

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: Redevelopment of site to provide 28 residential units and associated works.

LOCATION: Best Complex, Ruettes Brayes, St. Peter Port.

APPLICANT: Timbertops Limited

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

Date of Grant of Permission: 25/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: 10475-AA51/0100 Rev P01, /0101 Rev P01, /0200 Rev P01, /0201 Rev P01, /0202 Rev P01, /0203 Rev P01, /0204 Rev P01, /0210 Rev P01, /0211 Rev P01, /0215 Rev P01, /0220 Rev P01, /0225 Rev P01, /0600 Rev P01, /0601 Rev P03, /0602 Rev P01, /0700 Rev P01, /0701 Rev P01, /0710 Rev P01, /0720 Rev P01, /0721 Rev P01 & /0900 Rev P01
Hillstone: HS-Best Foods Site 01

Application Ref: FULL/2025/1413

Property Ref: A405360000 + A405340000 + A405350000

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.No development, including demolition and site works, shall begin until a Construction Environmental Management Plan, to include the details set out in the consultation response dated 24/09/2025 from The Office of Environmental Health and Pollution Regulation, has been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason - To minimise the effect of the construction phase of the development on surrounding uses.

5.No development, including site works, shall begin until details of the way in which surface water and foul water/sewage are to be managed and disposed of from the site have been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To make sure that the site can be drained in a satisfactory way.

6.No development, excluding demolition and site works, shall begin until a revised landscaping scheme to include additional tree planting on the valley/hillside in the south-west section of the site, has been submitted to and agreed in writing by the Authority.

Reason - To ensure that the development conserves the character and appearance of the Conservation Area.

7.The landscaping scheme shall be fully completed, in accordance with drawing HS-Best Foods Site 01 and as revised by the details agreed under the terms of the above condition 6, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the development conserves the character and appearance of the Conservation Area.

8.No development, excluding demolition and site works, shall begin until a revised scheme showing details of the provision to be made for the storage/parking of bicycles has been submitted to and agreed in writing by the Authority, and no part of the development, hereby permitted, shall be occupied or used until that provision has been completed in accordance with the agreed details.

Reason - To make sure that convenient provision is made for cyclists.

9.Prior to the commencement of any work in connection therewith, the following details shall be submitted to and agreed in writing by the Authority:

- a)specifications or samples of cladding materials as set out on the approved drawings.
- b)specifications or samples of all new and replacement hard-surfacing as set out on the approved drawings.
- c)specifications of the new balcony and terrace railings.
- d)details of the type, colour, texture and method of laying of stonework of the new walls.

The works shall then be carried out only in accordance with the agreed details.

Reason - To ensure that the development conserves the character and appearance of the Conservation Area.

10.Notwithstanding the details submitted, no permission is conferred for air source heat pumps or the use of a mechanical ventilation heat recovery system.

Reason - Insufficient information has been provided about these aspects and to protect the reasonable amenities of neighbouring residents.

11.If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

12.No dwelling shall be occupied until the pavement along the east boundary of the site has been fully completed and made available for use.

Reason - To encourage the use of active travel as an alternative to the car.

13.The solar panels and electric vehicle charging points shall not be installed until details have been submitted to and agreed in writing by the Authority. No dwelling shall be occupied until the solar panels, electric vehicle charging points, and all other sustainable design features set out in the section titled Sustainable Design on page 59 of the Design and Access Statement dated August 2025 have been installed/completed and made operational.

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

14.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 24/11/2028 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/2025/1413
Property Ref: A405360000 + A405340000 + A405350000
Valid date: 28/08/2025
Location: Best Complex Ruettes Brayes St. Peter Port Guernsey
Proposal: Redevelopment of site to provide 28 residential units and associated works.

Applicant: Timbertops Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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consultation response dated 24/09/2025 from The Office of Environmental Health and Pollution Regulation, has been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason - To minimise the effect of the construction phase of the development on surrounding uses.

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- c) specifications of the new balcony and terrace railings.
- d) details of the type, colour, texture and method of laying of stonework of the new walls.

