

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: Convert and alter Durlston House to create 2 flats. Convert, extend and alter Quayside House and outbuilding to create 4 flats and associated works. Alter shop front, fenestration and install cladding to La Croix and create vehicle accesses (Protected Building).

LOCATION: Durlston House, Quayside House & La Croix, North Side, Vale.

APPLICANT: T J Morris 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: 18/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - S72-10710-S1-02, -03, -04, -05A, -06C, -07C, -08 & 09.

Application Ref: FULL/2023/1727

Property Ref: C006360000+C006320000

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. Prior to the commencement of any work in connection therewith, details (1:20 scale elevations and 1:5 scale details (jamb, head, cill, meeting rail, glazing bar)) of the:

- a) replacement doors and new windows in the extension and the single new window (north elevation of Quayside House) hereby approved;
- b) replacement windows at Durlston House;
- c) replacement windows and doors at La Croix; and
- d) replacement windows and doors at Sierra Leone

shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed windows and doors and the condition has been imposed to ensure that the special interest of the Protected Buildings is sustained along with the character and appearance of the Conservation Area.

5. Details of the roof slates to be used in the development shall be submitted to the Authority. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected buildings.

6. Prior to the commencement of any work in connection therewith details of the:

- a) new fixed metal railings shown on the west elevation of Quayside House (drawing S72-10710-S1-07 rev C); and
- b) bollards at Durlston House and La Croix (shown on drawing S72-10710-S1-03)

shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features and the condition has been imposed to ensure that the special interest of the Protected Buildings is sustained and that the works will not have a detrimental impact on the character and appearance of the Conservation Area.

7. The walls and planters hereby permitted and shown on drawing S72-10710-S1-06 rev C shall be rendered on both sides (where applicable) within 28 days of construction. There shall be no occupation of any residential unit hereby approved until the 2m high rendered blockwork walls shown on drawing S72-10710-S1-06 rev C have been fully constructed in accordance with the approved plans.

Reason - To provide screening of the car parking area and amenity space and to preserve the character and appearance of the Conservation Area and setting of the Protected buildings.

8. Notwithstanding the cycle parking shown to serve Durlston House (outside unit 1, ground floor study window), prior to the commencement of any work in connection therewith details of the siting, design and appearance of proposed cycle parking for:
a) Durlston House and La Croix; and
b) Quayside House

shall be submitted to and agreed in writing by the Authority, and no part of the development hereby permitted shall be used or occupied until the agreed cycle parking scheme to serve that building has been fully implemented. The provision for cycles shall not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car and having regard to the privacy and amenities that can reasonably be expected by future occupiers of the development.

9. Written details and a finished sample of the timber cladding proposed to be used at La Croix, shall be submitted to and agreed in writing by the Authority before any such timber cladding is brought onto the site or installed on the building. The agreed finish shall be applied within 28 days of the cladding being installed.

Reason - To preserve the special interest of the Protected Building, La Croix and the character and appearance of the Conservation Area.

10. Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

i) the treatment proposed for all ground surfaces, including cycle parking x 2, bin storage and amenity area at Quayside House and all proposed hardsurfacing around Durlston House and La Croix; and

ii) full details of planter planting (Quayside House) to incorporate planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - In the interests of visual amenity and sustainable development.

11. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any 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 - In the interests of visual amenity and sustainable development.

12. The chimney stacks (Quayside House and Durlston House) shall be re-constructed on a like for like basis and the existing pots shall be set aside during dismantling of the existing chimney stacks and shall be reinstated within four weeks of the new chimney stacks having been constructed.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the character and appearance of the Conservation Area and the special interest of the Protected Buildings.

13. No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the Protected Building.

14. The existing cobbles, shown to be re-laid, shall be lifted and set aside during site works and shall be relaid to provide an access ramp, shown on drawing S72-10710-S1-06 rev C, prior to the first occupation of any approved residential unit in Quayside House.

Reason - To preserve the special interest of the Protected Building, Quayside House.

