

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 existing building to 2 dwellings with associated works and widen vehicle access (revised scheme).

LOCATION: Springhurst, Le Bourg, Forest.

APPLICANT: Mr D Crowsley

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

Date of Grant of Permission: 30/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6394/B/2a & 3a.

Application Ref: FULL/2024/0970

Property Ref: H00222B000

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. Unit 2 shall not be first occupied until full details of the external louvred privacy screen to be installed on the south elevation at first floor level to serve bedroom 1 of this unit has been submitted to and agreed in writing by the Authority and the window and screen has been fully implemented on site in accordance with the approved details. The louvred screen shall remain thereafter as such in perpetuity.

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

5. Prior to the first occupation of either of the units hereby approved all four velux windows in the west facing elevation at first floor shall be fixed shut (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation.

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

6. No part of the development, hereby permitted, shall be first occupied until the cycle parking has been fully implemented in accordance with the details and in the position shown on the approved drawings. 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.

7. No part of the development, hereby permitted, shall be first occupied until a fence of a minimum of 1.8m (from ground floor level) has been erected in the position shown on the approved drawing to the west of the building to separate the amenity areas of each unit. The fence shall remain as such thereafter.

Reason - To protect the reasonable amenities of neighbouring residents.

8. (a) No part of the development, hereby permitted, shall be first occupied until the width of the vehicle access has been increased in accordance with the details shown on the approved drawings.

(b) Within four weeks of the extended opening being formed the end of the extended opening shall be finished off to match the remainder of the boundary.

Reason - In the interests of visual amenity and highway safety.

9. Prior to the first occupation of unit 2, the first floor window in the west facing elevation (serving bedroom 1) shall have been blocked up as shown on the approved drawing in such a way to match the remainder of the wall on this elevation.

Reason - To protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 30/10/2027 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/2024/0970
Property Ref: H00222B000
Valid date: 07/06/2024
Location: Springhurst Le Bourg Forest Guernsey
Proposal: Convert existing building to 2 dwellings with associated works and widen vehicle access (revised scheme).

Applicant: Mr D Crowsley

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. Unit 2 shall not be first occupied until full details of the external louvred privacy screen to be installed on the south elevation at first floor level to serve bedroom 1 of this unit has been submitted to and agreed in writing by the Authority and the window and screen has been fully implemented on site in accordance with the approved details. The louvred screen shall remain thereafter as such in perpetuity.

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

5. Prior to the first occupation of either of the units hereby approved all four velux windows in the west facing elevation at first floor shall be fixed shut (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation.

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

6. No part of the development, hereby permitted, shall be first occupied until the cycle parking has been fully implemented in accordance with the details and in the position shown on the approved drawings. 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.

7. No part of the development, hereby permitted, shall be first occupied until a fence of a minimum of 1.8m (from ground floor level) has been erected in the position shown on the approved drawing to the west of the building to separate the amenity areas of each unit. The fence shall remain as such thereafter.

Reason - To protect the reasonable amenities of neighbouring residents.

8. (a) No part of the development, hereby permitted, shall be first occupied until the width of the vehicle access has been increased in accordance with the details shown on the approved drawings.

(b) Within four weeks of the extended opening being formed the end of the extended opening shall be finished off to match the remainder of the boundary.

Reason - In the interests of visual amenity and highway safety.

9. Prior to the first occupation of unit 2, the first floor window in the west facing elevation (serving bedroom 1) shall have been blocked up as shown on the approved drawing in such a way to match the remainder of the wall on this elevation.

Reason - To protect the reasonable amenities of neighbouring residents.

OFFICER'S REPORT

Site Description:

The application site comprises a two-storey building situated on the south side of Le Chene opposite the junction with La Soucique in Forest. The building is set back from the roadside with car parking situated to the front and a vehicle access point in the northwest corner of the site.

Surrounding the site the area comprises residential properties to the north, east and west, with open fields to the south.