The works shall then be carried out only in accordance with the agreed details.

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Reason - Insufficient information has been provided about these aspects and to protect the reasonable amenities of neighbouring residents.

11. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

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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 consists of a large two storey flat roof commercial building fronting onto the highway with parking to the front and rear of the building. The parking to the rear is accessed to the south and is elevated above the highway approximately at 1st floor level of the rear of the building. There are 2 detached cottages inside the south boundary and stepping up the valley side to the west.

The site is located within the Charroterie Valley. The ground level of the site rises from north to south and more steeply from east to west as it climbs up the valley side to the west. The site is within the St Peter Port Conservation Area and forms part of the Charroterie Valley Character Area.

The character of the area can be summarised as a busy road winds up the valley leading southward away from the centre of Town, splitting into several busy traffic routes at the junctions at the top of La Charroterie and with Colborne Road. Cliff faces and sharp changes in level are characteristic of the area with sunlit greenery on the hillsides above development. The site is positioned at a point where enclosure lessens and the open green valley is a focal point. Topography has historically dictated the position of buildings making development on the valley sides a feature along with rooflines that highlight changes in level. More recent redevelopments and conversion of former industrial sites have influenced the external appearance of buildings and spaces whilst taking cues from the historic environment. Scale, proportions and positioning and pattern of windows are important. Differing orientation of pitched roof and design of dormer windows are characteristic. Materials vary but are often muted where not traditional.

The majority of the site, including the entire commercial premises and a cottage to the south but excluding the cottage on the hillside in the south-west corner, is within the St Peter Port Main Centre Inner Boundary. The cottage to the south-west is within the St Peter Port Main Centre Outer Area. The site is bounded to the west by Important Open Land and to the north-west by an Area of Biodiversity Importance. There are protected buildings to the south, south-east and west of the application site and a protected monument (PM40) to the north. Of these, the land parcels of the protected buildings to the south and west adjoin the application site.

Relevant History:

Feb to Dec 2024 – PREA/2023/2485 – Pre-application advice regarding the redevelopment of the site.

Existing Use(s):

Retail
Offices
Storage
Residential

Brief Description of Development:

Planning permission is requested for the redevelopment of the site to demolish all of the existing buildings, to partially excavate the valley side to the rear (west) and to erect 2 buildings containing 28 flats, comprising of 5x 1 bedroom flats and 23x 2 bedroom flats (2 of which would be duplexes) and alterations to the access to the south.

The site would be laid out with a block of 16 flats fronting onto Ruettes Brayes comprising of a 3½ to 4 storey pitched roof building with a series of gables fronting onto Ruettes Brayes. A separate 3 storey pitched roof building comprising of 12 flats would be situated to the rear (west). A podium communal terrace, with small private patios would be created between and connecting the blocks of flats at second floor level with 28 car parking spaces and bicycle storage provided at first floor level under the podium deck. Vehicular access would be provided via an altered access in the south-east corner of the site with a communal bin store. Existing parking spaces to the front of the commercial building would be replaced with small patios in front of the block of flats which would be enclosed by a low wall with a public pavement bordering the highway.

The application is accompanied by a Design and Access Statement and a Waste Management Plan.

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

Policy MC2: Housing in Main Centres and Main Centre Outer Areas
Policy MC4(A): Office Development in Main Centres
Policy MC6: Retail in Main Centres
Policy GP1: Landscape Character and Open Land
Policy GP4: Conservation Areas
Policy GP5: Protected Buildings
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP10: Comprehensive Development

Policy GP17: Public Safety and Hazardous Development
Policy GP18: Public Realm and Public Art
Policy IP6: Transport Infrastructure and Support Facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

Two representations were received, main points as follows:

