



PLANNING APPLICATION REPORT

Application No: FULL/2020/1891
Property Ref: F011320000
Valid date: 09/10/2020
Location: Halekulani Route De Rocquaine St. Pierre Du Bois Guernsey GY7 9HT
Proposal: Demolish dwelling and erect replacement dwelling, infill existing pedestrian access and widen vehicular access.
Applicant: Mr J West

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the 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. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels and finished floor levels of all buildings, have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of this condition.

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

5. The permeable hard surfaces shall not be constructed until a written specification for their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing and all other sustainable design features set out in the submitted Planning Application, including the details on page number 1135_31_A, have been installed/completed/made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 including to minimise surface water run-off and to increase the resilience to flooding.

6. No stone shall be brought onto site until details showing the means of construction and bonding of the stone walls of the replacement dwelling, including details of the type and colour of stone, the method of pointing and the strength and colour of mortar mixes, have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

7. The existing pedestrian access shall be infilled with stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone roadside wall.

Reason - To secure the satisfactory appearance of the completed development.

8. Within four weeks of the widened vehicular access being brought into use, the ends of the enlarged opening shall be finished off using stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone roadside wall.

Reason - To secure the satisfactory appearance of the completed development.

9. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

OFFICER'S REPORT

Site Description:

The site consists of a detached cottage fronting onto Route de Rocquaine and forms part of a ribbon development of residential properties along the coast road. The site is Outside of the Centres.

Relevant History:

26/08/2020 – PREA/2020/1199 – Pre-application advice regarding demolish dwelling and erect replacement dwelling.

24/04/2019 – FULL/2019/0037 – Permission granted to demolish existing dwelling and outbuilding and erect a replacement dwelling. Extend front boundary wall to infill existing pedestrian access.

31/07/2018 – FULL/2018/1558 – Permission granted for the change of use of agricultural land to domestic garden.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish the existing dwelling and erect a replacement two storey dwelling, infill pedestrian access and widen the existing vehicular access by 1 metre to a total width of 4 metres.

The replacement dwelling is proposed to be of a modern design with single storey flat roof and two storey pitched roof elements. The dwelling would be finished with a mix of granite and rendered walls at ground floor level, pigmento red zinc cladding at first floor level for both the walls and roof, powder coated aluminium fenestration and glass balustrades to the first floor roof terrace.

During the course of consideration the application was deferred due to concerns about the originally proposed use of Corten Steel to clad the first floor of the building and the potential for overlooking from the roof terrace.

Revised plans were received on 26/04/2021 replacing the Corten Steel cladding with slate cladding and reducing the extent of the first floor roof terrace, reducing the height of a section of the north boundary wall and alterations to fenestration on the front (west) elevation. However, the application was deferred for a second time due to concerns about the proposed use of slate cladding for the first floor of the building. Revised plans received on 09/06/2021 were subsequently submitted which now propose the use of pigmento red zinc cladding at first floor level for both the walls and roof.

The application is supported by a Design Statement which sets out details to explain the design response of the proposal and includes details regarding the sustainability, accessibility and adaptability of the development.

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

GP1 - Landscape Character and Open Land
GP8 - Design
GP9 - Sustainable Development
GP13 – Householder Development
IP7 - Private and Communal Car Parking
IP9 - Highway Safety, Accessibility and Capacity

Representations:

28 objections, including objections from two States' Deputies were received in response to the original application, main points as follows;

- No objections to the demolition of the existing dwelling.
- Objections were raised to the scale, form and design of the replacement dwelling. The replacement dwelling is considerably higher than neighbouring properties including the cottages to the north-west which are 1 to 1½ storeys high. The site is in a prominent coastal location and the replacement dwelling will dominate the area and is out of character with the area.
- The use of Corten Steel is unattractive, gives an industrial appearance and is out of keeping with the area.
- The replacement dwelling is not sympathetic to and does not retain the character of the historic fisherman's cottages along the coast road and is out of keeping with the area. The proposal does not accord with Policies GP1 or GP8.
- Concerns were raised about whether the submitted information and illustrations give an inaccurate impression of how the replacement dwelling would look.
- Previously approved replacement dwelling was more sympathetic to the character of the area (FULL/2019/0037).
- Proposed landscaping will do little to soften the impact of the replacement dwelling and is unlikely to survive.
- Two metre high wall along north boundary will affect sunlight and amenities of neighbouring property.
- Concerned about drainage and increased risk of flooding for this site and neighbouring properties. Questions the insurability of the property.
- Height and proximity of south elevation to south boundary will be imposing and adversely affect the amenities of the neighbouring property.
- Loss of privacy from first floor roof terrace.
- Loss of light, overshadowing and loss of views for properties in Rue des Issues.
- Reference is made to draft Island Development Plan Planning Inquiry representation IR281.