15. The stone to be used in the construction of the new boundary wall to the north elevation (drawing S72-10710-S1-05 rev A) hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone. The walls hereby approved shall be completed in their entirety prior to the first occupation of any of the approved residential units in Durlston House.

Reason - To preserve the character and appearance of the Conservation Area and setting of the Protected Building, La Croix.

16. The exterior of the approved extension to Quayside House and the approved door and window infills/partial infills (north and south elevations of Quayside House and east and north elevations of Durlston House) shall be rendered and finished to match the external appearance and finish of the existing building to which the works relate prior to the first occupation of any residential units within that building.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected building, Quayside House.

17. None of the residential units hereby permitted shall be occupied until the approved access roadway and the areas of approved car parking to serve that residential unit, shown on the approved plans, has been completed in accordance with the approved plans and details approved under condition 10 above. The areas shall thereafter be kept available for the parking of cars/motorcycles.

Reason - To provide access to the residential units hereby approved in the interests of the amenities that can reasonably be expected by future occupiers.

18. Vehicular movements to and from the Durlston House/La Croix part of the site shall utilise an 'in-and-out' arrangement, in from Trafalgar Road and out onto North Side, in accordance with the details shown on drawing S72-10710-S1-03, and signage identifying the 'in' and 'out' entrance and exit respectively shall be provided before the first occupation of any of the residential units hereby permitted and thereafter retained and maintained.

Reason - In the interests of highway safety.

Expiry Date: This permission will cease to have effect on 18/06/2027 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/2023/1727
Property Ref: C006360000+C006320000
Valid date: 13/10/2023
Location: Durlston House, Quayside House & La Croix North Side Vale
Guernsey GY3 5TW
Proposal: Convert and alter Durlston House to create 2 flats. Convert,
extend and alter Quayside House and outbuilding to create 4
flats and associated works. Alter shop front, fenestration and
install cladding to La Croix and create vehicle accesses
(Protected Building).
Applicant: T J Morris 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.

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- a) replacement doors and new windows in the extension and the single new window (north elevation of Quayside House) hereby approved;
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shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

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5. Details of the roof slates to be used in the development shall be submitted to the Authority. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected buildings.

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therewith details of the siting, design and appearance of proposed cycle parking for:

- a) Durlston House and La Croix; and
- b) Quayside House

shall be submitted to and agreed in writing by the Authority, and no part of the development hereby permitted shall be used or occupied until the agreed cycle parking scheme to serve that building has been fully implemented. The provision for cycles shall not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car and having regard to the privacy and amenities that can reasonably be expected by future occupiers of the development.

9. Written details and a finished sample of the timber cladding proposed to be used at La Croix, shall be submitted to and agreed in writing by the Authority before any such timber cladding is brought onto the site or installed on the building. The agreed finish shall be applied within 28 days of the cladding being installed.

Reason - To preserve the special interest of the Protected Building, La Croix and the character and appearance of the Conservation Area.

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- i) the treatment proposed for all ground surfaces, including cycle parking x 2, bin storage and amenity area at Quayside House and all proposed hardsurfacing around Durlston House and La Croix; and
- ii) full details of planter planting (Quayside House) to incorporate planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - In the interests of visual amenity and sustainable development.

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

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Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the Protected Building.

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Reason - To preserve the special interest of the Protected Building, Quayside House.

15. The stone to be used in the construction of the new boundary wall to the north elevation (drawing S72-10710-S1-05 rev A) hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone. The walls hereby approved shall be completed in their entirety prior to the first occupation of any of the approved residential units in Durlston House.

Reason - To preserve the character and appearance of the Conservation Area and setting of the Protected Building, La Croix.

16. The exterior of the approved extension to Quayside House and the approved door and window infills/partial infills (north and south elevations of Quayside House and east and north elevations of Durlston House) shall be rendered and finished to match the external appearance and finish of the existing building to which the works relate prior to the first occupation of any residential units within that building.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected building, Quayside House.