- Objections to the scale of the development, including the scale, siting and height of Blocks A and B and the resultant unacceptable harm to the privacy, amenity and landscape character of the valley.
- Impact on neighbouring property to the south due to the loss of privacy from balconies and windows in Blocks A and B.
- It is recommended that any development is kept below the height of the south boundary walls to maintain privacy and to protect the natural valley backdrop.
- The proposal amounts to an overdevelopment and would provide limited amenity for occupiers of the dwellings.
- Highway safety and traffic concerns highlighting the frequency of accidents along the highway and the proposed increased use of the access and resultant increase in accident risk.
- It is recommended that should the scheme proceed that a reduced speed limit further up Ruettes Brayes is required and traffic calming measures are introduced.
- One representation comments that the proposal makes good use of a built up site on the edge of town but raises concerns about biodiversity measures including the species selection of the proposed landscaping scheme due to the location of the site adjacent to an Area of Biodiversity Importance and being set within a fairly rural environment and recommends measures to support breeding birds and bats.

Consultations:

Guernsey Water, 22/09/2025

"Thank you for including us in the consultation for this development. We reviewed the plans during our Developer meeting this morning.

Before we can provide further comments, we would appreciate it if you could share a surface water management plan and details of the proposed foul drainage strategy".

The Office of Environmental Health and Pollution Regulation, 24/09/2025

"I have reviewed the proposed plans for the Best Complex which were received by email on 15th September 2025 and there are a number of issues of concern that I must raise. Due to the developments size and location I would recommend that the Planning Authority apply the below CEMP condition to any permission granted.

I note the site has been used predominantly for storage and offices. The site has also been used for refrigeration storage. Considering these previous uses, I recommend the Planning Authority apply the below discovery strategy condition should land contamination be found.

There is also insufficient information to be able to comment fully on this application. The Design and Access Statement 10475-AA51-ZZ-T-0400-P02, Revision 00, August 2025, makes reference to the provision of renewable technologies specifically Air Source Heat Pumps. Should ASHPs be intended to be installed this office would need model numbers and a full manufacturers specification to be able to comment, it is likely that a subsequent a noise assessment would also be required from an acoustic consultant. Similarly, the Design and Access Statement also refers to mechanical ventilation. As such I further have concerns for noise nuisance that could be caused by this equipment, to be able to comment fully on this application a report from an acoustic consultant will need to be furnished addressing the issue of noise from the mechanical ventilation.

It may also be required that an acoustic report is furnished assessing the noise from the ASHPs on local receptors. In either case the reports should reference BS 4142:2014+A1:2019. The applicant may want to consider commissioning a report address both these issues.

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Construction Environmental Management Plan (CEMP)

Having regard to the size and location of the development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Authority prior to the commencement of any demolition works. The development shall thereafter be carried out in full accordance with the approved CEMP, unless otherwise agreed in writing by the Authority. The CEMP shall, as a minimum, include the following:

Community Liaison Strategy:

A scheme detailing how the contractor will engage with local residents throughout the demolition and construction phases. This shall include procedures for providing regular updates, managing complaints, and recording and reviewing concerns raised by residents.

Neighbour Impact Mitigation Measures:

A scheme outlining the measures to minimise disturbance to neighbouring occupiers, including management of noise, dust, vibration, site traffic, and deliveries to and from the site.

Construction Hours and Vehicle Movements:

Full details of the proposed hours of work, including all associated construction-related vehicular movements.

Construction Compound Details:

The location and layout of the construction compound, including areas for the storage of materials, contractor parking, and site welfare facilities.

Construction Traffic Management Plan:

A site plan identifying the proposed construction traffic access and egress routes to and from the site.

No demolition or construction work shall take place unless in accordance with the approved details”.

Traffic and Highway Services, 26/09/2025

“I refer to the application by Timbertops Limited in respect of the above proposed development.

I advise that an access should: -

- a) Enable a driver 2.4m from the edge of the carriageway to see a minimum of 33m in the direction of oncoming traffic;
- b) Not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;
- c) Have sufficient width to enable cars and light vehicles to exit and enter the drive without crossing into the path of vehicles on the opposite side of the carriageway;
- d) Be square to the carriageway;
- e) Be sited at a distance not less than 20m from a junction.

