

ENVIRONMENT DEPARTMENT PLANNING DIVISION

OPEN PLANNING MEETING AGENDA

An Open Planning Meeting will be held at Beau Sejour, Cambridge/Delancey Room, on **Tuesday 10/11/2015** at 8.45am for a 9.00am start.

The following application will be considered at the Open Planning Meeting:-

Agenda Item 1 :-

APPLICATION NUMBER:	FULL/2015/1785
APPLICATION ADDRESS:	Uplands, St. Jacques, St. Peter Port.
DESCRIPTION OF WORK:	Demolish existing dwelling, erect 6 units of accommodation; alterations to access, create parking and amenity areas.
NAME OF APPLICANT:	Uplands Limited.

The agenda for the open planning meeting, along with the planning application report relating to the application to be considered, which follows below, are made available five working days before the date of the Open Planning Meeting on the Department's website and also in hard copy at the Department's offices. The planning application report below contains a summary of consultation responses and of any representations received on the application from third parties.

There will be provision for **public speaking** at the open planning meeting. The opportunity to speak is afforded only to persons who:

- a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and
- b) who have notified the Department in writing (by letter or by e-mail addressed to Planning@gov.gg) of their intention to speak which is received by the Department by 12.00 Noon on the working day immediately preceding the date of the Open Planning Meeting.

Application No: FULL/2015/1785
Property Ref: A20621B000
Valid date: 10/07/2015
Location: Uplands St. Jacques St. Peter Port Guernsey GY1 1SP
Proposal: Demolish existing dwelling, erect 6 units of accommodation; alterations to access, create parking and amenity areas.
Applicant: Uplands Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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 Environment Department 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 Environment Department and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Environment Department 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 information submitted, prior to development being commenced on the site, precise details of the following matters:

- i) the retention of the roadside wall;
 - ii) the design and construction methodology for the retaining wall;
 - iii) kerbing, refuse/ recycling area and hardsurfacing to the east of the vehicular access;
 - iv) the design and position of tree protection fencing;
- including drawn details at 1:20 scale shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the detailed design of the development is satisfactory; specifically to ensure that the construction of the retaining wall and other works will not encroach into the Root Protection Area (as defined in accordance with BS 5837:2012) of the Protected Trees.

5. Before any work is commenced on the site including site works of any description, the Protected Trees shall be securely fenced off in accordance with the details as approved under Condition 4. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand, and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason - To adequately protect existing trees in the interests of amenity.

6. No development shall take place until there has been submitted to and approved by the Environment Department a comprehensive scheme of landscaping, which shall include details of the type, number and size of new trees/shrubs at the time of planting.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Environment Department gives written approval to any variation.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

8. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of chimneys, windows, doors, eaves, dormer windows at 1:20 scale shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the detailed design of the development is satisfactory.

9. All new windows shall be of vertical sliding sash design and method of opening.

Reason - To ensure a satisfactory design and external appearance in the interests of visual amenity.

10. Notwithstanding the details submitted, the timber fences on the site boundary and within the site are not approved and prior to the start of development revised details of means of enclosure shall be submitted to and approved by the Environment Department.

Reason - To ensure a satisfactory form of development.

11. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2007 (or any other Ordinance replacing or re-enacting that Ordinance), no development within Class 1 shall be erected or constructed on this site without the express prior written permission of the Environment Department.

Reason - The form and/or design of the development permitted is such that detailed control is required over any additional development that may be proposed.

12. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of the proposed sheds at 1:100 scale including details of the proposed external finishes shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the detailed design of the development is satisfactory.

13. Precise details of the type, colour, texture and method of laying of the granite to be used to face buildings and retaining walls, shall be specified to and approved in writing by the Environment Department prior to the commencement of works.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

14. Building operations shall not commence until a sample of the roofing materials proposed to be used has been submitted to and approved by the Environment Department.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

15. Notwithstanding the details submitted, the development for which permission is hereby granted shall not be commenced until full details of the surfacing materials proposed to be used on any paved or metalled areas have been submitted to and approved by the Environment Department; and no dwelling shall be occupied until the works have been completed in accordance with the approved details.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

16. The existing pedestrian access shall be closed and the wall built up to match the remainder of the boundary wall and the access and car parking indicated on the approved plans shall be surfaced, marked out and made available for use prior to any of the dwellings hereby approved being first occupied.

