

## **DEVELOPMENT & PLANNING AUTHORITY**

### **OPEN PLANNING MEETING - CONVENING NOTICE**

An Open Planning Meeting will be held at Beau Sejour Centre, Cambridge/Delancey Rooms, on **Friday 16 November 2018** convening at 09:15am for a 09:30am start.

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

#### **Agenda Item 1 :-**

<b>APPLICATION NUMBER:</b>	<b>FULL/2018/0195</b>
<b>APPLICATION ADDRESS:</b>	Stratheden Vinery, Rue Du Douit, Vale.
<b>DESCRIPTION OF WORK:</b>	Demolish existing glasshouse and erect four workshop/store units and one water closet, and change of use of land from Agricultural Use Class 28 to a Mixed Use comprising Landscape Gardening and Vehicle Mechanic's businesses.
<b>NAME OF APPLICANT:</b>	Mr R Allen

#### **Agenda Item 2 :-**

<b>APPLICATION NUMBER:</b>	<b>FULL/2018/1761</b>
<b>APPLICATION ADDRESS:</b>	Bella Alba, Les Quatre Vents, St. Martin.
<b>DESCRIPTION OF WORK:</b>	Alterations to fenestration and install rooflights, apply external insulated render, remove garage door, block up opening and install window, remove wall at front of dwelling to extend driveway and parking area, re-render boundary wall, remove shed, wall and steps at rear and erect retaining walls and steps.
<b>NAME OF APPLICANT:</b>	Mr & Mrs A J Rowles

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

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

- a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and
- b) who have notified the Planning Service in writing (by letter or by e-mail addressed to Planning@gov.gg) of their intention to speak which is received by the Planning Service by 12:00 Noon two working days prior to the date of the Open Planning Meeting (i.e. by 12:00 Noon on Wednesday for an OPM held on a Friday).



**Application No:** FULL/2018/0195  
**Property Ref:** C02186A000  
**Valid date:** 01/05/2018  
**Location:** Stratheden Vinery Rue Du Douit Vale Guernsey  
**Proposal:** Demolish existing glasshouse and erect four workshop/store units and one water closet, and change of use of land from Agricultural Use Class 28 to a Mixed Use comprising Landscape Gardening and Vehicle Mechanic's businesses.  
**Applicant:** Mr R Allen

**RECOMMENDATION - Grant: Planning Permission with Conditions:**

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1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

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

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

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The mixed use hereby permitted shall only be carried out in accordance with the Description of Existing Uses attached to the letter received from PF+A dated 19 April 2018.

Reason - To define the terms of this permission in the interests of highways safety and neighbouring amenity.

5. No industrial activity of any kind, except loading and unloading of vehicles and log splitting, shall take place outside the proposed buildings, unless previously approved in writing by the Authority.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

6. No use of the premises shall be carried out other than between 0800 hours and 1700 hours on Mondays to Fridays, and 0800 hours and 1300 hours on Saturdays, and there shall be no working on Sundays or Public Holidays.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

7. With the exception of any log splitting equipment, industrial plant and machinery shall only be operated inside the buildings hereby approved while all doors and windows remain closed.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

8. There shall be no parking or storage of vehicles on the site other than in the designated parking spaces, which shall be allocated to the respective businesses as shown on approved Dwg. No. 6873-02 B1/B.

Reason - in the interests of the amenity of the locality.

9. The landscaping scheme shall be fully completed, in accordance with the details shown on approved Dwg. No. 6873-02 B1/B, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

10. Before the development hereby permitted is first brought into use, the applicant shall submit to and have approved in writing by the Authority details of any bins or areas of the site to be used for the storage of logs, wood chippings, or any other materials associated with the landscape gardening business. Such materials shall only be stored in accordance with the details so approved.

Reason - In the interests of good design.

11. Before the commencement of the development hereby permitted, the applicant shall submit to and have approved in writing by the Authority details of a surface water drainage interceptor system to the parking spaces allocated to the vehicle mechanics business. All surface water shall be dealt with within the site and the surface water drainage interceptor system shall be completed before the development is first brought into use.

Reason - To prevent pollution.

12. All chemicals, oils or potentially polluting substances, including pesticides, must be stored in a manner approved by Guernsey Water and the Health and Safety Executive.

Reason - To prevent pollution.

13. Any area which is used for mixing or dispensing chemicals (including pesticides) must be bunded in such a manner so as to prevent any spillages from entering any surface water drainage system or percolating into the ground water. No surface water drainage systems may be installed where chemicals are stored, dispensed or mixed.

Reason - To prevent pollution.

14. No disposal of any chemicals, or potentially polluting substances, including pesticides, shall occur via the foul drainage system.

Reason - To prevent pollution.

15. Any temporary oil storage including mobile tanks must have secondary containment.

Reason - To prevent pollution.

16. Oil spill kits must be available on site at all times.

Reason - To prevent pollution.

17. The bunding of any oil kept on the site must accommodate liquid volume, which is 110% of the capacity of the largest barrel stored or 25% of the aggregate of the volume of all barrels stored, whichever is the largest figure. The barrels should be permanently stored in a covered environment with appropriate lids applied to prevent rainwater ingress.

Reason - To prevent pollution.

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## OFFICER'S REPORT

### **Site Description:**

The application site comprises an irregularly shaped parcel of land of c.0.19 Hectares in area on the south side of Route du Douit (a single track lane with a width of c.2.4m (7 feet) at its narrowest point and that is designated as a Ruelle Tranquille), and occupied by a single span of glass extending to some 58m in length and covering an area of c.480 sq m. Visually the glasshouse appears to be in a relatively poor state of repair, although an area at the eastern end is being used as a workshop/tool store and there is evidence of very small scale growing and log splitting adjacent to the door in the western end.

The site benefits from vehicular rights of way to and from Route du Douit at both the east and west ends, although access into the larger part of the site at the east end is a grassed ramp leading down from a higher level and appears to be utilised on an infrequent basis only. The roadside (north) boundary is defined by a bank with substantial mature hedging above, whilst the south boundary is formed by a steep slope which rises to an area of higher land and redundant vinery beyond.

