

REPORT OF THE CONSULTATION RESPONSES TO THE BOUVERIE LANE DRAFT DEVELOPMENT FRAMEWORK

Introduction

A draft Development Framework was prepared by the Planning Service to provide planning guidance for a potential residential development at a site located on Bouverie Lane, to the north-east of the Route de Cobo, in the parish of Castel.

The site covers an area of approximately 0.3 hectares (2 vergées) and is located within the Cobo Local Centre. The site includes the dwellinghouse known as Dove Cottage, the associated domestic curtilage and adjacent land.

A Framework was required for this site in accordance with Policy LC2: Housing in Local Centres as the site area exceeds 0.125 hectares (0.75 vergées).

The purpose of the Framework is to provide broad, comprehensive and practical guidance on how policies in the Island Development Plan will be applied to the site and includes an appraisal of the site and wider area.

The Draft Framework was the subject of a six week public consultation which closed on 26 June 2019. The public were invited to make comment 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, 23 letters of representation were received from members of the public, and there was consultation with several States' bodies/public agencies. Comments were received from the Fire and Rescue Service, La Societe Guernesiaise, Housing, Archaeology, Environmental Health, Guernsey Water and Traffic & Highway Services.

The concerns expressed in the letters from the public principally relate to:

- Requirements for housing
- Overdevelopment of the site
- Impact on the character and visual amenity of the area
- Loss of green space and trees
- Loss of arable land
- Flood risk
- Access, traffic, road safety & the pedestrian network
- Impact on neighbours
- Procedural issues

The letters are summarised and the consultation responses are set out below, together with Officer responses (italicised) and recommended amendments (shaded boxes) where appropriate:-

States Bodies/Public Agencies

Guernsey Fire and Rescue Service

After carefully considering the Draft Development Framework for the Bouverie Lane, Cobo. I am pleased to inform you that the Fire Service would have no fire safety related reasons to object to a building development on this site, 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.

Please note the following comment:

1. There would not be a requirement to include a fire hydrant in this proposed housing development as the Fire Service already has a functioning fire hydrant located in the Route De Cobo, approximately 25m from the proposed housing development's main entrance.

Officer Response

Noted. No changes are required.

La Société Guernesiaise

We would recommend that all boundary features and existing trees be retained and enhanced where possible.

We would also recommend that any proposals for new planting include a significant proportion of native trees and shrubs. In line with our comments on other DFs, we would suggest the following core native planting list -

(Trees) Silver Birch, Common Alder, Rowan, Field Maple, fruit trees.
(Hedging) Elder, Hawthorn, Grey Willow, Privet

As part of any new development, it would be beneficial to include suitable bird and bat boxes within the design to allow bats to roost and birds such as Swifts, House Martins, House Sparrows and more common species to nest.

Officer Response

In the absence of significant vegetation on this site, it is not considered necessary to require existing boundary features and trees to be retained.

It is however recommended that the Framework is amended to include the recommended planting species and to highlight the potential for bird and bat boxes.

Recommendation:

Amend the species identified in Paragraph 8.21 to *“Appropriate species for tree planting may include Silver Birch, Common Alder, Rowan, Field Maple and Fruit Trees. Suitable hedge plants may include Elder, Hawthorn, Grey Willow and Privet”*.

Add new paragraph under 8.21: *“As part of any new development, it would be beneficial to include suitable bird and bat boxes within the design to allow bats to roost and birds such as Swifts, House Martins, House Sparrows and more common species to nest.”*

Housing Strategy and Developments Officer

No comment to make.

Officer Response

No action required.

Education, Sport and Culture - Archaeology

Although the site has not been identified as of particular archaeological importance, as noted in paragraph 4.8, it has some interest because of its location: approximately 150m west of the ‘Cobo Longhouse’, excavated on the west side of Le Feugré (land parcel D01445B000) in 1967. This excavation revealed remains of several early medieval buildings, dating c.800-1150 AD, beneath wind-blown sand.

