



Application No: FULL/2020/1417
Property Ref: C008620000
Valid date: 27/07/2020
Location: Land at La Pointe, La Route Du Braye, Vale
Proposal: Erect 2 dwellings with associated works.
Applicant: Mr S Holland

ADDENDUM TO PLANNING APPLICATION REPORT

Item for:	<i>Determination of planning application FULL/2020/1417</i>
Paper(s) Attached:	<p><i>Appendix 1 – Recommended planning conditions</i></p> <p><i>Appendix 2 - New information submitted by applicant subsequent to previous Open Planning Meeting:</i></p> <ul style="list-style-type: none">• <i>La Pointe design options document - October 2020</i>• <i>Tree Dimensions Tree Protection Specifications document - 5th October 2020</i>• <i>Landscape Plan – Sexton Green drawing no. SGL032-01 Rev. D</i>• <i>Ground floor site plan – LOP drawing no. AA28-10342-S1-21 Rev. B</i>• <i>First floor site plan – LOP drawing no. AA28-10342-S1-22 Rev. A</i>• <i>Roof site plan – LOP drawing no. AA28-10342-S1-23 Rev. A</i>• <i>Road junction wall realignment details – LOP drawing no. AA28-10342-S1-28</i>• <i>Street elevations (revised to indicate granite finish) - LOP drawing no. AA28-10342-S1-24 Rev. A</i>• <i>Unit 1 elevations (revised to indicate granite finish) - LOP drawing no. AA28-10342-S1-25 Rev. B</i>• <i>Unit 2 elevations (revised to indicate granite finish) – LOP drawing no. AA28-10342-S1-26 Rev. B</i> <p><i>Appendix 3 - Email from States’ Principal Environment Services Officer dated 06/10/2020</i></p> <p><i>Appendix 4 – Previous planning report dated 23/09/2020</i></p>
Date: (paper is written)	<i>8th October 2020</i>

Introduction

The above application was initially heard at an Open Planning Meeting (OPM) on 1st October 2020. As there was no majority decision, the matter was deferred for further detail on the areas of concern to the Authority, namely the protection of the trees and the design of the buildings.

Background

Following the OPM the Planning Service has been in discussion with the applicant, their agent and arboriculturalist to seek the following:

1. Clarification concerning the adequacy of the Root Protection Areas (RPAs) defined for the trees, particularly along Mares Pellees Road;
2. Consideration of alternative design treatments for the proposed dwellings, to ensure that they will assimilate satisfactorily with the site and surroundings.

This has led to the submission of amended plans (involving minor alterations to the location of the proposed dwellings on the plot, the extent of hard surfacing around them, and their external appearance) and additional information in relation to the proposed root protection area, which is shown to be extended beyond that previously proposed.

Publication

As the amendments and additional information described above are not considered to materially alter the nature of the proposed development, the application has not been re-advertised. This report and the amended plans/additional information submitted by the applicant will however be published online prior to the OPM, and all members of the public that previously made representation against the application will be given the opportunity to speak at the meeting in respect of the outstanding issues.

Consultation

Further comment has been sought from Agriculture, Countryside and Land Management Services (ACLMS) following the OPM and the submission of additional information relating to the proposed root protection area. ACLMS comments are appended to this report (Appendix 3).

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).**

This assessment is limited to consideration of the amended plans and additional information (Appendix 2) in respect of the quality of design and potential impact of the development on

protected trees only. The previous planning application report relating to the application, together with a summary of all representations, was published prior to the previous Open Planning Meeting held on 1st October 2020. A copy of the previous report is appended (Appendix 4).

Quality of design

Reflecting the direction provided by the SLUP, the IDP provides considerable latitude for the personal choice and aspirations of property owners and applicants to be taken into account when considering the design of new development.

In the preceding text to Policy GP8, IDP paragraph 19.9.3 acknowledges that:

No one design approach for new buildings will be appropriate in all locations and indeed, such an approach would diminish from the varied character of development across the Island. Therefore, the correct approach to building design will depend upon the particular location of development and the specific factors affecting the proposals. Whilst new development should acknowledge the surrounding built form, flexibility in the design of new 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.

IDP paragraph 19.9.4 goes on to state that:

Some parts of the Island are more sensitive to building design than others. Within Conservation Areas and where development relates to protected buildings or protected monuments and their settings, development will be expected to achieve a particularly high standard of design which should respect the character of the particular environment concerned. This may result in either a contemporary or traditional approach to design but, whatever the chosen approach, new development in such circumstances should consider, without necessarily replicating, the scale, mass, detail and special interest of the surrounding built form to complement the local character.

Any assessment of design is a subjective exercise. However, in the context of the Planning System the assessment of design by a decision taker must be dispassionate, must set aside any personal preferences or preconceptions, and be undertaken within the framework provided by the Law and IDP policies. That is to say, judgements on the quality of a particular design, be they positive or negative, must be justified with reference to the specific provisions of the Law and IDP policies, the specific nature and characteristics of the application site and its surroundings, and the specific form and detail of the design, including how this has responded to the particular constraints and opportunities that a given site may impose or afford.

As made clear in the previous OPM report, as the application site adjoins and is in close proximity to a number of protected buildings, a particularly high standard of design is required under the provisions of Policy GP8.

