amenity space available.

However, as the flats comfortably exceed the minimum space standards required under the Guernsey Building Regulations. The flats are located close to the seafront,

local parks and public open spaces, and notwithstanding concerns identified above relating to noise, outlook, privacy and natural daylight/sunlight, are on balance considered to be adequate.

In all cases, when considering proposals for development, the Authority will take into account the provision of appropriate levels of bicycle parking in accordance with the guidance set out in Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment. In this case, the Parking Standards would require the provision of one secure covered space per dwelling, as seen on the submitted drawings.

The existing property does not benefit from private car parking but the location close to the main centre means that the flats would be especially favourable to those working in and around the Centre. The Le Bouet location is close to the Main Centre, close to bus stops and there is some roadside parking nearby and long-term parking available at La Salerie car park.

In summary the redevelopment of this site, as proposed, is acceptable in terms of the amenity of future occupants.

Impacts on Amenity of Neighbours

It is not considered that there would be any unacceptably adverse overbearing or overshadowing impacts arising from the development as proposed. The proposal is not expected to significantly worsen the impact of the existing building in terms of light received by the boundary windows of Jamaica Hall, which is a light industrial unit which means the higher standards required for residential amenity do not apply.

The proposed flats are unlikely to result in any significant change in the existing relationship with the residential properties located to the north of the site. There may be a slight increase in the perception of overlooking to the neighbours opposite and the intervisibility, but is unlikely to have any increase in actual overlooking above that which can be reasonably expected across roads within the main centre.

Other matters:

Information submitted as part of this application demonstrates that sustainable development principles have been taken into account from the outset of the design process, in accordance with the requirements of Policy GP9.

The Authority acknowledges the site constraints which limit sustainable approaches to the positioning, orientation, form and design of the scheme. However, the use of energy will be minimized by an additional increment in thermal insulation over the minimum standards set under Part L. Heating is to be powered by mains electricity which represents the most efficient alternative to the previous fuel oil system on site.

Concern raised within the representations in relation to landownership and the locations of the boundary are private civil matters between the parties concerned and not material planning considerations which would influence a decision on this

planning application. Any grant of planning permission would be without prejudice to the normal legal rights and privileges of third parties with regards to ownership disputes.

Conclusion:

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 16/04/2024