The site adjoins Ruettes Brayes which is classified as a Traffic Priority Route (TPR) within the Traffic Engineering Guidelines for Guernsey. TPR are subject to high traffic flows and comprise of the Island’s busiest main roads. They are key routes whose primary function is to distribute traffic throughout the Island with the functional emphasis being mobility and free traffic flow.

Relevant policies within the Traffic Engineering Guidelines are considered to be:-

- TPR01 advises that developments that would have an adverse effect on traffic management, which are unsustainable in terms of traffic generation,

or produce unacceptable interruptions to traffic flows or reduction in highway capacity, either by themselves or as part of incremental change should be resisted.

- TPR02 outlines that on urban Traffic Priority Routes which form key arterial routes into the centre of Town, strict controls of frontage activities are required to mitigate traffic congestion. Very careful consideration should be given to both the creation and the design standards of proposed accesses. Generally minimum design parameters should be achieved, with relaxation of the design parameters only permissible in exceptional circumstances.
- TPR04 advises any proposal leading to an intensification of use which in turn leads to a significant increase in traffic movements, must include proposals to mitigate the increase in traffic movements.
- TPR05 recommends any proposed measures along a Traffic Priority Route which reduce the volume of vehicular movements should be favourably considered when determining an application.

In addition to the above, Traffic and Highway Services (THS) has noted that supplementary planning guidance advises that a Traffic Impact Assessment (TIA) would be likely to be required for a development resulting in the creation of 25 or more dwelling units. Therefore, this application would tip that threshold, but THS notes the existing uses of the building include retail, office, storage and beauty services. Some of these uses are likely to result in regular visitors to the site and it is likely that overall would be more intensive from a traffic generation perspective than the residential use proposed. Taking this into account, plus noting no increase in overall parking provision or significant traffic management issues nearby, THS is unconcerned on this occasion by the lack of a TIA.

The proposals seek to retain a vehicular access at the southern end of the site, with an improvement to the bellmouth and widening to accommodate 2-way flow. However, it was evident from a site visit that the sightline in the direction of oncoming traffic would be limited to circa 10m due to the substantial roadside wall of the adjacent property. Whilst recognising that it is an existing access and that the spaces along the roadside frontage would be removed with some traffic related benefits, from a road safety perspective the choice of exit position does raise concern given how far short the sightline would be from the recommended minimum standard mentioned above. The sightline to the east would exceed 33m.

The site is located within the Main Centre Inner Boundary and well situated for active travel with places like High Street and the Bus Terminus being about 1,100m away. This represents circa a 13-minute walk or a 4-minute cycle for those confident to mix with motor vehicles on a main road. The site is also located on or very close to stops for 9 bus routes. With these in mind, THS supports the creation of the pavement to the east of the site and would also welcome if consideration could be

given to provision of a sheltered bus stop at the rear of the pavement (broadly adjacent to unit 2).

Given the site falls within the Main Centre Inner Boundary, maximum car parking standards would apply. Looking at drawing Nos. 0210, 0215 and 0220 (floor plans), 23 units would have a maximum of a single parking space, and 5 units (single bedroom) would be assessed on merit. Taking this into account, the proposed parking provision is considered to be at the upper limit when considered against access to transport alternatives. It is welcome that the proposed level of cycle parking broadly matches the minimum standards contained in the supplementary parking guidance, and that most spaces will be covered or covered and secure.

It has been noted that the site is described as lending itself to the installation of renewable technology to power communal infrastructure such as vehicle charging points. This would be welcomed to support the transition to EVs and the island's pathway to net zero. However, it is unclear at this time how many EV charging points are intended to be provided and THS would welcome clarification regarding this matter.

In conclusion, the proposals are considered to comply with or the spirit of policies TPR01, TPR04 and TPR05 and do not raise any concerns from a traffic management perspective but THS believes an opportunity is being missed to make road safety improvements by providing an access with a significantly improved sightline in the direction of oncoming traffic. There may also be an opportunity for the proposals to support communal transport through provision of a covered bus shelter along the eastern boundary".

