

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 and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses (revised scheme).

LOCATION: Demie Shard, Rue De La Mare, St. Sampson.

APPLICANT: Mr M Bougourd

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: 01/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd - 22 - 248 - 01B, 02A, 03A, 04A, 05A, 06A & 07A.

Application Ref: FULL/2024/0456

Property Ref: B004480000

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 onsite works, a landscaping scheme for the full site shall be submitted to and agreed in writing by the Authority, and shall include those details specified below:

- i) details of any areas of hard standing;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants.
- iv) full details of all boundary treatments.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, by the end of the planting season following commencement of the development or within a timescale to be agreed in writing with the Authority. The landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

6. The hard surfacing shown on the approved plans shall not be constructed until full details of that surfacing, including a written specification for its laying, and details of the permeability, have been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details. This shall be retained thereafter.

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

7. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front roadside boundary wall.

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

8. Prior to the occupation of any of the dwellings hereby approved details of any external lighting proposed for the site and access road shall be submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

9. No part of the development hereby approved shall be occupied until such time as the parking and turning facilities, along with the refuse and recycling storage, have been completed in accordance with the details shown on the approved plans and shall thereafter be retained.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management and in the interests of visual and residential amenity.

10. Electric vehicle charging points (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 sustainable development, and as a requirement of Policy GP9.

11. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of all buildings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

12. Cycle stores/sheds (shown on the approved drawings) 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 good design, the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

13. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development 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 fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, 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 01/05/2027 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/2024/0456
Property Ref: B004480000
Valid date: 08/03/2024
Location: Demie Shard Rue De La Mare St. Sampson Guernsey GY2 4PG
Proposal: Demolish dwelling and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses (revised scheme).

Applicant: Mr M Bougourd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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

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 onsite works, a landscaping scheme for the full site shall be submitted to and agreed in writing by the Authority, and shall include those details specified below:

- i) details of any areas of hard standing;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants.
- iv) full details of all boundary treatments.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, by the end of the planting season following commencement of the development or within a timescale to be agreed in writing with the Authority. The landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

6. The hard surfacing shown on the approved plans shall not be constructed until full details of that surfacing, including a written specification for its laying, and details of the permeability, have been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details. This shall be retained thereafter.

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

7. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front roadside boundary wall.

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

8. Prior to the occupation of any of the dwellings hereby approved details of any external lighting proposed for the site and access road shall be submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

9. No part of the development hereby approved shall be occupied until such time as the parking and turning facilities, along with the refuse and recycling storage, have been completed in accordance with the details shown on the approved plans and shall thereafter be retained.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management and in the interests of visual and residential amenity.

10. Electric vehicle charging points (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 sustainable development, and as a requirement of Policy GP9.

11. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of all buildings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

12. Cycle stores/sheds (shown on the approved drawings) 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 good design, the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

13. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development 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 fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, 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.

OFFICER'S REPORT

Site Description:

The site is currently occupied by a detached dwelling and garage, with a garden that extends to the rear and wraps around the neighbour to the east. Part of the site is residential curtilage for Demie Shard, and part of the site is agricultural, as a redundant glasshouse site.

The site is located within the Main Centre Inner Boundary, as designated by the Island Development Plan.

Relevant History:

PREA/2021/1633 - Demolish existing dwelling, garage and greenhouse and erect 6 two-storey dwellings.

FULL/2023/1185- Demolish dwelling and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses. Refused 29/1/24

Existing Use(s):

01 - Residential Dwelling
28 – Agricultural land

Brief Description of Development:

The application proposes the demolition of the existing dwelling, garage and other structures on site, and the erection of 6x new dwellings, along with associated works and alterations to the roadside boundary to alter vehicular access. The application is a revised scheme to that which was previously refused (FULL/2023/1185) for the following reason:

The proposal will result in unacceptable harm to the amenity of the occupiers of the adjoining property due to the height and width of Units 3-5 and the resultant overbearing visual and physical impact on the neighbour directly to the north (No 12), the proximity of the units will also have a harmful impact on this neighbour's privacy due to the potential overlooking from the rear windows of Units 4 and 5 particularly. The height, width, proximity and orientation of Units 3-5 and Unit 6, is also considered likely to result in an unacceptable level of shading and overshadowing of the neighbouring gardens of No 12 to the north and Nova to the east. The proposal does also not accord with the amenities objectives set out in IDP Annexe 1: Amenities, as it fails to respect privacy and prevent harmful levels of overlooking. This is contrary to Policy GP8a as the overlooking and overshadowing

are indicative of poor design, and also GP9b as the proposal has an unacceptable impact on the amenity of neighbouring properties.

