

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Demolish existing retail building (Retail Use Class 10), erect dwelling with associated works. Temporary change of use of section of adjacent agricultural field for site storage (230sqm), install hardstanding.

LOCATION: The Chrome Company, Rue Des Brehauts, St. Pierre Du Bois.

APPLICANT: The Chrome Company

I refer to the application referred to below received as valid on 29/05/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 02/09/2025

Drawing Nos: Corbeau: DUN-02-10A & DUN-01-11.

Application Ref: FULL/2025/0715

Property Ref: F00109A000 + F001100000 + F001080000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The scale of the proposed dwelling, together with its flat roof form, arrangement of fenestration and the use of composite cladding, results in a composition that does not achieve cohesive development, and if approved, would be harmful to and out of context with the surrounding built environment, to the detriment of the character and appearance of St Peter's Local Centre.

Overall, when considering all the factors set out above, the development does not achieve a good standard of design for the purposes of Policy GP8 (Design) and is considered to have a significant detrimental effect on the character and appearance of the surrounding area. The development would be contrary to Island Development Plan Policies LC2 and GP8.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/0715
Property Ref: F00109A000 + F001100000 + F001080000
Valid date: 29/05/2025
Location: The Chrome Company Rue Des Brehauts St. Pierre Du Bois Guernsey
Proposal: Demolish existing retail building (Retail Use Class 10), erect dwelling with associated works. Temporary change of use of section of adjacent agricultural field for site storage (230sqm), install hardstanding.
Applicant: The Chrome Company

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

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OFFICER'S REPORT

Site Description:

The application site consists of a detached, single storey pitched roof building located to the north of Rue Des Brehauts. The site lies in St Pierre du Bois Local Centre as designated in the Island Development Plan.

The building comprises a retail unit, currently known as The Chrome Company. The building is not protected, nor is it situated within a Conservation Area.

The curtilage of the building is fairly restricted around the perimeter of the structure, which appears to be demarcated by a kerb stone to the west of the building, and a raised area of earth and tree stump to the rear (north). The curtilage does not benefit from parking provision as shown on the drawing submitted.

The parking area to the rear (north) of the building appears to be associated with the 3-storey building to the west of the application site known as 'St. Peter's House' (formerly known as 'Midland Bank').

Relevant History:

PREA/2024/1332	Demolish existing building and erect new retail outlet with 3 studio apartments and associated parking	Pre-application enquiry
PREA/2018/0398	Remove trees and shrubs	Pre-application enquiry
PAPP/1995/4161	Create car parking area.	Granted
PAPP/1992/0187	Extend premises	Granted

Existing Use(s):

General Retail Use Class 10 – The Chrome Company

Brief Description of Development:

Planning permission is sought to demolish an existing retail building (Retail Use Class 10) and erect a dwelling-house.

The proposed 4 storey, flat roof dwelling-house takes on a contemporary form and appearance. The proposed dwelling-house consists of:

- An integral parking area, hallway, boot room and WC on the ground floor;
- A kitchen, lounge, dining room and study on the first floor;
- Two bedrooms, two bathrooms and laundry room on the second floor, and;
- A master bedroom and en-suite on the third floor.

An external roof terrace and a lean-to glasshouse are located on the fourth floor, whilst two balconies are proposed on both the east and west elevation, at first floor level.

The application also includes a temporary change of use of a section of adjacent agricultural land (230sqm), for site storage and to install temporary hardstanding.

It is noted that the temporary hardstanding is designated for building materials and storage, during the construction phase of the new house.

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

- LC2 Housing in Local Centres
- LC5 Retail in Local Centres
- GP1 Landscape Character and Open Land
- GP8 Design
- GP9 Sustainable Development
- IP6 Transport infrastructure and support facilities

- IP7 Private and communal parking
IP9 Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance - St Peter's Community Plan
Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016)

Representations:

The Authority has received 3 letters of representation including from the Constables of St Pierre du Bois. Grounds for objection principally relate to the following issues:-

- Detrimental effect on natural beauty, landscape quality, character and quality of the natural and built environment of St Peters village, infrastructure, and the amenities of neighbouring residents.
- Inappropriate nature of the development in terms of its design, layout, scale, siting and the materials to be used.
- Future uses of the site without obtaining further planning permission.
- Any planning covenant which would have a material connection with the development.
- Overpowering design and overdevelopment.
- No external amenity provision.
- The loss of the retail unit.
- Piecemeal housing development.
- Proposed development may compromise future housing provision in the Local Centre.

Consultations:

Guernsey Airport's (paraphrased) comments:

Further assessment is needed by inflight procedure designers as the site falls within the area which dictates assessment.

The Office of Environmental Health and Pollution Regulation comments:

I have reviewed the proposed plans to demolish an existing retail building and erect a dwelling, plus to temporarily change use of a section of adjacent agricultural field for site storage and install hardstanding. I do not wish to raise any objections to the proposals.

Summary of Issues:

- Whether the loss of retail provision in the Local Centre is acceptable.
- Whether the principle of new housing in the Local Centre is acceptable.
- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

- Whether the proposed parking provision and design is acceptable and would not negatively impact on highway safety.
- Whether the temporary use of the agricultural field is acceptable.

Assessment against:

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

Whether the loss of retail provision in the Local Centre is acceptable:

The application site is recognised as falling within General Retail Use Class 10 under the Use Classes Ordinance (2017). For the purposes of IDP policy, the use would be comparison retail. The IDP defines comparison retail as *“the selling of goods, including clothing and footwear, furniture, furnishings and household equipment, which generally involves comparing similar goods before buying.”*

The IDP considers comparison retail to be best located within the Main Centres in order to concentrate and cluster the retail offering, and as such there is no requirement for the retention of comparison retail in Local Centres.