St Peter Port Douzaine, 08/10/2025

"St Peter Port Douzaine wishes to submit the following representation regarding the proposed redevelopment of the former Best Complex at the bottom of Ruelle Braye, for consideration.

The Douzaine welcomes the overall design and the proposal to create 28 habitable units, recognising the opportunity to make more effective use of this site. However, we consider that several elements of the scheme could be refined to enhance both the quality of life for future residents and the contribution of the development to the surrounding area.

Local amenity and community value

We believe there is scope for a small retail unit at the front of the complex. A convenience store offering post office and pharmacy collection services would provide a valuable local amenity and support the wider community.

Outdoor and communal space

While each unit appears to benefit from some private outdoor space, the proposed 'communal area' appears to function primarily as an access route. The landscaping is welcome, but the space seems limited in its potential for meaningful use or informal

recreation. Greater provision for seating and small 'micro-socialisation spots' would enhance community interaction. By way of example, the communal area at La Charroterie Mills successfully provides safe, usable outdoor space for children and residents. Given that not all units will have direct visibility of the shared area, consideration might also be given to limited-access CCTV to support safety and reassurance.

Traffic and access

Traffic management in this area remains a concern. While residents will require car access, sustainable and shared mobility options should be encouraged. Allocating one parking space per unit offers little flexibility; other developments now provide car-sharing schemes, which maintain access to vehicles while reducing congestion and ownership levels.

The Douzaine also notes that drop-offs and collections currently appear to require entry to the underground car park. This arrangement seems impractical and may result in motorists stopping on or near the pavement. The inclusion of a lay-by or designated drop-off point would help to maintain safe pedestrian access. It is unclear whether a pavement is proposed along the frontage, but if not, one should be provided to ensure pedestrian safety and encourage walking. Improved access to bus stops in both directions would also be desirable.

Conclusion

The Douzaine supports the principle of redevelopment on this site. With the above refinements, the proposal could make a significant and positive contribution to the St Peter Port built environment and set a strong precedent for future developments”.

Summary of Issues:

The main issues in deciding this application are:

1. Whether the principle of the change of use and new housing is acceptable.
2. Design, scale, bulk and impact of the development on the character and appearance of the Conservation Area.
3. The impact on the setting of protected buildings.
4. The impact of the development on the amenity of people living in the area.
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
6. Road safety, traffic management and parking.

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 principle of the change of use and new housing is acceptable

The office accommodation at 1st floor level comprises of 5 small offices ranging from 38sqm to 121sqm, with a total combined floor area of 295sqm. The office accommodation is largely occupied and has not been marketed and does not meet part (a) of Policy MC4(A) but the agent has requested a minor departure.

The Office Quality Audit 2023 identifies the offices as Tertiary offices. Due to an oversupply of small tertiary offices, Policy MC4(A) supports the loss of office premises not exceeding 250sqm. In this case, although the total floor area modestly exceeds the small office floor space of 250 square metres, due to the tertiary nature of the accommodation and the small individual nature of the offices, it is accepted that the loss of this office space would have no significant adverse effects on the overall office supply and the lack of marketing in this case can be considered as a minor departure from Policy MC4(A).

The site is not within the Core Retail Areas and the change of use away from retail is permitted under Policy MC6 where it supports the objective of ensuring Main Centres remain attractive and focal points for economic and social activity. The site is situated on the boundary of the Main Centre Inner Area and the surrounding area consists of a mix of office and residential uses. By virtue of the location and characteristics of the site, the loss of the existing retail unit and its replacement with additional residential units would not have an adverse effect on the vitality and viability of the St Peter Port Main Centre. There is no policy requirement to retain an element of retail on the site and it is noted that there are other shops and services within walking distance around Trinity Square and within the St Peter Port town centre.

As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres. The site is located in the St Peter Port Main Centre and does not form Important Open Land. As such Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan and where able to the site provides an appropriate mix and type of dwellings.

