

ENVIRONMENT DEPARTMENT PLANNING DIVISION

OPEN PLANNING MEETING AGENDA

An Open Planning Meeting will be held at Beau Sejour Centre, Cambridge & Delancey Rooms, on **Tuesday 09/02/2016** at 8.45am for a 9.00am start.

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

Agenda Item 1 :-

APPLICATION NUMBER:	FULL/2015/2467
APPLICATION ADDRESS:	Kings Tennis Courts Kings Road St. Peter Port.
DESCRIPTION OF WORK:	Erect 13 new apartments with underground car parking, construct new roadway and junction and remove Leylandii hedge and tennis courts.
NAME OF APPLICANT:	Kings Property Limited.

Agenda Item 2 :-

APPLICATION NUMBER:	FULL/2015/2217
APPLICATION ADDRESS:	La Moye House La Moye Road Vale.
DESCRIPTION OF WORK:	Change of use of main dwelling to guest house and dwelling, convert outbuildings to 4 self-catering units to include laundry and showers, creation of seasonal camping, yurts and shepherds huts, carry out hard and soft landscaping and erect storage shed.
NAME OF APPLICANT:	Mr J George.

Application No: FULL/2015/2467
Property Ref: A30871A000
Valid date: 24/09/2015
Location: Kings Tennis Courts Kings Road St. Peter Port Guernsey GY1 1QF
Proposal: Erect 13 new apartments with underground car parking, construct new roadway and junction and remove Leylandii hedge and tennis courts.
Applicant: Kings Property Ltd

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. Prior to any development commencing on the site, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Environment Department. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Department. The CEMP shall set out aims for the development and construction works, detailing measures to minimise and control, as far as practicable:

- i. the impact on traffic flow, traffic and pedestrian management and safety;
- ii. negative impacts on residential and business occupiers nearby; and
- iii. waste management and disposal including of any excavated material.

The CEMP shall detail:-

- a. hours of demolition and building operations;
- b. noise and vibration control;
- c. site lighting and light pollution control;

- d. dust prevention and management;
- e. construction phasing;
- f. traffic and parking management including the movement and use of large scale plant and machinery and parking for site workers during the development and construction works;
- g. pedestrian and construction access and management of the access to Kings Road, Les Croutes and Rue A L'Or including maintaining public access; and
- h. additional matters that may need to be addressed during the proposed works.

Reason - To co-ordinate and set out the implementation of construction activities to ensure that the best environmental practice is achieved, reduce the risk of adverse impacts of construction and minimise disturbance and nuisance in the interests of amenity.

5. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of modifications to the proposed raised table at the entrance to the site, in accordance with the comments of Traffic Services, shall be submitted to and approved in writing by the Environment Department, and thereafter completed as approved prior to the building hereby approved first being occupied/brought into use.

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

6. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of the entrance canopy, balconies, balustrading, railings, garage door and ventilation grilles shall be submitted to and approved in writing by the Environment Department.

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

7. Precise details of the type, colour, texture and method of laying of the granite to be used 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.

8. 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.

9. 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. Those windows shown as obscure glazing on drawings B15-9933-S1-09, 11 & 12 shall be obscure glazed prior to occupation of the building and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

11. No development shall be commenced until details of all means of enclosure on the site boundaries or within the site have been submitted to and approved by the Environment Department. (See note below).

Reason - To ensure a satisfactory form of development.

12. The car parking indicated on the approved plans shall be surfaced, marked out and made available for use prior to the building hereby approved being first occupied/brought into use.

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

13. The proposed parking spaces located within the development shall be provided in accordance with the approved details as an integral part of the residential development of the site and shall not at any time be converted to any other use, including any other ancillary domestic use, without the express prior written consent of the Environment Department. The Department requires the above condition laid down as a Condition of Sale to each individual purchaser.

Reason - To ensure that adequate provision for car parking is retained within the site.

14. All planting, seeding or turfing comprised in the hereby approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building 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.

15. Before any work is commenced on the site including site works of any description, the tree protection measures shown on drawing B15-9933-S1-15A, and Tree Dimensions letter dated January 2016, shall be implemented in full and maintained in place until completion of the development. Within the area 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 the Protected Tree in the interests of amenity.

16. This permission confers no consent whatsoever for any change of use at the site. In particular, the cleared site shall be used for no purpose, including for the parking of vehicles or for the storage of any goods or materials, at any time without the express prior written consent of the Environment Department.

Reason - To control the use of the cleared site.

17. The application site is located within an area of known archaeological importance and appropriate and satisfactory provision for mitigation measures to avoid damage to the archaeological remains, and/or for archaeological investigation and recording, shall be made in accordance with a scheme that shall be submitted to and agreed by the Environment Department prior to commencement of development. The agreed mitigation and/or investigations shall thereafter be carried out in full accordance with the agreed scheme, unless the Environment Department gives written approval to any variation.

Reason - The site is within an area of known archaeological importance.

18. Any central heating, air handling or other plant shall not be located anywhere on top of the roof, but shall be contained entirely within the exterior envelope of the building.

Reason - To ensure a satisfactory form of development in the interests of visual amenity.

INFORMATIVES

With regard to the above condition requiring details of boundary enclosures, precise details of screening to the eastern boundary of the approved new access road are required to ensure that this is suitably screened from the rear gardens of the properties on Les Croutes, so as to prevent any significant overlooking of those properties by users of the access road. Precise details of the proposed acoustic fencing along the northern boundary of the access road are also required.

OFFICER'S REPORT

Site Description:

This application relates to the front part of the King's Club premises, on the west side of Kings Road. Specifically it would cover the area presently occupied by the front two tennis courts, and a strip of land along the boundary running north.

Relevant History:

June 2013 - Remove two existing tennis courts and leylandii hedge and erect 13 apartments with underground parking and construction of new roadway - refused.

May 2014 - Appeal against refusal dismissed.

Existing Use(s):

Sports/leisure club

Brief Description of Development:

This is a revised application, following the previous refusal, and is to remove two existing tennis courts and construct a 2½ storey development of 13 flats with basement/underground parking for 21 cars, 3 motor cycles and 14 bicycles.

The drawings specify a render building, with slate roof and timber windows. Towards Kings Road it has been designed to resemble three terraced houses. Units vary in size from 1 to 3 bedrooms; 5 x 1bed, 5 x 2bed and 3 x 3bed, one of the 3 bed units also has a study.

The application also includes the creation of a new access road into the site, and the removal of leylandii trees along the boundary of the site.

This revised application was accompanied by a revised Planning and Design Statement and a revised Technical Note dealing with traffic matters. The revised statement also refers to changes from the previously refused scheme, noting design changes including a reduction in size and relocation further from the neighbouring property. The proposed building has been reduced in volume by almost 25%. The overall form and shape of the building has been amended, as has the roof form. It is set back between 1.5m and 4m from Kings Road, and

moved between 1m and 3.5m further from the boundary with the adjoining property, Belvoir. The overall height has been reduced by varying amounts, up to almost 1.5m. The front elevation has been redesigned to appear as three dwellings. The elevation towards Belvoir has been revised to reduce the number of windows and to omit dormer windows, and windows are to have obscured glazing in their lower sections.

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

Urban Area Plan Policies GEN1, 2, 3, 4, 5, 6, 7, 8, 9 & 12; DBE1, 2, 5, 7 & 10; HO1 & 2.

Representations:

17 letters of representation were received; 5 in support and 12 objecting.

Letters supporting the application raised several points;

- Will improve access, make it safer, reduce congestion, will improve traffic flows
- Will help the protected tree,
- Will provide high quality health and leisure facilities, overdue refurbishment,
- Will provide investment,
- Will help the construction industry, provide much needed work,
- Will provide valuable contribution to Island's housing supply
- provide revenue to The States of Guernsey
- Will allow opportunity to access the rear of properties by car and foot.