Reason - To ensure that a satisfactory form of development is achieved.

OFFICER'S REPORT

Site Description:

The application site contains a detached, 1960s bungalow occupying an elevated position above St Jacques. The roadside boundary to the site is a granite wall approximately 2.5m-3.5m in height. The site extends to approximately 0.14ha and backs onto houses along Upper St Jacques. Existing vehicular access is to the east of the site and leads up to a detached double garage and parking/turning area adjacent to the southeast boundary of the dwelling.

The application site contains a group of trees immediately adjacent to the existing access which are Protected Trees following the registration of a Tree Protection Order in December 2014.

The site is elevated above St Jacques and above the levels of St Jacques House to the east. A 3m high wall forms the southern boundary of the site. The western boundary is largely enclosed by a timber fence.

There are Protected Buildings opposite and to the west of the application site.

The site is within the Settlement Area and within the St Peter Port Conservation Area. The character of the area is defined by a combination of the topography, the boundary walls and buildings together with landscaping within some front gardens.

The buildings along the north of St Jacques are predominantly two-storey and tend to be arranged in terraces or are semi-detached, although there are some large detached houses. The buildings are set back between approximately 3 and 7 metres from the road and generally have low front boundary walls. The set-back of buildings creates front gardens, some of which have mature landscaping whilst others are used for car parking. The buildings along the south of St Jacques tend to be larger and set back further from the street. The boundary walls are both low and high. Due to their set-back from the road, the buildings do not provide as much enclosure to the street (when compared to the buildings on the north side). Instead, the front boundary walls and landscaping provide positive enclosure. This is especially distinctive in the vicinity of the application site where tall granite retaining walls enclose the street.

Relevant History:

PAPP/1997/3491	Relocate garage and erect a dwelling.	Rejected 04/11/1997
FULL/2014/0587	Demolish existing dwelling and erect 5 one bedroom units and 3 two bedroom units with associated parking and landscaping	Withdrawn 14/11/2014 Superseded by:
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 two bedroom units with associated parking and landscaping (revised)	Deferred; Revised 7 November 2014
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 two bedroom units with associated parking and landscaping (revised)	Deferred; Revised 30 January 2015
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 one bedroom units with associated parking and landscaping (revised)	Revised 30 January 2015
PT79	Tree Protection Order. Group of trees including Lime, Sycamore, Sweet Chestnut, Evergreen Oak at Uplands and St Jacques House	Registered 19/12/2014
FULL/2014/3168 - as revised 30 January 2015	Demolish existing dwelling, erect 5 one bedroom units and 2 one bedroom dwellings. Alter access, parking and amenity areas (Revised January 2015)	Refused 09/06/2015

FULL/2014/3168 was refused planning permission at an Open Planning Meeting of the Environment Department. The reasons for refusal were:

1. *The form and layout of development, particularly by virtue of the inclusion of the two semi-detached units to the rear and the configuration of private/communal amenity areas and parking within the site, is not considered to adequately meet the objectives of Urban Area Plan Policy HO2 and is not considered acceptable in terms of design, density and amenity.*
2. *The Department had regard to the proximity of the site to the Central Area of St Peter Port and the encouragement of higher density development on appropriate sites, particularly where the development is designed to meet the needs of smaller households; notwithstanding this the form and layout of development, particularly the inclusion of the two semi-detached units to the rear*

and the configuration of private/communal amenity areas and parking within the site, would result in a compromised development and is considered to constitute an overdevelopment of the site, in terms of the number of dwellings proposed.

3. *The Department has no objection in principle to the redevelopment of the site but concluded that the layout of the site including positioning of the proposed front main elevation relative to St Jacques and the inclusion of two separate units to the rear as a result of overdevelopment would be detrimental to the character and amenities of the area and the character of the conservation area and therefore that the development as proposed would be contrary to Urban Area Plan Policy DBE7.*

Existing Use(s):

Residential Use Class 1: Dwellinghouse.

Brief Description of Development:

This is a revised proposal following the refusal of the previous application FULL/2014/3168 at an Open Planning Meeting.

The development proposed is principally to:

- Demolish the existing bungalow and garage;
- Alter the access and create a parking area for 8 cars;
- Erect 1¾ storey, double-piled building to provide 5no. one bedroomed houses (flat roof link hipped back between gables) with single storey wing to form a 6th one bedroom unit of accommodation.