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Reason - To provide access to the residential units hereby approved in the interests of the amenities that can reasonably be expected by future occupiers.

18. Vehicular movements to and from the Durlston House/La Croix part of the site shall utilise an 'in-and-out' arrangement, in from Trafalgar Road and out onto North Side, in accordance with the details shown on drawing S72-10710-S1-03, and signage identifying the 'in' and 'out' entrance and exit respectively shall be provided before the first occupation of any of the residential units hereby permitted and thereafter retained and maintained.

Reason - In the interests of highway safety.

OFFICER'S REPORT

Site Description:

Durlston House, North Side is a two-storey dwelling with pitched roofs, render exterior (with granite quoins) and decorative chimney stacks situated on the corner of North Side and Trafalgar Road. Currently the former Quayside site is situated to the east and is vacant pending redevelopment.

La Croix is a single-storey building with granite exterior and pitched, slate roofs. A gable with shopfront exists to the west elevation, set back from the site boundary and served by a wide access with high granite pillars and glazed gable with garage door to the north elevation. Infill extensions exist between the east-west and north-south gables with shallow, mono-pitched roofs. A clearstory of windows exists in the north elevation. The building is vacant with windows and door boarded.

Quayside House, is situated on the corner of Northside and Longree. The property has a curved exterior to the road with a granite exterior, slate roof with a number of shallow pitched roof dormers and quoin details to the window openings. To the western end of the building is a rendered, two storey element with dormer and quoin details that match the remainder of the building and a single-storey flat roof element exists immediately adjacent to vehicular access to the site from Northside. The building is currently vacant and the majority of window and door openings are boarded.

The site is located in a Main Centre, Conservation Area and Harbour Action Area as designated in the Island Development Plan.

The exterior of Quayside House and exterior of Sierra Leone (north of Quayside House) are protected along with the historic paving, weighbridge, gate pillars at Northside and Longree and boundary wall at Longree.

The exterior of La Croix (former Lifeboat House), together with the roof structure, roadside walls and piers are protected. The flat roof extension to the north is excluded from the listing.

Durlston House is not protected.

Relevant History:

Durlston House

There have been various applications granted for alterations to the existing building.

Former Quayside

FULL/2023/1595 – Redevelopment of site to include new retail building (Building A) with associated works and parking area, alter and create gated vehicle access.

Change of use of existing building (Building B) from industrial storage and distribution (Use Class 24 and 22) to retail (Use Class 10) – under consideration

Existing Use(s):

01 residential

10 retail – deli (La Croix)

16 offices

Brief Description of Development:

The application relates to the formation of six flats (Residential Use Class 2) in Durlston House and Quayside House and for Sierra Leone to be ancillary storage associated with Quayside House.

Durlston House

2 x flats – one per floor laid out with a bedroom, bathroom, living/dining room, separate kitchen, study and store.

Cycle parking proposed to the front and rear of the building

An existing first floor window is proposed to be infilled (facing La Croix) and alterations are proposed to existing ground floor openings in the east elevation

The bay window is to be rebuilt along with the chimney stacks and windows are proposed to be replaced.

La Croix

The existing commercial unit is shown to be retained with an existing opening infilled to the rear (south elevation) and doorway altered/replacement door to the rear (east elevation). Replacement windows and doors and the replacement of the garage door and windows are proposed along with a replacement, insulated, roof.

A vehicular access is proposed in the north (6m) and south (5.5m) boundary walls to provide through access along with the demolition of a wall to the east of La Croix and Durlston House in connection with the formation of a driveway. Four parking spaces are proposed to the rear/east of La Croix, two small car spaces, one standard space and one accessible space. Cycle parking is proposed to the front and rear of the building. New bollards are proposed along the east site boundary to the adjoining retail development site (application currently under consideration).

