

## **ENVIRONMENT DEPARTMENT PLANNING DIVISION**

### **OPEN PLANNING MEETING AGENDA**

An Open Planning Meeting will be held at Beau Sejour, Cambridge and Delancey rooms, on Tuesday 09/06/2015 at 8.45am for a 9.00am start.

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

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

APPLICATION NUMBER:	FULL/2014/3168
APPLICATION ADDRESS:	Uplands St. Jacques St. Peter Port Guernsey
DESCRIPTION OF WORK:	Demolish existing dwelling, erect 5 one bedroom units and 2 one bedroom dwellings. Alter access, parking and amenity areas (Revised January 2015)
NAME OF APPLICANT:	Uplands Limited

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

APPLICATION NUMBER:	FULL/2015/0889
APPLICATION ADDRESS:	Foreshore adjacent to 'Red Lion' slipway Les Banques St. Sampson Guernsey
DESCRIPTION OF WORK:	Construct land outfall chamber.
NAME OF APPLICANT:	Guernsey Water

The agenda for the open planning meeting, along with the planning application report relating to each application to be considered, which follows below, is made available five working days before the date of the Open Planning Meeting on the Department's website and also in hard copy at the Department's offices. The planning application report/s below contain a summary of consultation responses and of any representations received on the application/s from third parties.

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

- a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and
- b) who have notified the Department in writing (by letter or by e-mail addressed to [Planning@gov.gg](mailto:Planning@gov.gg)) of their intention to speak which is received by the Department by 12.00 Noon on the working day immediately preceding the date of the Open Planning Meeting.

**Application No:** FULL/2014/3168  
**Property Ref:** A20621B000  
**Valid date:** 07/11/2014  
**Location:** Uplands St. Jacques St. Peter Port Guernsey GY1 1SP  
**Proposal:** Demolish existing dwelling, erect 5 one bedroom units and 2 one bedroom dwellings. Alter access, parking and amenity areas (Revised January 2015)  
**Applicant:** Uplands Limited

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

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

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

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

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

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

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

4. Notwithstanding the information submitted, prior to development being commenced on the site, precise details including the retention of the existing roadside wall, the design and construction methodology for the retaining wall, kerbing and car parking on the eastern side of the vehicular access and the design and positioning of the tree protection fencing, including drawn details at 1:20 scale shall be submitted to and approved in writing by the Environment Department.

Reason - To ensure that the detailed design of the development is satisfactory, specifically to ensure that the construction of the retaining wall and parking will not encroach into the Root Protection Zone (as defined in accordance with BS;5837:2012) of the protected trees.

5. Notwithstanding the information submitted, prior to development being commenced on the site, revised details to provide a shared access width of 4.5m for a length of 6m from the junction with St

Jacques, and corresponding adjustment to the pedestrian access to the north of the site shall be submitted to and approved in writing by the Environment Department.

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

6. Before any work is commenced on the site including site works of any description, the Protected Trees shall be securely fenced off by a chestnut paling or similar fence erected in accordance with details required by Condition 4. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand, and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason - To adequately protect existing trees in the interests of amenity.

7. Notwithstanding the information submitted, prior to development being commenced on the site, precise details of the allocation of parking and repositioning of the parking space for unit 3 at 1:100 scale shall be submitted to and approved in writing by the Environment Department.

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

8. The existing pedestrian access shall be closed and the wall reinstated to match the remainder of the wall within 28 days of the alteration of the vehicular access being commenced.

Reason - To ensure a satisfactory form of development in the interests of highway safety and/or visual amenity.

9. Notwithstanding the information submitted, prior to the construction of the residential units being commenced on the site, precise details of chimneys, railings, windows, doors, eaves and the dormer windows at 1:20 scale shall be submitted to and approved in writing by the Environment Department.

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

10. All windows other than to the 'Coach Houses' shall be of vertical sliding sash design and method of opening.

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

11. No development shall take place until there has been submitted to and approved by the Environment Department a comprehensive scheme of landscaping, which shall include details of the type, number and size of new trees/shrubs at the time of planting; details of all surfacing materials and boundary definitions and of the proposed storage sheds within the development hereby approved.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

12. Precise details of the type, colour, texture and method of laying of the granite to be used to face buildings and retaining wall, shall be specified to and approved in writing by the Environment Department prior to the commencement of works.

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

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Environment Department gives written approval to any variation.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

14. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2007 (or any other Ordinance replacing or re-enacting that Ordinance), no development within Class 1 shall be erected or constructed on this site without the express prior written permission of the Environment Department.

Reason - The form and/or design of the development permitted is such that detailed control is required over any additional development that may be proposed.

15. The access and car parking indicated on the approved plans shall be surfaced, marked out and made available for use prior to the first residential unit hereby approved being first occupied.

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

16. The development shall be completed in accordance with the details separately approved under conditions 4, 5, 7, 9, 11 and 12.

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

## **INFORMATIVES**

For the avoidance of doubt, the position of the parking space to serve unit 3, all surfacing materials, railings, boundary fences/ walls and sheds are to be subject of further / revised details under conditions of this permission.

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## **OFFICER'S REPORT**

### **Site Description:**

The application site contains a detached, 1960s bungalow occupying an elevated position above St Jacques. The roadside boundary to the site is a granite wall approximately 2.5m-3.5m in height. The site extends to approximately 0.14ha and backs onto houses along Upper St Jacques. Existing vehicular access is to the east of the site and leads up to a detached double garage and parking/turning area adjacent to the southeast boundary of the dwelling.

The application site contains a group of trees immediately adjacent to the existing access which are now Protected Trees following the registration of a Tree Protection Order.

The site is elevated above St Jacques and above the levels of St Jacques House to the east. A 3m high wall forms the southern boundary of the site. The western boundary is largely enclosed by a timber fence.

There are Protected Buildings adjacent to either side of and opposite the application site.

The site is within the settlement area and within the St Peter Port Conservation Area. The character of the area is defined by a combination of the topography, the boundary walls and buildings together with landscaping within some front gardens.

The buildings along the north of St Jacques are predominantly two-storey and tend to be arranged in terraces or are semi-detached, although there are some large detached houses. The buildings are set back between approximately 3 and 7 metres from the road and generally have low front boundary walls. The set-back of buildings creates front gardens, some of which have mature landscaping whilst others are used for car parking. The buildings along the south of St Jacques tend to be larger and set back further from the street. The boundary walls are both low and high. Due to their set-back from the road, the buildings do not provide as much enclosure to the street (when compared to the buildings on the north side). Instead, the front boundary walls and landscaping provide positive enclosure. This is especially distinctive in the vicinity of the application site where tall granite retaining walls enclose the street.

**Relevant History:**

PAPP/1997/3491	Relocate garage and erect a dwelling.	Rejected 04/11/1997
FULL/2014/0587	Demolish existing dwelling and erect 5 one bedroom units and 3 two bedroom units with associated parking and landscaping	Withdrawn 14/11/2014 Superseded by:
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 two bedroom units with associated parking and landscaping (revised)	Deferred Revised 7 November 2014
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 two bedroom units with associated parking and landscaping (revised)	Deferred Revised 30 January 2015
FULL/2014/3168	Demolish existing dwelling and erect 5 one bedroom units and 2 one bedroom units with associated parking and landscaping (revised)	Revised 30 January 2015
PT79	Tree Protection Order. Group of trees including Lime, Sycamore, Sweet Chestnut, Evergreen Oak at Uplands and St Jacques House	Registered 19/12/2014

**Existing Use(s):**

Residential Use Class 1: Dwellinghouse.

**Brief Description of Development:**

The development proposed is principally to:

- Demolish the existing bungalow and garage;
- Alter the access and create a parking area for 7 cars;

- Erect 1¾ storey, double piled building to provide 4no. one bedroomed houses (flat roof link hipped back between gables) with single storey wing to form a 5<sup>th</sup> one bedroom unit of accommodation, fronting towards St Jacques;
- Erect 2 single storey one-bedroom dwellings on south west of site.