Relevant History:

FULL/2023/1615	Convert existing building to 3 dwellings with associated works and widen vehicle access.	Refused 03/01/2024
FULL/2014/3381	Change of use to administrative, financial and professional services use Class 22 (from use class 32 - storage and distribution).	Granted 20/02/2015
FULL/2012/1777	Re-position vehicular access.	Refused 12/07/2012
PAPP/2004/4343	Change of use of store to dance studios.	Refused 25/02/2005

Existing Use(s):

Storage and distribution

Brief Description of Development:

Planning permission is sought to convert the existing building into two, 2 bedroom units of residential accommodation, for alterations to the fenestration and to erect bicycle storage, bin storage and associated works.

The application is a resubmission to address the issues raised following the refusal of planning application reference: FULL/2023/1615.

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

Island Development Plan policies

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

GP13: Householder Development
GP16(A): Conversion of Redundant Buildings
IP6: Transport infrastructure and support facilities
IP7: Private and Communal Car Parking

Representations:

One letter of representation has been received from the occupier of a neighbouring property. The grounds for objection are summarised as follows:

History

- Springhurst (the application site) and the neighbouring property Springhurst House (to the west) were formerly one joint property. The application building is therefore highly visible from the garden area of Springhurst House;
- The site has been purchased by the owner of a local business and is used for the parking of cars both inside and outside of the building;
- Until recently the property has been used and continues to be used for vehicle storage;

Redundancy

- The scheme does not meet the full scope of Policy GP16(A) in that:
 - o The site is currently being used for storage purpose and therefore the statement in the supporting letter that the site has not been used for 10 years is false;
 - o No evidence has been provided to demonstrate redundancy;
 - o No evidence has been provided to demonstrate that the building is not capable of being used for its last known or current use;
- The statement that the Commerce and Employment Department did not object to the loss of industry use to office was an opinion in 2014/2015 and is not relevant to IDP policies and the current need to protect industrial land Outside of the Centres;
- In previous appeal decisions the demonstration of redundancy of a building relates not simply to the wished of the present owner, but whether it is capable of being used for its last known purpose;

Poor quality design

- Only a 3.3m wide patio area is proposed for each property which would be adjacent to the neighbouring property;
- The size of the units proposed is not served by adequate amenity spaces;
 - o The distance to the boundaries of the site is limited;
 - o Nothing in this respect has been changed;
- The scheme does not represent good design due to the close proximity to the neighbouring dwelling and the unacceptable degree of overlooking;
- The health and well-being of the occupiers of the dwellings has not been considered and adequate daylight, sunlight and private open space will not be achieved;

- The previous refusal stated that “the proposal does not represent good design” and a reduction from three units to 2 units does not change this position;
- All previous issues remain.

Impact on neighbours

- The level of interface, direct overlooking, privacy, noise, lack of light (sunlight and daylight), lack of space and poor accesses to the properties would adversely affect the neighbouring properties and would provide a very low standard of amenity failing Policy GP8;
- The revised scheme fails to comply with all aspects of policy GP8;
- The cill height of the velux windows remain below the 1.7m standard required to prevent overlooking;
- The revised scheme intends to use sticky back plastic as a privacy screen on the velux windows in the west elevation to prevent overlooking, this could be easily removed and in hot weather the windows would be opened and views out would remain;
- Nothing has changed between the refused scheme and the revised scheme;
- The velux windows would face towards a window in the master bedroom which at 5.5m distance is unacceptable;
- The distance between windows is unacceptable and nothing has changed in this revised proposal;
- The repositioning of the large window in west facing elevation into the south facing elevation covered with a privacy screen imposes a feeling of being overlooked into the garden area;

Parking and access

- In addition to the cars for the residential units, the site could be used for the storage of cars not related to the site;
- Poor pedestrian routes are proposed for the site and excess parking would be provided contrary to Policies IP7 and IP9 of the IDP.

Other issues

- The property to the west enjoys a right of way over the land for maintenance purpose, the creation of residential dwellings would jeopardise this making maintenance difficult;
- Alterations to the boundary to the east is likely to result in the earthbank collapsing;
- The proposal may compromise fire given the close proximity of the building to the boundary

Consultations:

None

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use, the living environment of future occupiers and the potential impact of the change of use on residential amenity and highway safety.

