

REPORT OF THE CONSULTATION RESPONSES TO THE LE MARESQUET DRAFT DEVELOPMENT FRAMEWORK

Introduction

A Draft Development Brief for this site was previously published and underwent public consultation in mid-2016. However following significant concerns raised by Environmental Health and Guernsey Electricity regarding the impacts of noise, disturbance and vibrations potentially generated by the forthcoming development at the Power Station during this period (installation of the new generator), the Draft Development Brief was not brought forward following the public consultation stage for endorsement by the former Environment Department.

Since this time and following the installation of the 3D generator at the Power Station, the land-owner and his agent proceeded to carry out a number of studies in respect to noise and vibrations generated by the Power Station and requested that the Planning Service consider again supporting the development of the site.

As the site exceeded the 0.25 hectare (1.5 vergee) threshold as stated within Policy MC2: Housing in Main Centres and Main Centre Outer Areas, a Development Framework is necessary. This draft Development Framework therefore comprises of the field to the south and east of Le Maresquet Farmhouse. The site covers a total area of approximately 0.7 hectares (4.3 vergées).

The site itself is a greenfield site and is located to the east of La Hure Mare Road and south east of Route Summerfield. To the east lies the access road to La Hure Mare Industrial Estate with the Power Station to the south and west. Residential properties are also present around the site.

The Draft Framework was the subject of a six week public consultation which closed on 1 October, 2018. The public were invited to make comments via a press release and media coverage in the Guernsey Press. The document was placed on the States' website in addition to being available in Sir Charles Frossard House. During this period, 17 comments were received from the public, and there was consultation with several States Committees/Agencies and the Constables of the Vale.

In total, 27 responses were received, 17 of which were from members of the public, 2 from States' Deputies, 6 from States' Committees/Agencies and the Constables and 2 from the land-owner's agent. The principal concerns expressed in the letters of representation are set out and discussed below.

Consultation responses are also set out below together with Officer responses (*italicised*) and recommended amendments (shaded boxes) where appropriate:-

States' Committees

The Office of Environmental Health and Pollution Regulation

The inclusion of a Vibration Impact Assessment and 2 Environmental Noise Assessments are noted. Should an application be forthcoming in relation to the development of the site it is likely that this Office would recommend that conditions relating to noise reduction measures to ensure compliance with relevant standards including BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings would be applied to any consent.

Officer Response

Noted.

Fire and Rescue Service

After carefully considering Le Maresquet draft development framework I am pleased to inform you that the Fire Service would have no fire safety related reasons to object to this building development, as long as the proposed development is built in strict accordance with the guidance issued in the Guernsey Technical Standard, Volume 1, B1-B5 inclusive.

Officer Response

Noted.

Housing

Housing has no comments on the Le Maresquet Draft Development Framework.

Officer Response

Noted.

Culture and Heritage – States' Archaeologist

Although I am pleased to see that archaeology receives some consideration in this document (paragraphs 4.6, 5.5, 6.14, 6.17 and 7.35), I would like to suggest that the archaeological interest of the site warrants greater consideration than the recommendation that 'a watching brief is undertaken during the work' (paragraphs 6.14, 7.35).

As the previous investigations (carried out in August and October 2015) demonstrated, there is evidence of prehistoric and medieval activity on the site, with all three test-pits revealing significantly more than the usual background material – particularly test-pit C, which included a substantial posthole of Neolithic or early Bronze Age date, that is very unlikely to be in isolation.

At the close of the excavation report I made some recommendations for further archaeological work on the site, and I would like to reiterate those again here. Rather than simply maintaining a watching brief on the building work, it would be preferable if an archaeological condition could be imposed requiring excavation to take place in advance of the building work. Ideally this would take the form of opening up several areas of the site – particularly in the southern section, in the area where test-pits A and C were located – by machining off the top 40cm across, say, two trenches of 20m² each, which could then be

archaeologically excavated. It might then be necessary to extend these investigations or abandon them, depending on the results, which would also indicate whether a watching brief should be maintained later on in the construction process.

Further details of this approach can of course be supplied if required. This archaeological work could take place well in advance of any actual construction on the site and therefore should not unnecessarily delay the development.