Proposed materials are:

- Façade and gables of the main building: Granite faced, below pantile roof, red brick chimneys; rear gable and façade, smooth render below slate roof, single storey lean-to with pantile roof on west gable;
- Single storey wing: Front façade and gable, granite faced, rear gable and façade, smooth render above granite faced retaining wall to access;
- Single storey dwellings: Smooth render below slate roof.

External works and features:

- Retaining walls to the access would be granite faced;
- Gardens to the front are shown enclosed by metal railings and those to the rear by walls;
- To the north of the single storey houses, a communal garden/amenity space is shown, containing 5 sheds for bicycle storage;
- The widened access bell mouth would be laid with granite setts; the remainder of the access and parking areas surfaced in pavoids.
- The roadside wall and Protected Trees are shown to be retained, and the existing pedestrian access built up to match the remainder of the wall.
- Within the site, ground levels are shown to be lowered, particularly on the south and west of the site and to reduce the gradient of the access, the latter by approximately 1m.

The application has been revised in the course of consideration, as noted in the site history. The current application supersedes an earlier application which was withdrawn prior to determination, and has itself been revised on a number of occasions, most recently on 30 January 2015. It is this latest revision which is being addressed in this report. This sequence of revision is reflected in the representations received.

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

GEN1 Sustainable development  
 GEN2 Comprehensive development  
 GEN4 The built environment  
 GEN5 Design  
 GEN6 Character and amenity  
 GEN7 Roads and Infrastructure  
 GEN9 Open space and parking  
 GEN 12 Effect on adjoining properties  
 DBE1 Design - General  
 DBE2 Developments with significant townscape impact  
 DBE 7 New development in conservation areas  
 DBE 8 Buildings of special interest

DBE 9 Demolition of buildings and features

HO2 New housing in the settlement area on previously developed land

HO9 Retention of the existing housing stock

HO10 Residential density and amenity

### **Representations**

The current proposal - FULL/2014/3168 as revised 30 January 2015

**9 letters of representation have been received, one from a States Deputy, which principally relate to the following:**

- Acknowledgment that revisions have been made addressing some of the previous concerns but that because the excavation is reduced, the building is higher, and set back further into the site which together increase the impact on La Colline, the Protected Building to the west.
- The density of the development will harm the setting of the surrounding buildings; number of residential units constitutes overdevelopment and impact on traffic is unacceptable in an already populated and busy area; previous developments for high density developments in the area have been refused, as this should be; cramming in 7 units with no real gardens is not in keeping with the surroundings.
- Question that this development would conserve or enhance the conservation area (DBE7)
- Loss of garden and green space detracts from the character of the area and fragments wildlife corridor.
- The area has retained ambiance and character of the past, this development would destroy that; the number of units will alter the nature of the property and the diminution of the visual qualities and general surroundings of (conservation areas) cannot but have an adverse effect on the overall nature of St Peter Port. An opportunity to replace the bungalow should be taken, but this is not the way it should be done.
- In principle some care has been taken (in designing) the main construction (the frontage development) to integrate it into the streetscape. However the rear range (the 'Coach Houses') is badly designed, 'miserably cramped' and does not belong in a residential road of this nature.
- The 'Coach Houses' are far too close to boundary; not at all in keeping with the area, nor are flats as nearly all dwellings are houses with gardens; development ought to be reduced to only one coach house, and the main building repositioned into the site.
- The main building would dominate the cottages opposite and result in overlooking and loss of privacy. There is no need for the main building to be so close to the road,

it could easily be moved back (1m), the developer is willing to do so, and the boundary wall retained intact.

- The excavation for the 'coach houses' (the single storey units on the south west of the site) will be within the Root Protection Area of a Holly tree on land to the west.
- Impact on Traffic and loss of on-street parking; only 1 space per unit will increase pressure on existing on-street parking.
- Development is too substantial and unsuitable in a Conservation Area; developers had advised that Environment Department has encouraged them to submit plans for 7 units, that the site was earmarked for 4-8 units; revision to houses (with stairs to first floor bedrooms) reduces suitability for older residents/ life time homes; the level of parking makes no provision for visitors/ care/ services delivery; access moved due to TPO, but will potentially lose parking spaces (on road); visibility poor of vehicles exiting the site; concern at potential precedent for further development, specifically on land between St Jacques and La Gibauderie; urges Department to refuse this application and reduce the development to 4 units; requests that the application go to an Open Planning Meeting.
- Full support for the proposal provided that the main building is set a further 2m back from the roadside, to prevent loss of light and privacy to houses opposite and reduce impact of the buildings on the road and the roadside wall is retained at its existing height.

NB. Some correspondence refers to earlier letters of representation and a meeting held with the agents and developers.

#### Superseded proposal - FULL/2014/3168 as received 7 November 2014

This proposal was described as to Demolish existing dwelling and erect five one-bedroom units and three two bedroom units with associated parking and landscaping. This submission included lowering the site levels by up to 3m (west of site) and the main building 1.8m lower than previously proposed. It would have included retaining walls to south and west and the removal of the Sweet Chestnut. The Lime tree to the front of the site was shown to be retained. This proposal is now superseded by the current proposal.

**8 letters of representation were received, one from a States Deputy, along with a petition containing 58 signatures and comments**, largely objecting to the application on grounds of overdevelopment, traffic and parking, and effect on conservation area.

**The 8 letters of representation principally related to the following:**

- Impact on character and appearance of the Conservation Area; proposed development would detract from, not conserve or enhance the Conservation Area; increase in width of access will erode view along the road and setting of protected buildings.



- The design of the development does not respect the scale and massing of existing buildings and will not achieve a satisfactory relationship with them; any pitched roof should not be higher than those of La Colline. Dummy chimneys, flat roofs and plastic joinery are not part of a 'pallet of natural materials' [Planning & Design Statement]; only natural materials should be used in the development.
- Density too great; overdevelopment of the site; inadequate level of private amenity for the proposed residential units; detrimental to streetscape; precedent for further development on open areas; not 'brownfield site' or social housing, two to three units in one building would be more appropriate.
- Impact on local infrastructure – parking, drainage, roads, emergency services, etc. There ought to be a statement on traffic impact; access and intensity of use would not respect the character of the area; safety of access and effect on access along St Jacques for emergency vehicles.
- Neighbour amenity - potential overlooking, interface, noise and disturbance; siting the main building further back will increase impact on La Colline, overbearing and oppressive.
- Effect on setting of Protected Buildings St Jacques House and La Colline.
- Lowering the site and reducing the height of the granite wall will look odd and destroy the footprint of the old La Colline site [divided in 1956, resulting in sites of Yew Trees and Uplands]; lowering the site would create a 3m retaining wall on the west boundary, topped by a 2m fence. Cutting into the site would result in a 'concrete quarry', even worse than the previous proposal.
- The 'Coach Houses' represent backland development, an unnecessary incursion into open area and impact on neighbouring properties; timber cladding is not suited to the Conservation area or adjacent to Protected Buildings.
- Loss of garden and trees, loss of wildlife corridor.
- In 1997 permission was refused for one additional house at Uplands, so it would be inconsistent to approve this application; in 2012, 2013 [and 2014] permission was refused for a new house at Mon Plaisir. NB. *This latter decision is subject of an appeal at present.*
- Quantum of development does not suit this site due to poor accessibility and being in a Conservation Area; should be provision for carers' / service providers' parking; loss of on-street parking for access; poor visibility on exiting site; overdevelopment - development should be limited to 3-4 units of accommodation, and to footprint of existing bungalow; The 'Coach Houses' will block light to Yew Trees and La Colline; trees should be kept; requests consideration at Open Planning Meeting.

NB. Some correspondence refers to earlier letters of representation.