It is possible that early medieval settlement was also present closer to the coast, beneath the Bouverie Lane site. The historic mapping indicates that aside from Dove Cottage, the land has not previously been developed, and for that reason I would like to suggest that the DDF recommends the excavation of a small number of archaeological test-pits prior to any development taking place. These would then indicate whether it would be desirable to carry out a watching brief and/or any further archaeological excavation.

Officer Response

Amend Framework to identify potential archaeological interest and a requirement for test pits and potentially a Watching Brief.

Recommendation:

Add to the end of Paragraph 4.8: *however an early medieval settlement was discovered to the east of the site.*

Add bullet point to Section 7 Site Analysis: *There is potential for archaeological interest at this site.*

Add paragraph to Section 8 Development Guidelines:

Archaeology

The States' Archaeologist should be contacted early in the process to undertake test pits at this site. Depending on the results, a Watching Brief and/or further archaeological excavations may be required.

The Office of Environmental Health and Pollution Regulation

Do not wish to raise any objections or make any comment.

Officer Response

No action required.

Guernsey Water

Regarding surface water drainage this must all be dealt with on site with a recommendation that any estate road paving be permeable. Guernsey Water would encourage any development to look at possible sustainable drainage systems (SUDS).

Regarding foul water drainage Guernsey Water requests that it is consulted with at the earliest possible opportunity regarding proposed plans for the site and the preference is that any new foul water connection is into a pre-existing manhole situated in the public highway.

Regarding potable water the water main in the road has sufficient capacity and any developer should allow for a water system designed for pressure of around 7 bar (71 metre head).

Officer Response

Surface water drainage and SUDS are addressed in the Development Guidelines Paragraph 8.10.

It is however recommended that additional paragraphs are added to the Development Guidelines section, under Infrastructure, to address the points in respect of foul and potable water.

Recommendation:

Add two paragraphs to the Development Guidelines under the heading Infrastructure:

8.23 In the first instance foul water drainage should connect into an existing manhole in the public highway and Guernsey Water should be consulted early in the design process.

8.24 The water main in the road has sufficient capacity to support development. Any water system should be designed for pressure of around 7 bar (71 metre head).

Traffic and Highway Services

I have had a read through the draft Development Framework and have few comments to make from a road safety and traffic management perspective as the document covers these areas appropriately.

The matters that I have picked up upon are in 5.1 the draft mentions Route de Cobo as being heavily used by road users of all vehicle types travelling through the Local Centre. I think that perhaps the term ‘heavily used’ is overstating the volumes. I don’t have traffic flow data specifically for this part of Route de Cobo but do have it for the section by Saumarez Park. The 12-hour daytime volumes there are approximately 4,100 movements which compares to approximately 7,500 movements along Route Militaire, 6,750 along Val des Terres and 12,000 for the Rohais. In light of this, I would favour the term ‘well used’ or similar for Route de Cobo but appreciate it is subjective. There is no evidence of volumes using the relevant part of Route de Cobo as being anywhere near link or junction capacity.

In 5.4 the Framework mentions the bus route serving the site and amongst them is No. 62. This service no longer exists.

Officer Response

Amend as proposed.

Recommendation:

Amend paragraph 5.1 from “heavily used” to read “well used”.

Amend paragraph 5.4 to omit Bus route 62.

Public Comments

The consultation period resulted in 23 letters from members of the public.

The concerns expressed in those letters principally relate to:

- Requirement for housing in the Island and at Cobo, taking into account other development in the area
- Overdevelopment of the site
- Impact on the character and visual amenity of the area:
 - Dove Cottage should be a protected building
 - Multi-storey development is inappropriate
 - Design should respect character of the area, typified by traditional cottages
- Loss of green space and trees:
 - An EIA should be required
 - Impact on biodiversity
 - Impact on flooding and water run off
- Loss of arable land
- Flood risk
- Traffic and road safety
 - Additional traffic will be generated
 - Route de Cobo is narrow and it is already difficult to pass and enter properties
 - The bus stop is at the site access
 - The existing access cannot cope with additional traffic
- Impact on the pedestrian network: Bouverie lane & pavements
 - Tranquility
 - Safety issues relating to additional vehicle movements
 - Suggestions for improvements to pedestrian links should be more forceful
- Impact on neighbours
 - Loss of light/overshadowing
 - Overbearing
 - Overlooking
 - Noise and light pollution (during construction and at finished stage)
 - Views
- Request for consideration to be deferred until after States' debate on the planning requete
- Request for an Open Planning Meeting

The Officer responses (italicised) are set out below, with recommended amendments (shaded boxes) where appropriate:-

Housing requirement

The spatial strategy for the distribution of new development within the Island, as set out within the Strategic Land Use Plan, is to allow for limited development within and around the edges of main parish or local centres to enable community growth and the reinforcement of sustainable centres.