Letters objecting raised several grounds;

- Welcome reduced scale but not convinced there is a significant change to the building depth or height, only minimally reduced from the previous scheme,
- Traffic, congestion, busy roads, narrow road, busy with vehicles and pedestrians, particularly hazardous, speed limit is already 25mph, not adhered to,
- Lack of pavements, very unsafe, school pupils use area, vehicles mount the pavements, should add footpath to Les Croutes, several near misses in area, Les Croutes/St Stephens Hill is very dangerous for pedestrians, particularly parents and children,
- Will make matters worse, additional traffic will result from refurbishment to club and new flats, traffic will cross centre line of Les Croutes, access too close to filter;
- Roads already at maximum, should consider exit onto Route Charles or Beau Repaire,
- Loss of tennis courts, will never be regained, one of the oldest clubs in British Isles, contradicts policy SCR3, should give some weight to loss of tennis courts,
- States is promoting healthy lifestyles, physical activity helps health, land has a covenant requiring continued use as tennis facility, will diminish facilities,
- Disruption during building work, excavation, damage,
- Much development in the area over recent years,
- Will dominate skyline, will not add to townscape, would wish 3D rendering of distant views, would lack a domestic character,
- Overlooking, policy GEN12, detrimental to adjoining properties,
- Need to ensure trees are planted and maintained, and not cut down in the future,

- noise from roadway traffic
- Drainage and surface water, infrastructure inadequate,
- Would welcome a visit to their property, as was done at the appeal,
- Living Streets enclosed a copy of a Walking Audit Report for the St Stephens Hill/Les Croutes area 10 years ago.

Consultations:

Traffic Services

The Traffic Services Unit made previous comments relating to the proposal to submit revised plans for the proposed redevelopment of the site. At that time, comment was made that, provided certain conditions were met, the Traffic Services Unit position would remain unchanged in regard to the access design, parking arrangements and predicted vehicle movements.

It is noted from the supplied plans that the access design has been slightly modified in so far as the internal access roadway is now straight and as a consequence has a beneficial effect on the egress, particularly of larger vehicles types, to the north – direction of Les Croutes. This aspect is welcomed by the TSU.

The sightlines that would be observed from the proposed access would meet the minimum standards required and the access road width and bell mouth radii would provide good access/egress in both directions.

In regard to the proposed level of parking provision, the revised plans indicate access to the underground parking area via an access whose width is shown as being 2.4 metres. This would fall short of the minimum Engineering Guideline width required for single file access, of 2.8 metres. It would appear from the plans that the shortfall in access width could be satisfactorily addressed and the TSU would strongly recommend that serious consideration is given to providing an access that satisfactorily accommodates single file flow as a minimum.

The design and layout of the underground parking would appear to be satisfactory, however the 'doubling up' of spaces 6 – 13 could prove awkward even allowing for each driver living within the same household. Whilst not ideal, in terms of traffic management, it would not be considered to be of particular significance however.

In terms of the overall parking provision, this would appear to be commensurate with a development of this scale.

The supplied plans indicate the provision of a pedestrian pavement that extends from within the development towards Rue A L'Or to the south as well as providing a pedestrian link to the north in the direction of Belmont Rd/Les Croutes junction; both of these aspects are welcomed by the TSU.

In view of the fact that the proposed development is of a slightly smaller scale than previously proposed (evidenced by reduction in parking provision), the TSU would not have

any significant concerns relating to the numbers or types of vehicle movements associated with the proposed development or impact on traffic flows in the area.

Whilst viewing the latest plans it has been noted that the ramp at eastern end of the proposed raised table would be positioned parallel with the ends of the public footpath. Whilst it is probably intended that pedestrians would cross on the plateau of the table, the blind or partially sighted may not realise this and cross to an uneven surface (the ramp). In light of this, and also noting it would be beneficial for drivers to be exiting onto the public highway from a relatively level surface, it is recommended in this instance to separate the traffic calming measure from provision for pedestrians. For clarity, this would mean revising the proposal to set the raised table at least a car length back into the site and the public footpath kerbs being lowered to flush with the road surface and tactile paving being installed. However, the provision of flush kerbs in this scenario could have drainage implications and therefore discussions would need to take place with the Public Services Department Road Engineers in this regard.

The conclusion of the Traffic Services Unit therefore, is that there are no significant Road Safety or Traffic Management grounds on which to oppose the application in its current form but it is believed that improvements could be made from a pedestrian safety perspective as highlighted in the paragraph immediately above.

Constables of St Peter Port

While the Douzaine have no objections to the building proposals they maintain their strong opposition to the entry and egress of this development. The Douzaine is of the opinion that the site of the access to this development is a hazard both to pedestrians and the increased traffic flow that would of necessity result.

Environmental Health

No need to be consulted but would strongly recommend consideration of a CEMP condition due to the proximity of residential properties and potential disturbance throughout development.

Culture and Leisure – (previously 2013)

In summary, the Department, in so far as its mandate is concerned, raises no objections to the proposed scheme.

Archaeology – (previously 2013)

In view of the fact that the proposal includes the provision of underground parking, and thus the removal of all potential archaeological contexts, would suggest that a watching brief should be maintained on the early stages of the development. This should take place when the tennis courts are removed, prior to the commencement of any deep excavation. Although there is little known archaeological material directly on this site, the proximity of the King's road Iron Age settlement and cemetery, and various prehistoric finds in the vicinity of Rue a L'Or indicate that there may be archaeological interest here.

Summary of Issues:

- Provision of housing
- Traffic matters
- Loss of tennis courts
- Design and appearance
- Effect on adjoining properties
- Landscaping

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).**

The previous proposal

This revised planning application follows a proposal which was previously rejected, by the Environment Department, based on reasons related to scale and massing and effect on the character of the surroundings, and the impact on the adjoining property by way of overlooking and noise and disturbance.

A subsequent appeal was dismissed for similar reasons. The Tribunal considered the decision to be on balance. It considered the points in favour of the development to be the site's sustainable location for residential development and its potential to contribute to housing supply, as well as probable net improvement to road safety, due to the new access. Counting against the development was the impact on the character and appearance of its surroundings and on the occupiers of the neighbouring dwelling. The impact on recreational or sporting provision was a neutral consideration.

It concluded that the site was in principle acceptable for housing development and capable of making a valuable contribution to housing supply in a sustainable location, and that there was no reason why it should not be developed for that purpose, subject to the design meeting the relevant planning policies. On the other hand, to allow the particular proposal would harm the character and appearance of the neighbourhood for the foreseeable future. Further, while not alone being sufficient to justify dismissing the appeal, the fact that it would also cause a reduction in the quality of life for the occupiers of the neighbouring dwelling added weight to its overall conclusion that the proposed development would be unacceptable.

Provision of housing

The Urban Area Plan is intended to facilitate beneficial sustainable development in appropriate urban locations and to ensure an adequate supply of housing, whilst providing

adequate protection to other relevant interests including reasonable neighbour amenity, traffic safety and the character and amenity of the locality concerned.

Policy HO1 seeks to ensure that there is a two-year provision for housing development at any one time. Policy HO2 generally permits proposals for housing development within the Settlement Areas and on previously developed land, provided certain other criteria are met. These include the suitability of the site, relationship to surroundings, design, density, amenity and other relevant policies.

In this case, the proposed development will be a useful addition to the Island's housing supply and is situated in an appropriate, sustainable urban location.

This was accepted previously by both the Department and the Appeals Tribunal in relation to the previous scheme and remains the case for this application.

Traffic matters

The existing access to Kings Club is acknowledged to form an awkward junction with the surrounding roads, and the access roadway within the site is narrowed by a Protected Tree.

The proposed new access has been designed to meet the normal recommended design standards. It would provide a two-way access, separate from the junction with Rue a L'Or.

Traffic Services has reviewed the proposal, and with the exception of concern about the detail of the raised table, has stated that there are no significant road safety or traffic management reasons to oppose the application. Notwithstanding a comment made by the Traffic Services Unit in its consultation response, the access width to the underground parking is approx. 4.5m wide (the pedestrian access width is 2.4m). Details of alterations to the raised table as recommended by the TSU can be secured by condition.

Notwithstanding the comments of the St Peter Port Constables and of some representors, traffic matters were not considered to be a reason for refusal previously, and the Appeal Tribunal considered the proposed new access represented a net improvement to road safety. This remains the case for this application.

Loss of tennis courts

The tennis courts are a private facility and are not protected from loss by the Urban Area Plan in the same way as community services or educational facilities.

The Culture and Leisure Department previously stated that the proposals would have very little adverse effect on local sport. It raised no objection to that proposed scheme.

As before, there are considered to be no legitimate grounds to resist the loss of the two private tennis courts in planning terms.

The applicant has again stated that it is important to note that the proposal will act as an economic enabler for the regeneration and refurbishment of the existing club. However, as

before, this aspect does not have a material bearing on the current application in planning terms as there is no planning policy imperative to require such investment and it therefore cannot be secured through the planning process. The existence of any covenant would be a private matter and is not a material planning consideration.