The site is located Outside of the Centres and opposite an Agriculture Priority Area (APA) on the north side of Route du Douit, but is the subject of no other designation under the Island Development Plan (IDP). Residential properties stand adjacent and close to the site to the east and west, whilst a derelict vinery adjoins the site to the south.

### **Relevant History:**

PREA/2017/2137 - Demolish glasshouses and erect four light industrial units  
Advice offered 06/10/2017

FULL/2017/1316 - Demolish glasshouse and erect four light industrial units with associated parking and landscaping.  
Withdrawn 11/07/2017

The Authority has investigated 2 complaints against unauthorised development/use on the site in the last 10 years. The most recent related to the siting of a storage container in 2010, which was subsequently removed. The earlier complaint related to use of the glasshouse for car repairs. An investigation in February 2009 found no evidence of this, whilst the owner subsequently confirmed in writing that the glasshouse was not being used for car servicing or repairs. Land surrounding the glasshouse has however been used for activities relating to vehicle repair over a long period.

Use of the site as the base for a landscape gardening business began on an ancillary and incidental basis in connection with its past use as a commercial vinery. The Authority received no complaints and was not otherwise aware when commercial use of the vinery dwindled and the landscape gardening business developed a more independent character, and this use has now persisted for sufficient time that it is immune from enforcement action.

### **Existing Use(s):**

Agricultural Use Class 28 – Use of land for agriculture or forestry (including afforestation), including, for the avoidance of doubt, use for any of those purposes of any building occupied together with land so used.

Section 45(A) of The Land Planning and Development (Guernsey) Law 2005, provides that land which is or was covered by a glasshouse, and which is used, or, with the application of good husbandry, is capable of being used for dairy farming, production, rearing or maintenance of livestock, or market gardening or the outdoor cultivation of flowers, bulbs or nursery stock, shall be treated as land used for agriculture.

**Brief Description of Development:**

This application seeks to regularise the longstanding unauthorised use of the site by landscape gardening and vehicle mechanic businesses, together with clearance of the existing glasshouse and the construction of 4no. 4.8 x 7.8m (37 sq m/398 sq ft) timber clad workshop/stores and a single block-built and rendered communal W/C. The resultant use of the site would not fall squarely within any of the recognised use classes, and would therefore be treated as being a 'sui generis' mixed use.

A workshop and store would be allocated to both the landscape gardening and vehicle mechanic businesses, accessed from the west end of the site over a hardstanding area providing for both vehicle manoeuvring and parking. Part of the site would also be given over to external log and woodchip storage connected to the landscape gardening business.

It is stated that the vehicle mechanic business has operated on the site for c.25 years, and is run by a father and son who also provide a mobile repair service in addition to working on vehicles brought to the site. Information submitted as part of this application indicates that light vehicles only are serviced on the site, there being no hydraulic ramps or pits in use that would enable larger vehicles or trucks to be worked on. No spray painting or panel beating work takes place on the site, and work is predominantly carried out using hand tools. A compressor is used infrequently and for brief periods only. Aerial photographs and observations made during site visits indicate that c.15-30 cars and light vans are commonly present on the site in connection with this business. These appear to include vehicles awaiting repair, those being worked on, those on which work has been completed, and donor vehicles being utilised for parts.

The landscape gardening business has operated from the site since 2007, one of a succession of such businesses understood to have been in operation since the 1980's. This business employs up to 8 staff, and provides an all-round gardening service with only a small amount of tree work carried out. It is indicated that a log splitter is currently used on the site on an average of 1 day per month during the winter, producing the equivalent of 10-15 one-ton bags of split logs per year. 6 light vans/flatbed or dropside trucks are utilised in connection with this business.

This application was publicised with the following description of development:

Demolish existing glasshouse and erect four light / general industrial units and one water closet, and change of use of land from Agricultural Use Class 28 to a Mixed Use comprising Industrial Use Class 24 (Light Industry) and Industrial Use Class 25 (General Industry).

However, in light of representations which have been received the description of development has since been amended to remove reference to light and general industrial use classes 24 and 25 in order to more accurately reflect the specific mixed use that is proposed.

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

**Island Development Plan**

S1 – Spatial Policy

S4 – Outside of the Centres

OC3 - Offices, Industry and Storage and Distribution Outside of the Centres

OC7 - Redundant Glasshouse Sites Outside of the Centres

GP1 – Landscape Character and Open Land

GP8 – Design

GP9 – Sustainable Development

GP17 – Public Safety and Hazardous Development

IP7 – Private and Communal Car Parking

IP9 – Highway Safety, Accessibility and Capacity

**Representations:**

56 letters/emails of objection received from and on behalf of the occupants of 38 properties, issues raised summarised as follows:

- The proposed mechanics workshop building is too small and without a ramp or pit would not be viable for use by such a business, meaning that vehicles would be worked on in the open as at present.
- The proposed buildings do not appear to be of appropriate construction, being susceptible to fire, and would not meet the requirements for liability insurance required for such an operation.
- The proposed buildings do not appear to have any sound insulation and any air powered tools would generate noise levels that would have a serious impact on the environment and amenity of neighbouring properties, in addition to impacts arising from smoke, fumes, dust etc.
- The glasshouse on the site has been deliberately made redundant, the previous tenant having confirmed that he would have liked to continue his growing production for the foreseeable future.
- The existing glasshouse structure has a very robust frame and would not take a great deal of effort to replace broken panels of glass.
- The proposal constitutes wholesale development of the site.
- It is questionable why a landscape gardening business requires a workshop, which would be another source of noise disturbance to nearby residents.
- The proposed buildings would be positioned too close to neighbouring properties this being a tranquil area, and would cause noise nuisance.