Officer Response

It is agreed that on the basis that previous investigations have evidenced prehistoric and medieval activity on the site there is justification for requiring more in-depth investigations to take place prior to any development on the site. Although this would be a requirement by planning condition on any future planning application, (unless carried out independently by the developer in association with the States' Archaeologist prior to the submission of a planning application,) it should be clearly noted within an approved Development Framework that this would be a future requirement.

Recommendation:

Amend paragraph 6.14 Site Analysis, Archaeology to read:

- There is known archaeological interest within the site and it is recommended that several areas of the site are opened up to allow archaeological investigation.

Amend Paragraph 7.35 Development Guidelines, Archaeology to read:

- There is known archaeological interest within the site and it is recommended that several areas of the site are opened up to allow archaeological investigation to take place prior to any development taking place on the site. Depending upon the outcome of these investigations, a watching brief may also need to be undertaken. Conditions in this respect would be added to any planning permission.

Public Agencies

Constables of the Vale

The Douzaine was unanimous in its decision to totally deplore development of yet another greenfield site in the Vale Parish in preference to using 'Brownfield' sites first.

The Douzaine also expressed concern over the close proximity of this site to the power station following on from Guernsey Electricity having purchased a number of properties adjacent to this site due to problems with noise and vibration.

Due regard needs to be taken into account of "green lungs" in already developed areas for the benefit of existing home owners' quality of life and the density of housing in already built up areas.

Officer Response

The site falls within the Main Centre Outer Area where the principle of housing development is acceptable. There are no further constraints on the land which would preclude the development of this site for housing purposes and the land is not recognised as important open land. Whilst the land may therefore have some visual amenity on the basis that it has not been developed, the land has no further recognised valuable contribution which would preclude this site from being considered for development.

The Constables' comments in respect to potential noise and vibration are noted however Environmental Noise Assessments and Vibration Reports have been carried out by the developer and Environmental Health raise no significant concerns regarding these issues in respect to the Draft Development Framework.

Guernsey Electricity

This letter is a representation on behalf of Guernsey Electricity Limited ("**GEL**") in relation to the planning guidance for a residential development of Le Maresquet, La Hure Mare Road, Vale (the "**Site**") contained in the draft Development Framework dated 17 August 2018 (the "**draft Framework**"). The Site has previously been the subject of a Development Brief dated May 2016 (the "**2016 Brief**").

The draft Framework contains practical planning guidance which is intended to give an indication of the approach which the Development & Planning Authority (the "**Authority**") will take to a particular development proposal. However, it is not binding on the Authority and nor does it in any way affect or relieve the Authority's responsibilities to consider any actual planning application made in respect of the Site. Instead, once approved, the draft Framework will become Supplementary Planning Guidance which must be taken into account by the Authority when any planning application is considered. Further, the draft Framework is intended to assist understanding of the Island Development Plan (the "**IOP**") by offering detailed guidance and containing the Authority's interpretation of that Plan and associated legislation.

GEL's position

GEL is not opposed to development *per se*. However, whilst supportive of the IDP, and its objectives, GEL must always be mindful of the effect that any proposed developments will have for its generation business, and especially, that any costs it incurs in accommodating new developments in close proximity to the power station may need to be passed on to the public through rises in electricity charges. Finally, GEL would also expect that any new developments are consistent with the Plan and the States' policy as regards critical infrastructure and energy supply.

The draft Framework acknowledges (and GEL would agree) that the power station has a dominant effect on the Site and "*has the potential to be perceived as a nuisance in terms of noise, vibration...and visual impact*". It therefore quite rightly emphasises that the design plans for the properties on the Site must incorporate measures to minimise the noise and vibration associated with the power station.

GEL's particular concern with regard to the Site has to do with noise or vibration abatement. The 2016 Brief contained a draft environmental noise assessment 2227R1D ("**ENA**") which was prepared by Sound Solution Consultants ("**SSC**") on 20 October 2015. That document, in draft, formed part of the 2016 Brief, and its conclusion was that:

"..the sound climate of the proposed development site should not be a prohibitive factor to the granting of planning permission for a residential development. When considering the full extent of the Site and by adopting practicable noise control design and construction methods an appropriate level of residential amenity for existing and potential residents can be attained".