The loss of two tennis courts was not considered to be a reason for refusal, previously, and the Tribunal considered the impact on recreational or sporting provision was a neutral consideration. This remains the case for this application.

Design and appearance

One of the previous reasons for refusal related to scale and massing and effect on the character of the surroundings. In response, the applicant has redesigned the building and reduced its scale/massing.

The overall character of the area is one of residential buildings. The architectural style of the buildings generally reflects the era of their construction which ranges from traditional pre-18th century building, Regency, Victorian, Edwardian and mid-late 20th Century buildings. Whilst there is a variety of architectural style, and residential typology (e.g. terrace, semi-detached, detached as well as villa, bungalow and townhouse), all have similarities in so far as:

- the buildings have a short set back from the road (typically between 3 and 8 metres) which creates front gardens that are used for car parking and/or planting,
- the buildings are of residential scale with a width of between 5 to 12 metres and a depth of between 5 – 10 metres. In its most basic architectural composition the buildings could be described as two-rooms deep where they have a narrow frontage; and one-room deep where they have a wide frontage.

There are some exceptions to this general character and scale/mass:

- Highfield Care Home, which is a residential building that has been converted and extended but has retained its overall scale/mass as a residential building.
- The Kings Club is a commercial building and has a scale/mass that is much larger than the residential buildings in the area. However, the building cannot be easily seen from a public place and therefore makes little contribution to defining the character and appearance of the area.

The proposed building would generally appear as a 2½ storey building within the street scene, and 2 storey above an undercroft along the access road, and is to be finished predominantly in render and slate. It is of a traditional design, generally with pitched roofs and sliding sash style windows.

The width and depth of the proposed building is larger than other residential buildings. Indeed this is to be expected given that the building contains flats rather than houses. The design recognises this and sets out to disguise the scale and mass of the building by providing a facade to Kings Road that splits the elevation into what appears as 3 narrow fronted buildings, along with a double pitched roof which is partially in-filled between the roofs. This architectural solution is successful and acceptable because it achieves a building with a scale and mass that respects other building in the vicinity, and because the in-filled double-pitched

roof form is concealed below ridges and cannot be easily seen as part of the overall roofscape of the area.

The existing site has a frontage which is dominated visually by the present rather confused access arrangements. The design is of high quality reflecting the surrounding built form. The proposed building will create greater enclosure to the street, is in keeping with the prevailing historic form of development along Kings Road and will be a positive enhancement to the overall character and appearance of the area.

The proposed building is considered to be consistent with the character of the area generally. The site is not within a conservation area, but the conservation area extends from Highfield House care home and includes Kings Road. For the reasons mentioned above the proposal would have a positive effect on the setting of the conservation area, by introducing a built form more like the built form of the conservation area.

The design and appearance of the proposed revised building is considered acceptable, and complies with policies DBE1 and GEN5. The scale and massing has been reduced, and the overall volume of the building reduced by nearly 25%. It is to be set back further from Kings Road and from the proposed new access road, and the dormer windows previously on the north elevation have been omitted. These revised plans and changes have successfully addressed the previous reason for refusal concerning scale and massing.

Effect on adjoining properties

The other reason for refusal, and a consideration that although not determinative added weight to the appeal decision, related to impact on the adjoining property, Belvoir, by way of overlooking, noise and disturbance.

The applicant has redesigned the building so that the northern façade has been moved between 1 and 3.5m further from the boundary and is now between 11.5 and 17 metres from its boundary with Belvoir. The façade comprises a number of elements, which break the overall mass of the façade. Furthermore, the windows that face the boundary are to non-habitable rooms (bathrooms, kitchens or corridors); being areas which residents would not use frequently or intensively. The windows are also proposed to have obscure glass within the lower halves to minimise any overlooking. The other windows shown on the various elements of this elevation are to be “Trompe d’oeil” windows (i.e. comprising a solid recess and cill with painted window detailing). Having regard to the situation of the site and relationship with neighbouring properties, the development would not give rise to unacceptable levels of overlooking or loss of privacy for adjoining residents.

In the appeal decision, the Planning Tribunal concluded that the impact on the amenity of the neighbouring property would not on its own be sufficient to refuse the previous application. Notwithstanding this, the current proposal would have significantly less impact on neighbour amenity.

Whilst the removal of the high Leylandii hedging along the rear of the Les Croutes properties will open up the rear gardens of these properties, the potential impact on privacy would be satisfactorily ameliorated by new planting or fencing, to prevent overlooking from passing

visitors to the club, or from the tennis courts. A condition is proposed to seek details of all means of enclosure along site boundaries. Much of the proposed access is at a lower level than the gardens, by approx. 2 or 3m. This was previously considered to be acceptable.

In terms of overshadowing, the previous application provided a daylight and sunlight analysis which suggested that the proposed building would cause some overshadowing of the remaining tennis courts during mornings in spring and autumn, and some overshadowing of the garden of the property to the north during late afternoon in spring and autumn. This was not considered to be a significant issue and not sufficient justification to reject the proposal.

The positioning of the proposed access road has been moved away from the boundary of the adjoining property, Belvoir, by between 1 and 2m and an acoustic fence and planting is shown along the resulting strip of land, in order to reduce impact on the adjoining property. The pedestrian footpath would be on the south side of the access road.

In terms of the effect of the development on adjoining properties the application is considered to comply with policies GEN12 and DBE1. The revisions have addressed the previous concerns with overlooking by either removing windows or reorganising the accommodation internally so that windows are serving non-habitable rooms and they can be obscure glazed. Part of the building has been set further back from the adjoining property. Potential noise and disturbance from the proposed access road has been addressed by repositioning the road and allowing space for planting and an acoustic fence. These revised plans and changes have addressed the previous reason for refusal concerning overlooking and disturbance.

Landscaping

The proposal would involve the removal of several lengths of Leylandii hedging which presently exist along some boundaries of the site, and around some tennis courts. Some of these were damaged during storms and were permitted to be felled on safety grounds.

These hedges (particularly being Leylandii) are not considered to be an important landscape feature in this area, and their removal is acceptable, provided suitable replacement planting is provided. The proposed development includes a landscape plan.

The large Sweet Chestnut tree that is located within the present access road has been an issue for the club for a number of years. There have been applications for its removal in the past. The tree is now a Protected Tree. This application would relocate the access away from the tree, and provide planting and garden area around the tree.

The plans also show a Root Protection Zone (RPZ) around the tree and tree protection measures, to be implemented during the construction works, in accordance with the latest BS standards (BS 5837:2012). Whilst part of the proposed building would be inside the RPZ this would only amount to about 8% of the zone, and almost half of the remainder of the RPZ would be returned from tarmac roadway or tennis courts to planting or grass, thereby providing compensatory benefit to the tree. A report from an Arboricultural Advisor sets out details of the precise work involved and the benefits that should result.

Provided this is carried out as specified (and a planning condition can secure this) the tree should thrive. This is a positive benefit of the proposed scheme.

Conclusion

This revised proposal would result in the loss of two private tennis courts, however there is no planning policy basis to oppose this. It will provide 13 flats, in a sustainable location, which will make a useful contribution to housing supply and will provide an enhancement to the character and appearance of the area and the setting of the nearby Conservation Area. It will resolve long standing issues relating to the protected tree at the site and ensure that it has the opportunity to remain and thrive. The proposal will also improve an existing substandard access and is acceptable in highways and traffic management terms.

There are consequently considered to be substantial planning reasons for supporting this application and, despite the objections received, the revisions made to the scale and design of the proposal and to mitigate overlooking and disturbance to the neighbour are considered to satisfactorily overcome the reasons for refusal of the previous application.

The application is therefore recommended for approval, subject to appropriate conditions.

Date: 1st February 2016

Application No: FULL/2015/2217
Property Ref: C001460000
Valid date: 26/08/2015
Location: La Moye House La Moye Road Vale Guernsey GY3 5DR
Proposal: Change of use of main dwelling to guest house and dwelling, convert outbuilding to 4 self catering units to include laundry and showers, creation of seasonal camping, yurts and shepherds huts, carry out hard and soft landscaping and erect storage shed.
Applicant: Mr J George

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

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

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 this element being commenced on the site, precise details of the proposed method to upgrade the existing doors shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the special interest of the protected building is maintained.

5. Notwithstanding the information submitted, prior to this element of works being commenced on the site, precise details of the replacement windows and doors at 1:20 scale elevations and 1:5 scale sections shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the special interest of the protected building is maintained.

6. On cessation of the use of the main building as Guest House and manager's accommodation, the whole building shall revert back to use as a single dwelling (Residential Use Class 1).