Proposed materials are:

- Façade and gables of the main building: Granite faced, below pantile roof, red brick chimneys; rear gable and façade, smooth render below slate roof, single storey lean-to with pantile roof on west gable;
- Single storey wing: Smooth render, granite quoins. Pantile and slate roof.

External works and features:

- Retaining walls to the access would be granite faced;
- Gardens to the front are shown enclosed by walls and hedges, to west and rear by timber fences;
- To the north (rear) a communal garden/amenity space;
- 6 sheds for bicycle storage;
- The widened access bell mouth would be laid with granite setts; the remainder of the access and parking areas surfaced in pavoids.
- The roadside wall and Protected Trees are shown to be retained, and the existing pedestrian access built up to match the remainder of the wall.
- Within the site, ground levels are shown to be lowered, particularly on the south and west of the site and to reduce the gradient of the access, the latter by approximately 1m.

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

Urban Area Plan (UAP):

GEN1 Sustainable development

GEN2 Comprehensive development

GEN4 The built environment

GEN5 Design

GEN6 Character and amenity

GEN7 Roads and Infrastructure

GEN9 Open space and parking

GEN12 Effect on adjoining properties

DBE1 Design - General

DBE2 Developments with significant townscape impact

DBE7 New development in conservation areas

DBE8 Buildings of special interest

DBE9 Demolition of buildings and features

HO2 New housing in the settlement area on previously developed land

HO9 Retention of the existing housing stock

HO10 Residential density and amenity

Representations:

Eight letters of representation have been received. Seven of these, including one from a States Deputy, object to the application on grounds which include principally:

- Effect on character and ambience of locality.
- Effect on Conservation Area.
- Number of units and density, still too great.
- Five rather than six dwellings.
- The revised proposal does not address the reasons for the previous refusal to the extent that planning permission should be granted.
- Number of dwellings and traffic generated would have an unacceptable impact.
- Amended proposals improve the relationship with St Jacques and Yew Trees but increase impact on La Colline and its setting; La Colline is a Protected Building.
- Large paved area will increase runoff to St Jacques and exacerbate flooding; soakaway test should be required before determining application,
- Split level dwellings not suitable for older people, potentially with mobility issues.
- Anticipates that there will be loss of on street parking, which would affect existing residents.
- Past decisions have rejected high density developments in the area; decision on this should be consistent.
- Past decision (1997) to refuse permission for one additional house, approval of this development would be unfair and inconsistent.
- The number and form of the development is overdevelopment and out of keeping with the character and amenity of the area.
- Overdevelopment is not an efficient use of land; would adversely affect the setting of a Protected Building; potentially cause overlooking, overshadowing, noise and disturbance; inadequate open space for the residential units.

- The development will not conserve or enhance the Conservation Area.
- Increase in traffic and parking.
- Concern that allowing the development will create precedent for other development (De Quetteville).
- Any grant of permission should require completion within 18 months of start of development.

One letter of objection acknowledges the improvement by omitting the 'coach houses' to the rear of the site and that the appearance of the development is improved.

One letter supports the application in light of the changed proposal following the refusal of planning permission in June 2015.

Consultations:

Constables of St Peter Port:

The [application] was considered by the Douzaine [on 27 July 2015] and other than to mention that the refuse/ recycling store is in the wrong place as it is inaccessible by the compactor truck, they have no objections.

Traffic Services Unit:

Advise that an access should: -

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

I refer to our previous comments of February 2015, a copy of which is attached for your information.

At that time, concerns were raised in respect of the following:

- 1) A significantly sub-standard sightline in the direction of oncoming traffic
- 2) A single file vehicular access width of the proposed access roadway.

In respect of 1) above, the supplied plans indicate that no changes are proposed to the roadside wall height on the eastern side of the access, therefore the previous comments relating to the sub-standard sightline remain unaltered.

Regarding 2) above, the supplied plans show that the first 6.5 metres of the access roadway from where it adjoins the public highway, into the site, has been increased in width to 4.5 metres and so would accommodate 2 way vehicular traffic in this section. The TSU welcomes

this improvement as it goes some way to addressing the previous concerns over the single file access roadway width that was previously proposed.

The lack of a designated pedestrian route from the dwellings to the public highway is regrettable; however, in view of the relatively low number of vehicle movements likely to be associated with a development of this scale, no particularly significant concerns are raised in this regard. The TSU would however recommend that signs advising motorists entering or leaving the site that pedestrians may be in the access roadway, are installed as appropriate.