Accompanying the draft Framework is a second environmental noise assessment 27550R2 undertaken by SSC and dated 4 July 2017 ("**ENA2**") which is to be read in conjunction with the ENA and is said to constitute further investigation, which aims "*..to assess the potential noise impact on The Site, from the recent Guernsey Electric 3D development, when taking place alongside the existing operations*". The conclusion reached in ENA2 was that there is no additional noise impact at the proposed development site as a consequence of the of the recent power station development, so that the findings of ENA are maintained.

GEL has reservations about the conclusions reached in ENA2. In particular, it is concerned that as ENA2 may have underestimated the potential for noise and vibration disturbance, it may have also underestimated the scale (and hence the potential cost) of the measures which would be required to mitigate that disturbance to an acceptable level.

The power station is located on Northside, which is a Key Industrial Area. Any proposals for development on an adjoining area, such as the Site, which is a Main Centre Outer Area, must therefore take into account the importance of maintaining Northside as a focus of industrial activity. They must also take account of States' energy and key infrastructure policies, which as things stand, retains Northside as the preferred location for the power station. It follows that the cost to GEL of implementing adequate measures to ensure proper noise and vibration abatement, and in dealing with actual or potential complaints from future residents should be a material consideration at the development brief stage. GEL's concern is that in their current form, the draft framework and ENA2 does not adequately do this.

GEL is happy to work with the Authority to undertake any further assessment of the noise and/or vibration impact on the proposed new development. Alternatively, if the Authority will not agree to that, GEL reserves the right to commission its own report into ENA2 and its findings and rely on that report as a later stage in the planning process.

Officer Response

Guernsey Electricity comments in respect to the findings of the submitted Noise and Vibration Assessments are noted however the reports have been considered by

Environmental Health in respect to regulations and although they comment that conditions relating to noise reduction measures to ensure compliance with relevant standards including BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings would be applied to any consent there are no significant concerns regarding these issues in respect to the Draft Development Framework.

The request of Guernsey Electricity to regard the implementation of adequate measures to ensure proper noise and vibration abatement, and in dealing with actual or potential complaints from future residents to be a material consideration at the Development Framework stage are noted, however what can be regarded as material planning considerations are clearly detailed under section 13 of The Land Planning and Development (General Provisions) Ordinance, 2007. The inclusion of costs to a 3rd party cannot therefore be considered as a material planning consideration. The Authority notes the right of the GEL to undertake independent studies and to submit this information as part of their justification on any future development proposals for the site. This however presently has no bearing on the current Draft Development Framework or the ability to consider this.

Public Comments

The consultation period resulted in 17 comments from the public. In addition comments were received from Deputies Laurie Queripel and Matt Fallaize on behalf of parishioners. The main issues raised by the public are summarised as follows:

- the principle of housing development in the current context, including the reduced States' Housing indicator, development of greenfield land, disproportionate development within the North of the Island
- whether a site not allocated for housing like this one, should be prioritised when new housing is not required
- the impacts on already overstretched services, resources and infrastructure within the area
- conformity with the spatial strategy, and population decrease;
- the loss of greenfield land that provides a valuable area of land
- flood risk and surface water drainage (including the impact of domestication);
- the impact on biodiversity;
- the impact on road safety, particularly for vulnerable road users such as pedestrians and the need for the development to have adequate parking;
- impacts of pollution, vibration and noise from the Power Station on any new homes
- the scale and character of the proposed development of 30+ homes
- impacts on the amenities, wellbeing and health of residents during the construction phase
- the impacts on living environments caused by the erection of a high wall
- preference given to the farmhouse to the detriment of other domestic properties
- the impacts of the development on the Protected status of the farmhouse
- the siting of part of the site within the outer zone of major hazards and other more viable options for development that may be available; and

- discrepancies noted within the Framework document including the omission of a second pedestrian crossing and disregard to domestic properties to the east of the site.