Reason - To protect the existing housing stock to accord with planning policy.

7. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of the methodology for the re-construction of the north facing wall of the self-catering unit number 4 which shall include precise details of the type, colour, texture and method of laying of the granite to be used shall be submitted to and approved in writing by the Environment Department.

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

8. Notwithstanding the information submitted, prior to this element of works being commenced on the site, precise details of the new roof lights to be inserted in the outbuilding shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure the special interest of the protected building is maintained.

9. Notwithstanding the information submitted, prior to any works being commenced on the site, precise details of the location and size of the extract vents for the kitchens and bathrooms as well as the flue for any new boiler or heating system proposed within the outbuilding at 1:20 scale shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the special interest of the protected building is maintained.

10. No works shall commence to the roofs 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.

11. Unless otherwise agreed with the Environment Department, the site shall not be used for camping between 1st October and 30th April in the succeeding year, other than for four days over Easter, and all tents, yurts and shepherds huts shall be removed from the site on or before 1st October each year.

Reason - The site is for seasonal holiday use only and in the interests of visual amenity.

12. Permission for the erection of the Yurts, Shepherds huts and use of camping pitches is given for a limited period of 3 years, expiring on 30th September 2019, by which time the use carried out under this permission shall be discontinued and the land reinstated to its former use to the satisfaction of the Environment Department, unless this period has previously been extended by a further grant of planning permission.

Reason - The permission is granted for a temporary period in the first instance in order to monitor the impact of the use on the character and amenity of the area, the effect on adjoining properties and the effect on traffic.

13. Notwithstanding the details on the approved plans a maximum of two tents shall be erected on the site at any time and the tents shall only be pitched within the areas marked 'self-pitched camping' as indicated on the approved plans.

Reason - To define the permission for the avoidance of doubt in the interests of amenity.

14. No system of public address, loudspeaker system or amplified music shall be operated within the site at any time.

Reason - In the interests of residential amenity.

15. The storage shed hereby approved shall be dark stained externally within 28 days of construction.

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

16. Upon cessation of the use of the site for outdoor recreational purposes the storage shed, car parking, shepherds huts and yurts shall be removed from the site within six months of the cessation of such use or such other period as shall be approved beforehand by the Environment Department and the land shall thereafter be reinstated to its former condition to the satisfaction of the Environment Department within one year of the cessation of such use.

Reason - The retention of the shed, parking and structures would not be justified in the absence of the approved use.

17. No works shall take place on the site until there has been submitted to and approved by the Environment Department a comprehensive scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, details of measures for the retention and protection of existing trees during the course of the development and 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.

18. Before any work is commenced on the site including site works of any description, each of the trees required to be retained under the terms of this permission shall be securely fenced off by a chestnut paling or similar fence erected in a circle around each tree to coincide with the extremity of the canopy of the tree. 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.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of development. 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.

20. No trees shall be lopped, topped or felled without the express prior written consent of the Environment Department.

Reason - To protect existing trees at or adjoining the site in the interests of amenity.

21. Notwithstanding the information submitted, prior to this element of works being commenced on the site, precise details of the external lighting, lux levels and exact location of lights shall be

submitted to and approved in writing by the Environment Department.

Reason - To ensure that the development does not have a significant impact on neighbour amenity.

22. No surfacing works shall be commenced on the site 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.

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

23. The car parking indicated on the approved plans shall be surfaced, marked out and made available for use prior to the building(s) hereby approved being first occupied/brought into use.

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

24. The works referred to under the provisions of conditions 4, 5, 7 - 10, 17, 18, 21 and 22 above shall all be carried out and shall be completed in full accordance with the approved details.

Reason - To ensure that the requirements of the conditions specified above are implemented fully as agreed.

INFORMATIVES

For the avoidance of doubt, the uses hereby approved relate to the use of the main dwelling, La Moye House, as a Guest House within Visitor Economy Use Class 10 and a unit of manager's accommodation within Residential Use Class 1 respectively of the Land Planning and Development (Use Classes) Ordinance, 2007; the outbuilding as four self-catering units each falling within Visitor Economy Use Class 12 of the Land Planning and Development (Use Classes) Ordinance, 2007; and open land within the site as a seasonal campsite for the provision of two tents, two yurts and two shepherds huts (sui generis use) for a temporary period of three seasons in accordance with the conditions of this consent.

OFFICER'S REPORT

Site Description:

The application site is on the corner of La Moye Road and Longree, leading to Rocque es Cas, Vale, and is occupied by a large 2½ storey detached dwelling with 1½ storey wing set back off the main road and a 1½ storey 'L' shaped outbuilding to the north/north-west of the site. To the east of the site (within the applicant's ownership) there is open land. There are significant changes in land levels from the north to south of the site.

The application site is within an Area of High Landscape Quality and the main house, outbuilding and south and west roadside walls are protected.

Relevant History:

PREA/2014/2983	Change of use to guest house including internal alterations (protected building).	Pre-application discussions in relation to the application
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Existing Use(s):

Residential use class 1

Brief Description of Development:

The application comprises of several elements:

- Change of use of the main house to a guest house with manager's accommodation
- Conversion of outbuilding to form 4 self-catering units including laundry and showers
- Creation of camping area to the north of the site
- The erection of 2 yurts to the east of the site
- The installation of two shepherds huts to the east of the site
- The erection of a timber shed to the north of the outbuilding
- Alterations to the soft and hard landscaping including planting and the creation of formal car parking areas.

The application has been supported by a Structural Survey and Timber and Damp proofing specialist report.

The application was deferred pending information in relation to facilities provided, capacity of site, noise, parking and waste provisions and lighting. The agents submitted a statement in response to these issues.

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

RGEN3	Landscape, ecology and wildlife
RGEN4	Built Heritage
RGEN5	Character and amenity
RGEN6	Design
RGEN7	Safe and convenient access
RGEN8	Parking and open space
RGEN10	Public enjoyment
RGEN11	Effect on adjoining properties
RCE1	Protecting open land and avoiding unnecessary development
RCE3	Areas of high landscape quality
RCE8	Landscape design
RCE11	Buildings of special interest
RCE12	Design and local distinctiveness
RCE13	Demolition of buildings and features
RCE14	Conversion and re-use of buildings
RE11	Visitor accommodation development

RH4	Protecting housing stock
RS4	Outdoor recreational facilities

Representations:

8 individual letters or emails of representation objecting to the application have been received together with two further objection letters both of similar format and content, one with 33 signatories and one with 5 signatories. Some of these signatories have also submitted individual letters. In addition a letter has been received from a States Deputy supporting the representors who have objected to the application.

The representations received principally concern the following:

- The area is quiet, rural and residential; the introduction of camping, yurts and shepherds huts will not be in keeping with this,
- The number of people accommodated on the site will substantially increase potentially causing a noise nuisance,
- The proposals will increase traffic movements within lanes which are used for recreational activities – walking, cycling,
- Change of use of private dwelling to a commercial property,
- The historically sensitive nature of the property,
- The environmentally sensitive nature of the immediate area,
- Nuisance to neighbours from visitors using outside accommodation and the negative impact on the quality of life of local residents,
- Too many visitors for the size of the property,
- Extra volumes of traffic in an area already difficult to access,
- The proposals include inadequate parking provision,
- As the ground on which the yurts and tents will be sited is higher the neighbour's properties on lower ground would be overlooked resulting in loss of privacy,
- Northern parts of the Island, particularly in the Vale are already over developed and therefore the remaining rural areas of the Parish should be conserved and not further compromised,
- The field to the east of the site forms an important wildlife corridor between La Fontenelle and the Marais,
- The retaining wall to the rear of the site is unstable; any extra activity within this area could cause the wall to collapse,
- Rocque es Cas, the lane to the north, forms an important lane contributing to the history of the Braye Du Valle and should be kept safe from development and not spoilt,
- The existing camping facilities in the Vale are not supported; allowing a new site would be unfair,
- The family character of the surrounding dwellings would be altered by this development.