The previous proposal was for 3x two-bedroom, 1.5 storey dwellings and 3x three-bedroom, 2.5 storey dwellings. The revised scheme now proposed 5 x two-bedroom dwellings, 1.5 storey dwellings and 1 x single storey, one bedroom dwelling. As in the refused scheme, there is a new shared driveway which provides access to the rear of the site, with a central bike and communal bin store to serve the dwellings. The application now proposes 2 x parking spaces per two-bed dwelling and 1 x parking space for the one-bedroom dwelling.

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

MC2 – Housing in Main Centres and Main Centre Outer Areas

GP8 – Design

GP9 – Sustainable Development

GP15- Extension of Curtilage

Representations:

No representations received.

Consultations:

None.

Summary of Issues:

The main concerns include:

- The principle of residential development
- The change of use of part of the site and impact on the character of the area
- Amenity and impact on neighbours
- Access and highway safety
- Other matters

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.**

Principle of Development:

The site is located within the Main Centre Inner Boundary, which means that new residential development is supported by Policy MC2, where the proposal is in accordance with all other relevant policies of the IDP and where a variety of dwellings of an appropriate mix and type is provided.

The States' Strategic Housing Indicator sets out the housing mix and type requirements expected for the period 2023-2027. This shows a clear additional

requirement within the private market sector for two-bedroom properties, with a smaller requirement for additional one- and three-bedroom units.

The creation of one and two bedroomed dwellings would therefore meet an identified housing requirement in the Island. The units would however need to provide an appropriate standard of accommodation and meet the terms of all other relevant policies of the Island Development Plan.

The principle of residential development at this site is therefore acceptable, provided that the development accords with other relevant policies of the IDP, which is assessed in detail in the following sections of this report.

Impact on the character and appearance of the area and whether the design of the buildings are acceptable:

The proposal requires a change of use of part of the land for residential purposes, which means that Policy GP15 applies. This supports the change of use where it would not have an unacceptable detrimental impact on landscape character, it would not have an unacceptable impact on the biodiversity interest of an ABI, the land cannot contribute to the commercial agricultural use of an APA, and it is demonstrated that it would not involve an unacceptable loss of established boundary features that contribute positively to the character of an area and would not harm neighbour amenity.

The site is not within or adjacent to an ABI or APA, is fully enclosed by residential development, and no loss of established boundary features is proposed. The proposal is likely to be acceptable in relation to this policy, as long as it will not have a detrimental impact on neighbour amenity, which will be considered in detail below.

As part of an application for a change of use of agricultural land to residential, the Strategy for Nature applies and enhancements in biodiversity are required. The application includes mixed native shrubs and hedging to a number of boundaries, and this can be conditioned to be secured. The amount of native hedging proposed is considered sufficient to provide the required biodiversity enhancements, in accordance with Policy GP15 and the Strategy for Nature.

Policy GP8 requires all new development to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

Proposals for new development will be expected to:

- a) Achieve a good standard of architectural design, including the design of necessary infrastructure and facilities;
- b) Demonstrate the most effective and efficient use of land;
- c) Respect the character of the local built environment or the open landscape concerned;
- d) Consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space;

- e) Provide soft and hard landscaping where this reinforces local character and distinctiveness;
- f) Demonstrate accessibility to and within a building for people of all ages and abilities; and
- g) With regard to residential development, offers flexible and adaptable accommodation that is able to respond to people's needs over time.

The existing detached dwelling is of no particular architectural merit and does not make any significant contribution to the character or appearance of the surrounding area, which comprises a mixture of building types and design. Its demolition would not negatively impact on the character or appearance of the area.

The character of the area comprises a mixture of dwelling types but is predominantly composed of detached and semi-detached properties set within a variety of plot sizes and widths. Higher density development is found immediately to the north west of the site, with lower density development to the south.