- The site access is immediately adjacent to a neighbouring residential boundary and approximately 2m away from an outside seating area, which is evidently unacceptable.
- The existing right of way is insufficient in legal terms to enable the right to continue in the event of change of use and/or subdivision.
- The number of vehicles visiting and being kept on the site is likely to be more than stated in the application.
- The site is within a water catchment area so any spillages/contamination would be of detriment to the environment.
- The narrow road serving the site (designated as a Neighbourhood Road and Ruelle Tranquille) is used by dog walkers, children and adults walking, children and adults cycling, parents with buggies and horse riders, and is not designed for this capacity traffic movement.
- Route du Douit is a recognised tourist walking route and is identified within the walking guide map provided by the Tourism Office.
- Previous planning applications for industrial use elsewhere in the vicinity have previously been refused on road safety and neighbour amenity grounds.
- To approve this application would run counter to the Integrated Transport Strategy.
- The site touches an Agriculture Priority Area and forms part of the rural character and openness of the Ruelle Tranquille.
- The application does not meet the purposes of the Law in that it does not protect the natural beauty and amenity of Guernsey's open space and countryside, does not make a positive contribution to the built environment, and does not sustain or achieve a safe and healthy living and working environment.
- The extent and scope of the proposed industrial use is not clear, and it would be easy for the landowner to have four tenants rather than two and explore different industrial uses under the broad terms of Use Class 24 and Use Class 25.
- The application is not supported by a Traffic Impact Assessment.
- The application does not comply with the various provisions of policies OC3 and OC7.
- There are many other glasshouse sites in less sensitive areas and with better access.
- This site scores poorly if assessed using the criteria which informed the Small Scale Business – Outside of Centres Report, July 2015.
- The site could be cleared and returned to agricultural use.
- There is potential for other derelict vineries in the area to attempt to follow suit and apply for similar changes, which would be a catastrophe if it was allowed to happen.

In addition, a 591 signature online petition objecting to the proposal has been submitted (figure as of 05-11-2018). The issues raised in that petition reflect those summarised above. A related petition requesting that this application be determined at an Open Planning Meeting has attracted 111 signatures.

1 letter of objection from Living Streets Guernsey LBG, which expresses the belief “that any change of use, to whatever category, would be detrimental to the lives of residents in

that lane and the best result would be restoration of the site to productive agricultural land.”

1 letter of objection from Guernsey Bicycle Group, the summary of their objection stating that “GBG opposes the industrial and commercial development at Stratheden Vinery, Rue Du Douit as we feel the development will increase not only heavy traffic volumes on the Ruettes Tranquille but also increase traffic volumes during peak riding times, which will prevent people from using the Ruettes as an alternative cycle route to main road. Our Ruettes Tranquille should be protected and kept as low traffic volume, low speed routes for the use of pedestrians, cycles and horse riders.”

11 letters/emails of objection received from 6 States Deputies, issues raised summarised as follows:

- In favour of disused vinery sites being used for other purposes, including industrial, but such sites need to be suitably located, for example, with good access via fitting roads and at a distance from residential properties.
- The glasshouse was used for growing until very recently, with the grower only being evicted this year.
- Route du Douit is part of the Ruelle Tranquilles network and is recognised as a neighbourhood road.
- The lane narrows to 7 feet with only private driveways providing passing points.
- Increased traffic, especially of a larger and heavier type, would neither be suitable or safe.
- Access would be restricted and potentially hazardous due to the very limited nature of the road/lane infrastructure.
- This development would break the existing Ruelle Tranquille network at a strategically important point that links the Cobo Village and Saumarez Park areas with the north of the island.
- There is a very real prospect of neighbouring properties being affected by noise, dust, dirt and visual intrusion.
- Development of this site would be rewarding dereliction contrary to Policy OC7.
- The site is located adjacent to an Agriculture Priority Area, and is capable of contributing to agriculture in the area.
- The ‘Economic Development Strategy’ published by the Committee for Economic Development indicates that horticulture is one of the areas of interest in developing new and innovative businesses and fostering entrepreneurialism.
- Policy NCR06 of the Traffic Engineering Guidelines for Guernsey requires any proposed development to be suitable in terms of volume and type of traffic.
- Policy OC7 cannot be applied universally to every redundant glasshouse site.
- The application does not comply with Policy IP6, which states that developments should support “a range of practicable transport options for reaching the site” including by bicycle or by foot.
- There have been recent traffic accidents involving a pedestrian and cyclist.
- Evidence in support of the application only looked at industrial units available in St Peter Port and St Sampson, and didn’t look elsewhere in the island.
- The site is located outside of the Centres and can find no reference in the IDP stating that Industrial Use Class 25 uses would be acceptable on this site.

- The proposed mechanics workshop does not contain a bench or lifting gear, which demonstrates that the size of the units are not fit for purpose to operate efficiently or practicably.

2 further emails received from 2 other States Deputies, supporting calls for this application to be considered at an Open Planning Meeting.

### **Consultations:**

#### **The Office of Environmental Health and Pollution Regulation (OEHPR)**

I have reviewed the proposed plans for the erection of four light / general industrial units and one water closet. Encompassing change of use of land from Agricultural Use Class 28 to a Mixed Use comprising Industrial Use Class 24 (Light Industry) and Industrial Use Class 25 (General Industry) which were received by email on 1<sup>st</sup> May 2018 and there are a number of issues of concern that I must raise.

I have spoken with the Planning Officer who has confirmed that this application relates to the provision of facilities for the two existing businesses on site. Whilst I am aware that concerns have been raised in relation to noise arising from site activities I understand that the proposals incorporate buildings that will add some containment for such activities. Although the proposals will provide a level of protection from nuisance I would recommend that the following conditions also be attached to the consent:

1. No industrial activity shall take place outside the hours of 0800 and 1700 Mondays to Fridays and 0800 and 1300 on Saturdays. There shall be no working on Sundays or public holidays.
2. No industrial activity of any kind, except loading and unloading, shall take place outside the proposed building within the curtilage of the site without the prior written approval of Planning Services.
3. Industrial plant and machinery shall be operated in the building only while all doors and windows remain closed.