Main Issues arising from the consultation process

Although a number of issues have been raised through the public consultation process, two main themes which resonated throughout the responses related to:

- The close proximity of the site to the power station and issues with noise and vibration
- The loss of a green field and the impact of the proposed scale and form of the proposed development.

The Committee was appraised of these issues at its meeting in January 2019, when the Committee agreed to visit the site.

Following a site visit by the Committee on 7 February 2019, to specifically consider these two issues, it was agreed at the Committee's subsequent meeting on 13 February 2019 that the Draft DF should, with amendments to strengthen the point that development of the site doesn't mean filling the site with built form but should also include open amenity areas to enhance the design, be presented for endorsement and adoption at the Committee's March meeting. It was also agreed by the Committee that the density as indicated within the Draft Framework would remain as indicated, this being 30 - 55 dwellings per hectare equating to 21 – 28 dwellings on this site.

Considering the issues raised by the public the following responses are given. Where appropriate issues raised have been linked.

Officer response

The close proximity of the site to the Power Station and issues with noise and vibration

As previously mentioned both Noise Assessment Reports and a Vibration Impact Assessment were carried out by consultants and submitted as part of the supporting information and attached as Appendices to the Draft Development Framework. Two Noise and Vibration Assessments were carried out, one prior to the installation of the new 3D generator at the Power Station and one following its installation.

These Technical Reports were commissioned by the developer and advice in relation to an agreed survey methodology and relevant noise criteria was obtained from the Office of Environmental Health and Pollution Regulation.

The conclusions of these Technical Reports were that neither noise nor vibration would prevent development on this site, provided that mitigation methods in the form of practicable noise control design and construction methods are adopted in terms of noise. In respect to vibration it was concluded that there is a low likelihood of adverse effects on humans from vibrations,

with a recommendation that levels measured would be reduced further within properly designed and engineered buildings.

The reports have been subject to consultation with Environmental Health and as noted above provided that conditions relating to noise reduction measures are attached to any future planning application no concerns are raised by them in relation to the Draft Development Framework.

However, notwithstanding this and the conclusions of the reports, it is noted that Guernsey Electricity has raised concerns regarding the validity of the reports and reserving the right to commission their own reports. In addition, it forms one of the main concerns raised following public consultation. It is open to Guernsey Electricity to commission their own reports in these circumstances; however on the information currently available there is no reason to amend the Development Framework in respect to noise or vibration issues.

The principle of housing development; the bringing forward of an unallocated site; conformity with the spatial strategy, the loss of a green field and the impact of the proposed scale and form of the proposed development.

Several concerns have been raised regarding the loss of the field and the impact of this on the character and appearance of the area in addition to the proposed scale and massing of the proposed development of an approximate density range of 30 – 55 dwellings per hectare, equating to approximately 21 – 38 dwellings on the site. Points raised are that the field provides a ‘green lung’ in an otherwise built up environment and the benefits to wellbeing that this brings. Reference is made to the previous use of the field for the grazing of horses and providing a setting for the protected building to the north (Le Maresquet Farm).

In response to these comments, the field is within the Main Centre Outer Area and no other designations are applicable on this site. As such and as set out in Policy MC2 (Housing in Main Centres and Main Centre Outer Areas), the majority of the Island’s housing supply is to be provided within and around the Main Centres. Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan and where able to the site provides an appropriate mix and type of dwellings.

Any changes in the overall housing need would be assessed as part of a review of the Island Development Plan and this is not an issue to be addressed in any individual Development Framework or planning application. As such, the number of houses approved but not constructed, recently built and vacant in the area is not material to this Development Framework. It is also important to note that the revised housing indicator is more outcome based than the previous targets. The indicator is based on the need for actual units, not just permissions, since many permissions do not get built. Presently the number of completions is very low.

There is no requirement in the Island Development Plan for brownfield land to be developed prior to undeveloped land within the Main Centre Outer Areas. However, it is noted that the overall spatial strategy of the Island Development Plan to concentrate development within

and around the edges of the urban centres of St Peter Port and St Sampson/Vale with some limited development within and around the edges of the other main parish or local centres seeks to restrain the development of undeveloped land across the Island whilst providing sufficient space to meet legitimate development requirements.