Consultations:

Commerce and Employment (Agriculture)

Thank you for consulting this Department regarding the development of self-catering units in agricultural buildings and the proposed development of a temporary camp site in the agricultural field to the north of the property, bordering the Rocque es Cas roadway. Currently these agricultural fields have an entrance from the public highway to the north of the agricultural buildings. I would make the following comments:

1. As far as this Section is aware these buildings and the adjoining agricultural land has not been used for commercial agricultural purposes for some years, although our records do show that a small dairy farm has used the land for livestock grazing in the fairly recent past.
2. The buildings are traditional agricultural buildings of a type that are no longer suitable for modern mechanised farming. I would therefore consider that these are redundant to modern agricultural use and this Section would not oppose a change of use of the buildings as proposed.
3. The land was not included in the 1988/89 Soil and Land Evaluation of Guernsey. However, soils in that area tend to be a combination of deep and shallow areas of sandy soil. Such land would be graded as very good quality agricultural land if the soil was deep and suitable for a wide variety of cropping, whilst I would classify this area of land adjacent to the quarry as being moderately good quality agricultural land, certainly suitable for livestock grazing.
4. The land remains suitable for agricultural purposes and it retains a road access that can be used independently of the main house and dwellings. This should be retained.
5. This section would not object to the use of the agricultural land owned in this area for temporary camping provided that amenities, such as toilets and washing facilities, etc., that might be considered a pre-requisite for a modern camp-site are not built on the agricultural land. Similarly this section could only support the application provided that tracks, permanent concrete bases or services were not created that might render the land unusable for agricultural purposes in the future, if that were required once again.

As a consequence of my comments above the Agriculture and Rural Environment Section of Commerce and Employment would raise no objections to this proposal to change the use of the buildings or to use the agricultural land as a campsite.

Commerce and Employment (Tourism)

The section has discussed the proposals in great detail with Mr George, and is satisfied that this presents an unique opportunity for a new, mixed use visitor accommodation site that will undoubtedly contribute to the joint tourism strategy, in particular with regard to the

development of “glamping” and to current government policy to grow the value of the visitor economy.

The site is of unique Guernsey character, being one of the few un-quarried Hougues remaining, which provides a certain degree of separation for each type of accommodation, and maintains a rural feel, although the site is very close to a main route.

The location offers some superb views across the island from an unusual perspective and its location in the North of the Island will give guests access to beaches, bus, walking and cycling routes as well as the retail offer at The Bridge. There are also many important heritage sites in the vicinity including Dolmens, fortifications, traditional buildings and a mix of natural environments to be enjoyed. There are restaurant facilities at Beaucette Marina which should prove to be beneficial to both businesses.

The proposed development will be achieved with a minimum impact from new build and therefore maintain the existing character and sense of place attached to the property.

It is anticipated that the development will provide in the region of 16 “formal” bed spaces plus the “informal” camping provision – a valuable addition to the bed stock in an area of great visitor interest which has in recent years been underrepresented in the accommodation sector.

The Department is therefore fully supportive of this exciting new proposal for a mixed use visitor accommodation site

Environmental Health

I have reviewed the proposed plans in relation to the above property which include the introduction of seasonal camping, yurts and shepherds huts. There is currently insufficient information for me to be able to comment on the application. I would welcome further information on the following matters:

- The dish washing facilities that will be provided to yurts, shepherds huts and camping areas.
- Capacities, please provide the maximum number of camping customers, yurt customers and shepherds hut customers. It is not clear if the shepherds huts will be used for accommodation.
- How the numbers of showers and toilets that will be provided have been determined?
- Any control measures that will be implemented to reduce potential noise arising from the site.
- Will there be any catering provision at the site?

Environmental Health - Amended information comments:

I have reviewed the additional information submitted in relation to the proposed plans for the above site and I do not wish to raise any objections to the proposals.

Traffic Services Unit

A site visit has been undertaken by a Traffic Services Officer and the following observations have been made as a result.

The property currently has two access points and it is proposed that each will serve differing areas of each phase of the project. For the purposes of this consultation, each access has been assessed on its own merits.

Access 1 – currently serving the main dwelling/courtyard area

In the direction of oncoming traffic, the sightline was observed as being 6 metres, with the adjacent high (approx 3 metres) granite roadside wall obscuring visibility in that direction. There would appear to be no practical method by which this sightline could be improved; as a consequence, road safety concerns exist in this regard.

In partial mitigation, the presence of a gravel area between the road edge and the access, would allow a driver to pull forward onto this gravel at a slight angle to the road and gain an improved sightline of approximately 18 metres. In view of this factor, the road safety concerns expressed above would not be considered to be of great significance in this instance.

When observing traffic approaching from the south – direction of La Moye Road, the sightline was measured as 20 metres.

The access width of 2.75 metres, provides single file access to an open 'courtyard' area, the roadside wall on the northern side of the access is angled and provides adequate access for cars/light vehicles from the north. The angle at which the access adjoins the public highway benefits access/egress to the south – direction of La Moye Road but does make the access/egress to the north slightly awkward, particularly for larger vehicles wishing to access the courtyard.

Whilst the access is on the cusp of the recommended minimum distance from a public road junction, the good forward visibility in this direction would result in no significant concerns being raised.

The parking provision within the courtyard area is not formally laid out, but would easily accommodate 8 vehicles whilst still providing adequate space for vehicles to turn on site so as to exit forward facing.

Summary – access #1

The sightline of oncoming traffic falls well below the minimum standard distance with no practical method by which this could be improved, however a driver could pull forward at an angle onto the gravel area between the access and the roadway, and gain a much improved sightline in that direction.

Whilst the access is at an angle to the public highway resulting in slightly awkward access/egress in a northerly direction, this aspect is not considered to be particularly significant as the TSU considers that the majority of vehicular movements to/from the site,

would be from the direction of La Moye Road and thus would be able to access the dwelling courtyard more easily.

Parking provision is commensurate with a dwelling of this size and the vehicles would be able to turn on site so as to exit forward facing.

The proximity of the access to the nearby public road junction with La Moye Road, would not raise significant road safety or traffic management concerns.

Access 2 – currently serving the area to the north of the outbuildings

In the direction of oncoming traffic, the sightline was observed as being 3 metres, with the adjacent high (approx 2.4 metres) granite roadside wall obscuring visibility in that direction. There would appear to be no practical method by which this sightline could be improved; as a consequence, road safety concerns exist in this regard.

When observing traffic approaching from the south – direction of La Moye Road, the sightline was measured as 8 metres, with the adjacent 2.6 metre high granite pillar/wall obscuring visibility in that direction. There would appear to be no practical method by which this sightline could be improved; as a consequence, road safety concerns exist in this regard.

The access width of 3 metres would be satisfactory for cars and light vehicle access; however, the access is at an angle to the public highway – Longree and although there is a small radius on the northern side of the access, entry from the north would be awkward. There is no radius on the southern side of the access, however due to the angle at which the access adjoins the road, access/egress in a southerly direction would be adequate and is the most likely direction that vehicles using the site would enter/exit as it connects directly with La Moye Road.

The area to the north of the outbuildings has no formal parking area in evidence (field/grassed area), it would however offer parking space and an opportunity for vehicles to turn on site so as to exit forward facing.

The access adjoins Longree at a distance of 10 metres from a nearby junction of Longree with Rocque es Cas; however, whilst the section of this latter road serves a number of properties to the west, it is very likely to be lightly trafficked as the road network to the west offers slightly wider road widths and subsequent egress onto La Moye Road via Sept Etoiles. The section of Rocque es Cas that lies to the east of the junction with Longree is signed as having a 6' recommended maximum width and as such would carry minimal traffic.

In view of these observations, there are no particular road safety or traffic management concerns in regard to the proximity of the access with the junction.

Summary – access #2

The sightline of traffic from both directions falls significantly below the minimum distances with no practical method by which they could be improved.

Whilst the access is at an angle to the public highway resulting in an awkward access/egress in a northerly direction, this aspect is not considered to be particularly significant as the TSU

considers that the majority of vehicular movements to/from the site, would be from the direction of La Moye Road and thus would be able to access the area to the north of the outbuildings more easily.

Parking provision would appear to be achievable and the vehicles would be able to turn on site so as to exit forward facing.

The location of the access in respect of the nearby public road junction with Rocques es Cas, would not raise significant road safety or traffic management concerns.

Note regarding junction of Longree with La Moye Road

In considering the shortcomings of the current access points, it has been identified that the most likely direction for vehicles approaching and subsequently leaving the site overall, would be using the junction of Longree with La Moye Road. To this end, the sightlines that are evident at this public road junction were also taken into account.

In the direction of oncoming traffic, the sightline was observed as being 7 metres, with the 1150mm high granite roadside wall that lies to the front of 'La Landelle', obstructing visibility in that direction. There would not appear to be a practical opportunity to improve the sightline in this direction.