### **Consultations:**

#### **Traffic Services Unit**

*Advises that an access should: -*

- a) Enable a driver 2.4m from the edge of the carriageway to see a minimum of 33m in the direction of oncoming traffic;*
- b) Not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;*
- c) Have sufficient width to enable cars and light vehicles to exit and enter the drive without crossing into the path of vehicles on the opposite side of the carriageway;*
- d) Be square to the carriageway;*
- e) Be sited at a distance not less than 20m from a junction.*

*As St Jacques is one way – East to West, the sightline of oncoming traffic only has been noted here.*

*I refer to our previous comments of June 2014, a copy of which is attached for your information. At that time, it was identified from the supplied plans that the 1800mm high roadside wall to the east of the access point had not been altered in height and as such represented an obstruction in the direction of oncoming traffic, resulting in a marginally improved sightline of approximately 7.5 metres.*

*It is noted from the latest plans that the aforementioned roadside granite wall is proposed to be 1712mm in height (information provided by architect) and as such would still represent an obstruction to visibility in that direction. Whilst allowing for a change in levels within the site (approx 400mm higher than road level at a point 2.4 metres back from the edge of the carriageway), the wall would still represent a significant obstruction.*

*As a result, the achievable sightline in the direction of oncoming traffic would be slightly reduced from the previous figure due to the proposed reduction in width of the access and would now be approximately 6.5 metres. As a consequence of this significantly sub-standard sightline, serious road safety concerns would exist given the likely intensification of use of the access that would arise from the proposed development (even allowing for reduced number of proposed units).*

*The revised access roadway width of 4 metres, incorporating a shared surface arrangement for pedestrian access, would raise some Traffic Management concerns as it would only provide single file access where there would most likely be an intensification of vehicular use of the access roadway arising from the proposed development.*

*The level of parking is commensurate with the proposed scale of the development and the design of the parking provision which incorporates a turning point is welcomed by the TSU.*

*Given the above observations, whilst the Traffic Services Unit recognises that the proposed scheme results in a marginally improved sightline observed in the direction of oncoming*

*traffic compared to that which currently exists, there are good Road Safety grounds on which to oppose the application in its current form in respect of the significantly sub-standard sightline of oncoming traffic, and taking into account the likely increase in vehicle movements arising from the proposed development.*

*Some Traffic Management grounds also exist on which to oppose the application in regard to the single file access width of the access roadway.*

#### Constables of St Peter Port

21 November 2014

*'The matter was considered by the Constables recently who had no comments to make.'*

24 February 2015 (latest revised plans)

*'The matter was considered by the Douzaine recently and in light of the complaints regarding this development from several quarters, are not in support of the application even with its amendments.*

*The Douzaine considers this is an overdevelopment of a site in a conservation area with questionable safe access and egress onto a busy road. The proposed development does not reflect the attractive ambiance of this area and would suggest the granite wall frontage be retained.'*

#### Summary of Issues:

- Principle of development
- Provision of residential development in the Urban Area
- Impact on character and appearance of the Conservation Area
- Effect on setting of Protected Buildings
- Effect on Protected Trees
- Highways access and parking
- Effect on neighbour amenity

#### Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

#### Principle of development

Policy HO9 (retention of existing housing stock) sets out a presumption in favour of retaining and improving existing housing. Redevelopment or refurbishment schemes are required to retain or if possible increase the number and quality of housing units on the site. In this instance the proposal seeks to redevelop the existing property resulting in a net gain of 6 additional dwellings.

As an existing dwellinghouse and garden, the site is 'previously developed land'. As the site falls within the settlement area the principle of development also accords with Policy HO2 (Opportunity Sites) provided that the site is: (a) suitable having regard to the existing characteristics of the site and its relationship with the surrounding area; (b) acceptable in terms of design, density and amenity; and (c) does not conflict with other relevant policies. These issues are considered further in the assessment below.

Policy HO10 encourages higher density development, and this is expected on sites within and in the vicinity of the Central Areas, and for developments designed to meet the needs of smaller households. This does not however equate with poorer quality and in encouraging higher density developments the Department will take into account the following:-

- a) The location of the site
- b) The type of housing proposed
- c) The character of the surrounding area
- d) The needs of future occupiers and
- e) The level of amenity for existing and prospective residents having regard to Annex 3.

Annex 3 sets out the general principles regarding amenity but contains no minimum size thresholds for amenity space provision which is considered on a case by case basis. In this proposed development each unit has dedicated amenity space, and due to the elevated nature of the site even the small gardens to the front of the property are afforded some privacy. Those assigned to units 2 and 3 particularly are the most limited. The Coach Houses have approximately 30m<sup>2</sup> west facing gardens. In addition there is a larger shared area to include storage/ sheds for 5, and potentially all 7, units.

#### Demolition of the Existing Property

The existing house was built in the 1960's and is a single storey bungalow. It is, however, afforded some protection by UAP Policy DBE7 (New development in conservation areas) and Policy DBE9 (Demolition of buildings and features).

The property adds little historic or architectural interest to the conservation area. The existing bungalow is one of very few 'modern' buildings in the street and does not contribute to its distinctive character, although its presence is relatively 'discreet'. It is considered a building that is overall neutral to the character and appearance of the conservation area. In light of this there is no policy objection to the principle of demolition of the existing building, subject to the replacement preserving and enhancing the conservation area.

#### Effect on the Conservation Area and Protected Buildings

The site is within the settlement area and within the St Peter Port Conservation Area. This conservation area comprises a number of character areas with the area of 'St Jacques' being one such distinct area. The area is defined by a combination of the topography, the boundary walls and buildings together with landscaping within some front gardens. Also, the area has a backdrop of a swathe of green open space containing mature trees, some parts of which, to the north of St Jacques, are designated as an Area of Landscape Value (ALV) in the Urban Area Plan.

St Jacques runs approximately east-west and drops down approximately 15 metres from its junction with Elm Grove before rising approximately 8 metres to its junction with Rozel Road. Historically, St Jacques would have been a major radial route into/from St Peter Port. However, it is now one-way and modern traffic management has directed the vast majority of vehicular traffic away from St Jacques. It has the character of a local residential street, with limited vehicular movement throughout the day, although it is more frequently used at afternoon peak time. Cars are parked both on-street and within the front gardens of some properties.

The buildings along the north side of St Jacques are predominantly two-storey (some have accommodation in the roof space) and tend to be arranged in terraces or are semi-detached. There are however some large detached houses. The buildings are set back between approximately 3 and 7 metres from the road and generally have low front boundary walls. The set-back creates front gardens, some of which have mature landscaping whilst others are used for car parking. Many of the houses are not arranged so they are parallel to the road, resulting in a distinctive character and adding visual interest to the street. The houses face onto St Jacques resulting in positive enclosure of the space.

The buildings along the south side of St Jacques tend to be larger and set back further from the street (typically by 7–15 metres). The set-back creates front gardens that are landscaped although sometimes used for car parking, as well as large rear gardens. The boundary walls are both low and high. Due to their set back from the road, these buildings do not provide as much enclosure to the street (when compared to the buildings on the north side). Instead, the front boundary walls and landscaping provide positive enclosure. This is especially distinctive in the vicinity of the application site where tall granite retaining walls enclose the street. The existing bungalow is one of very few 'modern' buildings in the street and does not contribute to its distinctive character. Its boundary wall and a tree adjacent to the existing vehicle access do contribute to the character of the area.

The application is a resubmission following deferral and subsequent withdrawal of planning application FULL/2014/0587 and revision of the plans submitted in November 2014. FULL/2014/0587 was deferred because of the scale and impact of the then proposed development; the front building was considered too imposing and too close to the road; major trees on the east of the site were to be removed; the three units to the rear (the 'Coach Houses') were cramped and poorly related to the buildings to the west.

The Department was unconvinced that 3 further units could be achieved on the rear part of the site, particularly if the main building remained of the scale and mass then proposed. The plans were considered to represent an overdevelopment of the site and a form of development which would have had an unacceptable impact on the character and appearance of the conservation area and would have impacted negatively on the setting of La Colline, a Protected Building, and on the reasonable amenity which neighbouring residential occupiers might reasonably expect to enjoy.