14 objections were received in response to the revised application received on 26/04/2021, main points as follows;

- Only minor changes have been made, the majority of concerns previously raised have not been addressed.
- The scale, form and design of the replacement dwelling remains out of character with the area.
- Grey slate gives a dark and foreboding appearance, it does not change the industrial appearance of the replacement dwelling and is out of character with the area.
- First floor roof terrace has been moved further from neighbouring property to the south thereby reducing overlooking. However, concerned that flat roof extends up to the south boundary and that balustrade in place to restrict access to this section of the roof could be removed or ignored in the future resulting in overlooking of neighbouring property.
- The replacement dwelling will detract from the row of iconic cottages. Concerned that further cottages will be demolished in future.
- Notes that the two metre high wall along the north boundary has been moved back (eastwards) which is an improvement in terms of the impact on the neighbouring property to the north.
- The architect's intention of bridging the gap between buildings to the south and north is valid but has not been achieved.

8 objections were received in response to the revised application received on 09/06/2021. Comments were specifically requested to be limited to changes to the cladding material at first floor level. The main points are as follows;

- Red zinc cladding is no more in keeping with the style of other properties in the area as the previously proposed Corten steel or grey slate.
- Change in cladding does not address concerns with the overall design of the replacement dwelling.
- Previous objections remain.
- Red zinc cladding is closer to the originally proposed Corten Steel and thus increases its industrial appearance. Whilst cladding is a serious concern, the core reason for our objection remains the size and overall design.
- Change in cladding to zinc makes the proposal worse as it is now more like the original.
- Whilst the colour of the cladding is closer to adjacent dwellings, it does little to make the building less incongruous to the surrounding area.
- Minor cosmetic changes to cladding do not address the real issue that the building is completely out of character with the row of fisherman's cottages.

Consultations:

St Pierre du Bois Constables, 31/10/2020

"With regard to the above application we would like to register that we have received a number of objections to the development from parishioners and enclose copies of emails/letters received. We understand that some of these parishioners have also written directly to the department to register their objection to the proposals.

The Douzaine feels that the design of the proposed dwelling is out of character with the surrounding properties and would like to object to the application.

Policy GP8 refers to the need for a proposed application to enhance the character of the environment, and 'respect the character of the local built environment'. It is our opinion that the proposed replacement dwelling does not fulfil either of these criteria. It does not enhance the character of its surroundings, nor does it respect the existing street scene of the traditional style of property along the coast road which is defined by the traditional Guernsey 'fishermans' cottages in this area. The design is not considerate of the character of the local built environment and is very much out of keeping and incongruous with its surroundings; and whilst the Douzaine is not opposed to this type of modern design, it is felt that this is not a suitable location for such a design.

It is noted that the properties to the north of the site are all traditional single-storey Guernsey cottages (page 1089-11 of the application) and that the properties to the south are 1.5 storey traditional design dwellings. The design of this property is for a 2-storey dwelling which will have a dominant impact on the surrounding area.

The previous application, FULL/2019/0037, retained a traditional frontage onto the coast road which was in keeping with the adjacent properties whilst a more modern style of design was used at the rear of the property and was therefore substantially more appropriate for the area.

We do hope that you will take our views into consideration when making your decision".

The Office of Environmental Health and Pollution Regulation, 09/02/2021

"I have reviewed the proposed plans for the above property which were received by email on 14th January 2021 and there are a number of issues of concern that I must raise. Currently there is insufficient information for me to be able to make a recommendation in relation to this application. Further information is required and the following would be beneficial:

- Consideration needs to be had on the possible impacts of the installation of weathered steel on the marine environment. This should address the possible impact on oyster beds in the vicinity.
- The mass of the weathered steel cladding has not been considered, this will be fundamental in the overall assessment.
- Consideration should also be had on the high recreational use of the area in the immediate vicinity of the property.
- Heavy metals bio-accumulate and this has not been fully considered.
- The filtration system referred to may be a possible option however, further information on this system is required.