In the direction of traffic approaching from the east, the sightline was observed as being 12 metres, with the 1100mm high stone roadside wall and 2 metre high established hedging that lies to the front of La Moye House, obstructing visibility. Whilst a section of this hedging could be removed so as to leave just the roadside wall in the visibility splay, the height of this wall is such that a driver would not easily be able to see over it and thus gain an improved sightline. As a result, there is no apparent opportunity for practical measures to be taken to improve the sightline in this direction.

The junction width of 7.25 metres, in conjunction with the bellmouth radii present, would facilitate adequate access/egress in both directions.

The significantly sub-standard sightlines evident in both directions raise road safety concerns in view of the Traffic Priority Route status of La Moye Road and the numerous (in Guernsey terms) vehicle movements along this road; the TSU is unaware however of any significant accident history at this location which is most likely due to the minimal numbers of vehicles exiting from the dwelling or residences in Rocque es Cas, from this junction.

In summary therefore, whilst the junction currently suffers from significantly sub-standard sightlines in both directions, with no practical measures which can be taken to improve them, the low numbers of movements at this location would not raise particular road safety concerns at this time.

Traffic implications arising from Phase 1 of proposed development

The supplied plans do not indicate any changes to the existing access #1 design or location, therefore the comments made above in regard to this access, remain the same.

In respect of the parking provision and layout, the plans show a level of parking that would not appear to be commensurate with a development of this scale, given that each self-catering unit has provision for 2 double bedrooms which would suggest a potential maximum occupancy of 4. This would suggest that the number of vehicles per unit could potentially be 2.

In respect of the capacity for the Guest House occupants, this would potentially be 3 vehicles.

As a consequence, potentially, parking provision for 11 vehicles could be required in this area to serve the needs of the Guest House and the self-catering units.

There would appear to be space within the courtyard area where additional vehicle parking provision could be accommodated, whilst retaining sufficient space to turn vehicles on site so as to exit forward facing. The Traffic Services Unit would therefore strongly recommend that serious consideration be given to providing additional parking so as to cater for the maximum number of vehicles likely to be on site in connection with both facilities.

Traffic implications arising from Phase 2 of proposed development

The supplied plans do not indicate any changes to the existing access #2 design or location, therefore the comments made above in regard to this access, remain the same.

In respect of the parking provision and layout, the plans show a level of parking that would appear to be commensurate with the aspect of the development relating to the Yurts, however no provision appears to have been made in respect of the Shepherds Huts or the self-pitched camping areas.

The TSU therefore has concerns that ad hoc parking could lead to some road safety concerns within the site, in regard to pedestrian movements conflicting with vehicles parked amongst the tents etc.

As a result, the TSU would strongly recommend that additional parking provision be included to accommodate vehicles associated with the self-pitched camping areas in particular.

Whilst the existing vehicular movements to/from the site do not raise any particular road safety or traffic management concerns, the undoubted increase in vehicular movements associated with the proposed change of use and development do raise some Road Safety concerns in regard to the exit of those vehicles specifically onto La Moye Road.

The TSU does recognise that the overall level of vehicle numbers exiting this junction are unlikely to be significant; however, it would recommend that consideration be given to providing an alternative exit point to the site; one such area that would be worthy of consideration is the north eastern corner of the site that borders the wider section of Rocques Cas, and which would provide an adequate egress towards the east where it adjoins La Moye Road, at a point where superior sightlines are available to drivers exiting the junction.

Given the above observations, the Traffic Services Unit considers that given the likely level of intensification of vehicular movements both to and from the site that the proposals will give rise to, there are some Road Safety grounds on which to oppose the application in its current

form, partly with regard to the sub-standard sightlines that would be observed from either access, but also in regard to the significantly sub-standard sightline observed when exiting at the junction of Longree and La Moye Road.

Some Traffic Management grounds also exist on which to oppose the application, specifically with regard to the shortfall in parking provision that would appear to be apparent, in light of the maximum numbers of vehicles that could potentially be required to be accommodated on site.

The Traffic Services Unit would recommend that consideration is given to providing an alternative point of egress from the site, so as to reduce the numbers of vehicles using the Longree/La Moye Road junction and reduce road safety concerns to an acceptable level.

Should a future application satisfactorily address the areas of concern noted above, the TSU would have no significant Traffic related grounds on which to oppose such an application.

Guernsey Fire and Rescue

The proposed main building if used for the provision for sleeping above the first floor would need to register under the Fire Services (Guernsey) Law, 1989 as amended. The plans currently show existing attic rooms but not bedrooms

If the area provided for tents/yurts has the capacity for more than 100 persons then this would also fall under the Fire Services (Guernsey) Law, 1989 as amended.

Fire Service access would be needed through the top access gate into the tented area. Currently it would need to be made slightly wider to enable this.

All other built areas with life risk can be accessed within 45 metres from the main road and lane running alongside the property.

Summary of Issues:

- Principle of each of the elements of the development
- Loss of the dwellinghouse
- The impact arising from the proposed change of use of the dwelling and the conversion of the outbuilding in relation to the protected buildings
- Impact on the character of the area including the design and local distinctiveness
- The impact on the Area of High Landscape Quality and agricultural land
- Car parking/infrastructure
- Impact on the residential amenity of the surrounding occupiers

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 each of the elements of the development

The application proposal comprises of:

- The change of use of the main house to guest accommodation and a manager's unit,
- Conversion of outbuilding to 4 self-catering units including a laundry and shower block,
- The creation of a seasonal camping area for people erecting their own tents, the erection of two yurts and two shepherds huts,
- The erection of a storage shed,
- Soft and hard landscaping including the formalisation of parking areas.

The change of use of the main house to guest accommodation and a manager's unit and conversion of outbuilding to 4 self-catering units

Policy RE11 – Visitor Accommodation Development states: *"Proposals for extensions, alterations, re-building or other works to an existing visitor accommodation establishment will generally be permitted where:*

- a) they are ancillary to its operation; and,*
- b) they, and any associated development such as car parking and other works, do not conflict with the objective of conserving and enhancing the character and openness of the rural area.*

Proposals for the creation of new visitor accommodation establishments will not be permitted unless they satisfy the provisions of Policy RCE14."

The application seeks to change the use of the main two and a half storey dwelling to guest accommodation providing 3 guest bedrooms. In addition the application proposes the conversion of the outbuilding to provide 4 self-catering units, 3 two bed and 1 one bed. The site is currently recognised as use class 1 used as a single dwelling and as such the proposal seeks to create new visitor accommodation. In accordance with Policy RE11 such development will only be permitted where the provisions of RCE14 are satisfied.

Policy RCE14 states: *"Proposals to convert or re-use buildings will only be permitted where:*

- a) it has been clearly demonstrated to the satisfaction of the Department that the building is no longer useful, or capable of being used for its current or last known viable purpose or that more appropriate buildings are available to accommodate such use;*
- b) the building is of sound and substantial construction and is capable of conversion without extensive alteration, rebuilding or extension;*
- c) in Areas of High Landscape Quality, the building is of architectural or historic interest or makes a positive contribution to the character of the rural environment;*
- d) the conversion can be implemented without adversely affecting the character or appearance of the building; and,*
- e) the provision of curtilage, road access, driveways and parking, ancillary buildings and boundaries would not adversely affect the character of the building or its setting."*

The main building is a large detached property with a 'wing'. Whilst the proposals seek to use part of the building for guest accommodation the integral wing of the building will be retained as permanent residential accommodation, in the form of a manager's unit.

The outbuilding is not currently in use but forms part of the domestic land parcel. It appears to have originally been a collection of barns used in connection with the house and is constructed in traditional random rubble masonry. The 'L' shaped building is single storey with first floor attic storage. A structural survey of the outbuilding has been submitted with the application. The Structural Survey notes that the layout and construction varies between each part and although being in a relatively poor state of repair much of the roof timber forming the 'A' frame and purlins is in good condition and can be retained. The report notes the undersized wall plate bearings which have resulted in some distortion to the supporting walls and roof spread requiring the replacement of the attic floors. The ground floors are uneven and will also need to be replaced.

Externally the report notes that concrete lintels previously installed will need to be replaced and although some cracks and open joints are evident on the granite masonry and dividing walls this is expected given the age and type of construction and the condition of the wall plates. However in respect to the north side wall elevation to the northern wing, a section of wall forming part of the proposed unit 4 raises concerns given the bowing of this section which leans outwards by at least 200mm. This section of wall is considered unstable with the damage being irreparable and would need to be demolished and rebuilt.