Since that time, the applicant has revised and reduced the proposed development, with the current revised proposals received on 30<sup>th</sup> January 2015.

The building that faces onto St Jacques has a proposed deeper plan than the majority of other buildings in the vicinity; however its footprint is similar to the neighbouring St Jacques House. Furthermore, the form of the building, utilising a double-pile roof arrangement helps satisfactorily assimilate the scale of the building and is a traditional vernacular approach, not inappropriate in its context. Similarly, the proposed materials are typical of those used in buildings throughout the conservation area. It is therefore considered that the scale, mass, form and detailing is of a traditional form and similar to many other buildings in the urban area and would not be discordant in the street scene. The provision of individual entrances to respective units will also help reinforce the character of the street which provides for a variety of property types.

Due to the topography of the street a proposed larger building, closer to the edge of the site, will adopt a more prominent position that will be visible from the eastern end of St Jacques where long views will be possible. Whilst the Department is sensitive to the potential of this to have a negative impact on the Conservation Area setting, the presence of a building in this location will not necessarily result in harm. As considered above, the scale, massing and materials proposed will help assimilate the building in its context with the submitted drawings and proposed CGIs helping to illustrate this, including the relationship with neighbouring buildings and the resultant enclosure to the street.

The reduction from a full two-storey building to single and 1¾ storey reduces its scale and massing compared with the development initially proposed. As proposed the ridge of the main building would be 0.92m above that of the existing bungalow. Scaffolding to demonstrate the position and heights of the proposed development has been constructed on the site and the form of the frontage building does now relate well to the topography of the area. The roadside wall is retained and a footpath to the proposed houses is enclosed by it. The façade of the building is now 5m back from the site frontage.

The group of trees to the east of the site is now subject of a Tree Protection Order and their retention is incorporated in the proposed development. These trees contribute to the character of the conservation area and provide screening to the site and the proposed building when approached from the east. Therefore, the building will be screened by existing trees and boundary walls.

As a noted part of the character of the conservation area, the buildings to the south of St Jacques tend to be larger and set within large garden grounds. The introduction of two 'Mews' houses to the rear of the property does, therefore, have an impact on this characteristic of the conservation area by further urbanising an area that was once used for orchards. It has however been part of a domestic curtilage for more than 60 years and further residential development in this location can be accepted in principle.

The Coach Houses are reduced through the revisions made to the scheme to single storey, one bedroom units, and two are proposed. While they may change the character of the area to a limited degree, as now proposed they are of a scale and position which will not affect the appearance of the Conservation Area.

The combined effect of the changes is that the proposed site layout will preserve (i.e. do not harm) to the character and appearance of the Conservation Area (Policy DBE7).

The boundaries of the adjacent buildings, St Jacques House and La Colline are not affected by the proposed development. Both have monopitch outbuildings flanking the application site boundaries. The group of Protected Trees flank the eastern boundary of the site. The revised form of development does not adversely impact on the setting of any listed building. The impact on neighbour amenity is a separate issue and addressed below.

#### Effect on Protected Trees

The proposed arrangement for the entrance drive and car parking can be implemented without significant adverse impact on the protected trees. However, this will depend on:

- not rebuilding the existing roadside retaining wall within the Root Protection Zone of the Lime tree, and
- design details and construction methodology being submitted to confirm that the construction of the proposed retaining wall and kerbing to the east of the proposed driveway and car parking will not encroach into the Root Protection Zone (defined in accordance with BS 5837:2012) of the protected trees.

This would necessitate, for example, sheet piling along the east side of the proposed access as well as provision of root protection fencing before the new retaining wall could be constructed and details of the construction of the south eastern parking area where the ground level is to be raised slightly must be agreed.

#### Vehicular access & provision of parking

The proposed access and driveway alterations encompass widening the access to approximately 4m wide, where the existing is approximately 2.5 metres wide. This involves the partial demolition of a boundary wall to the west of the existing access, and provision of a new wall in materials to match. This access and egress to/from St Jacques would be acceptable to emergency services but visibility would not be more than approximately 6.5m to the east. Improving visibility further would be possible but only at the expense of the boundary wall and Lime tree, and visibility would remain limited by the garage of St Jacques House.

This notwithstanding, the single file traffic along the road and the on-street parking on the northern and southern side of the road serve to calm traffic at this junction and it is considered that this would mitigate against the concerns raised by Traffic Services. This would also lessen conflict for vehicles entering and exiting the site.

However, the access is shown to be 4m wide. To meet Part P of the Building regulations it would have to be 4.5m for the first 6m. This can be accommodated on the west side, with the readjustment of steps leading to the front of the proposed houses.

Parking provision, being one space per one bedroom unit meets the guidelines of the UAP. The space for unit 3 is awkwardly configured, but again could be adjusted, and as mentioned above, construction details of the parking on the south east of the site are needed.

On street, closure of the existing pedestrian access releases a little space to adjust parking bays, compensating for the increased width of the access.

For the reasons set out above the proposal is considered to accord with the requirements of Policy GEN8 (Safe and convenient access), GEN9 (Open space and parking) and DBE7 in that it will conserve and enhance the appearance of the conservation area.

### Neighbouring Amenity

The objections and concerns of neighbours are summarised in the representations.

The main objections concern traffic, road safety, overshadowing, overlooking, noise and precedent.

The development proposed is not of a scale which requires a Traffic Impact Assessment (more than 25 dwellings) and no traffic survey is required. The additional traffic generated by this development will not significantly add to traffic flows and TSU advise that there are no significant traffic management grounds to oppose the application.

The sightline eastwards is slightly improved from that existing but is substandard due to the wall on the site frontage and adjacent building. As reported above, the former could be improved further only by losing the Lime tree and the frontage wall, both of which are important to the character and appearance of the street and the Conservation Area. The majority of accesses on the road have very limited visibility and there are factors in mitigation as described above; on balance, subject to the increase to 4.5m, it is recommended that this limitation is accepted.

The site is on the south side of St Jacques. The highest proposed roof ridge is less than 1m above the ridge of the bungalow, and the building line approximately 2m north (forward) of its façade. It is not considered that this will result in material overshadowing of the houses opposite.

The proposed building is higher and closer to La Colline, the dwellinghouse to the west. This may reduce early morning sunlight at certain times of year, but not to an extent to warrant the refusal of the application on this ground. The 1¾ storey building would be a minimum of 2m from the boundary, the rear 'pile' 5m, due to the boundary configuration. It will change the outlook, but the orientation of the buildings would not result in an overbearing or oppressive impact.

The house opposite, on the lower side of St Jacques is 14m from the face of the proposed building. The relative heights and distance would be such that any inter-visibility would be limited. Objectors suggest that the frontage buildings could be repositioned one or two metres further back, to the present building line. This would impact on the amenity spaces within the site, which are capable of creating an attractive amenity and 'sense of place' within the scheme. It would return the 'Coach Houses' to being cramped and crowded and would reduce parking.



At the rear, southwest of the site the two single storey houses are now designed so that there is ground floor accommodation only. Their gables would be 5m and 6m from the western boundary, to Yew Trees. Their eaves height is below the height of the wall on the southern boundary. Their position and design is such that they will have no material effect on neighbouring properties.

For these reasons the proposal is considered to accord with Policy GEN12 (Effect on adjoining properties) of the UAP.

#### Other planning considerations

The planning history of the site records a previous attempt to redevelop the site which was refused by the former IDC 17 years ago. This was under a different set of policy requirements which were very different from the current policy framework. Furthermore the level of detail required to be submitted is significantly greater now and as such the Department, for the reasons set out above, considers that the scheme will accord with the relevant policy requirements.

The policy framework of the Urban Area Plan provides for the development of sites such as this within settlement areas. Not all sites that are brought forward for development are suitable or capable of development and other developments in St Jacques have been refused on that basis; equally other developments have been approved where they meet the relevant policies.