It is likely that if this application was to proceed conditions in relation to regular checks and sampling of water run off would be recommended. This site is very exposed and I am concerned that the supporting documentation may not be directly comparable".

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

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).**

Policy GP13 indicates that proposals for the demolition of existing dwellings and the erection of replacement dwellings on a one for one basis will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan. In this instance the proposal includes alterations to the access and Policies GP1, GP8, GP9, IP7 and IP9 are also relevant. In addition, the preceding text of Policy GP13 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

Policy GP1 sets out that development will be supported where it respects the relevant landscape character type within which it is set, where development does not result in the unacceptable loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness of the area, and takes advantage where practicable of opportunities to improve visual and physical access to open and undeveloped land.

Policy GP8 seeks to ensure that new development achieves a good standard of design making effective use of land whilst respecting the character of the local built environment or the open landscape concerned. Development should also give consideration to the amenities of occupiers and surrounding neighbours and provide accessibility for all.

Planning permission was granted in April 2019 (FULL/2019/0037) to erect a replacement dwelling comprising of a 1½ storey pitched roof cottage fronting onto the highway with a single storey pitched roof conservatory and single storey blockwork pitched roof section projecting to the rear. The previous permission raised no objections to the principle of the demolition of the existing dwelling.

The core of the existing building is pre 1898 as are some of the cottages to the north. Small fisherman's or quarryman's cottages are important in terms of the historic development of the area and in particular the coast road. The character of these cottages along the coast road define the character of this area by virtue of their size and simple unassuming form and use of traditional materials, even though there is a considerable

amount of in-fill development along the road which detracts from this. The surrounding area has been developed over time with significant development to the south of the site in the late 20th Century of larger estate type buildings which changes the character of the road both in terms of the position in relation to the road and in scale and detail. The existing building itself was significantly altered throughout the 20th Century with large extensions and poorly detailed alterations which detract from its character to the point where the existing building no longer makes a particular positive contribution to the character of the area (as referred to in paragraph 19.14.11 of the Island Development Plan).

Policy GP8 requires development to make the most effective and efficient use of land. In this respect, it highlights that multi-storey buildings are a more efficient use of land than single storey buildings and it states that development proposals should consider a multi-storey design from the outset, unless there are overriding reasons why this design approach would be unacceptable within a particular locality. In addition, the preceding explanation to Policy GP8 sets out that *“Design however relates not only to the architectural style of a building but to constructional efficiency and the quality and sustainability of the materials used. Achieving more sustainable development may require a move away from the traditional design, location and orientation of buildings (Policy GP9: Sustainable Development)”* and that *“the correct approach to building design will depend upon the particular location of development and the specific factors affecting the proposals. Whilst new development should acknowledge the surrounding built form, flexibility in the design of development will be allowed in order to ensure proposals also address issues of sustainable design, mitigation and adaptation to climate change and creating flexible and adaptable spaces within buildings as well as recognising the personal choice and aspirations of property owners. Development should respect the palate of traditional local materials without necessarily being bound by them, unless the special interest of a Conservation Area or protected building or protected monument would be adversely affected”*.

The proposal would result in an increase to the scale and mass of the dwelling, with the ridge height increasing by 2.6 metres compared to the existing dwelling and approximately 1.2 metres compared to the previously approved replacement dwelling.

The building is generally proposed to be finished in high quality materials which have been selected in terms of the aesthetic of the wider environment and general quality and longevity. The base of the building is heavyweight stone which is supposed to mimic the sea wall and the other boundary walls in the area which are typically stone, this gives an interesting connection to both structures and ties the design to its site. The cottage on top is the same shape and size as the traditional cottages which contribute to the character of the area, but it is a modern interpretation of these buildings in other materials. The large and deep holes in the ground floor of the building reveal the shape of the cottage within it as you move around the site resulting in an interesting interplay with the two forms.