Although concerns have been raised with regard to density, this is indicative and would be dependent upon the overall design of any subsequent development and how the proposed Development and Design Guidelines are applied. This would be considered in detail at planning application stage. The density guideline takes into account the scale that is appropriate to the surrounding area and to the specific site. Any development is also required to meet the requirements of planning policies as set out in the Island Development Plan, which includes demonstrating the most effective and efficient use of land, but also requires that development respects the character of the local built environment (Policy GP8: Design). The Draft Framework already considers the character of the area in some detail (sections 4, 5 and 6) which adequately establishes the context for development of this site. The site is situated in a Main Centre Outer Area with good transport links to the site and where development sites are expected to achieve a higher density of development.

Further development to the North of the Island and the impacts on overstretched services, resources and infrastructure including road safety; potential of flood risk and surface water drainage and the impact on biodiversity of the site.

Capacity of nearby schools to accommodate additional pupils

The Committee for Education, Sport and Culture was not consulted specifically on this Draft Development Framework, but no objections have been raised previously to the spatial strategy in relation to school capacity as part of the extensive consultations undertaken for the IDP which was adopted by the States in November 2016. We will continue to liaise with the Committee for Education, Sport and Culture as and when necessary in relation to housing and school capacity.

Infrastructure

A number of respondents refer to traffic and parking issues including referring to other planned developments nearby, such as at Leale's Yard and the development for 51 sheltered housing units to the north of La Route Du Braye, Pointues Rocques and Tertre Lane as well as the traffic generated in the area from the surrounding industrial areas, particular in respect to the cumulative impact that all of the development in the surrounding area could have on traffic movements, safety and public parking.

Constraints with the existing road network, and the need for the road network to be able to cope with the development are highlighted in the Draft Framework. Traffic and Highway Services has not raised any objection to the proposed indicative development of the site although advice in relation to the location of any proposed access into the site has been indicated from this section. Any planning application submitted on the site will be the subject of consultation with Traffic and Highway Services and traffic and parking issues will be fully considered at that stage.

The Draft Framework requires appropriate levels of parking to be provided within the site and notes that it is expected that the provision of parking should comply with the Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment.

Pedestrian access and safety

Respondents raise concerns about pedestrian safety in the area in general and specifically in relation to the proximity of residential dwellings to the existing industrial activities within the area. The Draft Framework acknowledges the potential to take advantage of and provide a range of sustainable travel options to enhance connectivity to the surrounding area (6.12), whilst the 'Development Guidelines' section (7.29) notes the opportunity to create new pedestrian accesses through the site, north and south, to join Route des Barras and La Hure Mare Road.

Pedestrian access/egress to and from the site and pedestrian safety along the adjacent highways will also be assessed further at the detailed planning application stage in consultation with the Traffic and Highway Services and Building Control where necessary.

Flooding issues

Respondents have raised concerns with regard to flood risk within the Hure Mare Road and the potential along Summerfield Road as well as the recent works carried out by Geomarine in the area and the understanding that the Le Maresquet site is below the water table.

Although there are no known issues with flooding of the site or the immediate area, it is acknowledged that there is a flood risk potential along Summerfield Road. In order to comply with Policy GP9 (Sustainable Development), drainage solutions will need to form part of development proposals, and should include Sustainable Urban Drainage systems (such as permeable paving in landscaping schemes). The Draft Framework refers to the use of Sustainable Urban Drainage systems to control surface water run-off from the site under the 'Site Analysis' section paragraph 6.15 and 6.17 as well as within the 'Development Guidelines' section in paragraph 7.16 but it is recommended that the wording of the Draft Framework is revised to emphasise the need to manage and control surface water run-off from the site.

Recommendation:

That paragraph 6.15 of the 'Site Analysis' section is amended as follows:-

'There is no risk of flooding identified at the site or immediate area but surface water run-off arising from any future development should be dealt with effectively on site to avoid potential for flooding. Sustainable Urban Drainage (SUDs) systems should be incorporated to ensure that surface water run-off from the site is properly managed and controlled (Policy GP9)'.