I would be grateful if these issues are considered during the determination of this application.

#### **Traffic and Highway Services (THS)**

I advise that an access should: -

- a) Enable a driver 2.4m from the edge of the carriageway to see a minimum of 20m in both directions when exiting;
- b) Not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;
- c) Have sufficient width to enable cars and light vans to exit and enter the drive without crossing into the path of approaching traffic;

- d) Be sited at a distance not less than 20m from a junction;
- e) Be square to the carriageway.

A site visit has been conducted by the Traffic and Highway Services Officer, and the following observations made:

Rue du Douit, Vale, is defined as a Country Lane within the Traffic Engineering Guidelines. The lane experiences low traffic flows. Therefore, a 20m sightline standard would apply.

The carriageway width outside the property is 3.4m. The lane is wide enough to accommodate single file traffic only, and varies in width. The narrowest part of the lane was measured at 2.4m in width. The access to the site is 7.5m wide with the visibility splay bounded by the extent of the neighbouring property's conifer trees (to the West of the access) and a 1.4m high grass bank to the East of the access.

From a datum point 2.4m back from the carriageway edge, the sightlines afforded to a driver egressing the access are poor, with 7.5m observed in the direction of oncoming traffic (to the right) and 10m to the left. Both directions are important because of the limited road width.

The Plans supplied indicate that vehicles using the parking area would have ample room to turn inside the site area, thus allowing them to drive out of the site in a forward direction.

It should also be noted that the network of lanes in the area are designated as "Ruelle Tranquilles", where the recommended speed limit is 15mph and priority should be given to pedestrians, cyclists and horse riders. Ruelle Tranquilles are designated against a number of criteria. Specifically, the number of residential dwellings and commercial premises, and the proximity / connections to the surrounding Ruelle Tranquilles network.

In the case of the Rue du Douit, it should be noted that the narrowness of the lane and surrounding lanes does not enable drivers of vehicles to easily pass pedestrians, cyclists or horse riders, and any development that results in a higher volume of vehicle movements, especially of larger vehicles, will not only dilute the requirements of the Ruelle Tranquilles, but also result in those vulnerable road user groups, that the Ruelle Tranquilles network is aimed at, experiencing a higher incidence of meeting vehicles within the lane. It is noted from professional observations carried out, that Rue du Douit in particular, is used by a number of pedestrians and cyclists to avoid Rue de la Charruee. Included within this number, are a number of pupils of La Mare de Carteret Schools, who use the lane, to avoid Rue de la Charruee during the morning peak.

The information supplied with the application describes the nature of the businesses that would operate from the site, and that this application represents the regularisation of the current business activities that are carried out at the site.

Given the information supplied with the application, THS is satisfied that if approval of this application was conditioned, based on the existing scale and nature of the two businesses that operate from the site, that the combined business activity at the site would not

constitute an intensification of use. The two business' vehicles are a mixture of cars and light vehicles. From the information supplied, THS cannot see a requirement for HGV's to operate from the site.

Taking into account the above, THS does have grounds to oppose the application on Road Safety grounds due to the poor sightlines, but consider that the sightline of oncoming traffic could be improved with minor changes to the existing bank, and ensuring that the bank remains clear of foliage. It is recognised that although the sightline can be improved, the recommended standard cannot be achieved due to lane's geometry. The lane's geometry is a speed reducing feature. THS also note that there are no recorded Road Traffic Collisions reported relating to vehicle egress at the site.

From a Traffic Management perspective, given the information contained within the application, THS raises no objections to this application.

#### Guernsey Water

Guernsey Water has reviewed the application and has the following comments to make:

- All surface water must be dealt with on site with any run off from hard standing areas being filtered through a petrol interceptor.
- All chemicals, oils or potentially polluting substances, including pesticides, must be stored in a manner approved by Guernsey Water and the Health and Safety Executive.
- Any area which is used for mixing or dispensing chemicals (including pesticides) must be bunded in such a manner so as to prevent any spillages from entering any surface water drainage system or percolating into the ground water. No surface water drainage systems may be installed where chemicals are stored, dispensed or mixed.
- No disposal of any chemicals, or potentially polluting substances, including pesticides, should occur via the foul drainage system without prior consultation with Guernsey Water.
- Any temporary oil storage including mobile tanks must have secondary containment.
- Oil spill kits of an appropriate size and containing suitable material must be provided on site.
- The bunding of oil must accommodate liquid volume, which is 110% of the capacity of the largest barrel stored or 25% of the aggregate of the volume of all barrels stored, whichever is the largest figure. The barrels should be permanently stored in a covered environment with appropriate lids applied to prevent rainwater ingress.

#### Summary of Issues:

- Principle of development – assessment against policies OC3 and OC7
- Traffic and highway safety
- Impact on neighbouring amenity
- Landscape character
- Design

#### 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 purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

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

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

- (a) the likely effect of the development on the natural beauty and landscape quality of the locality in question,
- (b) the character and quality of the natural and built environment which is likely to be created by the development,
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,
- (d) the likely effect of the development on the character and amenity of the locality in question,
- (e) the likely effect of the development on roads and other infrastructure, traffic and essential services,
- (i) the likely effect of the development on the reasonable enjoyment of neighbouring properties.