It is considered that the setting of only 'Homeland' and 'Mares Pellees', the two protected buildings that adjoin the application site on its eastern boundary, would be affected by the proposed development. Other protected buildings are located further away or with intervening features (such as La Route Du Braye) such that there would be no material impact on their setting.

It is important to note in relation to protected buildings that the statutory duty to "*...pay special attention to the desirability of preserving the building's special characteristics and setting*" does not mean that they must be preserved in aspic.

The preceding text to Policy GP5 notes at IDP paragraph 19.6.3 that policies relating to "*...built heritage should be informed by a understanding of the character and quality of the built heritage, its various elements and their relative value so that a proportionate approach can be taken to the level of protection afforded and to the reasonable management of change.*"

IDP paragraph 19.6.5 goes on to state that:

There will be differences between the special interest and the relative importance of different protected buildings and features. This policy will, therefore, be applied to all protected buildings and, in assessing whether impacts are acceptable, it will be applied proportionately depending on the importance of the special interest of the particular building, including its special character, features and setting, and the degree to which it is affected by the proposed development considered with the legitimate reasonable aspirations of property owners and the contribution the development would make to the economic and social objectives of the States of Guernsey.

The special interest of 'Homeland' and 'Mares Pellees' can be described as being their materials and method of construction, their degree of intactness, and that they are good quality examples of late-C19th/early C20th houses. The application site forms part of their setting.

Although development of the application site will clearly affect the setting of both 'Homeland' and 'Mares Pellees', as concluded previously it is not considered that the special interest of either building would be affected to an unacceptable degree. This conclusion is reinforced by the fact that the IDP provides in-principle support for residential development on sites within the Main Centres, such as this, and that the applicant therefore has a legitimate reasonable aspiration to seek to develop the land. Furthermore, the provision of 3-bedroom houses would contribute towards meeting the current identified housing need, whilst economic activity associated with the development, although a minor factor in and of itself, nonetheless contribute to the economic objectives of the States of Guernsey.

In addition to the protected buildings noted above and highlighted during the course of the previous OPM presentation, there are a number of other buildings opposite and close to the site that, viewed alongside other built features, collectively establish the built character of the locality.

These include C19th 1, 1 ½, 2, and 2 ½ storey houses, mid- to late-C20th 1 ½, 2 and 3 storey houses, early-C21st 2 ½ storey houses, and C20th commercial/industrial buildings. Building materials range from exposed granite, painted granite, render, brick, natural slate, concrete tiles, and profile sheet cladding. Furthermore, there is variety in terms of the position of buildings on their plot, with some set close and square on to their respective road frontage, and others set back or at an angle.

In light of the above it can be identified that there is no uniform built character in the locality, which in the context of Policy GP8 means that there is no legitimate reason to insist on a particular architectural approach over any other.

Following consideration of the amended plans, and as previously concluded, the proposed development represents a carefully considered and coherent architectural design, which subject to the imposition of conditions to control fine constructional detailing is considered to represent a particularly high standard of design.

The scale, mass, proportions and pitched roofed form of the proposed buildings reflects that of many others in the locality, as do the proposed granite walls and slate roof. The pattern and proportion of fenestration is contemporary, minimising overlooking but still allowing natural light to enter on the north elevation, whilst maximising daylight and sunlight and views over the private rear gardens on the south elevation. The position of the buildings on the site, set back from La Route Du Braye and Les Mares Pellees, is a response to the constraint imposed by the protected trees, as well as a way of mitigating any adverse impact on the setting of 'Mares Pellees' in views from the west. The orientation of the buildings is informed by sustainable development principles, enabling beneficial solar gain and the opportunity to provide solar panels.

Impact on protected trees

The extent of root protection areas, the position of the proposed dwellings on the site, and the extent of hard surfacing around them have all been amended, with the conclusion of the States' Principal Environment Services Officer being that:

I am satisfied that the amendments and additions made will be sufficient to minimise the risk of construction injury to the minimum practicable for this development; namely the shifting inward, into the field, of the buildings to reflect the amended RPAs. This takes into account the fact that there will be a higher proportion of roots in the field soil compared to the compacted soil material under the lane. It is also noted that the footpath to unit 1 is removed to ensure that there is soft landscape adjacent to the RPAs.

A conclusion is also drawn in relation to the realigned wall at the junction with Les Mares Pellees and La Braye Du Valle that "whilst the footprint of the re-aligned wall is closer to the

trees the impact is likely to be negligible due to the relatively small size of the trees at this particular location.”

On this basis, and subject to the modification of Condition 4 to require all work on site to be carried out in accordance with the tree protection and oversight measures set out in the most recent arboricultural report dated 5th October 2020, and that mulching as part of the proposed landscaping scheme be extended to include all existing trees as well, it is considered that protected trees on the site have properly been taken into account and that the risk to their future health from the proposed development is correspondingly low.

Conclusion

In light of all of the above it is recommended that planning permission be granted, subject to the conditions as previously discussed at the earlier OPM report and the modification of Condition 4 suggested above. The recommended planning conditions are appended (Appendix 1).

Date: 08/10/2020