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: Partially demolish building, convert, extend and alter auction house to form dwelling, erect 2 dwellings including vehicle access, courtyard and associated works. Extend and alter at ground floor, first floor and second floor levels including terrace and balcony at first and second floor level and pedestrian access to The Cottage.

LOCATION: 38 & 40 Cornet Street, St. Peter Port.

APPLICANT: Charisma Investments Ltd

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: 16/11/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3266-SK-01 Rev A, 02 Rev B, 100 Rev A, 110 Rev A, 120 Rev B, 130 Rev B, 205 Rev B, 206 Rev B, 207 Rev B, 208 Rev B, 209 Rev B.

Application Ref: FULL/2026/0797

Property Ref: A401430000+A401550000

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. Notwithstanding the drawings submitted, the flat roof dormer windows to the front and rear of 'The Warehouse' unit, however named, as shown on drawing ref:3266-SK-205 B & SK-206 B, shall be offset from the gable end of the building by not less than 300mm. Full details of such detail, at an appropriate scale (1:50 or 1:100) shall be submitted to and approved in writing by the Authority, and the work shall thereafter be implemented in full accordance with the approved details.

Reason - the drawings submitted shows that the dormer windows and gable end of the Warehouse building will be on the same plane and therefore will result in a substandard design detail. This condition is required to ensure that the design and detailing of the scheme achieves a high standard of design in the interests of conserving the character and appearance of the Conservation Area.

5. (a) Prior to the commencement of works, excluding demolition, full details of the proposed landscaping hereby approved, including the species, sizes, numbers and position of plants shall be submitted to and agreed in writing by the Authority.

(b) The plants shall be planted in accordance with the details agreed under the terms of part (a) of this condition above, by the end of the first planting season following the first occupation of any of the dwellings, or completion of the development, whichever is the sooner. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the landscaping scheme is submitted to the Authority prior to works commencing on site to avoid any ambiguity, help assimilate the development into its surroundings, and achieve a high standard of design as required under Policy GP4 and GP8.

6. No materials to be used on the exterior of the buildings shall be placed on the site until such time as written details and samples shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed materials.

Reason - to ensure that the scheme achieves a high standard of design in the interests of conserving the character and appearance of the Conservation Area.

7. No development in that respect shall begin on site until large scale details of the fenestration to the front (north) elevation facing Cornet Street including method of opening have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

8. No development in respect of the stone walls shall begin on site until a panel of stone has been built on the site and both the materials and the colour and type of mortar for pointing have been agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

9. Prior to the first occupation of 'The Warehouse' unit, however named, the full width dormer window to the west elevation as shown on drawing 3266-SK-206 B shall be fixed shut (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained as such in perpetuity.

Reason - To protect the amenities of neighbouring residents.

10. Notwithstanding the information shown on the approved plans, the new dwellings created shall be served by electric charging points and the courtyard shall be finished in permeable paving. These elements and the bin storage shall all be provided and completed prior to the first occupation of any of the dwellings, or completion of the development, whichever is the sooner. Full details of the electric charging points and the permeable paving shall be agreed beforehand in writing by the Authority and thereafter completed in accordance with the agreed details.

Reason - To ensure that surface water is dealt with within the site, and EV charging points and bin storage is made available prior to the occupation of the dwellings, in the interests of sustainable development.

Expiry Date: This permission will cease to have effect on 15/11/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is strongly encouraged that roof mounted solar panels are incorporated as part of the development hereby approved in the interests of sustainable development and to reduce the carbon footprint of the new dwellings.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0797
Property Ref:	A401430000+A401550000
Valid date:	04/06/2026
Location:	38 & 40 Cornet Street St. Peter Port Guernsey GY1 1LF
Proposal:	Partially demolish building, convert, extend and alter auction house to form dwelling, erect 2 dwellings including vehicle access, courtyard and associated works. Extend and alter at ground floor, first floor and second floor levels including terrace and balcony at first and second floor level and pedestrian access to The Cottage.
Applicant:	Charisma Investments Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

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Reason - the drawings submitted shows that the dormer windows and gable end of the Warehouse building will be on the same plane and therefore will result in a substandard design detail. This condition is required to ensure that the design and detailing of the scheme achieves a high standard of design in the interests of conserving the character and appearance of the Conservation Area.