#### Principle of development

Paragraph 3.4.1. of the IDP clarifies that, *"In accordance with the Strategic Land Use Plan [SLUP], the Island Development Plan makes provision for certain types of development Outside of the Centres. Policies exist that seek to protect and manage the built and natural environment while facilitating a viable rural economy and enabling small business development and infrastructure, where appropriate."*

The IDP goes on to state at paragraph 17.1.3. that, *"The Strategic Land Use Plan specifically states that certain small scale businesses, such as those requiring workshops, secure storage or open yards, may have a justifiable need to develop outside the Main and Local Centres due to the special requirements resulting from the nature of their operations. This could include small industrial and storage businesses that have no operational requirement to be located within or on the edges of the Main Centres and are unable to*

*find sites within the Key Industrial Areas, or businesses that are unable to compete with larger firms looking for higher quality accommodation.”*

The IDP makes provision for such development principally through policies OC3 and OC7, clarifying at paragraph 17.1.4 that this provision for new small scale industrial and storage and distribution uses Outside of the Centres is, *“where they are of a scale and form that respects the character of the surroundings and do not introduce unnecessary development which is otherwise capable of being located within the Centres and where the proposals would have no adverse effect on the conditions of neighbouring occupiers and would not adversely affect highway safety and the free flow of traffic.”* Such development is, *“also directed to either brownfield sites or redundant glasshouse sites”, to, “ensure that they take advantage of being located on previously developed land or land which contains a certain level of infrastructure as a result of its former use. This will also ensure that small scale industrial or storage uses do not occupy open land and, in some cases, the development may positively enhance a site through the clearance of redundant glass or associated structures from the landscape.”*

The application is considered to be acceptable in principle, subject to compliance with policies OC3 and OC7 in particular, and with other relevant policies as set out below.

#### Assessment against Policy OC3

As the application site is not located within the Key Industrial Expansion Area at La Villaize, St Saviour, criterion a) to Policy OC3 does not apply.

With regards to the first part of criterion b), the nature and requirements of the proposed businesses are not considered to be so unique or special that a location outside of the Main or Local Centres can be justified, and indeed the applicant has not sought to rely upon such a justification.

As to the second part of criterion b), that is the question of whether there is a demonstrated lack of suitable alternative sites in the Main and Local Centres, the most recent Employment Land Monitoring Report for the second half of 2016, found that there were:

- 16 industrial premises to let (4,240m<sup>2</sup>). This was 1.94% of the total stock of industrial premises (218,080m<sup>2</sup>). 10 premises to let were under 250m<sup>2</sup>
- 30 storage premises to let (14,957m<sup>2</sup>). This was 8.24% of total stock of storage premises (181,422m<sup>2</sup>). 13 premises to let were under 250m<sup>2</sup>

This represented an oversupply of storage premises in Guernsey, although it should be noted that these figures included premises located outside of the Main and Local Centres and which are not required to be taken into account under the provisions of Policy OC3. There were circa 23 premises to let under 250m<sup>2</sup> with potential to be used for industrial/storage uses – the 2017 Use Classes Ordinance provides scope to move between industrial and storage use classes for small premises (up to 250m<sup>2</sup>) without the need for planning permission.

The applicant has conducted their own research, submitting information on the availability of small scale industrial premises gleaned from local commercial agents during February

2018. This information concludes that within both Main and Local Centres there is a lack of small scale industrial sites suitable for the existing businesses. Following a further review of local agents websites conducted by the Planning Service during September 2018, and in the absence of a more recent Employment Land Monitoring Report, there appear to be no grounds to doubt this conclusion.

This is not a brownfield site, therefore an assessment is set out below as to whether it is a redundant glasshouse site for the purposes of Policy OC7.

As this application does not propose the conversion of a redundant building, and there are no existing buildings on the site which could be retained and put to productive use, criterion d) of Policy OC3 does not apply.

Criteria i) to iv) are dealt with below.

#### Assessment against Policy OC7

The site is occupied by a single span of glass extending to some 58m in length and covering an area of c.480 sq m. Visually the glasshouse appears to be in a relatively poor state of repair, although an area at the eastern end is being used as a workshop/tool store and there is evidence of very small scale growing and log splitting adjacent to the door in the western end.

The definition of a redundant glasshouse site is given at paragraph 17.5.3.:

*A glasshouse or glasshouses together with ancillary structures and land where the glass and ancillary structures are no longer required or capable of being used for their authorised purpose. Often the condition of such structures will deteriorate over time through lack of use and management to leave only partial remnants of structures.*

The question of redundancy in respect of this definition was discussed at the Planning Inquiry into the IDP and summarised in the Matters Arising Report, in short confirming that there is no requirement for horticultural use of a glasshouse site to have ceased before alternative uses of such sites can be considered under the provisions of policies OC3 and OC7. Although the glasshouse on this site was in horticultural use until recently, albeit on an apparently informal, low key basis, objections on this ground are therefore unsustainable.

The application site is considered to comply with the definition of a redundant glasshouse site as set out in Policy OC7.

With regards to criterion a), an APA lies to the north of the site on the opposite side of Route du Douit. Consideration must therefore be given to whether the site can positively contribute to the commercial agricultural use of the APA or whether it could otherwise practically be used for commercial agricultural use without adverse environmental impacts. Given the small size of the application site and the fact that it is not contiguous with the APA (due to the intervening presence of Route du Douit), it is considered in each

case that the site could not positively contribute to the commercial agricultural use of the APA and could not practically be used for commercial agricultural use.

Criterion b) requires an assessment of whether the site would contribute positively to a wider area of open land. In this case the site's small size, existing mature boundary hedging, adjoining buildings and land uses forming a more developed backdrop to the east, south and west, and the presence of Route du Douit are such that, notwithstanding that clearance of the existing glasshouse would enhance the character of the locality, it is not considered that the site would contribute positively to the wider area of open land to the north.

Regarding criterion c), neither the SLUP nor the IDP set a size threshold for what constitutes small scale. But it is inherent in the approach that a certain type of accommodation for a certain type of business is being supported by the policy. As noted above, the IDP describes this as workshops, secure storage or open yards. The Small Scale Business report informed IDP policies OC3 and OC7 and established that the type of accommodation in demand is not high quality, substantial new builds, given the relatively high build costs in Guernsey and the consequently high rents required to justify the investment. The report notes (para. 4.1.5) that in 2012 low quality, cheap workshops of between 40-60m<sup>2</sup> (c.450-650sqft) were in demand. In light of this, the nature of the existing businesses and the size, form, design and type of construction of the proposed workshop/store buildings are such that they are considered to constitute small scale for the purposes of Policy OC7.

