

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

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

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Demolish building, erect 1 dwelling house to west boundary, erect 4 storey building with 9 residential apartments/flats, erect bicycle store, alter vehicle access to north (roadside) boundary and associated works. Create parking area and external staircase with pedestrian access to Melbourne House to north-west of site (site of Protected Buildings).

LOCATION: 18 & 20 Mount Durand, St. Peter Port.

APPLICANT: SFD Limited

I refer to the application referred to below received as valid on 16/06/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 28/09/2026

Drawing Nos: A7 Architecture Ltd: 25-1648 PD/01, PD/02, PD/03, PD/04, PD/05, PD/06, PD/07, PD/08

Application Ref: FULL/2026/0894

Property Ref: A403290000+A403370000+A403400000

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

1. The site lies within the St Peter Port Conservation Area in which it is the duty of the Development & Planning Authority to pay special attention to the desirability of preserving or enhancing its character or appearance. The proposed development, by virtue of its scale, massing and design would be visually dominant across the Charroterie Valley and would not integrate with or respect the existing built form and character of this part of the Conservation Area. The proposal fails to conserve or enhance the character and appearance of the Conservation Area and would result in harm to the significance of this sensitive and highly visible site and is therefore contrary to Policies GP4, GP8 and GP9 of the Island Development Plan and also, MC2 by extension as the scheme does not comply with all relevant policies of the IDP.

2. Furthermore, by virtue of the size, shape, site topography and its relationship with adjoining properties the proposed development would comprise a cramped and congested form of development. The scheme represents an unacceptable overdevelopment of the site contrary to Policies GP4, GP8 a. good design and c. character of the locality and GP9 b. of the Island Development Plan.

3. The proposed development, by reason of its design, mass and scale, would detract from the setting of the adjoining protected buildings (Le Pavai Du Bele (A406200000) and No. 2 (A403290000)) and be detrimental to the special interest of the surrounding protected buildings of architectural and historic interest contrary to Policy GP5 of the Island Development Plan.

4. The proposal, if permitted, would not provide the occupiers of units 7 and 9 with an adequate level of outlook, sunlight and daylight due to the proximity of the proposed fenestration to the retained land/retaining walls and in the case of unit 9 the relationship between the bedroom window and access staircase. Outlook, sunlight and daylight would also be unsatisfactory in relation to unit 4 due to the relationship between the accommodation and proposed bicycle store. The scheme fails to comply with Policy GP8 a. good design, d. health and well-being of occupiers and Annex I of the Island Development Plan.

5. The proposed apartment block development, if permitted, by virtue of its excessive size, height, bulk and relationship with the adjoining buildings to the north and east would result in an overbearing form of development to the lower properties to the east and generate overshadowing of the gardens of properties, a sense of enclosure and corresponding loss of outlook from these adjoining properties detrimental to the amenities enjoyed by the occupiers thereof and contrary to Policies GP8 a) good design and d) health and well-being of neighbours of a development and GP9 b. neighbour amenity of the Island Development Plan.

OTHER REMARKS:-

Right of appeal against planning decisions

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision.

Copy of representations made

In reaching this decision the Development & Planning Authority took into account any written consultations made under Section 11(1) of the Land Planning and

Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning

Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2026/0894
Property Ref: A403290000+A403370000+A403400000
Valid date: 16/06/2026
Location: 18 & 20 Mount Durand St. Peter Port Guernsey GY1 1ED
Proposal: Demolish building, erect 1 dwelling house to west boundary, erect 4 storey building with 9 residential apartments/flats, erect bicycle store, alter vehicle access to north (roadside) boundary and associated works. Create parking area and external staircase with pedestrian access to Melbourne House to north-west of site (site of Protected Buildings).
Applicant: SFD Limited