Dwellings generally front onto the road in this area, with traditional compositions. The proposed scheme includes a pair of 1.5 storey semi-detached dwellings to the main frontage, replacing the existing dwelling, along with three 1.5 storey terraced dwellings to the rear of the site and a detached single storey dwelling to the eastern edge of the site.

The design of the buildings is traditional, with granite finish to the front of the two dwellings facing Rue De La Mare, with render and slate used as the main materials for the dwelling within the site, and quoin, window head and sill features proposed to the frontage of all dwellings. Units 1 and 2 have been positioned to respect the building line of the properties on the northern side of Rue De La Mare, with parking within the front garden area which is similar to other dwellings nearby. It is considered therefore that the design of the proposal is in keeping with the visual appearance and character of the surrounding area and the immediate street scene.

The design of the dwellings with regard to the impact on neighbouring amenity has been considered in further detail in the next section below.

The buildings are designed to include level thresholds, relevant clear zones and circulation space, with provision of ground floor WC facilities and could be adaptable to changing needs over time. The internal space standards proposed are good, greatly exceeding the Guernsey Technical Standards, and the two storey dwellings also exceed the UK's DCLG National Space Standards which are considered best practice. The one-bedroom dwelling has a floor area of 48m², while the UK standard is 50m² for a single storey dwelling for two people.

The site is situated in a sustainable urban location within a Main Centre Area where new housing development is encouraged by States-approved planning policy. The proposal will make effective and efficient use of the site at an appropriate density in accordance with IDP Policy.

A new access into the rear of the site will be created with an entrance width of 6m, narrowing to 4.5m in width. The existing dwellings have no enclosure to the front boundaries and the proposed development has open frontages and hard surfacing for car parking which is considered acceptable in this location.

The applicant's agent has provided confirmation that the design and specification of the dwellings proposed comply with all parts of the Guernsey Technical Standards 2012, specifically in terms of: thermal efficiency (insulation); drainage; water efficiency; materials to be used; waste storage and disposal; and the conservation of fuel and power. Solar panels and EV charge points are to be provided for each dwelling and this will be conditioned to secure the provision.

A Waste Management Plan (WMP) has also been submitted which includes confirmation of how waste associated with the development will be minimised, how existing materials are to be reused and how residual waste will be disposed of.

Sufficient evidence has been provided within the application to demonstrate that the proposal has been designed to take into account the use of energy and resources and to reduce any impact on the environment in accordance with Policy GP9 of the Island Development Plan.

Impact on neighbour amenity:

The application site is surrounded by residential properties. Units 1 and 2 are set along a similar building line to the neighbour to the west, with a side-to-side separation distance of 5.5m between the existing and proposed dwellings which is acceptable and unlikely to result in any harm to the neighbours as no side windows are proposed.

There is approx. 17m separation distance from the rear of Units 1 and 2 and the front of Units 3-5, which is, in this Main Centre location, considered sufficient to afford a reasonable level of privacy.

Unit 6 is a detached dwelling and occupies the eastern section of the site. The rear elevation is approx. 6m from the boundary of the site, with the side elevation of the neighbouring dwelling to the east, Nova, located approx. 9m from the boundary, giving a total separation distance of approx. 14.5m. The single storey design of Unit 6 prevents harmful overlooking into the neighbouring garden, and no significant overlooking is expected from the neighbour as it is located with its flank facing the application site.

Concern was raised in the previous application regarding the significant overshadowing of the neighbour (Nova) due to the proximity of Unit 6 to the boundary and the proposed 1.5 storey height, in combination with the existing impact from other neighbouring properties. The reduction in height of Unit 6 and the increase in separation distance by 1m has reduced this level of harm to an acceptable degree, and it is no longer considered a sufficient reason for refusal.

Units 3-5 are located approx. 6 -7m from the boundary with the neighbour to the rear. The units stretch 22m across which is almost the entire width of the boundary with this neighbour (No 12) and it was previously considered to result in an overbearing visual and physical impact due to the height, and proximity of the new dwellings. The height of the dwellings has now reduced by approx. 1.6m down to 7m, from 2.5 storeys to 1.5 storeys, and this will significantly reduce the visual and physical impact on the neighbouring occupants to the north and also the level of overshadowing accordingly. The reduction in height will also reduce the level of actual and perceived overlooking possible from the rear of Units 3 -5.