5. (a) Prior to the commencement of works, excluding demolition, full details of the proposed landscaping hereby approved, including the species, sizes, numbers and position of plants shall be submitted to and agreed in writing by the Authority.

(b) The plants shall be planted in accordance with the details agreed under the terms of part (a) of this condition above, by the end of the first planting season following the first occupation of any of the dwellings, or completion of the development, whichever is the sooner. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the landscaping scheme is submitted to the Authority prior to works commencing on site to avoid any ambiguity, help assimilate the development into its surroundings, and achieve a high standard of design as required under Policy GP4 and GP8.

6. No materials to be used on the exterior of the buildings shall be placed on the site until such time as written details and samples shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed materials.

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Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

8. No development in respect of the stone walls shall begin on site until a panel of stone has been built on the site and both the materials and the colour and type of mortar for pointing have been agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

9. Prior to the first occupation of 'The Warehouse' unit, however named, the full width dormer window to the west elevation as shown on drawing 3266-SK-206 B shall be fixed shut (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained as such in perpetuity.

Reason - To protect the amenities of neighbouring residents.

10. Notwithstanding the information shown on the approved plans, the new dwellings created shall be served by electric charging points and the courtyard shall be finished in permeable paving. These elements and the bin storage shall all be provided and completed prior to the first occupation of any of the dwellings, or completion of the development, whichever is the sooner. Full details of the electric charging points and the permeable paving shall be agreed beforehand in writing by the Authority and thereafter completed in accordance with the agreed details.

Reason - To ensure that surface water is dealt with within the site, and EV charging points and bin storage is made available prior to the occupation of the dwellings, in the interests of sustainable development.

INFORMATIVES

It is strongly encouraged that roof mounted solar panels are incorporated as part of the development hereby approved in the interests of sustainable development and to reduce the carbon footprint of the new dwellings.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210.

OFFICER'S REPORT

<u>Site Description</u>:

The application site consists of the Martel Maides premises, No.38/40 Cornet Street, with a cottage to the rear.

The site consists of a traditional, 2.5 storey building sited to the west of the site, with its gable fronting onto Cornet Street. The site also features a large, single storey flat roof extension extending up to the east boundary.

Both buildings are set back from the road and the site features car parking to the front, served by a central vehicular access point. Painted rendered walls form the roadside boundary. The land level decreases in a west to east direction. On-street parking is provided to the front of the building, including 2 parking spaces and motorcycle parking, separated by access to the building.

The flat roof building is used as an Auction Room for Martel Maides, with ancillary storage and offices (as described under the relevant planning history) within the 2.5 storey building referred to as 'The Warehouse' by the agent.

The agent letter dated 6th May 2026 notes that buildings once lined Cornet Street and were demolished in the early-to-mid 20th Century and replaced by a street-side car park.

To the rear of the site lies a detached, traditional 2.5 storey dwelling-house, known as The Cottage. The Cottage is constructed with granite and features a rendered façade, pan tiled roof and flat roof dormer windows. It is understood that the building is inaccessible due to the substantial change in ground levels to the east of the dwelling and is not accessible through the Martel Maides buildings. No obvious access is provided along Cliff Street or Castel Vaudin and therefore may only be accessed by a right-of-way over neighbouring land.

The application site is in the Main Centre Outer Area as defined in the Island Development Plan (IDP). The property is not a Protected Building, although is situated within a Conservation Area, and is adjacent to a Regeneration Area. The application site backs onto a Protected Building, No.8, located along Cliff Street.

Relevant History:

Reference No	Cadastre ref:	Description	Decision	Date
PAPP/2008/0995	A401430000	Demolish existing auction rooms, retention of facade of former Helmsman public house and erection of nine new residential units.	Refused	2008
PAPP/2007/1735	A401430000	Demolish existing auction rooms, retention of facade of former Helmsman public house and erection of eight new residential units.	Granted	2008

PAPP/2000/4467	A401430000	Conversion of premises to auction room with ancillary storage and offices	Granted	2001
PAPP/1999/3735	A401430000	Change of use of premises to auction room with ancillary storage and offices	Granted	1999

Existing Use(s):

Retail – Martel Maides (the Warehouse/flat roof building).
Residential – The Cottage.