Assessment against:

1 - Purposes of the law.

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

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

Whether the principle of the change of use into residential is acceptable;

The main focus for industry and offices as outlined within the Strategic Land Use Plan (SLUP) is for such uses to remain within or around the Main Centres and for Local Centres to provide limited opportunities (paragraph 17.1.2 of the IDP). Policy OC3 supports the change of use or redevelopment of existing industrial, storage and distribution or office uses to alternative uses provided that the scheme complies with all other relevant policies of the IDP. This policy supports the loss of industry and provides a gateway for the change of use as proposed. For the purpose of Policy OC3 the proposal is assessed against all other relevant policies of the IDP below.

Policy OC1 sets out that the creation of new dwellings will only be supported where this is achieved through the conversion of an existing redundant building (or the subdivision of an existing dwelling) subject to satisfying the provisions of Policy GP16(A): Conversion of Redundant Buildings.

Criterion a) of Policy GP16(A) sets out that an application should demonstrate that the building is no longer required or capable of being used for its current or last known purpose. In this case, the recognised use of the building is for storage and distribution purpose. The application material states that the building was last used for such purpose in 2012 and since that date has remained redundant. In 2014 planning permission was granted to change the use of the building into an office, however this permission does not appear to have been implemented. As part of that permission evidence was presented to the Authority by a local estate agent to demonstrate that the premises had been marketed since 2012 with no substantive interest shown. The former Commerce and Employment Department was consulted at the time of that application and raised no objection to the loss of industrial use and to the change of use into an office. A recent internal inspection of the building shows that it is vacant. Although it is claimed from the representor that the vehicles are being parked on the site and within the building questioning the redundancy, the building has remained vacant and is considered to be redundant for the purpose of

Policy GP16(A). Furthermore, Policy OC3 supports the loss of industry Outside of the Centres and there is no overriding reason to retain the building for industrial purpose.

The proposal relates to the provision of much needed residential accommodation and the application sets out that other than alterations to existing fenestration (to make windows into patio doors and to relocate a window from the west elevation to south elevation) and the replacement of existing glazing with obscure glazing in the velux windows, no external alterations would be required to the building. Internally new partition walls would be required and upgrade works proposed, however for the purpose of Policy GP16(A) and following the decision of the Planning Tribunal in assessing appeal ref: PAP/008/2019, these alterations are considered to be expected when considering applications of this type and the proposal meets the aims of criteria b) and c) of Policy GP16(A) regarding the proposed use and the capability of the building to be converted without extensive alteration or rebuilding.

The proposal does not relate to a Protected Building and no extensions are proposed meeting the aims of criteria d), e) and g) of GP16(A). As the site is located in an area surrounded by residential properties and built form the scheme would not have a detrimental impact on the character and openness of the landscape in accordance with criterion f) of GP16(A). The impact of the proposal on the amenities of neighbouring properties and the surrounding area (criterion (h) of Policy GP16(A)) is assessed in detail in the following section of this report.

Impact on neighbouring properties;

Criterion (h) of Policy GP16(A) supports development proposals only where the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area. Policy GP8 requires *inter alia* that proposals for new development will be expected to 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. Criterion (b) of Policy GP9 supports development *inter alia* where the development will not have an unacceptable impact on the amenities of neighbouring properties.

No extensions to the building are proposed and the boundary fences to demarcate the residential garden areas for each property would not cause harm to neighbouring properties with regard to overshadowing or loss of light.

At ground floor level, the scheme proposes to replace two existing windows in the west elevation with patio doors, to replace the garage door in the north elevation with a window, and to insert one new door into the east elevation (to provide access into unit 2) and two high level windows into unit 1. Views from all of these windows and doors would be contained within the application site and would not harm the residential amenities of neighbouring properties.

At first floor, views from the Juliet balcony in the north elevation of unit 1 will be over the car parking area to the front of the site and would not cause any harm to the neighbouring properties.