#### Conclusion

The site offers an opportunity to create a higher density development for small households, on previously developed land in close proximity to the central area of St Peter Port. The design and density of the development have been revised quite considerably since the first application and as set out in the report, it is now considered acceptable. It is therefore recommended that planning permission be granted subject to conditions.

**Date:** 21 May 2015

## **Appendix: previous application FULL/2014/0587**

### **Proposal:**

This previous application comprised of the following three elements: (1) the replacement building facing onto St Jacques which was proposed to accommodate five 1-bedroom maisonettes with ground floor lounge/ dining/ kitchen rooms and bedrooms above. The form proposed was of a two-storey, double pile, granite fronted '6-bay' building with a lower height, one and a half storey side addition. Each of the units would benefit from an adjacent or communal area of amenity space; (2) The erection of three terraced, two storey, 'Mews' houses to the rear of the site, including integral garage and bedrooms in the roof. The building was proposed to be timber clad on the upper floors with ground floor granite detailing. (3) The widening of the vehicle access to provide access to a proposed parking/turning area.

The application was supported by a Planning and Design Statement (A7 Design Ltd February 2014).

### **Representations:**

Ten representations were received from owners/occupiers of the properties nearby or their representatives, together with a previous owner. Their comments included:

- Any property closer to the road will result in a loss of light and privacy;
- Windows from the proposed 'coach houses' will overlook my house and gardens will cause noise;
- The building at a higher level above the street will dominate the frontage and be overbearing/looming/intrusive/oppressive;
- The development will result in a loss of light, privacy, sense of space and tranquillity;
- The access will be dangerous;
- The plans do not conserve or enhance the area;
- The scale is out of character and context with its surroundings;
- Development nearby in Upper St Jacques is within the settlement area;
- The multiple occupancy of a large building is out of character;
- Previous proposals to develop the site have been refused and so this application should similarly be refused;
- The proposal represents overdevelopment and is overcrowded;
- Development is more suitable to Upper St Jacques which is higher density ;
- The parking area will be visible from the road and have a negative visual impact;
- There will be a loss of on-street parking and visitors will need to park on street which is already oversubscribed;
- The proposal will result in increased traffic in a narrow road;
- The proposal will result in the loss of a valuable area of green space and which is of strategic and historic importance;
- The proposal will result in a loss of at least one tree;
- There will be a lack of amenity for the occupants of the properties and this does not fit with the character;

- The proposal will have an adverse impact on nearby protected buildings and their setting;
- The proposed materials including PVCu windows and timber cladding are not in keeping.

### **Consultations:**

#### **Constables of St Peter Port**

*The Douzaine felt by a majority that the results of extra cars will only exacerbate an already challenging traffic area. They are however mindful of the need to provide suitable housing for young families, just not in such a concentrated fashion.*

#### **Traffic Services Unit**

*As St Jacques is one way – East to West, the sightline of oncoming traffic only has been noted here.*

#### **Existing access**

*In the direction of oncoming traffic, the sightline was observed as being 4 metres, with a 1.8 metre high granite roadside wall obstructing visibility in this direction. Whilst there is a lower speed limit of 25 mph within St Jacques, serious Road Safety concerns exist in regard to this significantly sub-standard sightline.*

*The width of the access measures approximately 2.8 metres and has minimal bell mouth radii present on each side. The access driveway reduces slightly in width along its length, to 2.6 metres at its narrowest point; this leads to a general parking area to the front of two garages. The general dimensions of this area would facilitate the turning of vehicles on site so as to exit forward facing and this particular aspect is welcomed by the Traffic Services Unit. The level of parking provision is considered to be appropriate for a dwelling of this type.*

#### **Proposed access**

*It is noted from the supplied plans that it is proposed to increase the access width and incorporate more generous radii to each side of the access point.*

*Taking these changes into account, the sightline that would be observed from the modified access would be approximately 7.5 metres, with the aforementioned granite roadside wall obstructing visibility in this direction. Notwithstanding the improvement to the sightline, serious Road Safety concerns would remain in light of the fact that the development of this site will almost certainly result in an intensification of use to that which currently exists.*

*The access driveway has been increased in width to 4.3 metres, however this falls marginally short of the current Engineering Guidelines minimum recommended width for two way vehicular access of 4.7 metres. The TSU would therefore recommend that consideration be given to increasing the width so as to provide two way access in light of the potential for an increase in vehicle movement numbers as a result of the proposed development.*

*The parking dimensions and layout would all appear to meet the current Engineering Guidelines, and the parking provision would be of a level commensurate with a development of this scale. The TSU welcomes the provision of sufficient space for vehicles to turn on site so as to exit forward facing.*

*Given the above observations, whilst the Traffic Services Unit recognises that the proposed scheme results in an improved sightline observed in the direction of oncoming traffic compared to that which currently exists, there are good Road Safety grounds on which to oppose the application in its current form in respect of the significantly sub-standard sightline of oncoming traffic, and taking into account the likely increase in vehicle movements arising from the proposed development.*

*No significant Traffic Management grounds exist however on which to oppose the application.*

**Application No:** FULL/2015/0889  
**Property Ref:** B001050000  
**Valid date:** 30/03/2015  
**Location:** Foreshore adjacent to 'Red Lion' slipway Les Banques St. Sampson  
Guernsey  
**Proposal:** Construct land outfall chamber.  
**Applicant:** Guernsey Water

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

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

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

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

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

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

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

4. Notwithstanding the information submitted, prior to the construction of the chamber being commenced, precise details of the finish proposed to the top of the chamber, particularly at the point at which the top abuts the sea wall, shall be submitted to and approved in writing by the Environment Department. The development shall thereafter be undertaken in accordance with the approved plans.

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

5. The use of the temporary public car parking, and all compounds associated with the construction of the chamber shall cease and be restored to their previous use and condition within 3 months of the construction of the chamber.

Reason - The permission is granted to meet a declared short term need and to ensure that the land is satisfactorily reinstated.

6. With respect to the masonry wall cladding, all new work shall be of natural granite to be of type, colour, texture and method of laying to match the existing sea wall and shall be undertaken within 3 months of the construction of the chamber.

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

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## **OFFICER'S REPORT**

### **Site Description:**

The site is located on the seaward (east) side of the Belle Greve seawall, immediately to the north of the Red Lion slipway. The beach at that point comprises scattered shingle over sand. The landward side of the sea wall comprises public car parking.

The site is located at the southern edge of a Site of Nature Conservation Importance in the Urban Area Plan. The SNCI was designated due to the importance of the shingle bank running along the beach head.

### **Relevant History:**

13/04/15 PREA/2015/0647 Environmental Impact Assessment Screening Opinion – An EIA is not required due to the localised and temporary nature of any impacts, the short duration of the period of works and the regenerative capacity of the land.

10/04/15 Confirmation that the installation of the outfall pipe would comprise exempt works under Class 5(1) of the Land Planning and Development (Exemptions) Ordinance, 2007.

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

Beach head and sea wall

### **Brief Description of Development:**

Permission is sought to construct a land outfall chamber on the seaward side of the Belle Greve Bay sea wall to the north of the Red Lion Slipway. The chamber is to house the above ground section of the pipework associated with the replacement of the Island's Long Sea Outfall (LSO) and Short Sea Outfall (SSO). The application also includes temporary site compounds on the land adjacent to the proposed chamber and at the beach head, and the temporary relocation of the public parking adjacent to the chamber to the north on to the grass embankment.

The chamber is to be constructed of reinforced concrete with a masonry wall cladding to match the existing seawall.

As initially proposed the chamber extended 12.79m along the seawall, projecting 1.93m above the top of the wall for the whole of that length, and at the furthest point extending 5.2m eastwards from the wall. The proposal also included an air inlet/outlet on top of the structure.

The amended plans revise the chamber to 10m along the seawall, below the top of the wall, with the section of the building projecting above the wall reduced to 5.7m along the wall at a height of 1.73m above the top of the existing wall. The chamber extends a maximum of 4.3m east from the wall. The revised proposal also includes rock armour scour protection around the base of the chamber and omits the external air inlet/outlet.