Brief Description of Development:

Planning permission is sought to demolish the flat roof building, convert, extend and alter the ancillary warehouse to form a dwelling, and erect 2 dwellings adjacent to the north boundary.

The application also seeks to extend and alter the Cottage at ground, first and second floor level, and includes creating a terrace and balcony at first and second floor level. The Cottage will be accessed by the new courtyard.

The proposal seeks to create 3x 3-bedroom units (conversion of the existing building, creation of two new dwellings). The Cottage will feature 3 bedrooms, as well as an external terrace and roof balcony.

The scheme features 2.5 storey dwellings to the front to assimilate into the street scene along Cornet Street. The proposal includes a combination of granite walls, render, clay pantiles, red brick, slimline glazing, steel railings and concrete patio slabs.

The new dwellings will feature 2 parking spaces within the courtyard, as well as internal garage for one of the dwellings, together with bike and bin storage.

The application was deferred as some concerns were raised with the design of the principal façade and its relationship to the wider street scene, impact on neighbour amenity, density, parking, as well as additional information to assess the development's impact in long distance views. The agent has provided additional information to seek to address the concerns raised.

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

GP1 Landscape Character and Open Land
GP4 Conservation Areas
GP5 Protected Buildings
GP7 Archaeological Remains
GP8 Design

GP9 Sustainable development
GP13 Householder Development
IP7 Private and communal parking
IP9 Highway Safety, Accessibility and Capacity
MC2 Housing in Main Centres and Main Centre Outer Areas
MC6 Retail in Main Centres

IDP Annex 1 Amenities
Parking Standards and Traffic Impact Assessment - Supplementary Planning Guidance, December 2016

Representations:

The Authority has received representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:

- Overlooking
- Third party issues.
- Overshadowing.
- Loss of on-street parking.
- Positive enhancement to the street scene.
- Request for the applicant to engage with neighbours.

Consultations:

None.

Summary of Issues:

The main issues in deciding this application are:

1. Whether the partial demolition of the retail unit and the change of use from retail to residential and the creation of new housing is acceptable.
2. Whether the proposed design would have an unacceptable adverse effect on the character or appearance of the Conservation Area.
3. Whether the proposal would have an unacceptable adverse effect on the setting of an adjacent protected building.
4. The impact of the development on the amenity of people living in the area, including the occupants of the new dwellings; and
5. The loss of on street parking, together with appropriate levels of parking on the site and access issues, considering the above planning policies.

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).

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

Whether the partial demolition and the change of use from retail to residential is acceptable:

Policy MC6 (Retail in Main Centres) states that:

> *Beyond the Core Retail Areas, change of use away from retail will be permitted where it supports the objective of ensuring the Main Centres remain attractive focal points for economic and social activity.*

The change of use of 'The Warehouse' from retail to new housing is supported under Policy MC6. The demolition of the flat roof building forming part of the retail unit is also supported under the Policy given that its replacement would be new housing.

The flat roof building is of little architectural merit and can be considered as a 'detractor' within the Conservation Area. The partial demolition of the retail unit provides the opportunity to enhance the Conservation Area.

Overall, the proposal accords with Policy MC6.

Whether the creation of new housing in this location is acceptable:

The application site is situated within a Main Centre Outer Area as defined within the Island Development Plan (IDP).

Policy MC2 (Housing in Main Centres and Main Centre Outer Areas) notes that housing development includes new build housing, change of use to housing from other uses and the conversion and subdivision of existing buildings. This approach enables the Main Centres to be maintained and enhanced as attractive and sustainable places to live, by encouraging regeneration and increasing residential accommodation close to services, employment, leisure opportunities, public transport links and walking and cycling networks.

In addition, residential development within and around the Main Centres will be expected to make the most effective and efficient use of land and higher density development proposals will be expected in appropriate locations and circumstances (Policy GP8 and GP9).

Regarding the density of the development, the development seeks to create 3x 3-bedroom units. The Cottage is already recognised as a dwelling-house and therefore is not included in the new housing provision created.

In accordance with planning policies in the Island Development Plan, 2016, where housing proposals can accommodate a variety of dwellings, it will normally be expected that the mix and type of dwellings is reflective of the demographic profile of households requiring housing. In establishing the mix and type of dwellings required, the Authority will take into consideration the information produced by other States' Committees relating to this issue, such as the most recent States' Strategic Housing Indicator or any subsequent revised or amended document and any other relevant data or relevant direction by the States of Guernsey.