Consistent with this approach, Policy LC2 (Housing in Local Centres) makes provision for a limited amount of housing development in Local Centres. In preparing the IDP, the boundaries around the Local Centres were tightly drawn in order to allow for only limited development within those Centres, supporting the spatial strategy of focusing development in Main Centres. In this way, the boundaries in themselves serve to limit the amount of development that can take place within Local Centres and are reflective of the spatial strategy, as set out in the Strategic Land Use Plan.

In terms of new residential development within the Cobo Local Centre (not including demolition and rebuild of dwellings on a one-for-one basis), within the life of the Island Development Plan, Development Frameworks have been approved for Warma and Mycroft, to the north of Route de Carteret, with an indicated combined development range of 15-23 houses. An application for 13 dwellings has been approved on the Warma site. There is one pending application to erect 5 dwellings at a site to the south of the Route de Carteret. This does not represent a significant amount of new residential development in the Local Centre, and is largely focussed to the north of the Centre, whereas the Bouverie Lane site is located to the south.

It is noted that, subsequent to the adoption of the IDP, the States' Strategic Housing Indicator has been reduced from 300 units per annum to 127 units per annum. However, whilst the pipeline housing supply is in excess of this requirement and the two year pipeline supply required by the SLUP, Development Frameworks, as Supplementary Planning Guidance, must reflect the statutory policies of the IDP and it is not for an individual Development Framework to address the issue of housing supply on the island. This would need to be addressed through review of the IDP itself.

As set out within the Development Guidelines (para 8.4), the mix and type of housing provided should be reflective of the demographic profile of households requiring housing based on the most up to date evidence available. Affordable housing can only be required where a development exceeds the thresholds set out within Policy GP11 (Affordable Housing), namely where a development is for 20 or more houses. As any development at this site would fall significantly short of this threshold, there is no mechanism to require affordable housing at the site.

Overdevelopment of the site

The Island Development Plan seeks development to make efficient and effective use of land, whilst also proposing an appropriate mix and type of housing in accordance with the Housing Needs Survey, and identifying the need for proposals to consider the health and well-being of the occupiers and neighbours of a development.

The draft Development Framework gives an indicative density range of 20-30 dwellings per hectare, which would comprise approximately 5-7 dwellings on this site. This density is comparable to the density of development in the area, and is also consistent with that identified for the Warma/Mycroft Framework to the north of the Centre.

The proposed density is indicative, depending on whether the existing dwelling on the site is retained and taking into account the context of the surrounding area. The final housing numbers will be determined at planning application stage by a detailed analysis of the site constraints, including the impact on the character of the area and the amenity of adjoining properties, the housing requirements of the Island and the amenity of the proposed development.

Impact on the character and visual amenity of the area

The character of the area is described under Section 4 of the Draft Framework and the Development Guidelines (para 8.2) state that: “The density and form of development shall be designed to integrate well with the overall character of the surroundings. New dwellings will be expected to respect, but not necessarily copy, the form, bulk and massing of other residential buildings in the vicinity”. Whilst the Development Guidelines do seek to promote effective and efficient use of land, and note this could be through multi-storey development, they also state that a proposal must consider the impact of this in views from outside of the site, and note that photo montages may be required to demonstrate this impact (para 8.5). The Framework does therefore seek development which would respect the character of the area and it would be for any detailed proposals to demonstrate that the height of buildings proposed would be appropriate in the context of this site.