In support of the application the following points are made:

- The chamber is required as part of the outfall replacement project.
- The Belle Greve Waste Water Centre is located below all but the lowest portion of the tidal range. The proposal is to install both the LSO and SSO as traditional rising mains to a suitable high point and then gravitate the flows in the pipes from this point to the end of each outfall.
- The location of Chamber 4 represents the highest land position between the Waste Water Centre and the outfall discharge point.
- The high point needs to be above Highest Astronomical Tide (+10.3m above chart datum) to provide protection against tidal waters flowing back through the outfalls and inundating the Waste Water Centre and surrounding areas. This protection is secondary to the non-return valves on the discharge end of the pipes.
- Air released from the sewage flow will collect at the high point, and could potentially cause air locks in the pipe. Air valves therefore need to be incorporated at the high point to allow for the release of air.
- The chamber will be vented back to the odour control plant at the Wastewater Centre.
- The proposed location of the chamber was based on three main factors:
  - o The route of the outfall pipes. This route is dictated by the geology of the area, avoiding the gabbro granite in the area which would make the project more costly, time-consuming and potentially unviable. The optimum route approaches the seawall to the north of the Red Lion slipway.
  - o The only feasible land based route to the Waste Water Centre is along the access road, due to the location of existing residential properties and under road services.
  - o Discussions with the Constables and Douzaine of St Sampsons indicate that the slipway should be retained and its historical significance preserved. Guernsey Water however note re-positioning of the chamber on to the slipway could otherwise be a feasible option.
- The existing granite building to the south of the site is the Red Lion Surface Water Pumping Station, and does not deal with the flows which pass through the Waste Water Centre. This building is currently in use and cannot be discontinued for use by the outfalls.
- No wave modelling has been undertaken, as the chamber is deemed to be of too small relative significance to be able to model the wave action with any degree of accuracy or confidence. The project designer (Royal Haskoning) however note that the chamber is located at the top of the beach and tucked in alongside the existing

slipway, so it is unlikely to have a significant impact on the shoreline sediment processes. Due to the increase in height of the sea wall overtopping of this section of the defences will not be increased. The chamber should not exacerbate the wave action at the slipway and could even reduce the impact as any wave travelling along the seawall would be deflected away from the wall due to the configuration of the chamber at that point. It is however noted that there is a possibility that wave focussing may result in increased run-up at the slipway. It is also noted that the reduced sea depth resulting from the proposal, including the use of rock armour, will dissipate wave energy.

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

Urban Area Plan policies:

ED1	Essential development
GEN5	Design
GEN6	Character and amenity
GEN11	Public enjoyment
GEN12	Effect on adjoining properties
DBE1	Design
DBE6	Skyline and public views
WWM4	Flood risk
CO5	Wildlife and nature conservation

**Representations:**

**Representations against the initial plans (submitted 30/03/15)**

Seven letters of representation received from 10 members of the public, one of whom represents the management company for the residences at Durrington court, raising the following points:

- Objections to the size and appearance of the building;
- The building will be an eyesore;
- Impact in public views from multiple viewpoints around Belle Greve Bay;
- Impact on private views from nearby properties on the western side of Les Banques;
- Devaluation of properties;
- Release of foul smells from the chamber;
- Impact on residents parking;
- Impact on the environment – querying if an EIA was carried out;
- Additional flood risk in a high density residential area and impacting on an essential carrageway:
  - o Parallel wave action resulting from deflection off the existing pumping station will be exacerbated by the new structure, at the point of impact adjacent to the slipway;
  - o Adjacent buildings are already close to being an un-insurable risk.
- Disturbance during the course of works, particularly in conjunction with the development at the Red Lion;
- There are alternative options:
  - o Using existing granite building with pipes running along sea wall.



- Constructing the chamber to the south side of the slip, although noting this would allegedly place a strain on the pipework.
- Relocate over and close existing slipway – this is little used and would limit flooding of the adjacent area, protecting the strategic Wastewater Centre. Would also remove the obstruction to some private views and provide an opportunity to improve the sea defences.
- Replace in existing trench, extended to incorporate second outfall.
- The cost of the overall development;
- Lack of public consultation on the overall project;
- The sign displayed is not well related to the project location;
- A4 site notice was not displayed until 10/04/15, on the wall adjacent to the development.

One letter of support received for the plans submitted 30/03/15 raising the following points:

- Views from the adjacent properties are already obscured by the public car park, views would still be available around and over the chamber;
- Relocating the chamber would potentially impact on a different set of residents;
- The loss of the slipway would be a great loss in terms of recreational and emergency beach access;
- Presumably the proposed location is the most cost effective route, avoiding existing infrastructure.

Representations against the revised plans received 07/05/15

Seven letters of representation received, from five members of the public, raising the following points:

- The chamber would result in:
  - Increased flooding;
  - Loss of views for residents and users of the area;
  - Another building being erected when there is an existing building which could be used;
  - An eyesore along the seafront.
- There are alternative options, including:
  - Closing the existing slipway, running the pipes along the seawall and utilising the existing building to the south;
  - Relocation of the building on to the slipway and closure of the slipway, minimising the risk of flooding;
  - Relocation of the building to the south of slipway, where the wall is higher and fewer properties would be affected.
- There would be disturbance during the course of works, including noise, dirt, smells, loss of parking and impact on traffic flow.
- The bay is a Nature Reserve as shown in the Birds of the Bailiwick book and the proposed works would disturb the reserve.
- Chiquita Cottage is a currently used landmark by the skippers of the three vessels of Brecqhou Marine Services on a daily basis and the proposal would obscure sight of this navigation point. The Cottage is a well known landmark and is noted on navigation charts as well as in history books.

- The Environment Department has two hats in this matter – planning and representative of the Crown as owner of the land.

### **Consultations:**

*The Environmental Health Department:* Raise no objections.

*The Environment Services Unit* comments as follows:

The Environment Services unit is pleased to see the reduction in the proposed size of the building and has no objection to the proposed scale or design of the chamber. It is noted that this will require the existing haunch of the slipway (managed by ESU) to be removed to accommodate the chamber's southerly wall.

The ESU is responsible for the coastal wall and its function as a coastal defence. We note that Guernsey Water *"have not undertaken wave modelling on this structure in detail, however it has been discussed in general terms with the Contractor and his designer (Royal Haskoning – who are also the main consultants for sea defences for SoG). The view was that the chamber should not exacerbate the wave action at the slipway and could even reduce the impact as the "parallel" wave that is suggested travels along the wall would be deflected away from the sea wall at this point due to the configuration / angle of the chamber wall at this point. Also the reduced sea depth resulting from the slipway will dissipate wave energy and again reduce the impact and you will note that rock armour is suggested to be placed around the chamber structure which will also have a minor effect of dissipating energy (though its main purpose is to prevent scour around the base of the structure."* The Environment Services Unit and States Property Services would have wished to have seen this formally confirmed by Royal Haskoning before responding to the consultation, indeed this was requested by States Property Services.

The comment made by the objector in respect of potential for 'parallel wave action' to be exacerbated by the proposed siting of the chamber to the north of the slipway is outside the expertise of the ESU but this 'parallel wave action' has not been witnessed by ESU staff or States Works who have long experience at Belle Greve Bay. I would suggest this question is posed by the respondent direct to Guernsey Water in order that their consultants may provide information so that their client can respond directly.

Sea water inundation at Red Lion under normal high tide conditions with strong winds is due to spray from waves hitting the wall and being blown inland. The storm boards are effectively an extension of the sea wall and the same effect occurs here in these conditions. Unless a permanent defence of some 10m or so in height was constructed this situation will continue in extreme conditions on high spring tides as it does all around Guernsey's coast. The comment in respect of damaged storm boards in 2013/14 must be taken in the context of the exceptional and successive storms throughout that winter. During winter 2014/15 only one storm board at the Red Lion required replacement which is considered a reasonable average for this site.