The States' Strategic Housing Indicator ("SSHI") is a States-agreed figure which sets out the total number of additional accommodation units that need to be created each year if Guernsey is to meet its projected housing need. It describes the units required to appropriately house those that are anticipated will form new households over the period, as well as already established households whose housing is not currently appropriate to their needs.

The output of the latest 2024 housing needs model projected a total housing need for the five-year period 2024 to 2028 as 1,488 additional units of accommodation. Private Market Housing Need in 2024 comprised 354 one-bedroom units and 461 two-bedroom units, with no new three, four or five-bedroom private market units being required to meet projected housing needs as described in the SSHI.

Further information has been submitted in support of the application by the applicant's agent to justify the density and type of residential accommodation that is proposed in this case. The relevant factors cited include that: -

- The submitted scheme has been driven by the physical constraints of the site including existing site boundaries and adjoining properties and uses. Two storey historic unwindowed walls bind the site to the south, east, and west. The west facing upper elevations are inhibited by fixed obscured glass to prevent overlooking. Cornet Street, an urban vehicular throughway defines the site to the north.

- Although the introduction of a central courtyard has helped counter inadequate natural ventilation and daylight, given the extent to which the lower walls are imperforate, the lower levels of The Warehouse will inevitably still suffer from poor levels of sunlight, the vertical orientation of this unit a means to draw daylight and sunlight in from the top. Rapid through ventilation being inhibited, a vertical emphasis also provides the opportunity for natural buoyancy-driven ventilation.

- Given these constraints, and the limited size of the existing Cottage, a higher density through subdivision without further extension would inevitably

involve the generation of at least one substandard unit inevitably suffering consequent reduced levels of daylight, sunlight and rapid through ventilation.

- Whilst Policies MC2 (Housing in Main Centres), and Policy GP8 (Design) expect 'Residential Development within and around the Main Centers to make the most effective and efficient use of land' (MC2 6.1.6), this is tempered by the overarching expectation that 'proposals for development will also be expected to consider the health and wellbeing of the occupiers of the development and neighbours' by providing adequate daylight, sunlight and private/communal open space' (GP8 19.9.11). For this scheme further subdivision would inevitably generate some units that fall short of this expectation.

- Although planning approvals, including that of 2008, have previously been granted for redevelopment of the Cornet Street site they have not been taken forward. Having gone through the effort of making an application it is reasonable to assume that this urban conservation site was either too complex or the resulting units too inadequate for it to be considered desirable to do so.

- Given the above this scheme represents the maximum number of viable units.

Having regard to all the circumstances of this case including the further information submitted, it is concluded that the number and type of units proposed represents the optimum that can be reasonably achieved in this scheme for the residential development of this site and is acceptable within the terms of Policy MC2.

The site is not located within Important Open Land as defined in the Island Development Plan, is not within an allocated housing site, nor does it require a Development Framework to be submitted, or a Waste Management Plan as the development is not on a one-for-one basis, and is less than 5 dwellings and the site area is less than 1,000sqm.

<u>Whether the proposed design would have an unacceptable adverse effect on the character and appearance of the Conservation Area:</u>

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *"special attention to the desirability of preserving and enhancing the character and appearance"* of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which states that "*proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area*."

Policy GP8 (Design) is relevant in the assessment of the application, which amongst other criteria, refers to making the most effective and efficient use of land and

requires all new development to achieve a high standard of design within Conservation Areas.

The preceding text to this policy refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

The layout and position of the new dwellings fronting onto Cornet Street is considered to respect the forward and rear building lines of other properties to the east and west of the application site. The scale of the new dwellings to the front (north) of the site would also be comparable to other buildings along Cornet Street.

The multi-storey design proposed will make the most effective and efficient use of the land while utilising and renovating existing buildings on site and making them fit for purpose for modern living.

Whilst the mass and bulk of the development is large, the agent has successfully concealed this from public views along Cornet Street. The development will be visible in public vantage points, in short and long-distance views to the rear, however this impact has been minimised through the layout of the development, coupled with the varying scales, forms and materials.

While there is little opportunity for a comprehensive landscaping scheme due to the layout of the buildings, the agent has shown planting within the courtyard which will help to 'soften' the appearance of the development when stood within the site. Notwithstanding this, full details of the landscaping should be conditioned accordingly to achieve a high standard of design as required under Policies GP4 and GP8.