With regards to the mix and type of dwellings proposed, current evidence regarding private market housing suggests a need for homes of mainly 1 and 2 bedrooms. The proposal for 5x 1 bedroom flats and 23x 2 bedroom flats broadly reflects current housing need and is considered to be appropriate, taking into account the size and nature of the site and the character of the surrounding area. There is no current requirement for the provision of affordable housing.

Design, scale, bulk and impact of the development on the character and appearance of the Conservation Area

The proposed housing would be achieved through the replacement of two existing houses and a commercial building with 28 flats ranging in occupancy from 1 to 2 bedrooms. Parking for cars and bicycles would be provided together with private

amenity spaces for a number of the flats and a communal amenity space for all. This represents a significant improvement in efficiency in the use of the land.

Whilst not a building of merit, the buildings make a neutral contribution to the special character, architectural or historic interest and appearance of the Conservation Area, whilst the valley context makes a positive contribution. In principle the proposed demolition accords with Policy GP4 but, due to the importance of the valley context as set out above, replacement buildings must make an equal or enhanced contribution.

Block A is proposed as a series of 3.5 to 4-storey pitched roof buildings presenting gables to the road and connected by subservient perpendicular pitched roofs concealing flat roofs behind. A further pitched roof extends northward. Projecting elements with parapets rising to eaves level give the impression of flat roofs to parts of the roadside elevation. The principal ridges reduce in height towards the south, as land levels rise. The two lower floors would be built into the hillside and so the building would appear two floors less when viewed from within the site.

The northernmost ridge of the proposed building would measure 16m in height and the southern 12.2m above road level and would be situated on the building line of the existing structures. In comparison, Elizabeth House to the immediate north of the development site measures approximately 13.5m in height at the roundabout, reducing in height as a result of changing land levels to approximately 11m adjacent to the boundary with the site. The existing commercial buildings on the site measures an average of 8m in height.

The positioning and proportions of windows give an overall vertical emphasis; recesses formed by balconies for the most part (as a consequence of positioning) complement the verticals of the windows and gables. Wider openings at first floor level in the two middle parts of the building could give a conflicting horizontal emphasis but use of vertically aligned cladding would compensate.

Materials would comprise slate, zinc cladding, white render and grey brick. Windows would be of a grey composite material. Solar panels would be installed on south-facing roofs. The whole would present an appropriate mono-chrome finish.

The Conservation Area Character Appraisal recognises an opportunity to take advantage of topography to incorporate, sympathetically, taller buildings whilst noting a need for care over existing structures and skyline. On the whole, the height and consequent mass of the elevation would be adequately broken up by the considered use of form and materials together with proportions and positioning of openings thus taking advantage of this opportunity.

Block B would be set a substantial distance further back within the development site, behind Block A. Its rooflines and variations in façade would reflect those of Block A albeit not so carefully refined. Despite rising 2.7m higher, it would be largely screened from public view by Block A. The south-east corner of the block would be

most prominent and detailing of this junction (as for the equivalent part of Block A) will be important. Otherwise, it would not be prominent in the street scene, other than its effect on hillside greenery which is discussed below.

At present the overriding impression from the junctions of La Charroterie and Colborne Road with Ruettes Brayes is one of relatively low buildings backed by green slopes. This is a characteristic feature of the Character Area and makes a positive contribution to the character and appearance of the Conservation Area.

The proposal sets out that much of the perimeter planting would be removed in re-grading land levels in the west part of the site but that replacements are proposed to include trees on the periphery and wildflowers on the hillside. For a temporary period of time, therefore, the greenery of the clifftop would be lost which would have an adverse effect on the immediate area. However, as replacement trees mature this feature would be regained, albeit behind taller buildings than presently exist.

Encroachment of development into green spaces is identified in the Character Appraisal as a potential issue and so loss of views of the cliffside/hilltop greenery feature raises concerns. This is especially applicable in close views. The height of the proposed buildings would mean such views would not be possible. However, in longer views from higher ground, e.g. further up Colborne Road and possibly in narrow views from Ruettes Brayes, hillside trees would still feature.