Biodiversity of the site

Although raised as a potential concern through the loss of a 'green field' by some representors, there is little in the way of distinctive wildlife habitats on the site. However, as noted within the 'Site Analysis' section (6.18), there is an opportunity to improve the ecology and biodiversity and it is recommended that a baseline study of the existing ecology/biodiversity is carried out in order to secure improvements to the existing levels through the development of the site. This would be assessed further at the detailed planning application stage in consultation with the Biodiversity Officer. Further reference to Biodiversity in connection with Landscaping is made within the 'Development Guidelines' section and contact details provided for La Societe Guernesaise.

The impacts on the amenities, wellbeing and health of residents during the construction phase and once the site is developed

Respondents express concerns about the impact of the development on the amenities, health and wellbeing of existing residents, the further urbanisation of the area and the potential for overlooking.

The Draft Framework highlights the need for development to have regard to neighbouring properties, including the property to the north and residential dwellings to the south and west. The draft Framework also highlights the need for new development to integrate well with the overall character of the surrounding area and show consideration for the relationship with surrounding uses, including industrial/commercial developments (para. 7.5 and 7.11). Image 9 within 'Development Guidelines' further identifies potential for negative impact on residential amenity particularly with those residential units not separated from the site by roads.

Although the field provides amenity for neighbouring properties, the site is not physically accessible to the public and the loss of the open space from a visual perspective would not have an undue urbanising effect on the area and would have no material adverse effects on the amenities, health and wellbeing of existing residents.

Any development would need to accord with Policy GP8 (Design) which, inter alia, requires new development to consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space; and Policy GP9 (Sustainable Development) which, inter alia, supports development that will not have unacceptable impacts on the amenities of neighbouring properties. The likely effect of the development on the reasonable enjoyment of neighbouring properties is also a material planning consideration as detailed in Part IV, section 13, of The Land Planning and Development (General Provisions) Ordinance, 2007.

Impacts of the development on the Protected farm status and the preference given to this to the detriment of other properties

Section 34 of The Land Planning and Development (Guernsey) Law requires the Authority in exercising its functions with respect to a protected building or any other building or land in

the vicinity of a protected building to pay special attention to the desirability of preserving the protected building's special characteristics and setting.

In light of this statutory requirement and to accord with the purposes of the Law, the draft Development Framework identifies the protected building, Le Maresquet, to the north of the site and the need to carefully minimise and mitigate harm to this building (Development Guidelines para 7.24). The building is highlighted as a constraint within the 'Site Analysis' section (6.18) and is noted along with other residential properties as forming part of the surrounding area (para 4.1).

Concerns raised within the representations suggest that more emphasis regarding the potential impacts of the development has been given to the protected building to the north rather than the other residential dwellings surrounding the site, however given the special status of this building coupled with its location abutting the site, this is a greater constraint to development of the site than the other surrounding residential dwellings which are separated from the site by La Hure Mare Road.

However, although the protected building is directly referred to, this is not to the exclusion of, or detriment to, the other residential properties in the area. The dwellings also immediately abutting the site to the east are highlighted on images 8 and 9 (p. 12 and 16) as having potential for overlooking and negative impacts on residential amenity. Whilst there is no direct reference to other specific properties within the area, this does not mean that they have not been considered. The issue of any potential impact on neighbouring properties would also be given full consideration at the detailed planning application stage.

The siting of part of the site within the outer zone of major hazard

Part of the site is identified as being within the Major Hazards Outer Zone due to the location of the fuel terminal at Northside and this has been raised as a concern by a representor. Reference is made to Annex 9 of the IDP, specifically to 9.17 and 9.21 and the purpose of these zones to manage and limit the number of people who live, work or congregate in the area. Within the outer zone development where occupants are particularly vulnerable or which will attract large groups of people will be restricted.

In relation to this site, only the south east corner of the site falls within the outer zone and as such development in this area is not restricted unless it falls into the two points above. Utilising the site for residential development at the density indicated will not attract large or vulnerable groups of people and would be considered as acceptable in this area.

Furthermore, no issues have been raised by the HSE following consultation on this draft document.