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The site lies within the St Peter Port Conservation Area in which it is the duty of the Development & Planning Authority to pay special attention to the desirability of preserving or enhancing its character or appearance. The proposed development, by virtue of its scale, massing and design would be visually dominant across the Charroterie Valley and would not integrate with or respect the existing built form and character of this part of the Conservation Area. The proposal fails to conserve or enhance the character and appearance of the Conservation Area and would result in harm to the significance of this sensitive and highly visible site and is therefore contrary to Policies GP4, GP8 and GP9 of the Island Development Plan and also, MC2 by extension as the scheme does not comply with all relevant policies of the IDP.
2. Furthermore, by virtue of the size, shape, site topography and its relationship with adjoining properties the proposed development would comprise a cramped and congested form of development. The scheme represents an unacceptable overdevelopment of the site contrary to Policies GP4, GP8 a. good design and c. character of the locality and GP9 b. of the Island Development Plan.
3. The proposed development, by reason of its design, mass and scale, would detract from the setting of the adjoining protected buildings (Le Pavai Du Bele (A406200000) and No. 2 (A403290000)) and be detrimental to the special interest of the surrounding protected buildings of architectural and historic interest contrary to Policy GP5 of the Island Development Plan.
4. The proposal, if permitted, would not provide the occupiers of units 7 and 9 with an adequate level of outlook, sunlight and daylight due to the proximity of the proposed fenestration to the retained land/retaining walls and in the case of unit 9 the relationship between the bedroom window and access staircase. Outlook, sunlight and

daylight would also be unsatisfactory in relation to unit 4 due to the relationship between the accommodation and proposed bicycle store. The scheme fails to comply with Policy GP8 a. good design, d. health and well-being of occupiers and Annex I of the Island Development Plan.

5. The proposed apartment block development, if permitted, by virtue of its excessive size, height, bulk and relationship with the adjoining buildings to the north and east would result in an overbearing form of development to the lower properties to the east and generate overshadowing of the gardens of properties, a sense of enclosure and corresponding loss of outlook from these adjoining properties detrimental to the amenities enjoyed by the occupiers thereof and contrary to Policies GP8 a) good design and d) health and well-being of neighbours of a development and GP9 b. neighbour amenity of the Island Development Plan.

OFFICER'S REPORT

Site Description:

The site is located in a Main Centre and Conservation Area as designated in the Island Development Plan (IDP). A number of surrounding properties, including no. 2 Mount Durand, are Protected. The site is situated within the Victoria Road Character Area. There is an area of Important Open Land and Area of Biodiversity Importance close to the site.

Mount Durand is a winding narrow street that is adjacent to a large swathe (referred to as a terrace in the Conservation Area Appraisals) of green and wooded open land (Important Open Land in the Island Development Plan) and is identified as important large green open space in the St Peter Port Conservation Area Overview. The site visually forms the stop end to those areas because it is wooded and green although does not form part of the IDP designation for Important Open Land and Biodiversity Importance.

The site is visible in several public framed views across the Charroterie Valley and forms part of the townscape of traditional domestic scale buildings - stone and rendered walls under steep pitched roofs (slate or pantile) and many contain small dormer windows.

The retaining walls of the site are visible in these public views along with the blank gable of the adjacent site. Buildings share similar form and proportion, high solid to void ratio of windows and walls and a vertical emphasis reinforced by chimneys and the use of similar materials and dormer window designs.

Mount Durand is a hillside, one way, road and the application site is made up of a single storey building with associated parking area known as 18/20 Mount Durand. This is a perceived gap in the Mount Durand street scene. The application site also utilises an area of the existing residential garden associated with no. 16 along with the large, sloping garden space currently attached to no. 2 Mount Durand which is situated towards the bottom of the hill.

No. 16 Mount Durand is a protected building to the east of the development site. No. 2 Mound Durand is also a protected building, at the base of the hill and which has a garden that extends back to the west, up a very steep slope. It is this garden that would provide the majority of the plot for the proposed development.

Relevant History:

FULL/2025/0039 - Demolish existing building, erect building containing 4 flats to north of site (adjacent to no. 16 Mount Durand) and 3 dwellings to east of site (within the gardens of nos. 2 and 16 Mount Durand) with associated works – refused.