The proposed rear gardens for Units 3-5 will also be subject to a degree of overshadowing due to their orientation, and this will impact upon the quality of their amenity space. The units also have front gardens, but these form the open parking areas which does not compensate for the poor-quality private spaces. This has to be balanced against the good provision of internal space and dual outlook, which means this is, on balance considered to be acceptable.

Units 3-5 have first floor bedroom windows to the rear elevation. The rear windows of Units 4 and 5 particularly could allow direct views into the rear garden of the neighbour to the rear (No 12), at a minimum distance of 7.5m to the boundary and circa 12.5m to the most sensitive area of private amenity space located immediately to the rear of No 12. Due to concern raised over this relationship in the previously refused application, the rear facing first floor rooflight windows have been obscure glazed to prevent any harm from overlooking and this is considered acceptable.

The width, height and resultant bulk of units 3-5, along with the solid composition and proximity to the shared boundary was previously considered likely to result in a loss of sunlight and daylight to the majority of the neighbouring property, particularly its rear garden. The shadow survey submitted indicates there may be some degree of overshadowing of the neighbouring properties in the winter months only. This mainly affects the southern side garden of the dwelling, No 12 Villas Dorey, (the house immediately to the north) and part of its rear garden in the winter months. Although there is some increase in the level of overshadowing, the site is located in the main centre, which is an area of generally more dense development where some degree of overshadowing is to be expected. The reduction in the height of the units has assisted in ensuring that this level of overshadowing will not be constant and oppressive.

In addition, the rear gardens provided for units 3-5, given a depth of only 6-7m will be subject to some overshadowing by the 1.5 storey dwellings, although this is significantly reduced from the level of shading anticipated by the previous 2.5 storey dwellings. The shadow surveys indicate that these dwellings, and Units 1 and 2 will have reasonable levels of light in the summer and autumn months, and this provides an acceptable quality of outdoor amenity space for the future occupants of these dwellings.

For the reasons considered above and on balance, it is not considered that there would be a significant detrimental impact on privacy or amenity as a result of the proposal.

Whether the proposal would impact negatively on highway safety:

A new access into the site will be created with an entrance width of 6m, narrowing to 4.5m. The existing dwelling has no enclosure to the front boundary and the proposed development has open frontages and hard surfacing for car parking which would have limited effect on the character and appearance of the surrounding area. The new access provides adequate sight lines for this relatively narrow road where road speeds are generally low.

The site is located in the Main Centre, and the parking provision indicated on the plans supplied will provide 11 spaces (2x spaces allocated for each 2x bed dwelling, and 1x space for the 1xbed bungalow). No visitor car parking spaces are proposed however from an active travel perspective, the site is well located for either pedestrian or cycle-based commuting to and from the Bridge, and bus stops for St Peter Port.

Communal cycle parking has been provided and each dwelling also has a small shed situated to the rear. It is considered therefore that cycle parking can be demonstrated for each dwelling, however the communal cycle parking indicated on the plan should provide covered storage.

For the above reasons it is considered that the parking provided is in accordance with the provisions of Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment (which are maximum standards) and therefore complies with Policy IP7 of the IDP.

Although the site's development will represent an intensification of use, it is not considered that the additional vehicle movements associated with a development of this scale will affect the flow of traffic through the area. For these reasons it is considered that the proposal would not cause a detriment to highway safety.

Other considerations:

Concerns were raised in the previous application regarding the associated impacts of development, including noise, dust pollution and health concerns as a result of construction works, along with future service/utility upgrades. These impacts are considered to be short term in nature and cannot be given any significant weight in determination of this application.

Due to the overgrown nature, existing ground levels were not visible, however, the proposed plans include finished floor levels which are considered acceptable in terms of visual impact and neighbour amenity.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; the effect of the proposed which the site could be put without further planning permission; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would not impact on any Protected Buildings, trees, monuments or on any SSS's.

Conclusion:

As described within this report, the revised scheme would no longer have an overbearing visual and physical impact on the neighbour directly to the north (No 12), due to the reduction in height of Units 3-5 and Unit 6. This has improved the impact on neighbours to a level which is considered, on balance, to be acceptable. The proposal therefore accords with all relevant policies, and it is therefore recommended that planning permission is approved.

Date: 29/04/2024