Quayside House

4 x flats

- Ground floor 2 x 1 bedroom
- First floor 2 x 1 bedroom

The scheme proposes to erect a first-floor extension with render exterior above the western, single-storey extension at Quayside House (amended from an entirely flat roof to now incorporate a hipped roof to Northside and flat roof behind). An existing door is to be infilled in the south and north elevations and the dormers in the front/south and dormer in the rear/north roofslopes are shown to be removed and chimney stack rebuilt.

Windows and doors were shown to be replaced however, following the deferral of the application it has been confirmed that the existing windows will be refurbished. A new 2m high blockwork boundary wall is proposed, with 4m wide vehicular access, to enclose the proposed parking and amenity area to the rear/north of Quayside House.

Sierra Leone is shown to be retained and used as a store with a new first floor window to existing opening (west elevation) along with replacement windows and doors to the west and south elevations. An amenity area proposed to the north, parking to the west (within the area of existing cobbles) and new tarmac driveway/turning area. Four parking spaces are proposed (one accessible) and two areas designated for cycle parking. Bin storage is shown to the northwest corner of the site. New railings are proposed to infill the gateway adjacent to Sierra Leone.

Sierra Leone

The submission outlines that windows and doors will be replaced in this building. It is to be used as a store.

The application is accompanied by a Design Proposals document and Statement of Significance.

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

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas

MC4: Office Development in Main Centres

MC6: Retail in Main Centres

MC10: Harbour Action Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Parking Standards and Traffic Impact Assessment SPG (2016)

Representations:

One letter of representation has been submitted welcoming the conversion into accommodation.

Quayside House

- built 1870 as offices for John Mowlem & Co, the largest granite quarrying operation in Guernsey and importing Guernsey granite to the UK from the 1830s until the company closed in 1929
- the granite frontage and the triangle plaque are of great historic value and should be retained
- on the corner of the building a sign has been painted over (Mowlem & Co Ltd, Office door first gateway etc.)
- the granite work is replicated on Church House, adjacent to St Sampsons Church, having been restored by the National Trust

Durlston House

- under construction on 08/11/1895 as a home for the company manager
- The front of house has four polished Aberdeen stone pillars with a canopy over the door, these and the two chimney stacks should be retained for their historic value

Consultations:

Health and Safety Executive – have reviewed the application in conjunction with application ref: FULL/2023/1595, as specified in the HSE planning methodology and similar principles therein.

The appropriate 'advise against' or 'does not advise against' response is determined for each development type using the decision matrix. If each individual development type receives a 'does not advise against' response, then that will be HSE's overall advice. If any individual development type receives an 'advise against' decision, then HSE's overall advice will be 'advise against'.

In this case it would appear that all applications do not meet the maximum thresholds and therefore all individually result in a 'does not advise against' output and overall this results in a 'does not advise against' for this application.

Traffic and Highway Services – no objections to the application in its current form.

Durlston House:

The site is situated on Northside, Vale at the junction with Trafalgar Road, with the proposed vehicular entrance situated in Trafalgar Road and the proposed exit onto Northside, Vale. The access would be 6m wide. The angled parking area dictates that for vehicles to use the spaces 'nose-in' it would be necessary for vehicles to enter

from Trafalgar Road, and then egress onto Northside. This arrangement is represented on the plans supplied with the application. As the plan states, it would be necessary to remove public parking on the southern boundary (North Side) in order to achieve the required sightline and visibility splay for a driver to egress onto the carriageway safely. The THS assessment is that this would require 15m of public parking to be removed, and this would be achieved by way of a yellow-line marking. In total this loss of public parking would equate to the loss of three parking spaces.

It has been considered as to whether it was feasible to reverse this arrangement, with vehicles entering from North Side and egressing onto Trafalgar Road. This arrangement however would be subject to particularly poor sightlines (of approximately 6m) in the direction of oncoming traffic (East to West) in Trafalgar Road, due to the high boundary wall which surrounds the main Quayside site, and the road safety risk involved if by design, vehicles were to egress onto Trafalgar Road. Given that current THS policies enable the removal of vehicle parking on the public highway where off-street parking is being provisioned as a result on a 1:1 or greater basis, THS would not object to the application in respect of the access and egress arrangements shown on the plan.