Achieving a suitable landscaping scheme, undertaken in good time so as to minimise the period that this feature is removed for, will be important in meeting Policy GP4. Whilst the proposed landscaping scheme goes some way towards mitigating the loss of the cliffside/hilltop greenery feature, the potential adverse effects could be mitigated further with additional tree planting in the south-west corner of the site, this could be dealt with by condition.

Widening of the gateway and the introduction of low stone boundary walls would conserve and enhance the character and appearance of the area.

In accordance with the strengths, issues and opportunities set out in the Character Appraisal of La Charroterie, the new buildings would retain characteristic fluctuations between openness and enclosure and in incorporating taller buildings would respect building lines, heights, topography and spaces and would provide a varied roofscape. Opportunities have been taken to improve the public realm and pedestrian environment. The development would not overly impinge on the valley setting and additional landscaping would assist in conserving the wooded skyline provided this is undertaken in good time so as to minimise the period that this feature is removed for.

The development can be considered to make an equal contribution to the character, architectural and historic interest and appearance of the Conservation Area and so meets Policy GP4.

The impact on the setting of protected buildings

The Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. With regards to the setting of protected buildings, this duty is encapsulated in Policies GP5 and GP8.

The site adjoins the land parcels of protected buildings to the south and west. However, given the distance between proposed development and these protected buildings and the views in which they are seen, any adverse effect on the overall special interest of the setting would be outweighed by the social and economic benefits of the development. The proposal accords with Policies GP5 and GP8 in respect of its impact on the setting of protected buildings.

The impact of the development on the amenity of people living in the area

Blocks A and B are set back over 15m from the neighbouring boundary to the south, with the neighbours dwellings being a further 40m from the boundary. Given the distances involved and differences in levels, any overlooking of the neighbouring property to the south is unlikely to have a material adverse effect on the amenities of neighbouring residents.

To address the comments of The Office of Environmental Health and Pollution Regulation and to minimise the impact of the construction phase of the development on surrounding uses, it is recommended that a Construction Environmental Management Plan is requested, this can be dealt with by condition.

Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposed dwellings all exceed the Guernsey Technical Standards minimum internal space standards and the majority exceed the best practice minimum internal space standards. Unit 7 would meet the best practice minimum internal space standards for a 3 person 2 bed unit but not a 4 person unit. Unit 12 would meet the best practice minimum internal space standards for a 1 person unit but it is unclear if it would meet a 2 person unit due to the ceiling height within the eaves.

Separation distances between Blocks A and B would be 15m, with balconies of units 11 & 16 10.5m from the windows/balconies at the north end of Block B. Within the communal area between blocks A and B private patios 3m deep would separate ground floor windows from the communal area. These distances are sufficient to negate significant privacy concerns. There are some concerns about the potential communal access to the rear of Block B and the potential impact on the privacy of units 17 to 20 but this does not appear to be intended as communal amenity space. As a whole by virtue of the positioning and orientation of fenestration and balconies and the proposed patio/defensible spaces outside of windows, the privacy of the proposed units would be adequate.

The majority of units are dual aspect. There are some concerns about the depth of rooms and/or the proximity to the cliff face to the west and the ability for daylight and sunlight to penetrate internal areas but overall the provision of daylight and sunlight would be adequate.

All of the units have an outlook over either the highway and/or the communal area between Blocks A and B, with outlook generally improving at upper floor levels. All of the units have access to some form of external amenity space such as small patios, balconies or the communal space. Whilst the size and quality of some of the outdoor spaces is limited, when combined with the outlook from the dwellings and the access to nearby public open space, the provision of outdoor space would be adequate for the type and nature of the dwellings that they would serve. Overall despite some deficiencies, taking into account the Main Centre location, the proposed dwellings are likely to provide an adequate living environment.