Considering the amendments secured, the architectural composition of the principal façade seeks to pay homage to the original architectural style of buildings that once stood to the front of the site. The proposal successfully achieves a degree of originality while conforming and respecting the traditional vernacular found in the immediate built environment.

The former casement windows have been replaced with sliding sash windows and the fanlights and Juliet balcony has been omitted from the scheme. Moreover, the incorporation of chimney stacks, and staggered ridge heights, helps to break up the roof form and 'visual mass' of the development. Thus in turn, the development achieves a high standard of architectural design as required under Policy GP8 and GP4, and is considered to enhance the street scene by continuing the forward building line of development found in the Conservation Area, while introducing a

unique design that positively contributes to the historic and architectural character and appearance of the Conservation Area with a modern interpretation.

Towards the rear of the site, the agent has satisfactorily demonstrated that adopting a mix of granite and brick walls, pantile roofs and large granite boundary walls, the scheme would assimilate well into the surrounding built environment when read from multiple public vantage points, in both short and long-distance views. This blend of modern architecture and traditional materials will complement the built environment, repurpose part of the Auction House, and revitalise and reconnect The Cottage so that it positively contributes to the housing stock.

While some concerns are raised over the large, full-height flat roof dormer windows on both The Cottage and The Warehouse, as well as the integral roof balconies for the new units to the front of the site given their prominence at high level, these concerns would not be significant when viewed against the composition and cohesiveness of the design, and the backdrop of St Barnabas when viewed in long distance views. However, the revised scheme shows that the dormer windows to the front and rear of the Warehouse will be flush with the gable end of the building. This is not considered to result in a high standard of design, particularly as this aspect and detail would be highly visible from multiple vantage points. It is therefore necessary and reasonable to ensure that the dormer windows are offset from the gable end by no less than 300mm to improve this detail and to respect the character and appearance of the Conservation Area. A condition to this effect should be imposed on any approval granted.

Regarding the criteria of Policy GP9 (Sustainable Development), the agent has set out in their covering letter how the development will comply with the Guernsey Technical Standards with regards to U-values, insulation, as well as minimising waste, reusing concrete and blockwork for aggregate. This is considered to be sufficient to address the requirements of Policy GP9 in this instance, subject to condition that parking provision on site is served by charging points, the hardstanding used as part of the courtyard is of permeable construction, and that the bin storage is provided to reduce the risk of surface water flooding outside the site, prior to the first occupation of the dwellings to achieve an acceptable design and in the interests of sustainable development.

No solar provision is required for this development as the application was received prior to the Authority's requirement that all new housing and office developments provide solar panels or alternative renewable energy. However, an informative can nevertheless be attached to the decision to encourage the use of solar panels.

The overall design including the scale, mass, form, siting, materials and detailing for the proposed dwellings, is considered to achieve a high standard of design for the purposes of Policy GP8 which respects the traditional characteristics and appearance of the Conservation Area, and landscape character, especially when taking into account the support in favour of higher density developments in Main Centres (Policy MC2, GP8 and GP9).

On this basis, the proposed development complies with Policy GP1, GP4, GP8 and GP9 of the IDP, subject to appropriate conditions.

Whether the proposal would have an unacceptable adverse effect on the setting of an adjacent protected building:

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.

In this case, the site is situated within the vicinity of a protected building to the south of the site. However, when considering that most of the development would be focused away from the south-west boundary that borders No.8, Cliff Street, the degree of harm to the setting of the protected building would be very low or negligible and 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, including the occupants of the new dwellings:

Due to the position and orientation of the existing and proposed dwellings, the dwellings are considered to achieve adequate levels of natural light and ventilation, aspect/outlook, and internal and external amenity space and are within a short walk from public amenity spaces when considering the provisions of Policy GP8 and Annex 1 (Amenities) of the IDP.

The accommodation created could also be modified or extended in time to accommodate the requirements of disabled residents or support the changing needs of the occupants. The dwellings therefore have the potential to offer flexible and adaptable accommodation that can respond to people's needs over time.

The scheme is likely to result in a degree of mutual overlooking within the site between the new dwellings in the Warehouse and The Cottage, however this relationship is not so close that it would give rise to unacceptable living conditions for occupiers of the units concerned.