Quayside House:

The site at the junction of Longree and Northside currently has a vehicle access from Longree (over the Weighbridge within the boundary of Quayside House). It is noted that under the plans supplied, this access would not be used by vehicles, but available as a pedestrian and wheelchair access for residents and visitors.

Additionally, the parking within the site would be accessed and egressed from within the adjacent retail premises car park access. The access arrangements to the retail site having been previously referenced in the response to the retail site consultation.

Overall, there are a number of positives to the scheme as set out. The existing historic accesses in both Trafalgar Road and Longree to both areas covered by this application present road safety risks if they were reopened / used for vehicle egress. Although there is a small loss of public associated with the Durlston site, the area as a whole benefits from good on-street parking provision and the loss of these spaces is not considered to result in a noticeable change / impact to public parking in the area.

Summary of Issues:

The key issues in this case relate to the change of use away from office accommodation, the provision of additional units of residential accommodation on the site, the amenities of future occupiers, the impact of the proposed external works on the character and appearance of the Conservation Area and special interest of the protected buildings along with matters relating to parking provision and highway safety associated with the proposed vehicular accesses.

Assessment against:

1 - Purposes of the law.

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

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

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

Section 34 of the Law explains the general functions of authorities in respect of protected buildings. This states that:

It is the duty of any department of the States when exercising its functions under this Law –

(a) to secure so far as possible that the special historic, architectural, traditional or other special characteristics of buildings listed on the protected buildings list ("protected buildings") are preserved, and

(b) in particular, in exercising its functions with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics **and setting** [emphasis added].

Section 38 of the Law explains the general functions of authorities in respect of conservation areas. This states that:

In the exercise, with respect to any building or other land in a conservation area, of any powers under this Law or any other enactment, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that area.

In respect of these statutory duties, the word 'preserve' is taken in its ordinary meaning as set out in Chamber's dictionary, which is 'to keep safe from harm or loss'.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

- (b) the character and quality of the natural and built environment which is likely to be created by the development,
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,
- (d) the likely effect of the development on the character and amenity of the locality in question,

Section 15 clarifies that the considerations referred to in paragraphs (b) and (c) of section 14 also apply to protected buildings.

Principle of residential development and works to existing retail unit

Policy MC2 supports housing development in Main Centre locations such as this where the scheme accords with all other policies and, where able, an appropriate mix and type of dwellings are provided. The office floorspace does not exceed 250sqm therefore a change of use away from office accommodation accords with Policy MC4.

The site is located in the Harbour Action Area although a Local Planning Brief has yet to be completed. The proposals relate to existing buildings to be refurbished which would neither prejudice the outcomes or inhibit the implementation of a LPB and furthermore, this permission would not prevent further proposals/applications being submitted in future for other works/developments on the site. The scheme therefore accords with Policy MC10.

The principle of subdividing Durlston House and change of use/subdivision works proposed at Quayside House to create flats is therefore acceptable. The scheme does offer a mix of unit sizes as those in Durlston House are one bedroom plus a study and therefore satisfactorily addresses the requirements of Policy MC2

Policy MC6 supports the principle of alterations to existing retail premises subject to a scheme meeting the requirements of all other relevant policies.

Extension to Quayside House

As amended the proposed extension, incorporating a hipped roof and window surround details to reflect the frontage building, represents a high standard of design that would preserve the setting of the protected building and the character and appearance of the Conservation Area.

Impact on the character and appearance of the Conservation Area

The external works proposed to all three buildings will not have a negative effect on the character and appearance of the Conservation Area and accords with Policy GP4 and GP9 of the Island Development Plan.

Protected Buildings

Quayside House

Most windows are shown to be retained but some windows have been assessed as being incapable of repair and retention where the effect on special interest would be outweighed by the benefits. The scheme therefore accords with the advice provided in CN11 and the aims of Policy GP5.