The supplied plans indicate that minor changes are proposed to the road markings that are in place indicating the public parking spaces to the west of the access; the TSU has considered these changes and offers no objections as the overall parking dimensions available would remain unaltered albeit shifted slightly westwards.

Given the above observations, whilst the Traffic Services Unit recognises that the proposed scheme results in an improved sightline observed in the direction of oncoming traffic compared to that which currently exists, good Road Safety grounds remain on which to oppose the application in its current form, specifically in respect of the significantly sub-standard sightline of oncoming traffic, and taking into account the likely increase in vehicle movements arising from the proposed development.

No significant Traffic Management grounds exist however on which to oppose the application.

Summary of Issues:

- Principle of development
- Provision of residential development in the Urban Area
- Impact on character and appearance of the Conservation Area
- Effect on setting of Protected Buildings
- Effect on Protected Trees
- Highways access and parking
- Effect on neighbour amenity

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).**

Principle of development

Policy HO9 (retention of existing housing stock) sets out a presumption in favour of retaining and improving existing housing. Redevelopment or refurbishment schemes are required to retain or if possible increase the number and quality of housing units on the site. In this

instance the proposal seeks to redevelop the existing property resulting in a net gain of 5 additional dwellings.

As an existing dwellinghouse and garden, the site is 'previously developed land'. As the site falls within the Settlement Area the principle of development also accords with Policy HO2 (Opportunity Sites) provided that the site is: (a) suitable having regard to the existing characteristics of the site and its relationship with the surrounding area; (b) acceptable in terms of design, density and amenity; and (c) does not conflict with other relevant policies. These issues are considered further in the assessment below.

Policy HO10 encourages higher density development, and this is expected on sites within and in the vicinity of the Central Areas, and for developments designed to meet the needs of smaller households. This does not however equate with poorer quality development and in encouraging higher density developments the Department will take into account the following:-

- a) The location of the site
- b) The type of housing proposed
- c) The character of the surrounding area
- d) The needs of future occupiers and
- e) The level of amenity for existing and prospective residents having regard to UAP Annex 3.

Annex 3 sets out the general principles regarding amenity but contains no minimum size thresholds for amenity space provision which is considered on a case by case basis.

In this proposed development each unit has a small, dedicated amenity space, and due to the elevated nature of the site even the small gardens to the front of the property are afforded some privacy. Those assigned to units 3, 4 and 5 particularly are the most limited. In addition there is a larger shared area on the south west of the site. In addition each unit would have a timber storage shed. The wooded area, containing the trees subject of the TPO is to the east of the access. A refuse/ recycling enclosure is also proposed on the south east of the site.

The proposed development comprises of six 1 bedroom houses. The internal space standards are not large, but are adequate. The daylight and sunlight the development will receive is also adequate. Small external spaces are allocated to each unit as well as a communal space. The external spaces are small, but are adequate and are useable. The timber fences to the rear are not however satisfactory enclosures and this should be revised. The development otherwise complies with UAP Policy HO2 and HO10.

Demolition of the Existing Property

The existing house was built in the 1960's and is a single storey bungalow. It is, however, afforded some protection by UAP Policy DBE7 (New development in conservation areas) and Policy DBE9 (Demolition of buildings and features).

The property adds little historic or architectural interest to the conservation area. The existing bungalow is one of very few 'modern' buildings in the street and does not contribute to its distinctive character, although its presence is relatively 'discreet'. It is considered a

building that is, overall, neutral to the character and appearance of the conservation area. In light of this there is no policy objection to the principle of demolition of the existing building, subject to the replacement preserving or enhancing the conservation area.

Effect on the Conservation Area

The group of trees to the east of the site is subject of a Tree Protection Order and their retention is incorporated in the proposed development. These trees contribute to the character of the conservation area and provide screening to the site and the proposed building when approached from the east.

The application site is within the St Peter Port Conservation Area. This conservation area is large (when compared with other conservation areas in Guernsey) and is comprised of a number of character areas. The character area in which the application site is located would be known as "*St Jacques*". The Department has not yet published a Conservation Area Character Statement; however, many important elements of the character are referred to in the site description above.