In addition, the applicant has submitted confidential financial information relating to the level of investment required to carry out this development, existing and proposed rents, and the length of lease that would be offered to the existing businesses. It is considered that this information reinforces the conclusion that the proposed development is small scale and of the type envisaged in the Small Scale Business report.

Criteria d) – h) do not apply to this application.

Criteria i) to vi) are dealt with below.

On the basis of the assessment set out above the specific industrial uses proposed are considered to be acceptable in principle in accordance with the aims and objectives of policies OC3 and OC7.

#### Traffic and highway safety

This application seeks to regularise the existing unauthorised uses on the site so as to enable their continued operation at their existing scale and intensity, with no intention for the size or frequency of vehicle movements to and from the site to increase above what exists at present. This fact is recognised by THS, which while acknowledging the width of the lane and poor sightlines from the site access, raises no objections on the basis that *"if approval of this application was conditioned, based on the existing scale and nature of the two businesses that operate from the site, that the combined business activity at the site would not constitute an intensification of use...the two business' vehicles [being] a mixture of cars and light vehicles."* THS go on to state that they *"cannot see a requirement for*

HGV's to operate from the site", and note that "the lane's geometry is a speed reducing feature."

A condition limiting use of the site to the scale and operational characteristics described in the application documents would be entirely reasonable and appropriate.

In terms of vehicle parking, 4 spaces are shown to be allocated to the landscape gardening business, and 7 to the vehicle mechanic. It is assumed that a further vehicle could be kept in the vehicle mechanic's workshop while work is being carried out, meaning that a total of 12 vehicles could be parked on the site. The applicant has stated that this will meet the needs of the existing businesses on the site, having confirmed that at least 2 of the landscape gardener's vehicles are taken home by employees overnight. This level of parking is considered to be appropriate, and represents a substantial reduction over the total number of vehicles observed on the site in recent years, something which would be of benefit to the character and amenity of the locality.

In addition to the condition requested by Traffic and Highway Services it is recommended that a condition be imposed precluding the parking or storage of vehicles other than in the spaces shown on the submitted layout plan, to ensure both that vehicles can manoeuvre satisfactorily within the site and to enable action to be taken should the number of vehicles kept on the site creep back up towards current levels.

The Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance, 2016, indicates that new industrial development will be likely to require the submission of a Traffic Impact Assessment where it exceeds 250 sq m gross floor area. Given the small scale and low intensity of the existing uses, and that the total proposed floor area in this case is 148 sq m, a Traffic Impact Assessment is not required.

The Traffic Engineering Guidelines for Guernsey document, referred to by several representors, is non-statutory guidance. Policy NCR06 was referred to specifically, and states that "*Any proposed developments must be suitable in terms of volume of traffic or the types of vehicles they will attract, with the presumption that HGVs will be excluded from Neighbourhood Roads and Country Lanes except by permit.*" In light of THS comments and the assessment set out above, it is not considered that objections on the grounds of perceived non-compliance with this document are sustainable.

Conditions as set out above would be entirely reasonable, and notwithstanding the objections which have been received, the application is therefore considered to comply with the aims and objectives of policies IP7 and IP9, and also with criterion ii) to both policies OC3 and OC7.

#### Impact on neighbouring amenity

With regards to amenity, criterion i) to both policies OC3 and OC7 requires the applicant to demonstrate that the development would not adversely affect or detract from the amenities of existing surrounding uses especially with regard to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, whilst Policy OC7 also requires that there be no significant visual intrusion.

The effect of development proposals on the amenity of neighbouring properties is also a consideration under Policy GP8.

It is also a requirement under s.13(i) to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, that consideration be given to *“the likely effect of the development on the reasonable enjoyment of neighbouring properties.”*

The application site adjoins and is close to residential properties to the east and west, with a derelict vinery site adjacent to the south and agricultural land on the opposite side of Route du Douit to the north.

Objections have been raised on the basis that the development will adversely affect or detract from the amenities of the existing surrounding properties.

As noted above, this application seeks to regularise the historic unauthorised use of the site by landscape gardening and vehicle mechanic businesses which have operated from the site for a number of years. Consultation with the OEHPR has not identified any history of complaints due to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit associated with either the landscape gardening or vehicle mechanic businesses.

The applicant has stated in relation to the vehicle mechanic that no spray painting or panel beating work takes place on the site, and work is predominantly carried out using hand tools. A compressor is used infrequently and for brief periods only. Regarding the landscape gardening business, the applicant has stated that the only potential noise would be from a log splitter which is currently used on the site on an average of 1 day per month during the winter. It is not considered that this activity has previously, or would in future, have an unduly harmful impact on the reasonable enjoyment of neighbouring properties.

Conditions recommended by the OEHPR which seek to restrict hours of use and where industrial activity can take place on the site are considered both necessary and reasonable, and would introduce controls which do not exist at present, something which would benefit the amenity of surrounding properties. However, taking account of the small volume of material and infrequent nature of the landscape gardening business's log splitting operation, it is not considered reasonable to restrict that activity so as to only be carried out inside one of the buildings on the site.

The site is well screened by existing boundary hedges, and given the topography of the land to the south the site is not prominent in views from neighbouring properties. As such it is not considered that there would be any significant intrusion arising from the proposed development.

On this basis the application is considered to be acceptable in the context of criterion i) to both policies OC3 and OC7, and also to comply with the requirements of Policy GP8.

#### Landscape character

Policy GP1 states, inter alia, that *“Proposals will not be supported if they would result in the unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of an area”*, and that *“In considering proposals for*

*new forms of development within open and undeveloped areas, the Authority will seek to ensure that it is a form of development supported by the policies of the Island Development Plan and will require the development to respect the landscape character within which it is set.” Policy GP8 states, inter alia, that proposals for new development will be expected to, “respect the character of the local built environment or the open landscape concerned.”*

In this case the site is not currently undeveloped, containing a large glasshouse, and as such makes only a limited contribution to the open landscape character of the area.