As noted within the Framework, Dove cottage is a pre-1900 building and of traditional character. The building has however been subject to extensive extension and alteration, and a desktop survey has indicated that it is not of sufficient value to warrant inclusion on the protected buildings list. Given that the building is not protected, and the area is not designated as a Conservation Area, there is no policy justification to require retention of the building. Notwithstanding this, the Framework states that “any proposal to demolish the dwelling should demonstrate that the proposal would result in a more efficient and effective development...and should demonstrate that the proposed replacement structures contribute to the character of the area” (para 8.6).

Loss of open green space and trees, impacts on biodiversity & EIA development

A large part of the site comprises the domestic curtilage associated with Dove Cottage, and is therefore regarded as previously developed land. Whilst the remainder of the land would class as open land, it is largely screened from public views by the surrounding development, with the exception of views from Bouverie Lane, which are obscured by the planting along the boundary. The land does not therefore make a significant contribution to openness and is not protected as Important Open Land under the Island Development Plan.

There is limited vegetation on the site and no trees of any note. Provided that, as set out in para 8.21, the development includes an appropriate landscaping scheme, the development of the site would not have a significant impact on biodiversity.

The requirements for an EIA are set out within the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007. Schedule 1 sets out scenarios for development which requires an EIA, and does not include any residential development.

Schedule 2 sets out scenarios for development which requires screening to assess whether an EIA is required. In respect of residential development, the criteria for assessment is whether the area of development exceeds 1 hectare. In this case the site area is 0.3ha and therefore does not fulfil the criteria for when an EIA could potentially be required.

Loss of arable land

The Habitat Survey 2010 identified the land to the eastern part of the site as Arable Land. This designation however also included the adjacent dwellings to the east, which clearly do not form arable land.

The land in question comprises a small area, c15m x 31m, and is isolated from any larger contiguous areas of agricultural land. The land does not form part of an Agriculture Priority Area, and is not therefore protected for agricultural use. Given the nature and location of this land, it would be of limited value for commercial agricultural production.

Flood risk

The Framework identifies that part of the site is within a flood risk area (para 4.11), and requires that an application demonstrates how this will be addressed through the design of any development (para 8.10).

In respect of surface water run off, all run off is to be dealt with on site and would not drain into the adjacent properties. This is addressed in the Guernsey Water comments above and in the amended version of para 8.10.

Access, traffic, road safety and impacts on the pedestrian network

Traffic & Highway Services have been consulted and do not raise any concerns regarding the capacity of the road network to cater for the indicated development. Notwithstanding the comments made in the letters of representation, the Route de Cobo is a Traffic Priority Route and is well connected to other Traffic Priority Routes.

Whilst the preferred site access is identified at the junction with Route de Cobo on Images 7 & 8, given the concerns raised, it is clearly not explicit that all vehicular movements are expected to be from that road. It is therefore recommended that a sentence is added to paragraph 8.15 reading "Vehicular access to the site shall be from the Route de Cobo".

The Draft Framework highlights potential road safety issues in respect of the existing access and its relationship with the pedestrian lane (Section 7), and consequently directs careful consideration to be given to the location and design of any access (paras 8.15 & 8.16), in addition to the positioning of the bus stop (para 8.17), and seeks to separate vehicle and pedestrian movements. The issues raised in respect of the existing access are therefore already addressed within the Framework.

The Bouverie Lane public footpath falls outside of the site boundaries and does not form part of the developable area identified in the Framework. The footpath would therefore have to

be retained as part of any proposals for the site, and the Framework recommends that opportunities be taken to enhance the public realm, with particular reference to the footpath (para 8.14).

The opportunities to improve site connectivity with Bouverie Lane at the eastern end of the south boundary of the site (as identified in Image 8) are intended for pedestrian, or possibly bicycle, purposes only and no vehicle movements are anticipated from the site on to Rue du Bouverie. The lane is not of sufficient width to support such traffic. To clarify the position in respect of Bouverie Lane, it is recommended that a paragraph be added after 8.17 stating that “The Bouverie Lane pedestrian route falls outside of the development site boundaries and must be retained. There may however be opportunities to provide pedestrian and/or bicycle access to the lane at the eastern end of the boundary with that lane”. It is also recommended that the description in the key for Images 7 & 8 is amended to read “Opportunities to improve pedestrian/bicycle connectivity”.