1. Impact on the Conservation Area, not good design, scale or mass (frontage building) and design of the high retaining wall and blank wall (terrace to the rear) nor addressed the matter of hard and soft landscaping to reinforce local character/mitigate impacts
2. Loss of private amenity space for no. 16 Mount Durand and overshadowing of amenity space at no. 14 Mount Durand
3. Unsatisfactory outlook from unit 1, north facing and single aspect design of unit 2 represents a poor standard of design and would not address the health and well-being of occupiers.
4. Insufficient information to address sustainable design and construction
5. Insufficient information to address the States' Strategic Housing Indicator 2024
6. Design, mass and scale would detract from the setting of protected buildings and be detrimental to their special interest.

Pre-application advice was sought in this case – details included a vertical emphasis, presenting their narrow gables to the east and the views. This set out that residential development in this central location is acceptable in principle and there is no objection in principle to a modern design approach, subject to detailed design. It was highlighted that the site is highly prominent and sensitive and so careful consideration must be given to scale, mass, important views and the character of the Conservation Area.

The Planning Service had not previously seen or provided informal advice on the detailed design presented within the current planning application.

Existing Use(s):

01 dwellinghouse
Parking

Brief Description of Development:

The application relates to the development of the site for 9 apartments and one dwelling comprising a mix as follows:

- 5 x two-bedroom apartments
- 1 x two-bedroom dwelling
- 4 x one-bedroom apartments

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

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

Parking Standards and Traffic Impact Assessment SPG 2016

Bicycle Parking Advice Note

Representations:

4 letters of representation have been submitted objecting to the application and raising the following points:

Neighbour amenity

- Overshadowing. Anything over the height of the granite boundary wall will create further shadowing – of no. 14 and much of the garden and no. 12A during the afternoons with 3-4 storey properties on top of the raising of land
- Views of the skies and trees will be lost as a result of the building
- It will have a major effect on quality of life, especially in winter months
- Privacy of existing balcony which faces the proposed dwellings

Character of area/Conservation Area

- This is an overdevelopment of the site - it will be inconsistent and dominating in comparison to all the developed properties around
- The development will have a major visual impact on the area – it will take away part of the natural beauty of the area
- The design of the building would suit a modern area but will not fit in with the surrounding neighbourhood
- The building is overbearingly large in scale and excessive for the Conservation Area

Parking/Highway Safety

- Proposed parking is not sufficient considering that each unit is likely to have multiple cars
- Parking is already difficult in the locality and will be worsened for existing residents by this development
- 9 apartments and a house will affect traffic in the area, Mount Durand is one way

Other matters

- Wildlife will be completely disrupted

- The building would kill a significant area of greenery – there are large trees which would be chopped down which are some of the only trees in this area, of this magnitude
- Noise nuisance and pollution are of concern with large scale works proposed – a CEMP should be required
- Concerns exist regarding access to neighbouring properties during work
- Concerns exist regarding the levelling of ground to construct the dwellings on this steep hill.

Consultations:

Traffic and Highway Services - THS had contact from a developer last year regarding a pre-application for number 16 and its existing access, and the findings from that site visit are relevant here.

The proposed change to the access—effectively widening it by 3m to the east—would improve the existing sightlines from approximately 8m to around 13.5 m, although this remains well below the required standard. The current access has a high wall to the west, which significantly restricts an egressing driver’s view of approaching pedestrians. The proposed new dwelling and gardens at number 20 would act as a ‘build-out’ west of the access, enabling drivers to see pedestrians before crossing the footpath and entering the carriageway.

During the site visit last year, we also noted an opportunity to install a traffic mirror directly opposite the access on a streetlight as an additional visibility aid to help mitigate the substandard sightline.

THS would further note that, although this proposal represents an intensification of use, Mount Durand is a quiet neighbourhood road with light traffic volumes. Observed speeds were around 15 mph, and therefore this would not be considered a significant intensification at this location.

Taking all factors into account, THS would not oppose this proposal but would like our comments around the additional mirror to be noted.

Commented on the previous application:

Office of Environmental Health and Pollution Regulation – no comments or objections.

Summary of Issues:

The key issues in this case relates to the design and appearance of the Conservation Area, the impact of the development on the amenities of surrounding occupiers and the amenities of future occupiers.

Assessment against:

1 - Purposes of the law.