Although at present landscaping exists along the east and west boundaries of the site, this alone cannot be relied upon to prevent overlooking.

The comments received from the representor relating to the loss of privacy has been noted. However, since the previous refusal of planning permission, the scheme has been revised and planning permission is now sought for the creation of two residential units as opposed to three (as previously applied for).

The previous scheme included a first floor window in the west facing elevation that faced directly towards the garden immediately behind the neighbouring property in this direction (Springhurst House). That window was considered to have an unacceptable effect in terms of overlooking on the neighbouring property and combined with all other issues, was considered to contribute to the reasoning to refuse planning permission. Under this revised scheme, this window has been removed from the west facing elevation and relocated onto the south facing elevation. A louvered style privacy screen is proposed for this window which will allow for light and a feeling of outlook for the bedroom that it will serve, whilst improving the interrelationship with the neighbouring property and helping to maintain an acceptable level of privacy between the proposed unit and the neighbouring property. To ensure that the privacy screen is appropriate and is installed in a timely manner, it is recommended that should planning permission be granted a condition is included for full details to be provided and for it to be installed in accordance with such details prior to the first occupation of the residential unit to which it relates.

With regard to the velux rooflights present in the east and west elevations, as part of the previous scheme a cross section to show the internal floor level particularly at first floor level had not been provided. The representors comments state that in considering the previous application it was concluded that these windows fell *“well below the required standard height in order to qualify them as non-overlooking rooflights.”* The word and phrase “well below” was never stated and in fact the report concluded that *“.....it appears that the cill height of the velux windows in the east and west elevations (serving the proposed bedrooms) would be below the 1.7m threshold required to prevent overlooking and to maintain privacy. Views from these windows therefore also have the potential to overlook the garden areas of the neighbouring properties in both directions.”*

As part of this revised application internal floor levels have been provided that show that the windows are positioned 1.6m from the internal floor level. An internal inspection of the building has concluded that this is the case when the windows are shut, but once opened the base of the opening is only 1.5m from the internal finished floor level.

Views from these windows are below the required standard and therefore the application was deferred to seek amendments. The applicant has now agreed to install obscure glazing and fix shut (i.e. make them none openable) all four velux windows in the west facing elevation of the building. Provided that a condition is included on any permission to ensure that these windows are changed in this way prior to the first occupation of any of the dwellings, then this will address the concerns previously raised with regard to overlooking to the west. With regard to the east, the velux windows would face towards a driveway and landscaped area of the neighbouring property in this direction (Maison Bel Air) and not towards the immediate garden area of the property. Furthermore, the nearest window is situated circa 10m from the nearest elevation of Maison Bel Air (the conservatory) and at this distance and for the reasons referred to above any overlooking would be limited and not so substantial to warrant the refusal of planning permission.

Other concerns relating to privacy that led to refusal of the previous application related to views into bedrooms and principle windows whilst people walked past such windows along the east elevation, to gain access to their unit. However, the reduction of the scheme from three units to two and the introduction of the high level windows in the east elevation has addressed these issues of concern. Overall, for the reasons referred to above and subject to the recommended conditions, the revised scheme accords with the provisions of the IDP in this respect.

The living environment for future occupiers

Criterion (d) of Policy GP8: Design, requires that in order to achieve a high standard of design proposals will be expected to *“consider the health and wellbeing of the occupiers and the neighbours of the development by providing adequate daylight, sunlight and private/communal open space”*. The policy directs proposals to be considered against Annex I: Amenities of the IDP.

New developments should be planned and built to support the health and well-being of occupants and users and maintain appropriate amenities for those of neighbouring properties. For the purpose of this report the requirements of Annex I will be commented on in turn.

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

- Aspect/Outlook
- Daylight/Sunlight

The Annex considers sunlight alongside daylight and their ability to enter a building will not, alone, be a determining factor when considering development proposals, providing that other amenities objectives are appropriately addressed. All new developments are encouraged to provide adequate levels of daylight and sunlight to all rooms, or at least principal rooms, gardens, balconies or communal external open spaces; these aspirations are qualified for sunlight by *“where possible”*. This reflects the constraints imposed by aspect relative to the movement of the sun, shading by

existing development, and, in the case of converting existing buildings, its physical constraints.