Further comment from *Environment Services*:

The Coastal Defence Project Group (CDPG) has listed Belle Greve as priority number two on its list of six areas requiring attention.

I have consulted the reports produced by Haskoning for this part of the Island, in particular the Flood Risk Assessment Studies published in 2012. As far as I can see there is no direct reference to the “parallel wave” action described in the letter of representation, but that does not mean it does not exist or is not significant in terms of potential flood risk. What is mentioned in the reports is fairly sparse in respect of Defence Unit 7 (DU7), the point on the coastline to which we are referring. The report gives an exposition of wave action in the area, but does not necessarily endorse the conclusions of the letter of representation. The letter mentions the possibility that the location of the new chamber at the northern end of the slipway will act to exacerbate the wave action that he identifies and will restrict the dispersal zone for potential flood waters. Generally speaking, the flood studies reports carry recommendations for expeditious measures to raise the height of the sea wall along this part of the coast so this does not really tie in with the analysis made in the representation.

Please see *Guernsey Coastal Defences: Flood Risk Assessment Studies*, 2012.

#### **Summary of Issues:**

Impact on the character and amenity of the area;  
Impact on coastal flooding;  
Impact on neighbour amenity.

#### **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).**

This application relates to the construction of the outfall chamber at the beach head only. The laying of the outfall pipes themselves comprises exempt development under the Land Planning and Development (Exemptions) Ordinance, 2007 and does not require planning permission.

Should this application be approved, the provision of site compounds, including the equipment refuge area at the beach head, would fall within Class 3(2) of the Land Planning and Development (Exemptions) Ordinance, 2007 and would also comprise exempt development. The detail of these elements is not therefore considered as part of this assessment. The temporary relocation of the parking along the sea front has no permanent effect and mitigates the short term loss of public parking.

The construction of the outfall chamber falls to be considered under Policy ED1 (Essential Development), which provides for developments that are clearly demonstrated to be essential to the public health, safety or security of the community, where the location is

justified, the proposal represents the best practicable environmental option and accords with the principles of the general policies.

### Essential development

The outfalls comprise key Island infrastructure, discharging over 99% of Guernsey's household's wastewater. In 2011 both outfalls were surveyed by industry experts (Black & Veatch Ltd, Advanced Engineering Solutions Ltd & Water Services Support Group) and deemed to be in poor condition, with the Long Sea Outfall (LSO) considered to have less than 10 years residual life and the Short Sea Outfall (SSO) identified to have structural failures in a number of locations. The replacement of the outfalls therefore comprises essential development.

The proposed chamber is required to provide the transitional point between the land-based and foreshore-based parts of the outfall, and to provide a high point within the outfall to create hydraulic pressure, prevent the back-flow of tidal water and allow the release of air from the system.

### Location

For the reasons stated above, the chamber has to be located at the high point along the route of the outfall and, due to the topography of the area, the sea wall represents the highest point between the Waste Water Centre and the point of dispersion, on both the land and seaward side of the wall.

The proposed route of the outfall pipes was determined through an assessment of the seabed composition, and, to avoid construction through granite, the optimum route was determined to lie to the north-east of the application site. The only feasible land-based route from the Waste Water Centre to the foreshore is along the associated access road. Any notable bend in the route would impact on the efficiency of the outfall, therefore the potential location for the chamber is limited to a short section along the sea wall where the two routes intersect.

The existing LSO runs through a flooded tunnel c40m below ground level and the SSO runs across the beach and sea bed to the south of the proposed site. Both of the existing pipeways are too small to achieve modern capacity requirements. Furthermore, the replacement of the LSO in situ would not be possible as the tunnel is inaccessible, and laying the pipes on the foreshore/seabed would be likely to result in beach scour damage to the pipes, in addition to undesirable visual impacts.

The applicant notes that the Red Lion slipway could be closed and the chamber re-located to that position, and a number of representors support this position, noting that such a proposal would minimise the impact on nearby properties and limit the effect of flooding. This proposal has not been formally put forward by the applicant, and the Department has not therefore consulted on this approach. It is however understood that neither the Constables of St Sampsons nor the Environment Services Unit would support the closure of the slipway, on the basis of the historical significance and community benefit of the slipway. The closure of the slipway would result in loss of access to the beach in this location, both in

terms of public use and access for the applicant should any works need to be undertaken to the outfall, retaining access only from Longstore and Richmond Corner to either end of the bay.

With regard to potential mitigation of flood risk should the chamber be relocated, no evidence has been submitted to support this assessment. The Environment Services Unit (ESU) note that sea water inundation at the Red Lion is due to spray from waves hitting the wall and being blown inland. In this respect, ESU views the storm boards at the slipway as an extension of the sea wall and does not consider that the closure of the slipway in isolation would provide substantial benefits in terms of flood risk.

The States of Guernsey published a report entitled *Guernsey Coastal Defences: Flood Risk Assessment Studies* in 2012. Annexed to that report was a Local Area Report on Belle Greve Bay, which identifies requirements for significant upgrading to the coastal defences in the area. To gain maximum benefit from the works and to ensure that localised work does not compromise a wider response, the report however recommends that any works are undertaken alongside consultation and development of a longer term plan for the Belle Greve area. This plan is not yet forthcoming and, whilst it would have been desirable for the construction of the chamber to have formed part of the long term plan for coastal defences in the area, it is recognised that the time constraints associated with the replacement of the outfall have necessitated bringing forward the works ahead of a wider plan. It is therefore considered that, on the basis of the information available, there is no justification to require the closure of the slipway and relocation of the proposed chamber.

There is an existing building located to the south of the site, known as the Red Lion Surface Water Pumping Station. This station deals with the water flows from La Vrangué and other drains, pumping the flows during storm conditions, and is not associated with the existing outfalls. The Station is required for its current purpose and cannot be used for the outfall pipes. Even were the building available, due to existing services located within the road, the pipes would have to be run along the sea wall to access the building and the slipway would have to be closed. As noted above, re-directing the pipes from the main route to this extent would impact on the efficiency of the outfall. Furthermore, the location of pipes along the seawall would have a significant negative visual impact. The issues associated with the closure of the slipway have been discussed above.

In light of the above, it is considered that the proposed location is the most practicable option.

It is noted in a letter of representation that the existing granite building to the south of the site is to be demolished in due course. As noted above, that building is currently in use and there is no indication from the submitted information that this is the case. For the avoidance of doubt however, the demolition of that building does not form part of the current application, and, should demolition be proposed, the Department may require a separate application for this work, incorporating a scheme for the enhancement of that site.

### Best practicable environmental option

The proposed site is located on the southern edge of a Site of Nature Conservation Importance. The SNCI was designated to protect the shingle bank along the beach head. The shingle bank however dwindles towards the application site, and the site does not form an important section of bank. As stated above, the potential locations for the chamber are highly constrained and, in light of these constraints, the relative small footprint of the structure and the peripheral relationship of the site with the SNCI, it is considered that any environmental impacts arising would be limited and outweighed by the essential nature of the development. The proposal would therefore comply with Policy CO5 (Wildlife and nature conservation).

As noted above, this application relates to the construction of the chamber only and any environmental impacts of the wider operation do not form part of the current assessment. It is however noted that the extent of planning control under the Land Planning and Development (Guernsey) Law, 2005 does not extend beyond the foreshore and the potential effects and impacts of the outfall below the foreshore do not therefore fall within the remit of this Department. The laying of the outfall across the foreshore was screened as potential EIA development, and it was determined that, due to the localised and temporary nature of any impacts, the short duration of the period of works and the regenerative capacity of the land, an EIA was not required. The accompanying Environmental Report concluded that, in respect of birds, any disturbance would be temporary and likely to result in a negligible magnitude of impact.

### Impact on the character and amenity of the area

Aside from the SNCI designation addressed above, the adjacent highway is undesignated and the land to the west is a Settlement Area within the Urban Area Plan. There are no protected buildings in the immediate area.