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

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

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey. Section 34 of the Law explains the general functions of authorities in respect of protected buildings. This states that: It is the duty of any department of the States when exercising its functions under this Law –

- (a) to secure so far as possible that the special historic, architectural, traditional or other special characteristics of buildings listed on the protected buildings list ("protected buildings") are preserved, and
- (b) in particular, in exercising its functions 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.

Section 38 of the Law explains the general functions of authorities in respect of conservation areas. This states that:

In the exercise, with respect to any building or other land in a conservation area, of any powers under this Law or any other enactment, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that area.

In respect of these statutory duties, the word 'preserve' is taken in its ordinary meaning as set out in Chamber's dictionary, which is 'to keep safe from harm or loss'.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

- (b) the character and quality of the natural and built environment which is likely to be created by the development,
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,
- (d) the likely effect of the development on the character and amenity of the locality in question.

Principle of residential development

The States' Strategic Housing Indicator is used to inform housing mix and type for individual sites based on the most up-to-date data available. The IDP policies place a

strong expectation that, where proposals can accommodate a variety of dwellings, then this should be reflective of the demographic profile of households requiring housing although, as an indicator, the SSHI should be used to inform and guide development in order to still allow developers to respond to market conditions and enable development to support households which have more complex or exceptional needs.

Being located in a Main Centre the Island Development Plan supports the principle of new housing development. The scheme has sought to address the policy requirement in terms of mix and type of dwellings with flats and a house proposed and a range of unit sizes. The scheme also offers multi-storey development in line with the aims of Policy GP8 b.

Design, impact on local built environment and character and appearance of the Conservation Area

The characteristics of the locality are set out in the St Peter Port Conservation Area Appraisal. The characteristics of this part of the St Peter Port Conservation Area include the relationship between the steep valley topography, terraced Victorian development with pitched roofs, traditional materials, mature landscaping and the visual connection with the wider Charroterie Valley and the site and its surroundings are visible from various locations in the wider area.

Protected buildings in the locality combine with their non-protected neighbouring properties to form the wider historic townscape in which the relationship between buildings, garden terraces, boundary treatments, topography and open views contribute significantly to the character and appearance of the Conservation Area.

Paragraph 19.9.3 of the IDP states:

Whilst new development should acknowledge the surrounding built form, flexibility in the design of development will be allowed in order to ensure proposals also address issues of sustainable design, mitigation and adaptation to climate change and creating flexible and adaptable spaces within buildings as well as recognising the personal choice and aspirations of property owners. Development should respect the palate of traditional local materials without necessarily being bound by them, unless the special interest of a Conservation Area or protected building or protected monument would be adversely affected.

The site, as previously noted, is viewed as part of the wooded/green and open land to the south and west. The open land extends from the site up the hill and out of the central town. It is considered to be important to the character of the Conservation Area.

IDP Policies GP4 and GP8 do not seek to restrict the architectural style of new development in Conservation Areas, instead making clear that providing the scale, mass, detail and special interest of the surrounding built form has been considered, and that a particularly high standard of design is achieved, then either contemporary or traditional design approaches that respect and complement the character of the surrounding area

may be appropriate. In this case however, the proposal fails to respond and respect the site context and the special interest of the Conservation Area.

The application drawings and site layout highlight the challenges of accommodating a development of the scale proposed within the constraints of this site. For example, the two-bedroom dwelling fronting Mount Durand is set significantly back from the street and established building line to accommodate the bell-mouth vehicular access. To adopt such an approach does not respect the established pattern of development along Mount Durand where buildings generally address the street and have a consistent building line. As such this part of the scheme would appear disconnected and visually detached from the traditional terrace pattern of this part of Mount Durand which serves to demonstrate the difficulty of integrating the building into its historic context.

The rear apartment block is located approximately 14.5m from Le Pavai Du Bele (A406200000) and approximately 7.2m from No. 2 (A403290000), both of which are Protected Buildings and are situated at a significantly lower level than the proposed development. The scale and proximity of the proposed apartment block would introduce an overly dominant built form into their immediate surroundings.

The long sections submitted with this application are helpful in illustrating the scale of the proposed buildings in the wider landscape and serve to demonstrate how the development would sit in a highly prominent position on the valley side and but also how the scale of the development would be inappropriate in this setting and how visually dominant the development would be from across the valley (e.g. principal residential floors would sit at a height broadly comparable to the roofscape of existing buildings that front Mount Durand).