Road safety, traffic management and parking

Ruettes Brayes is designated as a Traffic Priority Route. The comments of the Traffic and Highway Services is set out in full above. Traffic and Highway Services advise that although the scale of the proposed development would tip the threshold for when a Traffic Impact Assessment is required, given the existing uses of the site and the likelihood that some of these uses would result in regular visitors to the site and it is likely that overall would be more intensive from a traffic generation perspective than the residential use proposed, and taking into account that there would be no increase in overall parking provision or significant traffic management issues nearby, a Traffic Impact Assessment is not required in this instance.

Traffic and Highway Services raised concerns about the substandard sightline in the direction of oncoming traffic from the proposed access. However, Traffic and Highway Services acknowledge that this is an existing access and that existing parking spaces along the roadside frontage would be removed which would have some traffic related benefits.

Whilst the concern regarding the substandard sightline is noted, given that this is an existing access and together with the benefits to road safety resulting from the removal of the existing frontage parking spaces, the proposal is unlikely to have a significant adverse effect on road safety.

The site is located within the Main Centre Inner Boundary, it is well situated for active travel and is well served by public transport. The creation of the pavement to the east of the site is welcomed. The proposed car parking provision accords with the maximum parking standards and is adequate to serve the development. No details of the allocation of spaces is provided but in principle there could be scope for visitors to utilise the on-site parking provision or outside of working hours the car park at Sir Charles Frossard House would be available for residents and visitors. The layout of the car park enables the potential for drop-offs and collections and the inclusion of a lay-by along the highway is unlikely to enhance road safety.

The bicycle parking standards require 51 covered and secure long term spaces for residents. The proposal currently provides 34 good quality bicycle parking spaces for residents within the car park. However, the bicycle parking spaces at 2nd floor level do not appear to have step free access and not all of the spaces for residents are covered. Revised details would be required to demonstrate adequate quality bicycle parking, this could be achieved by extending the bicycle stores within the car park and/or providing step free access to the proposed 2nd floor bicycle parking. Details of the revised bicycle parking can be dealt with by condition.

Whilst Traffic and Highway Services encourage the provision of a sheltered bus stop at the rear of the pavement (broadly adjacent to unit 2), there is no requirement to provide one in planning policy. However, should the applicant and Traffic and Highway Services agree to the provision of a sheltered bus stop, a revised application could be submitted.

Pending a revised bicycle parking provision, the proposal accords with Policies IP6, IP7, IP9 and the adopted Parking Standards.

Other Matters

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. The application is supported by a Sustainable Design statement which sets out how the development has been designed to take into account sustainable design principles. It is advised that a fabric first approach is to be adopted with a highly insulated envelope and high U-values exceeding Guernsey Technical Standards by 35%, and the proposal includes solar panels and electric vehicle charging with other potential measures including an air source heat pump, a mechanical ventilation heat recovery system and LED lighting. A Waste Management Plan has been submitted detailing how waste is to be minimised and managed. Overall the layout and form of the development and the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

The Office of Environmental Health and Pollution Regulation raise concerns about the potential for noise disturbance from the air source heat pump and mechanical

ventilation heat recovery system and requests further details to fully assess these elements. As details are not included within the application, it is not definitive as to whether these features would be installed and the proposal would still comply with Policy GP9 without these features, it is recommended that the air source heat pump and mechanical ventilation heat recovery system are not approved as part of this application and a revised application is submitted in future should permission be required for these elements.

Although the proposed landscape scheme includes some non-native hedge and tree spaces, these are largely confined to the developed sections of the site, such as forming boundaries around private amenity spaces. The site is not within an Area of Biodiversity Importance and there is no requirement for a biodiversity net gain, although the Strategy for Nature has been adopted as Supplementary Planning Guidance. Given the policy support for housing development and the effective and efficient use of land in this location, the proposed landscaping scheme is sufficient.

To address the comments of Guernsey Water, it is recommended that details of surface water management and foul water drainage are requested by condition. In addition, it is noted that these aspects would also be subject to approval under the Building Regulations.

To address the comments of The Office of Environmental Health and Pollution Regulation regarding the potential for the land to be contaminated, it is recommended that a condition requiring further details to be submitted should any contamination be found.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved, subject to conditions.

Date: 20/11/2025