The area is not characterised by extensive landscaping, particularly to the frontage of properties, with this likely due to the coastal location, the overtopping of waves and the difficulty for many plants to survive in such conditions. Whilst it is unclear whether and how effectively the proposed soft landscaping will become established, it would not be

necessary for an extensive soft landscaping scheme in this instance. The hard landscaping is reasonable in its materiality and extent.

The alterations to the roadside wall involving the closing of the pedestrian access and the modest widening of the vehicular access are appropriate and would have no adverse effects on the character and appearance of the area.

Whilst the size and shape of the replacement dwelling is larger than the cottages to the north, they are reflected in the design, the replacement dwelling would be more similar to the scale of the buildings to the south and Policy GP8 encourages multi-storey designs as a more efficient use of land. The replacement dwelling would be situated on a similar footprint to the existing dwelling, thereby largely retaining the gap to the neighbouring property to the north and the views from the public highway through the site towards the open land to the east. Whilst the proposal will introduce a contemporary two storey design to the area, the property is not located within a Conservation Area or other sensitive area, as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances. There is a mix of style of properties within the wider area and the contemporary two storey design and materials proposed would not detract from the openness of the area and would not have a significant adverse effect on the character of the local built environment, in accordance with Policies GP1, GP8 and GP13.

In terms of its accessibility and adaptability, the replacement dwelling has a well-designed and efficient layout which has clearly taken 'accessibility for all' into account from inception and will be able to accommodate change in the future.

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. The application is supported by a Design Statement which sets out how the development has been designed to take into account sustainable design principles. The agent advises that the dwelling is to be highly insulated, airtight, orientated to make use of the environment, solar shading is to be used, there would be through ventilation and it would incorporate hard wearing materials. Measures have been incorporated to reduce the risk of flooding including retaining the raised floor level of the dwelling and the use of permeable paving and surfaces. Details of the construction of the permeable paving could be requested by condition (condition 5). The information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources and that the replacement dwelling will be significantly more efficient than the existing building and the requirements of the Guernsey Technical Standards, in accordance with Policy GP9. A Waste Management Plan has been submitted which sets out how construction waste is to be minimised and dealt with.

Revised plans received during the course of consideration included reducing the extent of the first floor roof terrace and setting it further back from the south boundary. The alterations to the extent of the roof terrace are sufficient to prevent any significant loss of privacy for neighbouring properties. Planning permission would be required to extend the roof terrace in future beyond the extent of the existing proposed roof terrace.

The south elevation of the replacement dwelling would be set back 1 metre from the south boundary, with the two-storey element set back a further 2.8 metres. Situated to the north of the adjoining residential property, the replacement dwelling would not overshadow the neighbouring property and the siting, scale and extent of the south elevation walls are unlikely to have a significant overbearing effect. Overall, the replacement dwelling is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

The comments in the letters of representation regarding the loss of private views and the insurability of the proposed dwelling are not material planning considerations. Concerns have been raised by representors about the accuracy of the illustrations submitted. However, sufficient information has been submitted to a recognised scale, including elevation and section plans, to fully appraise the proposed development. Reference is made to representation IR281 regarding the draft Island Development Plan which proposed an amendment to Policy GP8. However, no changes were made to the Island Development Plan as a result of this representation and the representation against the draft Island Development Plan has no bearing on the determination of this application.

In summary, there are no objections to the demolition of the existing dwelling. The replacement dwelling would be larger than existing properties, particularly to the north, but it would be more similar to the scale of buildings to the south and Policy GP8 encourages multi-storey designs as a more efficient use of land. The proposal will introduce a contemporary two storey design to the area, however, the property is not located within a Conservation Area or other sensitive area and Policy GP8 provides support for personal choice in design matters in such circumstances. The replacement dwelling is generally proposed to be finished in high quality materials, it would be accessible and adaptable, it has been designed to take into account the use of energy and resources and it will be significantly more efficient than the existing building and the requirements of the Guernsey Technical Standards. Overall, the contemporary two storey design would not detract from the openness of the area and would not have a significant adverse effect on the character of the local built environment. The revisions to the extent of the first floor terrace result in the replacement dwelling being unlikely to have any significant adverse effects on the amenities of neighbouring residents. The proposal accords with the policies of the Island Development Plan.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 22/07/2021