The proposed development comprises a series of large flat-roofed buildings which, by virtue of their form, scale and mass and architectural expression, would appear visually dominant within both the site and the wider valley setting. The extensive areas of horizontal glazing, substantial retaining structures and palette of materials proposed does not have due regard to the prevailing character of the area when considering the established characteristics of the surrounding Victorian development (e.g. proportions, roof forms, vertical emphasis and the hierarchy of built form) which further increase the visual prominence of the development in public views.

The cumulative effect of this scheme when considering the above and how it does not relate well to its neighbours is that the scheme would erode the character and appearance of the Conservation Area and fail to adequately respond to the prevailing built form and landscape setting, contrary to the aims of Paragraph 19.9.3 of the IDP.

The proposal fails to conserve or enhance the character and appearance of the Conservation Area and would result in harm to the significance of this sensitive and highly visible site and is contrary to Policies GP4, GP8 and GP9 of the Island Development Plan and also, MC2 by extension as the scheme does not comply with all relevant policies of the IDP.

Residential Amenity

Whilst it is acknowledged that an element of mutual overlooking currently exists between terraced properties in this town location the proposed development introduces built development where none currently exists. The development of this site would inevitably result in inter-visibility between windows and overshadowing of adjoining properties, nonetheless, the character of the area would not preclude the development of the site in some form and subject to layout, the potential for overlooking of existing houses/flats could remain within acceptable limits.

Residential buildings are near the application site and concerns have been raised through the public consultation process however, regarding overshadowing and loss of privacy because of the submitted scheme.

The proposed dwelling has a double piled pitched roof (lower pitched roof to rear), and with a mono-pitched roof element to the rear. As noted elsewhere in this report, the proposed dwelling no. 20 Mount Durand sits back in its plot to facilitate the proposed access arrangements. As a result, its main bulk would not sit alongside the adjoining property, no.22. Concerns have been expressed regarding the effect of the proposed dwelling on sunlight and daylight however, the siting and design of the proposed dwelling is such that it will not generate unacceptable overshadowing to this neighbour. The height of the dividing boundary wall to the west of the application site to no. 22 is such that the first-floor fenestration will not afford views into the garden of this neighbouring dwelling and the second-floor windows serving a bedroom would offer oblique views west only. The dwelling will also not result in unacceptable overshadowing of the existing dwelling falling within the ownership of the application site at no. 16.

The site of 18/20 Mount Durand is a gap in an otherwise built frontage of terrace properties. Although aspect and outlook from adjoining properties to the north of Mount Durand will alter because of this development, the potential for overlooking and loss of privacy to these properties remain within acceptable limits.

Regarding the apartments proposed to the rear, these have been developed with fenestration facing east and west. Basement and ground floor fenestration will be screened from properties to the west due to site topography and existing/proposed boundary treatments. West facing fenestration has been carefully considered to manage the potential for overlooking of properties to the west in Mount Durand with bedroom accommodation, utility and ensuite bathrooms proposed which would not generally be considered primary living accommodation. The perception of overlooking from full height bedroom windows will be greater, however will not generate any additional overlooking than would occur from conventional windows serving these rooms.

In terms of east facing fenestration, the properties beyond are situated at a significantly lower level than the four-storey building proposed. The consultation process has raised concerns about privacy and the effect of the development of properties fronting Mount Durand (nos. 12 and 14) where existing balconies appear to exist. The drawings

provided show a mix of treatments to the edge of balconies but also with some gaps which could afford views of these adjoining properties. If the scheme were acceptable in all other respects, then this matter could have been raised with the planning agent and/or managed by planning condition. The height of the development and its relationship with the north site boundary would also likely generate some overshadowing of the rearmost part of the gardens of these neighbouring properties. Again, if the scheme were acceptable in all other respects further information, such as sunlight/daylight analysis, could have been requested from the agent in this case.