It has been suggested that a stile or swing gate be incorporated to separate the vehicular and pedestrian traffic. Whilst this suggestion is noted, it would be overly prescriptive to make this a requirement of the Development Framework, and the most appropriate method for managing the vehicle and pedestrian movements will be considered as part of the preparation of any formal application.

Comment has been made that there is a lack of parking in the Cobo area, raising concerns that the Framework proposes minimal parking for the new development. The direction set out in the Framework is however in accordance with the approach adopted by the Island Development Plan, which notes that managing the supply of car parking is a key factor in addressing traffic congestion, encouraging people to use more sustainable modes of transport and making more efficient use of land (para 20.8.3 in the Island Development Plan). It will be for a formal application to demonstrate that the parking levels proposed are appropriate for the type of development proposed and the context of the site.

Recommendation:

Add sentence to beginning of para 8.15: “Vehicular access to the site shall be from the Route de Cobo”.

Add paragraph after 8.17 stating: “The Bouverie Lane pedestrian route falls outside of the development site boundaries and must be retained. There may however be opportunities to provide pedestrian and/or bicycle access to the lane at the eastern end of the boundary with that lane”.

Images 7 & 8: Alter description in key from *Opportunities to improve site connectivity* to *Opportunities to improve pedestrian/bicycle connectivity*

Impact on neighbours

The Framework notes that there are a number of residential properties surrounding the site, and states that any development must not result in unreasonable impact on the amenity of those properties (para 8.13). Sensitive boundaries have been identified where it is considered that a neighbouring property may be particularly susceptible to impacts arising from development of the site. It is therefore considered that the Framework adequately addresses the requirement to consider the impact on neighbouring properties in the preparation of a detailed scheme for development.

For the avoidance of doubt, consideration of a formal application would include the potential impacts on all neighbouring properties, not just those which have been identified as having “sensitive boundaries”, and could include issues such as loss of light/overshadowing, overbearing, overlooking, noise and light pollution. It is however noted that, whilst public views can be taken into consideration, private views are not protected under Planning Law, and do not form a material planning consideration.

Comments have been made that the Site Analysis and Development Guidelines diagrams (Images 7 & 8) omit a section of the east site boundary from the “sensitive boundaries” designation. This section had been omitted due to the distance of the dwelling on the adjacent property from the site boundary, consequently reducing the sensitivity of the property. Given the comments made, it is however recommended that the sensitive boundary designation is extended to include the omitted section, and further consideration will be given to the likely impacts on the adjoining property as part of the consideration of a formal application for planning permission.

Recommendation:

Extend the sensitive boundary designation to include the whole of the east site boundary on Images 7 & 8.

Procedure for consideration of Framework

The Requête entitled “Island Development Plan” was debated 19/07/19 and the States resolved to negative Proposition 2 of the Requête. The Committee may decide to instigate policy changes regarding Development Frameworks as part of the five-year review of the IDP. However in the interim Draft Frameworks such as this one which have been commenced will be progressed to conclusion.

A Development Framework comprises supplementary planning guidance, expanding on the policies of the Island Development Plan and setting out the parameters for any proposed development at the site. The Framework therefore relates to an established principle, i.e. the provision for housing development within Local Centres, which was previously subject of independent Public Inquiry and States’ approval.

The detailed elements of a proposal, including exact housing numbers, site layout, elevations, etc, would form part of a formal application for planning permission. That application would be advertised in the normal manner, in the Guernsey Press and by Site Notice, and representations can be made in respect of the details of the scheme at that stage. Once a detailed application has been submitted it will be assessed against the approved scheme of delegation to ascertain whether a decision should be made under delegated authority or at an Open Planning Meeting.

Summary

The consultation process in respect of the Draft Development Framework has elicited a number of responses, as set out above. The Authority will need to carefully consider the consultation replies and the representation letters, together with the Officer responses and recommendations, before finalising a Development Framework for the Bouverie Lane site. Once finalised, the Development Framework will provide a supplementary policy context for determining any subsequent planning application(s) for the site.