Having regard to the representation received, the scheme is likely to result in some additional overshadowing of the neighbouring property to the west by virtue of the proposed new development to the front of the Warehouse. However, the

Warehouse is already a substantial building located on the south-western site boundary, adjoining this property. Overall, the impact of the proposed development on the neighbour is not judged to be so substantial that planning permission could be reasonably refused on this basis.

The amendments secured also show that that floor plan of the second floor of The Warehouse has been reversed. Despite incorporating a large pane of glass in the western elevation dormer, the revised drawings show that the full width pane of glass will be obscure glazed to protect the amenities of neighbouring residents. This element of the proposal should be conditioned accordingly.

The latest set of amended drawings also show that the garden terrace as shown on the second-floor plan of The Cottage has been reduced in size and set back away from the south boundary of the site, to limit overlooking and respect the amenities of neighbouring residents. This is considered acceptable.

The Cottage would have a new roof light which would face towards neighbouring residents to the south-west. However, this rooflight serves a landing area whilst the existing dormer window in the same roofslope would be removed. The proposals would therefore improve present conditions and not cause material harm to the amenities of these neighbouring residents.

The third-floor garden terrace serving the new unit (No.38), as shown on drawing ref:3266-SK02 B, would be sited adjacent to the roof of 36 Cornet Street. Any views from the garden terrace towards neighbouring properties in this direction is likely to be limited given the relationship, change in levels, and distances to external amenity spaces.

The proposed high granite boundary wall serving The Cottage will be sited circa 3m from the south-west elevation of Maison de Devier which might adversely affect the outlook of windows serving the neighbour's dwelling. However, the proposed wall will be offset from the existing windows, is typical of boundary enclosures in the immediate locality and the degree of impact would not be so substantial that it would justify refusal of the application.

Overall, the scheme accords with Policy GP8, GP9 and GP13 of the IDP, subject to appropriate conditions.

<u>The loss of on street parking, together with appropriate levels of parking on the site and access issues:</u>

The proposed drawings show the inclusion of 1 integral garage housing 1 car, and 3 external car parking spaces. The existing vehicular access point is of a similar position and size to the proposed access point which measures 4m in width. This is therefore unlikely to require alterations to existing on-street parking provision for this aspect of the development. However, the inclusion of an integral garage for one of the new dwellings proposed is likely to result in the loss of one on-street parking

space, as confirmed by the agent (dated 23rd September). The revised plans show that the on street disabled car parking space will remain.

Whilst the loss of the on-street parking provision is unfortunate as it currently benefits members of the public, the creation of an integral garage is common along Cornet Street, would enable the site to make the most effective and efficient use of the land, and would enable a covered and secure space for bicycle provision. On balance, the benefit of the proposed development would outweigh the limited loss of public parking provision.

While sightlines from the vehicle exiting from the proposed integral garage are likely to fall below the recommended sightlines, this relationship would not be materially different to the existing relationship of vehicles exiting the site, and other vehicles egressing from neighbouring integral garages. Furthermore, Cornet Street is a one-way road and is recognised as a 'Neighbourhood Road' whereby traffic speeds and volumes are generally low. Consequently, the resultant effect on the development is unlikely to result in unacceptable harm to highway safety, particularly as the site enables a vehicle to manoeuvre on site and egress in forward gear.

The dwellings will be served by one parking space each, which accords with the maximum standards for car parking provision within the Main Centres (2 spaces per dwelling). The proposal also makes provision for secure bicycle storage in accordance with the Parking Standards SPG. Given the limited number of dwellings proposed and the existing authorised use of the site, the proposal would not amount to a significant intensification in terms of traffic generation.

The proposal complies the aims and requirements of policies IP7, IP8, IP9, and Parking Standards SPG.

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

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 considered in the assessment of this application. Where relevant the issues are considered in section 2 above.

All points raised in the letters of representation have been carefully considered and where appropriate have been addressed in Section 2 above.

In response to other points raised in the letter of representation, boundary and maintenance issues are not material planning considerations as defined in The Land Planning and Development (General Provisions) Ordinance, 2007.

Any planning permission granted would be without prejudice to the normal legal rights and privileges of third parties.

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

The proposal would have no impact on protected trees or on SSS's.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

Date: 13/11/2026