The key policies in considering development in the Conservation Area are DBE1 and DBE7. DBE8 would be relevant if the development were to affect a protected building directly or indirectly (e.g. its setting).

A Planning and Design Statement (PDS) has been submitted to support the application. This is essentially the same document submitted with the previous, refused planning application FULL/2014/3168 but includes additions to explain how the design has been revised following the refusal of that planning application.

With regard to the proposed design, it has evolved through a number of pre-application and planning application negotiations that have incrementally reduced the apparent scale/mass of the building when viewed from St Jacques. A mews development of 'coachhouses' was previously proposed to the rear of the site. This element has now been omitted and a single unit added to the main building.

The current application retains a similar single and 1¾ storey form to the building. Amendments since the last application was determined by the Environment Department Board positions the front façade on the building line of the existing bungalow and increases its ridge height from 0.92m to 1.12m above the level of the existing ridge.

The building that faces onto St Jacques has a proposed deeper plan than the majority of other buildings in the vicinity; however its footprint is similar to the neighbouring St Jacques House. The form of the building, utilising a double-pile roof arrangement and eastern single storey unit, helps to satisfactorily assimilate the scale of the building and is a traditional vernacular approach, not inappropriate in its context. Scaffolding to demonstrate the position and heights of the proposed development has been constructed on the site and the form of the frontage building relates well to the topography of the area.

At the rear of the main building, an additional building element (Unit 6) has been added. Although perhaps a somewhat awkward element to the architectural design and composition

of the main building, this element of the building will not be seen from St Jacques or any other position in the public realm. It will not harm the character or appearance of the conservation area.

The proposed materials are typical of those used in buildings throughout the conservation area. It is considered that the scale, mass, form and detailing is of a traditional form, similar to many other buildings in the urban area and would not be discordant in the street scene. The provision of individual entrances to respective units will also help reinforce the character of the street which provides for a variety of property types.

The roadside wall is retained and a footpath to the proposed houses is enclosed by it.

The proposals include alterations to the roadside wall in order to provide adequate access to the development. The roadside walls contribute to the character and appearance of the conservation area. The new vehicle access point is approximately in the same location as the existing, but on a different alignment, wider and with a larger radius. The proposed facing materials are granite. Due to the materials and design, the proposed development will result in the roadside walls returning further into the site, which will change their appearance and character. However, the character and appearance of the conservation area will not be significantly or adversely changed.

When viewed from St Jacques the proposed building appears as a 1¾ storey, double pile building with development in the roofspace. The architectural style is 'traditional' (e.g. pantile/slate pitched roof, chimneys, granite/render walls). In respect of its appearance and scale when viewed from St Jacques, the proposed building would achieve a good standard of design, respects the scale and massing of buildings in the vicinity and is not obtrusive in the street-scene.

On balance with other policies in the Plan which encourage new housing in the Settlement Area, the proposed development would achieve a satisfactory standard of architectural design and accords with UAP Policies DBE1 and DBE7.

Effect on the setting of Protected Buildings

There are three protected buildings in the vicinity of the application site: La Colline, Upper St. Jacques (PB389); Shrubwood, St. Jacques (PB397); and Petit Combin, St. Jacques (PB396).

La Colline is immediately adjacent to the west. There are monopitch ancillary buildings adjacent to the site boundary. At its closest point, the double pile gable would be 6m from the closest wall of La Colline and 3m from the boundary. The single storey entrance to Unit 1 is closer.

There is an existing modern bungalow on the site and although the proposed building is obviously larger, the proposed development will not, however, adversely affect the setting of this or other Protected Buildings.

Effect on Protected Trees

The proposed arrangement for the entrance drive and car parking can be implemented without significant adverse impact on the protected trees. However, this will depend on:

- not rebuilding the existing roadside retaining wall within the Root Protection Area of the Lime tree, and
- design details and construction methodology being submitted to confirm that the construction of the proposed retaining wall and kerbing to the east of the proposed driveway and car parking will not encroach into the Root Protection Area (defined in accordance with BS 5837:2012) of the protected trees.

The proposed retaining wall is indicated as being over 1m from the Root Protection Area (RPA) of protected trees Sycamore T4 and Lime T5. Normally, a retaining wall of these proportions may result in excavation of at least 1.5m back from the face of the retaining wall, but in this case the proposed wall is being built within and across the existing low driveway. Therefore, so long as the line of the existing wall to the east of the existing driveway remains in situ and the new section of wall is constructed to maintain ground levels before the space is backfilled, there should be no detrimental impact on the trees. There should be no raising of ground levels to the east of the existing driveway and no excavations at all within the RPAs of any of the protected trees. A landscape plan, including details of tree protection measures and proposed planting, should be required before any development is commenced.