Overall however, and notwithstanding the section of wall that requires rebuilding, the report concludes that the renovation proposals for the outbuilding would not impair the structural integrity of the granite barns.

The outbuilding and house are considered to make a positive contribution to the area of High landscape Quality in which they are located. The buildings themselves are considered to be of high significance and as such, along with the roadside walls have been afforded protected building status. The impact of the development on the setting of these buildings will be discussed later; however for the purposes of Policy RCE14 it is considered that criterion c) is satisfied.

The provision of car parking and ancillary facilities will also be considered in more detail later in this report, but given the overall size of the site, the provision of existing hard standing areas and position of boundaries it is considered that adequate provision for ancillary requirements can be easily accommodated on site without detrimentally affecting the character and appearance of the area.

The proposal complies in principle with the requirements of Policies RE11 and RCE14.

Creation of seasonal camping area, erection of yurts and Shepherds huts

The application is for the creation of a new camping area for the self-pitching of 2 tents (visitors to provide their own) and incorporating fixed structures in the form of 2 yurts and 2 shepherds huts, providing accommodation for a maximum of 12 people. The erection of the yurts and use of camping spaces will be on a seasonal basis and this can be controlled by condition. The application also seeks permission for a storage hut associated with the use of this area for outdoor recreation. Toilet and washing facilities in connection with the outdoor recreation use are proposed within the north east section of the outbuilding.

The Rural Area Plan specifically confirms (preamble to the Tourism Section and policies RE11 and RE12) that camp sites are regarded as being outdoor recreational facilities and will, accordingly, be considered under the provisions of Policy RS4. Furthermore, the Plan confirms that buildings and structures that are ancillary to a principal leisure use that is mainly outdoor in nature will also be assessed under Policy RS4. The proposal therefore falls to be considered principally against policies RCE3, RS4 and RCE1 of the Rural Area Plan.

Policy RS4 – Outdoor Recreational Facilities states: *“a) Proposals for extensions, alterations, re-building and other works to existing facilities associated with outdoor recreational facilities will generally be permitted where they are ancillary and incidental to the proper running of the recreational activity.*

b) Proposals for new outdoor recreational facilities or for the expansion of sports pitches, motor sports circuits, camp sites and other areas of formal outdoor recreational provision will only be permitted where:

- i) it would not result in the unacceptable irreversible loss of good agricultural land or have an adverse effect on the viability of an agricultural holding;*
- ii) the development would not have a significant or adverse effect on the visual quality or landscape character of the area;*
- iii) they meet an acknowledged demand and cannot practicably be located within the urban area owing to particular operational or locational requirements; and,*
- iv) adequate provision is made for the protection of the rural character of the site and its surroundings and measures taken for the general environmental enhancement of the locality.”*

The application falls to be considered under section b) of this policy. Outdoor recreation will only be permitted where criteria i)-iv) are all met.

The land rises to the north and north east of the site falling again to the south east towards La Moye Road. The area is currently grass with self-seeded shrubs and trees.

In relation to criterion i), and having regard also to Policy RCE1, the Agricultural Adviser of the Commerce and Employment Department raises no objection to the use of the agricultural land for outdoor recreational purposes as the land would remain suitable for agricultural purposes, retaining the access to the rear thus allowing the area to be used independently of the house and outbuilding.

With regard to criterion ii) of Policy RS4(b) it is not considered that the use of the area for tents, yurts or Shepherds huts, given the contours of the land and the location of these structures, would have a significant adverse effect on the visual quality or landscape character of the area. The land rises sharply to the north of the site adjacent to the roadside boundary which acts as a retaining wall. Although the site is significantly higher than the road level at this point the remaining site falls away towards the south and west to road level, the significant changes in ground levels over the site result in undulations over the whole of the site. The characteristics of the site have been carefully utilised in the siting of the proposed tents, yurts and shepherd’s huts which would be positioned in the lower levels of the site away from the roadside boundaries. The effect on visual amenity has therefore been

carefully considered when proposing the siting of these structures. The impacts of the development on the Area of High Landscape Quality will be considered later in this report.

Regarding criterion iii), whilst no case has been put forward by the agents in respect to a strong demand for such tourism, the Commerce and Employment Department has confirmed from a tourism perspective that given the site is of a unique Guernsey character and the application includes the provision of “informal” camping, this along with the proposed uses of the house and outbuilding for visitor accommodation will provide a valuable addition to the tourism sector in an area of great visitor interest.

In relation to criterion iv) of Policy RS4(b), hedge and tree planting is proposed and the existing landscaping has been taken into account within the development of the scheme. The siting of the tents, yurts and storage shed has also been considered to protect the rural character of the site.

Loss of the dwellinghouse

The proposed works to the main house would result in the creation of 3 guest bedrooms and manager’s accommodation. The property is currently recognised as Residential Use Class 1 as a permanent residence for one household.

Policy RH4 – Protecting housing stock states: *“The loss of existing housing or of a building designed for residential use, but presently vacant, will only be permitted where:*

a) the accommodation is substandard by virtue of its size, location or means of access and there is no reasonable prospect of upgrading the accommodation to provide satisfactory living conditions;

OR

b) the site or building is needed to meet an essential social or community requirement;

OR

c) the resultant open site would lead to the creation of an important open space or view into such a space.”

Although the policy clearly highlights that the loss of residential accommodation will only be permitted in certain instances, the pre-amble to this policy refers to redevelopment or refurbishment schemes that affect existing housing, requiring any such scheme to incorporate and maintain the number of existing units.

The retention of the integral wing for manager’s accommodation, albeit on a smaller scale than the existing dwelling, would meet this requirement, retaining one unit of residential accommodation on the site.

The impact arising from the proposed change of use of the dwelling and the conversion of the outbuilding in relation to the protected buildings

The application for the change of use of the main house and the conversion of the outbuilding to form self-catering units, will in its broadest sense help to sustain the special interest of the building by bringing them into use, preventing any further deterioration in

their condition. However, when assessing the detail of the application some of the works proposed could potentially impact on the special interest of the buildings.

Policy RCE11 states: *"Buildings of special interest and their settings will be protected from development that would detract from their special qualities. Development will only be permitted where:*

- a) it respects the building and its setting in terms of siting, scale, massing, form, proportions, detailing and materials; and,*
- b) it would not result in the loss of any significant element of the building or its setting or of any ancillary features that contribute to its character or appearance."*

Works to the main building involve internal alterations with no external alterations proposed. Some of these works, the upgrading of the existing doors to achieve fire resistance, the demolition of internal walls at first floor level and the addition of a partition between the dining room and living room at ground floor level raise some concerns regarding the impact on the original plan form of the building and the loss of and impact on historic fabric. When assessed in light of Policy RCE11, however, these impacts are not considered to be so significant to the protected building to prevent the development. Planning conditions can be used to ensure that specific details of the proposed works are submitted to ensure that there would be no significant impact on the protected building.

The renovation of the outbuilding includes both internal and external works and whilst the proposals to the outbuilding are extensive with some elements potentially impacting on the special interest, it is again the degree of this impact which needs to be assessed. Externally works proposed include the refurbishment of windows and the insertion of new windows and doors including new roof lights and the reuse of the existing slates. Internally the application proposes the creation of a new stairwell, kitchens and bathrooms, new floors and ventilation and heating. Although these works would result in the removal of or alteration to the historic fabric potentially impacting on the character and appearance of the protected building, the works, particularly the internal works, are required to bring the building back into use and are an inevitable consequence of converting the building to the proposed use. The impact of these works can be mitigated through the use of planning conditions to restrict their impact on the special interest of the building.

Overall therefore, whilst the works proposed to the existing buildings would have some impacts, these impacts would be marginal when balanced against preventing any further deterioration of the buildings and securing a beneficial use. The development as proposed will therefore help sustain the special interest of the buildings.

In addition to the impact on the special interest of the buildings, the impact on the setting of these buildings needs also to be considered. The courtyard sited between the outbuilding and the house is an important part of the character and setting of the protected building and changes to this area through the provision of parking and limited paving have potential to impact on this special interest. However it is the degree of this harm weighed against the benefits prevailing from the proposed uses that need to be assessed, and in this instance it is considered that given the buildings will be brought back into use and the proposed design helps mitigate any significant impacts, works within the courtyard are acceptable.