The footprint of the proposed chamber would be c32m<sup>2</sup> below the top of the sea wall, extending 10m along the sea wall and projecting 4.3m from the wall at the furthest point. The section which projects above the sea wall would comprise an area of c17m<sup>2</sup>, extending 5.7m along the sea wall, projecting 3m from that wall at the furthest point and 1.7m above the top of the sea wall. At that point the sea wall is 0.8m above ground level on the landward side, and the total height of the structure above ground level would be 2.5m.

The size of the section projecting above the sea wall has been reduced significantly subsequent to the initial submission, and the agent notes that the size of the chamber cannot be reduced further due to the requirements set out in the Description of Development above. In particular, the base of the proposed pipe has to be raised above the Highest Astronomical Tide (+10.3m above chart datum) to prevent backflow of tidal waters. In light of the information provided by the applicant, it is accepted that the size of the proposed chamber is the minimum possible to allow the safe and efficient operation of the outfall.

Around the bay there are a number of points which project out from or above the sea wall, some constructed in or clad with granite and others constructed in concrete. The Red Lion Surface Water Pumping Station located to the south of the site is 10.8m long and 3.6m high,

measured above ground level. The sea wall increases in height adjacent to the building to 1.7m, therefore the building projects 1.9m above the sea wall. The size of the proposed chamber above the seawall would therefore be smaller than the pumping station building, although that structure is designed to appear as a building.

The proposed chamber would however be clad in granite to match the sea wall, and the larger section, located below the height of the sea wall, would assimilate into the wall and be of limited impact in public views. The section projecting above the sea wall would be 1.7m above the top of the wall, and 2.5m above ground level. Whilst the section projecting above the sea wall would not enhance the character of the area, a projection above the height of the sea wall is not uncommon around the bay and the proposed structure has been kept to a minimum size for its purpose and clad to combine visually with the wall. It is noted that no details are provided with regard to the top of the structure, with particular reference to the point at which the lower section abuts the sea wall, and it is recommended that such details are required by condition should the application be approved.

In terms of public views, from land or sea, the chamber forms a small part of a much wider bay and will have little impact on the enjoyment of views by members of the public.

On balance, it is considered that, given the essential nature of the proposal, the proposed cladding and minimum size requirements, the chamber will be of the least possible visual impact and would accord with Policies GEN5 (Design), GEN6 (Character and amenity), GEN11 (Public enjoyment), DBE1 (Design) and DBE6 (Skyline and public views).

#### Impact on flood risk

With regard to the potential for the construction of the chamber in the proposed location to exacerbate flood risk in the area it is noted that no formal wave modelling has been undertaken by the applicant. It is however noted that the project designer, Royal Haskoning, prepared a report entitled *Guernsey Coastal Defences: Flood Risk Assessment Studies*, published in 2012. This report provides an assessment of areas at risk from flooding and identifies Belle Greve Bay as a priority area for action.

The report highlights how, with the typical angle of wave approach in the area adjacent to the application site, waves approach the frontage quite obliquely and run along the wall from the south, being forced into the corner by the existing pumping station and along the pumping station wall, impacting just to the north. The report notes that this action tends to scour sediment from in front of the wall, however does not refer to any associated flooding at the slipway. Both the report and the Environment Services Unit note that flooding in the area is generally a result of overtopping of the existing sea defences, and in this respect the increase in height of the sea wall as a result of the construction of the chamber would reduce the impact of overtopping. The comments made by Guernsey Water and the project designer in respect of this application indicate that it is possible that the proposed chamber may cause some additional run-up the slipway, however, given the angle of the chamber along the haunch of the slipway, it is more likely to deflect any waves away from the land and the chamber would not significantly exacerbate the existing situation.

The 2012 report identifies potential for local improvements to defence levels along the shingle bank, including at the application site, and particularly recommends upgrading of the existing flood barrier at the Red Lion slipway. The Environment Services Unit however considers that the existing storm boards at the slipway provide adequate protection and without further investigation it is unclear what improvements the report envisages. As noted above, the report however advises that any improvements to coastal defences in this area form part of a comprehensive plan for the bay.

Whilst the Department sympathises with the issues raised in respect of flooding in the letters of representation, the current proposal is for works in connection with the replacement of the outfall and, as it appears unlikely that the chamber would notably exacerbate the flood risk in the area, it would be unreasonable to require additional flood mitigation measures to address issues which do not arise as a result of the development.

#### Impact on adjoining properties

There is residential development along the west side of Les Banques facing east over the bay. By virtue of the location and orientation of those properties relative to the proposed chamber site, only two would face toward the chamber, Nos 1 & 2 Coachman's Cottage, and these would also be the properties located closest to the chamber. The properties would be located over 20m from the application site, and would be separated from the site by Les Banques inter-harbour route and an area of public parking. By virtue of the distance from the properties and the intervening uses, the proposed chamber would have no impact on the nearby properties in terms of overbearing or overshadowing.

The proposed chamber will have some impact on the views from the ground floor windows of Nos 1 & 2 Coachman's Cottage, although significantly reduced over the impact of the original proposal. Private views are not however protected under the Land Planning and Development (Guernsey) Law or the Urban Area Plan. Any impact on property values also falls outside of the material considerations of the Law.

The applicant notes that all air will be vented back to the odour control plant at the Waste Water Centre for treatment and the proposal will not therefore impact adversely on adjoining properties in terms of foul smells.

The proposal would therefore accord with the provisions of Policy GEN12 (Effect on adjoining properties).

#### Other issues raised by representation

With regard to land ownership, the land is the property of the Crown and consent has been issued by HM Receiver General for Guernsey Water to submit the planning application for works to the foreshore. Separate consent will be required from HM Receiver General for Guernsey Water to undertake the works. HM Receiver General is the representative of the Crown on the Island and holds office through royal warrant. The Environment Services Unit is responsible for the maintenance of the coastal defences and the adjacent slipway.



As noted above, this application relates to the installation of the outfall chamber only. The comments made in the letters of representation relating to the cost and disturbance arising from the wider outfall works do not therefore form material considerations of this application.

In relation to disturbance during the construction of the chamber, the works are for the provision of essential Island infrastructure and in this exposed coastal location operations are dictated by tidal and weather patterns. The applicant has set out a programme designed to limit impact on residents in the area, however works will have to be undertaken within the parameters set by the weather and tides. In terms of loss of resident's parking during the course of works, it is noted that the applicant is making provision for resident's parking, not only in the relocated spaces along the seawall but elsewhere in the locality.

In terms of the advertisement of the application, whilst the application was received by the Department 30/03/15, due to the Department's workload at the time it was not made valid until 07/04/15, at which point the site notice was dispatched to the applicant. Upon receipt, the site notice was displayed in accordance with the Land Planning and Development (Guernsey) Law, 2005 and the application was also advertised in the Guernsey Press in the normal manner. The project board erected on the sea wall was erected by Guernsey Water for public information and was entirely separate to the advertisement of the planning application.

Chiquita is noted to be a maritime navigation point in two of the letters of representation. The cottage is not however marked on the 2000 Admiralty Chart of Guernsey and Herm, which identifies key landmarks including Victoria Tower, the Red Lion Hotel, a chimney at Belgrave Vinery and the monument at Delancey. These marks are all substantial and generally prominent structures, whereas Chiquita is a low profile 1½ storey cottage. On the basis of the information available, the cottage is not therefore considered to form a critical nautical reference point.

### Conclusion

In conclusion it is clear that the proposal comprises essential development, falling to be considered under Policy ED1 of the Urban Area Plan, and that the location and size of the proposed chamber are highly constrained. In light of these constraints, it is considered that, although the proposed structure will do little to enhance the character and amenity of the area, it will have the minimal possible impact in terms of visual amenity, environmental quality, flood risk and neighbour amenity.

Overall therefore the proposal is considered to accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 02/06/15