The building has been designed to be set well down in the site to utilise the topography of the hillside. Nonetheless, the rear apartment block is located approximately 14.5m from Le Pavai Du Bele (A406200000) and approximately 7.2m from No. 2 (A403290000), both of which are Protected Buildings and are situated at a significantly lower level than the proposed development. The scale and proximity of the proposed block would introduce an overly dominant built form into their immediate surroundings harmful both in terms of the amenities of occupiers of those buildings but also in terms of their setting (considered further elsewhere in this report).

Health and well-being of occupiers

Policy GP8 requires that the units created consider the health and well-being of the occupiers by providing adequate daylight, sunlight and private/communal open space, and directs proposals to be considered against Annex I of the Plan: Amenities. New developments should be planned and built to support the health and well-being of occupants and users and maintain appropriate amenities for occupiers of neighbouring properties.

Annex I sets out that building at higher densities brings challenges with respect to ensuring reasonable amenities are provided. There must be a balance between the most effective and efficient use of land and the requirement to ensure that proposed living and working conditions are acceptable and that the higher density Main Centres, in particular, remain attractive places to live and work.

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

The proposed two-bedroom dwelling appears carefully designed to fit within a constrained site and generally satisfies current space and amenities standards outlined in Annex I.

When considering the apartment building, the basement bedrooms are located within sunken courtyards to the rear. Whilst these spaces may provide sufficient light and

ventilation, they are heavily enclosed, offering a relatively poor living environment for occupiers. The relationship between the proposed buildings and the bicycle store would have the potential to create narrow spaces that would provide poor outlook and limited natural light to some of the ground floor level accommodation as shown on the approved plans and highlighted through the submitted sections.

The first and second floor layouts comprise larger residential units and demonstrate a clear intention to provide high-quality accommodation. The proposed layouts at all levels are generally acceptable in terms of floor areas, circulation, accessibility and internal arrangement. The internal accommodation is considered to provide an appropriate standard of amenity, and no significant concerns are identified from a Policy GP8 perspective.

The Annex states that the value of external open space becomes increasingly important in higher density development with all development having safe and convenient access to it. The site is proposed to be developed in a way to provide access to external open space, shared for the apartments and situated to their east and will be overshadowed in the latter part of the day.

Balconies have been angled to be private although it is noted that the balcony above may shadow the one below. 1.1m high guarding to bedroom fenestration is proposed however this would not prevent views down to the basement courtyard although it is likely that views will generally be towards the west rather than at oblique angles down into the small courtyards shown. The proposed dwelling will not be unduly overlooked by fenestration in the proposed apartment block.

The apartment building is shown to be served by a lift offering access to people of all ages and abilities. The layout of all aspects of the proposed development could also be adapted at a later date to meet the changing needs of occupiers (e.g. grab rails in WCs/bathrooms, installation of hoists provided bedroom and bathroom ceilings are constructed in an appropriate manner and careful and appropriate siting of service controls). The scheme therefore addresses GP8 criteria f. and g.

Conclusions about living environment for future occupiers

Whilst the internal layouts are generally acceptable, the enclosed nature of the basement and ground floor courtyards and the narrow spaces created between the proposed buildings and bicycle store would result in poor outlook and limited natural light to some lower-floor rooms, leading to an unsatisfactory level of residential amenity for future occupiers which would not satisfactorily address the requirements of Policy GP8, good design and health and well-being of occupiers.

Sustainable Development

Solar panels are proposed to both buildings having regard to the DPAs direction that all new residential and commercial developments should provide the maximum practicable level of roof-mounted solar PV to address GP9 and the States' Electricity Strategy for Guernsey.

Setting of protected buildings

There are a number of Protected Buildings in close proximity to the site all of which have an urban setting, set within the densely packed urban block which form the streets. Consideration should be given not just to those protected buildings that are directly adjacent to the site but also to the wider group of protected buildings that contribute collectively to the character and appearance of Mount Durand and the surrounding valley sides, which form the character of the Conservation Area.

The special interest of these Protected Buildings is derived not only from their individual architectural interest but also from their collective contribution to the historic hillside townscape. Their setting includes the steeply sloping landform, traditional roofscape, mature vegetation, open views and the visual relationship between buildings stepping down the valley side.