Following the receipt of further information the removal of historic door frames would accord with the aims of Policy GP5. The doors themselves are modern therefore their removal is acceptable having regard to Policy GP5.

Sierra Leone

The replacement of existing windows and doors would not have such a significant adverse effect on the special interest of the protected building to outweigh the benefits and Policy GP5 is addressed in relation to Sierra Leone.

La Croix

Following the receipt of further information confirming that the roof structure will be retained and refurbished it is concluded that the effect on special interest, of all the works to La Croix, would be outweighed by the benefits in accordance with Policy GP5.

Amenity of future occupiers

Aspect/outlook and sunlight/daylight to the flats is considered satisfactory and given the corner plot of both buildings, away from many surrounding buildings there will not be unacceptable overlooking or loss of privacy from existing buildings to the future occupiers of Durlston House or Quayside House.

With regard to Durlston House, an element of overlooking would occur between the proposed cycle parking (assumed to serve unit 2) outside the ground floor window of the study at unit 1. Nonetheless, the matter of cycle parking can be managed by planning condition and its re-location or screening could be explored in order to preserve the amenities of the occupiers of unit 1. With the exception of the frontage area with the road, the site does not offer access to external open space. The site is however, in a highly sustainable location with amenities close by.

The proposed site and internal layout for Quayside House is such that privacy to the rear facing fenestration will generally be protected due to the position of entrance

doors to all units which means that occupiers do not generally need to pass close by windows and having regard to other fenestration serving primary living accommodation facing out to North Quay. Although there is no defensible space between the pavement and south facing windows for Quayside House this is not an uncommon situation in central areas such as this. The impact on privacy that would occur here would not be sufficient to recommend refusal of planning permission.

Durlston House and Quayside House are well located close to public facilities. The accessible/sustainable location of the site therefore contributes towards the shortfall of on-site provision of external amenity space (particularly with regard to Durlston House). There is a small area of amenity space shown adjacent to the parking area at Quayside House for occupiers to use although this would not be particularly private given its open aspect to the parking area for this development. The proposed flats meet Part G of the Building Regulations and also the DCLG space standards, on the whole, which represent best practice offering good internal space provision for future occupiers.

It is noted that all floors (Durlston House and Quayside House) are currently served by staircases only and which would not alter as a result of the development, although the construction of new staircases could be designed with shallower goings/risings. This would likely preclude access for wheelchair users however, the staircase would offer access to the upper floors by ambulant disabled. The existing building presents some barriers to accessibility for people of all ages and abilities. The layout of the units proposed could also be adapted at a later date to meet the changing needs of occupiers and in the balance would see underused buildings brought back into use. The scheme therefore addresses GP8 criteria f. and g.

Highway safety and parking

The scheme relates to an in and out access from Trafalgar Road to North Side associated with Durlston House and La Croix with three on-street parking spaces lost as a result of the proposed development. THS policies enable the removal of vehicle parking on the public highway where off-street parking is being provisioned as a result on a 1:1 or greater basis. The area benefits from good on-street parking provision and the loss of a limited number of spaces will not have a significant impact to the availability of public parking in the area.

Although there are historic accesses in both Trafalgar Road and Longree these present road safety risks and the Quayside House development would not utilise these for vehicular traffic, which is welcomed. The site would be accessed via the proposed retail site which is acceptable (separate comments have been made by THS in relation to the proposed retail development – see FULL/2023/1595).

The proposal is therefore considered satisfactory when considering Policies IP7 and IP9 of the Island Development Plan. It would be appropriate to impose a planning condition relating to the access arrangements as vehicular access from North Side with an exit to Trafalgar Road would not be satisfactory in highway safety terms.

Other matters

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Conclusions

In view of the above it is recommended permission is granted for the proposed development subject to appropriate conditions.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees or sites. Protected buildings are assessed elsewhere in this report.

Date: 30/05/2024