Paragraph 13.2.5 of Policy LC5 (Retail in Local Centre) is clear, in that a change of use from comparison retail to other uses within the Local Centres will be acceptable providing that any new use accords with the relevant policies of the Island Development Plan.

Whether the principle of new housing in the Local Centre is acceptable:

Policy LC2 (Housing in Local Centres) states that the proposal is supported provided that:

- a) each proposal is of a scale that is appropriate to maintain or enhance the character and vitality of the particular Local Centre concerned and will not negatively affect the vitality and viability of the Main Centres or otherwise undermine the Spatial Policy; and,*
- b) where able to accommodate a variety of dwellings the proposal provides an appropriate mix and type of dwellings; and,*
- c) where the site is identified as Important Open Land, new housing is achieved only through the subdivision of existing dwellings or the conversion of existing buildings; and,*
- d) in all cases the proposed development accords with other relevant policies of the Island Development Plan.*

Whilst the scheme would accord with criteria b) and c), with regard to criterion (a) the creation of a single detached dwelling-house in the Local Centre would not affect the

vitality or viability of the Main Centres. However, significant concerns are raised over the scale of the new dwelling as described below.

Whether the design, scale, mass, siting, form and materials of the proposed development are acceptable and the impact of the development on the character and appearance of the area:

The site is located in close proximity to the amenities of the Local Centre and within these areas the most effective and efficient use of land and multi-storey designs are encouraged in principle.

However, significant concerns are raised over the 4-storey flat roof design and its lack of cohesion with the surrounding built form which is typically comprised of single storey, two storey or in some cases three storey pitched roof buildings, such as 'St. Peter's House' to the west of the application site.

With regard to the design of the scheme, the composite black timber effect cladding would accentuate the prominence of the new dwelling when compared to more traditional materials found in the immediate locality. Whilst a degree of flexibility enables property owners to exert personal choice in less sensitive areas as defined in the Island Development Plan, in this particular context, it would create an overpowering and oppressive structure in the street scene.

Moreover, the elongated fenestration split over 2 floors, mixed with a different type of cladding finish on the front façade (not specified), would create a façade that is significantly at odds with the fenestration typically found in the immediate locality. The mix of window positions, sizes, designs and solid-to-void ratios on the east and west elevations, would result in elevations that would not relate well to the surrounding built environment. Other details such as the glasshouse on the roof, coupled with styles and designs of balconies, amongst other elements, demonstrates the lack of cohesion of the scheme and its relationship to the character of the surrounding area.

Whilst the principle of the creation of a 3-bedroom dwelling house that takes into account factors such as internal space provision standards, and external amenity space at varying floor levels is acceptable, the issues with regards to the design of the dwelling and its effect on the character and appearance of the surrounding area provide sufficient grounds to refuse the application.

Due to the significant extent of revisions needed to make the proposal acceptable, it is not appropriate to defer the application in this instance.

The impact of the development on neighbour amenity.

Consideration has been given to the effect of the development on the amenities of neighbouring residents. From Cadastre Records, the first floor of 'St. Peter's House' (formerly known as 'Midland Bank'), features flats on both the first and second floor. The east facing gable of St. Peter's House only features one window at first floor level and is blank at second floor level. Whilst the proposed dwelling features windows at

first, second and third levels, and a balcony to the west, it is approximately 10m away from St. Peter's House, as such, the degree of overlooking is unlikely to cause significant harm to adjoining residential amenity.

Whether the proposed parking provision and design is acceptable and would not negatively impact on highway safety:

The south-west corner of the premises features an area of soft landscaping, and additional landscaping would normally be encouraged where it would positively help to assimilate the development into its surroundings. However, the additional landscaping along the front (south) boundary of the site would be likely to impede sightlines and therefore lead to highway safety concerns. The access to the premises also serves the adjacent retail unit to the east, and a neighbouring commercial and residential building to the west.

Whilst the landscaping could be conditioned, the proposal in its current format would not achieve a good standard of design (Policy GP8), nor would it comply with Policy IP9 (Highway Safety, Accessibility and Capacity).

Maximum car parking standards only apply in Main Centres. The proposal includes secured and covered bicycle parking in accordance with Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016).

Whether the temporary use of the agricultural field is acceptable.

Due to the limited size of the curtilage associated with the building, coupled with the extent of works to demolish and construct a new dwelling, temporarily creating a removable hard surface area on the adjacent agricultural field as proposed is considered reasonable in this case under Policy GP1 and GP15, provided the field and boundary treatment are made good following the completion of the works. Moreover, there was a similar proposal in 2014 (FULL/2014/2585) whereby a change of use of agricultural land was used as a temporary site compound.

Other material considerations

The St Peter's Community Plan has been adopted as Supplementary Planning Guidance under Policy GP19 of the IDP. The Community Plan helps those seeking to carry out development within the Local Centre to understand what type of development is likely to be supported by the local community. However, the St Peter's Community Plan does not have precedence over the established policies of either the SLUP or the IDP. The Community Plan supports retail use in this location but does not rule out other uses including residential and would not prevent the use currently proposed.

Guernsey Airport request further information to enable full assessment of the impact of the development given its proximity to the airport, however further information has not been sought in this respect given the significant concerns described above.

Careful consideration has been given to the representations received as part of the development, and where appropriate these matters have been addressed above.

Overall, there are significant concerns regarding the scale of the development and its design. The development would be contrary to Island Development Plan Policies LC2 and GP8. For the reasons set out above, it is recommended that planning permission is refused.

Date: 29/08/2025