Impact on the character of the area including the design and local distinctiveness

Policy RCE12 - Design and Local Distinctiveness states: *"Proposals for development will only be permitted where they:*

- a) achieve a good standard of design;*
- b) respect the scale and massing of other buildings in the vicinity;*
- c) avoid the introduction of obtrusive or discordant elements; and,*
- d) retain and respect features that contribute to local distinctiveness and the quality of the built heritage."*

The application focuses primarily on the change of use and conversion of the existing built forms with minimal alterations to the external appearance of the existing buildings. The external works that are proposed to the outbuilding include new windows and doors and refurbishment of existing fenestration and re-roofing, all of which are considered acceptable in principle, subject to specific details which can be required by planning condition to ensure a good standard of design. No extensions or substantial alterations are proposed and as such the scale and massing of the buildings will remain unchanged. The protected status of the buildings and the need to ensure that the requirements of Policy RCE11 are met ensures that the development will retain and respect the features that contribute to local distinctiveness and the built heritage by avoiding obtrusive or discordant elements.

The impact on the Area of High Landscape Quality and agricultural land

The application site forms part of an Area of High Landscape Quality.

Policy RCE3 – Areas of High Landscape Quality states: *"In Areas of High Landscape Quality, development will only be permitted where:*

- a) the development would not have a significant adverse effect on the visual quality or landscape character of the area; and,*
- b) in the case of proposals to rebuild, extend or alter existing structures the development would respect the size, form, bulk and siting of the original structure.*

Permission will not be granted for the replacement of buildings or other structures that are derelict or structurally unsound and, in cases involving dwellings, currently not habitable."

In addition Policy RCE2 – Landscape Character is also relevant in this instance, this policy states: *"The Department will require proposals for development to:*

- a) take account of the relevant landscape character type in which it is set;*
- b) take account of any specific features that contribute to the landscape character; and,*
- c) take advantage, where practicable, of opportunities to create or improve features of landscape interest."*

The landscape character in which the property is located is a "Hougue" landscape type of which the historic buildings, quarry and small stone-walled fields are characteristic; a few remaining large native/naturalised trees further contribute to the landscape character.

As part of the application a proposed planting scheme has been submitted which includes screen hedges of Holly, Hawthorn and Blackthorn within the field to the north to define the proposed camping areas and screen the proposed shed, approximately 15 English Oaks

between the new parking spaces and the roadside wall, the planting of lavender, a feature olive tree and the planting of Griselinia hedging within the yard and garden area.

Although the application has been submitted with a planting scheme this only in part offers support for the underlying landscape character with some elements of the scheme being incompatible with the historic setting of the protected building.

Furthermore, given the proposed use of the property for visitor accommodation/camping, a comprehensive landscaping scheme that includes significant tree planting that fully complements and enhances the existing landscape features of the property, as well as the underlying landscape character of the locality would be required. A condition requiring the submission of these details prior to the carrying out of any works on the site would be sufficient to overcome these concerns and would secure a landscaping scheme which relates to the landscape character type and takes account of existing features that contribute to the landscape character as required under Policy RCE2 – Landscape Character.

On this basis and subject to a planning condition the application in principle is considered acceptable within its setting.

Car parking/infrastructure

The views of the Traffic Services Unit have been sought in respect to this application and whilst no significant objections are raised in respect to the use of the two existing accesses, some concern has been raised with regards to the level of proposed parking within the site and the potential intensification of use of the junction with La Moye Road.

Annexe 7 – Parking Standards of the Rural Area Plan sets out parking standards for different developments, but iterates that these are not inflexible and variations can be made depending on the individual characteristics of the site and the end user.

The Annexe further notes that where conflict exists between the parking standards and the primary objective of the Plan to conserve and enhance, the Plan objectives will take precedence.

The application proposes two areas of parking, one within the courtyard and the other within the field area to the rear. The courtyard is currently being used as a parking area but the parking layout is not formalised. The parking within the field will be newly created providing parking in connection with the yurts.

The application which proposes 3 guest rooms within the main house, 4 self-catering units (outbuilding), 2 Shepherds huts, 2 yurts and up to 2 tents would, under Annexe 7 of the Rural Area Plan, fall to be considered under other forms of development, not having a specific development type, with parking requirements assessed on merit. As such, the level of parking needed for this type of application is undefined within the Rural Area Plan.

However, notwithstanding this, parking provision for developments such as hotels, hostels or other residential developments can be referred to for guidance purposes, particularly in respect of the guest rooms and self-catering accommodation. The requirements for hotels

are 1 space per bedroom and for hostels and other residential establishments 1 space per 3 occupants. Assessed against the current application this would require 11 or 6 spaces respectively.

The proposal indicates 8 car parking spaces within the courtyard area meeting the requirements for hostels and other residential establishments and although falling short of the standards for hotels, given the nature and scale of the development for tourist accommodation, it is considered that the proposed creation of 8 car parking spaces for the self-catering units and guest rooms is reasonable.

In respect to the provision of parking for the outdoor recreation element 4 car parking spaces are indicated. Again parking requirements are assessed on merit and it is considered, given the type of development and the location of the site, close to a main road and on a bus route that this level is likely to be sufficient.

Focusing on the concerns of the Traffic Services Unit that the proposed change of use raises some road safety concerns in respect to the increased use of the junction onto La Moye Road, it is considered that the overall number of additional vehicles exiting onto this junction is unlikely to be significant.

The nature and scale of the proposal, the accessibility of the site to a number of facilities and the proximity to a frequent bus service are all factors in support of this application.

Whilst the intensification of use along with the number of parking spaces proposed may have some impact on road safety and traffic management, which could be mitigated through the creation of an additional access and increasing the car parking as suggested by the Traffic Services Unit, on balance it is considered that this impact is likely to be limited and would not be so significant to warrant amendment or refusal of the application on traffic grounds.

Impact on the residential amenity of the surrounding occupiers

A number of objections have been received in respect to the application concerning specifically the potential for increased noise nuisance arising from the proposed outdoor recreational facilities (tents, yurts, shepherds huts).

Policy RGEN11 – Effect on Adjoining Properties states: *“In considering proposals for development the Department will take into account any significant impact on the reasonable enjoyment of adjoining properties, particularly in relation to overshadowing, overlooking, emissions, noise and disturbance.”*

Environmental Health was consulted during the course of the application and as a result of their initial response further information on a number of issues as well as noise control was requested. The agent responded to this request and in specific reference to noise control measures noted that *“the campsite is going to be relatively small and marketed towards adults that will appreciate and respect the tranquil nature of the area. Therefore, it is not expected that noise will be an issue on the site, although this will be monitored once in operation and managed by the client, if necessary”*. Environmental Health was re-consulted and no objections to the application were raised.

It is noted that a number of residential properties surround the site and although the application does not raise significant concerns given its modest scale and seasonal use, in respect to neighbour amenity, it is considered that the use of the site for outdoor recreation should be permitted on a temporary basis for three seasons. In addition, a condition specifying the time period that the area can be used each year is recommended.

The application of these conditions will limit the use of the site to the visitor season each year and allow the operation of the use to be monitored.

Subject to these limitations, it is not considered likely that the proposed use would have a detrimental impact on neighbour amenity.

Conclusion

The application seeks permission for the change of use of the main dwelling to a guest house, conversion of the outbuilding to 4 self-catering units to include laundry and showers, creation of seasonal camping, yurts and shepherds huts, to carry out hard and soft landscaping and erect a storage shed.

The proposed Guest House and self-catering accommodation within the existing buildings comprises 3 guest bedrooms and 4 units of self-catering accommodation (3 two bed and 1 one bed), amounting to some 16 bed spaces in total. A manager's unit of accommodation is also proposed. The outdoor camping area for the self-pitching of 2 tents, 2 yurts and 2 shepherds huts, would provide accommodation for a maximum of 12 people.

The site is within an Area of High Landscape Quality and the buildings along with the roadside walls are protected.

The application comprises of several elements and each has been assessed in relation to the principle of the use and the likely impacts of such use coupled with any alterations to the existing built forms or changes to the physical environment.

The proposal has attracted a number of objections and does raise a number of issues in respect of the proposed works to the protected building, traffic management and neighbour amenity. These issues are considered in detail within this report. Additionally the benefits arising from the development of the site including the contribution that it would make to the visitor economy of the Island have also been considered.

The application has been fully assessed in light of these considerations and the overall benefits arising from the development. Due consideration has been given to the relevant Rural Area Plan Policies, purposes of the Law and the relevant material planning considerations, and for the reasons given above and subject to a number of conditions, the proposal is considered acceptable.

The application is therefore recommended for approval.

Date: 2nd February 2016