Clearance of the glasshouse as proposed would represent a positive enhancement to the landscape character of the area, whilst the proposed workshop/store buildings are both individually and cumulatively substantially smaller in footprint and scale than the existing glasshouse. It is considered that they would have a functional appearance which would not be out of keeping with the surroundings.

The submitted plans indicate additional planting to supplement the existing mature roadside hedge, which it is considered would satisfactorily screen the proposed development in views from public vantage points on Route du Douit and make a positive contribution to the visual quality of the environment. This can appropriately be secured by way of condition.

In light of the above the application is considered to comply with the aims and objectives of Policy GP1.

### Design

Both policies OC3 and OC7 require that the site will be laid out to achieve the most effective and efficient use of the land and the least negative visual and amenity impacts with buildings, materials, parking, access and open storage areas designed to respect the character of the area; and that the proposal includes details of an appropriate soft landscaping scheme which will make a positive contribution to the visual quality of the environment and which will sufficiently screen the activities on the site and mitigate impacts.

Policy GP8 states, inter alia, that *“All new development will be expected to achieve a good standard of design which respects, and where appropriate, enhances the character of the environment”*, before going on to note that in less sensitive areas the IDP *“...adopts a supportive position with regard to building design...to enable the property owner to exert personal choice in design matters”*, and that *“In all cases the design of soft and hard landscaping can also help to reinforce local character and distinctiveness, mitigate the impacts of development and can contribute to more sustainable construction”*.

The proposed buildings are small in scale, of simple form and materials of construction, and would be discreetly located towards the rear of the site against a steeply sloped bank. Had a combined store/workshop building been proposed to serve each of the existing businesses this would have reduced the number of buildings, but would necessarily have resulted in those being larger in size. It is likely that larger buildings would have a greater impact on the character of the area, which would be harder to mitigate with boundary

hedges etc, and therefore the number of buildings proposed is not considered to be objectionable in and of itself.

Objections on the basis that the proposed vehicle mechanics workshop is not large enough to accommodate a pit and ramp/lift are not considered to be persuasive, the existing business having operated for many years from the site without the benefit of such facilities.

Should planning permission be granted separate approval would be required under the Building Regulations, and this would cover issues like fire escape, any fire proof cladding requirements, toilet and staff amenity facilities. There is no reason to conclude that the proposed development could not satisfactorily comply with those separate requirements, and further information has not been sought from the applicant in this regard.

The proposed access roadway and parking area is considered to be of appropriate scale and capacity to serve the needs of the proposed development.

No details have been provided of the bins to store logs or wood chippings referred to on the submitted drawings, but their size and design can appropriately be controlled by way of condition.

It is considered that the proposed development complies with the requirements of policies OC3, OC7 and GP8 as they relate to design.

#### Other matters

The identified relevant material considerations have been taken into account in consideration of the various policies and issues assessed above.

Information has been submitted which demonstrates that sustainable development principles have been considered in developing this scheme, in accordance with the requirements of Policy GP9.

Guernsey Water raises no objections subject to various technical matters being addressed. This can be dealt with by way of conditions, which would ensure that there would be no adverse impact on the water catchment area. This represents an improvement over the existing situation where there are no such safeguards.

Policy GP17 seeks to ensure that the health and safety of people are not put at risk by hazardous developments. Given the small scale of the existing uses, and given that no objections have been raised by Environmental Health or Guernsey Water, it is not considered that the proposed development would present significant risks to public health or safety. As such it has not been considered necessary to require the submission of an assessment of the risk of harm and to set out measures to satisfactorily address the risks arising from the proposals, and there is considered to be no conflict with Policy GP17.

Objections on the basis that this application is a stalking horse that will lead to subsequent applications for more substantial industrial development cannot be taken into account. This application must be determined on its particular merits only. The proposed

development has been assessed on the basis that it comprises a mixed use, that is one not falling squarely within any of the recognised use classes, and one which would not benefit from permitted changes of use provided for under The Land Planning and Development (Exemptions) Ordinance, 2007 (as amended). A condition defining the nature of the permitted use in accordance with information provided by the applicant is proposed, and any material change in the nature or scale of operations on the site would require the further grant of planning permission. Any subsequent applications for more substantial or different forms of industrial development would be assessed against the planning policies in force at that time. On the basis of current policies, it is considered highly unlikely that any significant change or intensification of the existing uses on this site could be supported.

Consideration has been given to whether a condition limiting planning permission to the applicant or the existing tenant businesses only, and requiring that the site be cleared should they cease to operate, could reasonably be imposed. The principles set out in UK Government Planning Practice Guidance have been referred to, as these represent best practice and are likely to be persuasive in the Guernsey legal context. There are six tests which must be satisfied if a condition is to be included. Conditions must be:

- i) necessary;
- ii) relevant to planning;
- iii) relevant to the development to be permitted;
- iv) enforceable;
- v) precise; and
- vi) reasonable in all other respects.

It is not considered that such a condition would be enforceable in this case. This is due to the fact that a permission personal to the applicant would be inappropriate as he owns the site, but does not operate a business from it, whilst a permission personal to the existing businesses on the site is inappropriate because company shares can be transferred to other persons without affecting the legal personality of the company. Furthermore, there is no direction in either policy OC3 or OC7 to require the imposition of such a condition.

Any intensification or increase in the size of vehicles coming to and from the site whilst the development is carried out would amount to a temporary impact only, and does not represent reasonable grounds to refuse this application.

This site may well score poorly if assessed using the criteria which informed the Small Scale Business – Outside of Centres Report, July 2015. However, that report was intended to identify the amount of potential land available for small scale business, and is not intended to be used to carry out a definitive assessment of formal planning applications. That is particularly relevant in this case, where the proposed uses have operated from the site for a considerable amount of time, and therefore their impact on the local highway network and amenity can be more readily quantified and assessed.