The proposed development would alter this setting through the introduction of large, visually dominant contemporary structures the scale, massing and architectural expression of which would not reflect the established character of the area (as discussed elsewhere in this report). The effect of the development would be to reduce the ability to appreciate the protected buildings within their historic context and so would result in substantial harm to their setting.

Policy GP5 requires the harm to the setting of a protected building to be balanced against the benefits of the development and/or the reasonable aspiration of the property owner. The proposed development will provide 1-bedroom and 2-bedroom private market housing. This will contribute, to a degree, to the social and economic benefits as well as the vitality of the Main Centre but these benefits would not outweigh the substantial harm to the setting of these protected buildings.

For the reasons outlined elsewhere in this report, particularly relating to design, mass and scale, the proposed development would harmfully affect the special interest of the surrounding protected buildings contrary to Policy GP5.

Highway Safety and parking provision

The level of off-road parking proposed does not exceed the maximum parking standards set out in the adopted SPG and accords with Policy IP7 of the Plan in relation to the development site. The scheme seeks to provide private parking for the new dwelling proposed, for no. 16 and no. 26 Mount Durand and four spaces for occupiers of some of the proposed apartments. The drawings do not clearly set out the parking layout and turning associated with no. 26. The drawings suggest that a substantial level of off-road parking could be achieved. The SPG for parking standards relates primarily to new developments but does identify that although the standards will be expected to be met they are intended as guidance and are not, therefore inflexible and as such the area available for parking to serve no.26 could remain compliant with IP7 although if the scheme were acceptable in all other respects further information regarding the parking layout could have been requested.

This is a site which is in a highly sustainable location and where there is no specific requirement within the IDP to offer off-road parking. The access and parking arrangements are however, somewhat constrained with manoeuvring limited and incorporating the pavement and as such this aspect of the scheme does reinforce the impression of the site being overdeveloped when considering Policy GP8.

The site is currently available for off-road parking for multiple vehicles although, as highlighted by THS the scheme would represent an intensification of use but nonetheless, Mount Durand is a neighbourhood road with light traffic volumes and so the development would not result in a significant or unacceptable intensification at this location.

In terms of the vehicular access the development would see its position altered from the current arrangement but also a widening of c. 3m. As such sightlines would be improved but would remain well below the required standard but THS also note there would be scope to install a traffic mirror opposite the access as an additional visibility aid. The scheme, it is acknowledged, would enable drivers to see pedestrians before crossing the footpath and entering the carriageway in terms of pedestrian safety but this would not outweigh the earlier concerns relating to the siting of the frontage dwelling in this location. Nonetheless Policy IP9 would be met in this case.

Secure and covered cycle parking is indicated to be provided having regard to Policy IP6 of the IDP and consideration should also be given to the published guidance regarding good quality cycle parking. If the scheme were acceptable in all other regards this matter could be addressed and secured by condition.

Conclusions

Overall, the drawing suggests a form of development that is overly large for a highly sensitive site and fails to respond positively to its constraints.

The scheme through its scale, massing, flat roof form, extensive retaining structures and architectural design represents a visually dominant form of development, intrusive in important public views across the Charroterie Valley. It would not respond well to the existing built form and established character, proportions, roofscape materials, hillside form and landscape setting that defines this part of the Conservation Area. It does not relate well to its neighbours and would erode the character and appearance of the Conservation Area as the scheme would not integrate well with the surrounding environment and would be unrelated to the prevailing townscape character.

The design, mass and scale of the development, along with its overly dominant form, would be harmful to the setting of protected buildings in the vicinity of the site.

In terms of the amenities of future occupiers, particularly of the basement accommodation in the apartment building, there would be poor outlook and limited natural light to accommodation which would fail to comply with Policy GP8 in terms of good design and the health and well-being of occupiers. The constrained arrangement of

buildings and ancillary infrastructure on site impacts on circulation areas and highlights that this scheme represents an overdevelopment of the site. The design (scale and mass) of the apartment building would also be overly dominant and harmful to the occupiers of Le Pavai Du Bele (A406200000) and No. 2 (A403290000).

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees or sites. The matter of protected buildings has been assessed elsewhere in this report.

Date: 25/09/2026