Discrepancies noted within the framework

Concerns have been expressed about errors within the draft Development Framework. It is noted that image 5 page 8 shows 3 buildings designated as 'other use' which should be

marked as domestic and it is suggested that the framework consequently disadvantages and prejudices these occupiers and is misleading.

Recommendation:

There are three properties to the south east corner of the site which should have been coloured to represent domestic. The diagram (image 5) on page 8 should be changed to reflect the use of these properties correctly.

It has also been noted in representations that properties on the east side are not being respected and given the due consideration they deserve. It is noted that there are 5 properties in total but section 7.11 and 7.15 of the draft framework notes only properties to the north, south and west.

Recommendation:

That paragraph 7.11 is amended to read:

“.....Residential properties exist to the north, south, east and west with the majority of the properties separated from the site by La Hure Mare Road...”

The paragraph 7.15 is amended to read:

“Options may exist which take into account constraints to carefully develop the rest of the site behind the frontage development (north, south, east and west elevation), and these options must include a sensitive response to the identified issues of overlooking...”

It is noted that Image 9 (page 16) is incorrect as this indicates that only properties to the west have views into Le Maresquet; however properties to the north, east and south all have views.

Recommendation:

That Image 9 is corrected to show that views into the site are also possible from those residential properties to the north, east and south.

Image 8 (page 12) only considers the potential for overlooking of the Farm and two properties to the north east, however it is considered that there is the potential for overlooking on all sides of the proposed development.

It is recommended that Image 8 remains unchanged. The potential for overlooking has been indicated to these precise boundaries given that the boundaries of these properties abut the site.

Whilst it is noted that there are other residential properties in the area, they are separated from the site boundary by La Hure Mare Road.

Comments from the land-owner's agent

It has been requested by the agent that the wording of paragraph 7.6 within the draft 'Development Guidelines' section is altered to include: "However, it is important to note that this density and yield are indicative. The site may be able to yield more, or less dwellings, subject to meeting all the development and design guidelines set out in this framework". The agents note that this is similar to other approved and draft DF's.

Recommendation:

That paragraph 7.6 is altered to reflect the wording used in other adopted Frameworks to read:

"For the site in question, it is anticipated the site would be able to accommodate a density range of 30 – 55 dwellings per hectare, which is approximately 21 – 38 dwellings on this site. However, it is important to note that this density and yield are indicative. The site may be able to yield more, or less dwellings, subject to meeting all the development and design guidelines set out in this framework."

Comments arising from the Committee's consideration on 13 February 2019

Feedback from the Committee following the site visit, as expressed during the 13 February meeting, raised two main points. The first was in relation to the density range which was agreed to remain as originally proposed, that being, 30 – 55 dwellings per hectare, which is approximately 21 – 38 dwellings on this site. The second was in relation to clarifying what was meant by 'effective and efficient use' of the site. In relation to the latter point the Committee felt it was important to explicitly note that this did not mean that the entire site needed to be built upon but that a mix of land uses including communal open spaces and private amenity spaces should be incorporated to ensure good design.

Recommendation:

That paragraph 7.4 is amended to read:

“In terms of density and housing numbers, the exact number of units on the site will depend upon the detailed design response to the specifics of the site. Developments are expected to make the most efficient and effective use of land, however this does not mean that the entire developable area should be built upon. It is expected that proposals for development shall include the provision of private and communal amenity space to ensure that the proposal represents the best possible solution for the site in its context and achieves a high quality of design.”

That an amendment is made to section 6.17 of the ‘Site Analysis’ section to include an additional opportunity:

- Design: The site is of a size that presents an opportunity to include within the design areas of private and communal open space and public art to achieve a well-designed scheme, that represents the most effective and efficient use of the site.

Summary

The consultation process in respect of the Draft Development Framework has elicited a number of responses covering a range of planning issues as summarised above. The Planning Service has carefully considered the representations, responding to these and has also taken on-board the feedback of the Committee during the January and February Committee meetings and the site visit by Members which also took place in February. Suggested amendments and recommendations have been made following these meetings and having regard to the comments raised by members of the public, States Deputies and consultees all of which are noted within this report. Once finalised, the Development Framework will provide a valuable supplementary policy context for determining any subsequent planning application(s) for the site.