The southwards continuation of the wall extends directly along the RPA of Sweet Chestnut tree T3, but will not be a retaining wall for that length, and again is built well to the west of the existing driveway, so should have minimal impact on the Sweet Chestnut tree.

Highways access and parking

The advice of TSU is reported in full above. The improved visibility over existing and benefit of an increased width of access are noted, but visibility to the east remains an issue.

Improving visibility further would be possible but only at the expense of the boundary wall and Lime tree, and visibility would remain limited by the garage of St Jacques House.

This notwithstanding, the single file traffic along the road and the on-street parking on the northern and southern side of the road serve to calm traffic at this junction and it is considered that this would mitigate the concerns raised by Traffic Services.

Parking provision, being one space per one bedroom unit meets the guidelines of the UAP.

On street, closure of the existing pedestrian access releases a little space to adjust parking bays, compensating for the increased width of the access. There will be no loss of on street parking space.

Effect on neighbour amenity

The objections and concerns of neighbours are summarised in the representations.

The main objections concern traffic, road safety, overshadowing, overlooking, noise and precedent.

The development proposed is not of a scale which requires a Traffic Impact Assessment (more than 25 dwellings) and no traffic survey is required. The additional traffic generated by this development will not significantly add to traffic flows and TSU advise that there are no significant traffic management grounds to oppose the application.

The sightline eastwards is slightly improved from that existing but is substandard due to the wall on the site frontage and adjacent building. As reported above, the former could be improved further only by losing the Lime tree and the frontage wall, both of which are important to the character and appearance of the street and the Conservation Area. The majority of accesses on the road have very limited visibility and there are factors in mitigation as described above. As previously, it is recommended that this limitation is accepted.

The site is on the south side of St Jacques. The highest proposed roof ridge is less than 1.2m above the ridge of the bungalow, and the building line approximately in line with its façade. It is not considered that this will result in any material overshadowing of the houses opposite.

The proposed building is higher and closer to La Colline, the dwellinghouse to the west. This may reduce early morning sunlight at certain times of the year, but not to an extent to warrant the refusal of the application on this ground. The 1¾ storey building would be a minimum of 3m from the boundary, the rear 'pile' 4.5m, due to the boundary configuration. It will change the outlook, but the orientation of the buildings would not result in an overbearing or oppressive impact.

The house opposite, on the lower side of St Jacques, is 15.5m from the face of the proposed building. The relative heights and distance would be such that any inter-visibility would be limited.

For these reasons the proposal is considered to accord with Policy GEN12 (Effect on adjoining properties) of the UAP.

Other planning considerations

The planning history of the site records a previous attempt to redevelop the site which was refused by the former IDC 18 years ago. This was under a different set of policy requirements which were very different from the current policy framework. Furthermore the level of detail required to be submitted is significantly greater now and as such the Department, for the reasons set out above, considers that the scheme will accord with the relevant policy requirements.

The policy framework of the Urban Area Plan provides for the development of sites such as this within settlement areas. Not all sites that are brought forward for development are suitable or capable of development and other developments in St Jacques have been refused on that basis; equally other developments have been approved where they meet the

relevant policies. It is a fundamental principle of the land use planning system that each planning application must be considered on its own merits.

Conclusion

The site offers an opportunity to create a higher density development for smaller households, on previously developed land in close proximity to the central area of St Peter Port. The design and density of the development have been revised considerably since the first submission and the current application reflects further changes to address the reasons for the refusal of FULL/2014/3168.

In reaching that decision, the most significant issues were the inclusion of two semi-detached mews 'coachhouses' on the rear of the site together with the relative proximity to St Jacques and particularly the overdeveloped, cramped and compromised site layout that led to. The principle of redevelopment of this site, and of higher density development in proximity to the Central Area, were accepted. The revised application contains the development in a single building, sets the building further back from the site frontage and provides a greater degree of open space within the site. The current application is considered to overcome the reasons for refusal of previous application FULL/2014/3168.

It is therefore recommended that planning permission be granted subject to conditions.

Date: 28/10/2015