Any dispute between the applicant and the owner of adjacent land over which a right of way exists at present, and which might preclude access to the application site in the event

of this application being approved, is a separate matter which can have no bearing on the determination of this application.

### Conclusion

The underlying purpose of Policy OC7 is to provide scope for limited forms of alternative development or use of agricultural land as an incentive to secure the demolition and removal of all glasshouses, as well as any ancillary structures that cannot be put to productive use, thereby enhancing the Island's visual character and amenity. New industrial and storage and distribution uses are provided for Outside of the Centres under Policy OC3, but only where it is within the Key Industrial Expansion Area site at La Villiaze, is on a brownfield or redundant glasshouse site, or can be achieved through the conversion of a redundant building. This policy approach reflects the aims of the SLUP.

This application is considered to have demonstrated the following in compliance with policies OC3 and OC7:

- that it involves a redundant glasshouse site;
- that the site could not positively contribute to the commercial agricultural use of the APA and could not practically be used for commercial agricultural use;
- that the site would not contribute positively to a wider area of open land;
- that the existing glasshouse will be demolished and removed from the site;
- that there is a lack of suitable alternative sites in the Main and Local Centres to which the existing businesses could relocate; and
- that the existing businesses are of an appropriately small scale.

Furthermore it is considered that the imposition of conditions will enable greater control over commercial activities on the site than exists at present to the benefit of neighbouring residential amenity, that the proposed development would not jeopardise highway safety and the free flow of traffic, that the site will be laid out to make the most effective and efficient use of land and the least negative visual and amenity impacts, and that an appropriate soft landscaping scheme is proposed.

On this basis, and subject to the conditions set out above, it is recommended that planning permission be granted.

**Date:** 08/11/2018





**PLANNING APPLICATION REPORT**

**Application No:** FULL/2018/1761  
**Property Ref:** J005990000  
**Valid date:** 16/07/2018  
**Location:** Bella Alba Les Quatre Vents St. Martin Guernsey GY4 6TS  
**Proposal:** Alterations to fenestration and install rooflights, apply external insulated render, remove garage door, block up opening and install window, remove wall at front of dwelling to extend driveway and parking area, re-render boundary wall, remove shed, wall and steps at rear and erect retaining walls and steps.  
**Applicant:** Mr & Mrs A J Rowles

**RECOMMENDATION - Grant: Planning Permission with Conditions:**

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1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

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

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

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

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**OFFICER'S REPORT**

**Site Description:**

The application site comprises of an extended two storey pitched roof dwelling-house with integral garage. There is parking to the front of the property and gardens to the front and rear. There is a change in ground levels over the site with the lower ground level to the front of the property rising to the rear.

The property is sited Outside the Centres as defined within the Island Development Plan.

**Relevant History:**

Pre-application enquiry regarding the works proposed.

**Existing Use(s):**

Residential Use Class 1

**Brief Description of Development:**

The proposed works encompass:-

- To the front elevation (north-west), the blocking up of the existing garage door and installation of a window, the installation of two roof lights (980mm x 550mm), the removal of a wall within the site to extend the parking area/drive and the re-rendering of the roadside boundary wall.
- To the rear of the site (south-east elevation), the works proposed include the removal of an existing shed, external wall and steps, alterations to ground floor fenestration and insertion of two new roof lights within a single storey lean-to extension, re-grading of the levels and the erection of external retaining walls and steps.
- In addition it is proposed to apply external insulated render to all external walls and replace all existing PVCu windows with new PVCu units. The application of the external render to the north east gable will require the building out of the gable end roof by 100mm.

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

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

**Representations:**

None

**Consultations:**

None

### **Summary of Issues:**

- The impacts of the external changes on the visual amenity of the area
- Impacts on residential amenity arising from the proposed works

### **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 works proposed are within the definition of householder development and as such the application falls to be considered primarily under IDP Policy GP13 (Householder Development).

This policy generally supports householder development, allowing a degree of flexibility for personal choice in areas where special environmental considerations do not apply and providing that any proposal achieves a high standard of architectural design, respects the character of the area and would not have a significant impact on the health and well-being of the occupiers and neighbours, issues which are also reflected in Policy GP8 (Design). In addition, the preceding text to Policy GP13 (paragraph 19.14.12) refers to the need to consider the General Material Planning Considerations contained within Section 13 of The Land Planning and Development (General Provisions) Ordinance, 2007 when assessing householder development proposals.

The proposed works would have limited impact on the visual appearance of the property. Roof lights are a common feature in this area and the removal of the front wall within the site adjacent to the existing driveway to create additional car parking would not have a significant impact. The roadside wall would be retained and improved in appearance. The loss of the existing garage to provide additional habitable accommodation would have no impact on parking provision, which would be increased in any event by the works to the front of the property.

To the rear of the site the removal of the existing shed, external steps and retaining walls and the erection of new steps and retaining walls following some limited re-grading of ground levels will not be seen from outside of the site. The alteration of the fenestration within the existing lean-to extension to allow bi-fold doors and the replacement of roof lights within this roof slope will also have little impact on visual amenity.

Replacement of existing PVCu windows with new PVCu units throughout the building and the application of external insulated render to all external walls will not significantly change the overall external appearance of the building. The building out of the north-east section of roof to the gable end to accommodate the render system would not be particularly noticeable within the built environment.

None of the works would have any impact on neighbour amenity.

The application has been submitted with a Design Statement in reference to the applicable policies and confirms that the proposal accords with the Building Regulations satisfying Policy GP9: Sustainable Development.

Having considered the application in light of the above policies, General Material Planning Considerations and the Purposes of the Law, the proposal represents minor development in terms of householder improvements. Policy GP13 of the IDP is explicitly flexible in allowing development of this nature; in any event the proposal accords fully with the adopted policies of the Plan including GP8 (Design) and GP9 (Sustainable Development).

The application is therefore recommended favourably.

**Date:** 08/11/2018