The revised scheme now proposes two residential dwellings both with dual aspects. At ground floor the reduction in the number of units proposed has led to an improvement in the outlook for both units. Unit one will have an outlook to the west over a patio and towards a garden area whilst unit 2 will have an outlook to the south (although limited) and to the west, which combined is considered to be acceptable.

At first floor, the relocation of the window in the south elevation will now provide additional light into the bedroom of unit 2 and a feeling of outlook (whilst preventing overlooking of the neighbouring property with the installation of a louvered grill system). Although outlook will be compromised to a degree for bedroom 2 in both units, (provided for by velux style windows) a sufficient level of daylight/sunlight and ventilation will be provided into the units allowing for a good standard of accommodation. The refusal of permission based on limited outlook for these rooms alone would not be so sufficient to warrant refusal of permission.

The revised scheme therefore accords with the requirements of Policy GP8 d.

- Access to external open space

The Annex states that access including visual access to external space whether public, private or communal is important for the well-being of all occupants of buildings. Private amenity space has been included to the west of each of the units in the form of a patio area accessed from the open plan kitchen/lounge for each unit.

By omitting one of the units, the amount of amenity space provided for each has increased. Unit one now has a patio area and a garden area to the front and unit 2 now has a larger patio area that surrounds the west, south and east elevations. Furthermore, the internal space provision for the units exceeds the internal space requirements so on balance for the purpose of Policy GP8 (d) the revised scheme would provide '*adequate private/communal open space*' for the occupiers of the development.

- internal space provision

The two proposed flats exceed Part G of the Building Regulations and the DCLG space standards which represent best practice offering good internal space provision for future occupiers.

- Accessibility and flexible accommodation

The scheme incorporates an entrance point to each property via a level threshold in line with the aims of Policy GP8 (f). The existing building presents some barriers to accessibility for people of all ages and abilities, however, access to each floor is via a

staircase only which would allow for access for ambulant disabled. The layout of the units proposed could also be adapted at a later date to meet the changing needs of occupiers (e.g. grab rails in WCs/bathrooms, installation of hoists provided bedroom and bathroom ceilings are constructed in an appropriate manner and careful and appropriate siting of service controls) and in the balance would see an underused building brought back into use. The scheme therefore addresses GP8 criteria f. and g.

Although not falling within a specific criteria of Annex I, the location of the proposed entrance points into the properties has also been revised to address previous issues of concern. Access into unit 1 will be from the front (north facing) elevation.

Although access to unit 2 will be in the east elevation and will require passing two windows into unit 1 (one of which serves the living room) high level windows are not proposed to maintain privacy and to improve the interrelationship between the units. The corridor arrangement to provide access into unit 2 will remain, however the door into unit two is positioned closer to the north sufficient distance to allow for natural surveillance which would be acceptable in terms of secure by design principles.

Although some discrepancies remain, considering the above the revised scheme has addressed the previous issues raised and on balance the development as proposed represents an acceptable standard of design and the scheme therefore complies with Policy GP8 and GP9 in this respect.

Impact on highway safety

Although the loss of a 500mm section of the roadside boundary is regrettable, a large proportion will remain undisturbed that will provide a suitable boundary feature that will continue to provide character to the surrounding area. The proposal would therefore not cause harm to the visual character or amenity of the surrounding area in this respect.

Allocated parking, bin stores and bicycle parking for each unit has been provided to the front of the property and sufficient space exists to access, turn within and leave the site forward facing. The comments from the representor are noted however this is an existing vehicle access that will be improved as a result of the alterations proposed. Given the amount and size of units proposed, it is not anticipated that any additional vehicle movements introduced would be so substantial to cause a detriment to highway safety. The scheme accords with Policies IP6 and IP7 in this respect.

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.

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

Date: 29/10/2024

