

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Development of land to establish a new quarry (Phases 1 & 2 of mineral extraction) including demolition of dwelling, closure of Rue des Grands Camps, installation of plant, perimeter fencing and gates and removal of existing and installation of new facility buildings within the Mont Cuet reception area.

LOCATION: Land at Chouet Headland, Mont Cuet Road, Vale.

APPLICANT: Ronez Limited

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 17/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SLR Consulting: 2/4, 3/1, 3/2, 3/3, 3/7, 3/8, 3/9, 3/10 & 3/14

Application Ref: FULL/2022/0443

Property Ref: C01750A000

Conditions and reasons:-

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. All development authorised by this permission must be carried out and completed in every detail in accordance with the mitigation and monitoring measures detailed

within the Environmental Statement, except where any variation is required by virtue of any further conditions set out below. No variations shall be made without the relevant prior written approval of the Authority under the Land Planning and Development (Guernsey) Law, 2005.

Reason - To ensure the development is carried out only as hereby approved and to ensure that any impacts arising from the implementation and operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

3. 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).

4. 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.

5. No development, including site works, shall begin until a biodiversity strategy has been submitted to and approved in writing by the Authority. The strategy shall thereafter be updated with detailed schemes in relation to specific sites identified within the strategy in accordance with a timeframe set out therein. The detailed schemes shall be implemented in accordance with the methodologies and timescales so approved.

Reason - To ensure that ecological impacts of the proposed development are offset and a biodiversity net gain approach is followed, in accordance with the Strategy for Nature.

6. No development, including site works, shall begin until a landscaping scheme, to include those details specified below and demonstrating that there will be no conflict with the setting of protected monuments or existing habitats of ecological value, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) details of the continuation of the coast path along the north boundary of the site, adjacent to the existing informal car park;
- iii) details of ground level reduction, formation of earth bunds and undertaking of planting at the former green waste quarry to the north of the site to provide screening to the primary crusher;
- iv) details of the precise position, form and height of the screen mound, including a contour plan and sectional details;
- v) full details of tree and hedge planting, including locations of that planting and, in particular, detailing earthbank creation and hedge and tree planting along the southern, northern and eastern perimeter of the site and to the south/south-east of the Mont Cuét reception area, adjacent to Les Hures;
- vi) planting schedules, noting the species, sizes, numbers and densities of plants;
- vii) precise details of the location, size and design of any perimeter fencing, and its positioning relative to existing and proposed planting;
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings and to mitigate impacts on residential amenity.

7. No development, including site works, shall begin until all planting and landscape works agreed under the terms of the above condition, with the exception of the construction and planting of the screen mound which is addressed under Condition 22, has been undertaken. 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 during the operational life of the quarry.

Reason - To ensure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings; to secure ecological enhancements across the application site; to protect residential and recreational amenity.

8. Notwithstanding the information submitted, no development, including site works, shall begin on site until a detailed monitoring and management scheme for PM10 and PM2.5 emissions, including reference to current background levels and details of routine sampling for the life of the working area have been submitted and agreed in writing by the Authority. The development shall thereafter be carried out only in accordance with the agreed details.

Reason - In the interest of air quality, ecology, and public health.

9. No development, including site works, shall begin on site until a dust management plan has been submitted to and agreed in writing by the Authority. At a minimum this should include:

- i. Responsibilities of staff on site

- ii. Identification of dust generating activities
 - iii. Identification of sensitive receptors
 - iv. Details of liaison with sensitive receptors
 - v. Details of weather impacts on dust and how this relates to operations
 - vi. Mitigation measures
 - vii. Dust monitoring, specifying multiple locations and time periods for monitoring;
 - viii. Response to dust events
 - ix. How complaints will be dealt with
- The development shall thereafter be carried out only in accordance with the agreed details.

Reason - In the interest of air quality, ecology, and public health.

10. No development, including site works, shall begin on site until a noise and vibration management plan has been submitted to and agreed in writing by the Authority, to include:

- i. Responsibilities of staff on site
- ii. Identification of noise and vibration generating activities
- iii. Identification of sensitive receptors
- iv. Details of liaison with sensitive receptors
- v. Details of weather impacts on noise / vibration and how this relates to operations
- vi. Mitigation measures
- vii. Noise / vibration monitoring, specifying multiple locations and time periods for monitoring;
- viii. Response to noise events
- ix. How complaints will be dealt with

The development shall thereafter be carried out only in accordance with the agreed details.

Reason - The development is such that noise management is required to protect the amenity of the area and nearby properties/premises.

11. No development, including site works, shall begin on site until a written scheme of archaeological investigation and recording in accordance with the recommendations set out within the Environmental Statement, and to include recording of the field pattern to the east of the site and any WWII fortifications within the site area, has been submitted to and agreed in writing by the Authority. The monitoring shall be carried out and the scheme of archaeological investigation and recording implemented as required in accordance with the approved scheme.

Reason - The application site is located within an area of known archaeological importance and appropriate and satisfactory provision for mitigation measures to avoid damage to the archaeological remains, and/or for archaeological investigation and recording are essential. This condition is imposed to make sure that any features of archaeological interest are protected or recorded.

12. No development, including site works, shall begin on site until the following have been submitted to and approved in writing by the Authority:

(i) (a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) Following completion of each of Phases 1a, 1b and 2, there shall be submitted to the Authority verification by a competent person approved under the provisions of condition (i)b that any remediation scheme required and approved under the provisions of condition (i)b will be implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i)b.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

13. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

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.

14. No development, including site works, shall begin on site until an updated assessment of the zone of influence related to the dewatering of the quarry and any necessary mitigation measures, together with a surface water management plan has been submitted to and agreed in writing by the Authority. The development shall thereafter be carried out and subsequently managed in accordance with the agreed details.

Reason - To ensure the appropriate management of surface water and to ensure no adverse impacts on water quality or ecology.

15. No development, excluding demolition and site works, shall begin until a scheme showing details of the provision to be made for the covered parking of bicycles has been submitted to and agreed in writing by the Authority. The development shall thereafter be completed and maintained in accordance with the agreed details.

Reason - To encourage the use of bicycles as an alternative to the car.

16. Prior to the stripping of any soil or overburden from the site, details of the proposed storage and/or use of that soil and overburden shall be submitted to and agreed in writing by the Authority. The development shall thereafter be carried out and subsequently managed in accordance with the agreed details.

Reason - To ensure that any on site storage is undertaken in an appropriate manner to avoid impacts on the surrounding environment and neighbouring property and to ensure that use of the removed overburden is prioritised to provide on site mitigation in the first instance.

17. Prior to the commencement of operations on each phase, site investigations shall be undertaken in respect of unexploded ordnance within that phase area. The findings of those investigations and a scheme for remediation shall be submitted to and approved in writing by the Authority. The remediation works shall thereafter be carried out in accordance with the approved scheme.

Reason - In the interests of public safety.

18. Prior to the commencement of blasting operations at the application site, site investigations shall be undertaken in respect of contaminants and unexploded ordnance within the Torrey Canyon Quarry. The findings of those investigations and a scheme for remediation shall be submitted to and approved in writing by the Authority. The remediation works shall thereafter be carried out in accordance with the approved scheme.

Reason - In the interests of public safety.

19. Prior to the commencement of blasting operations at the application site, a blasting schedule shall be submitted to and approved in writing by the Authority. Blasting at the site shall thereafter be undertaken in accordance with the approved

schedule.

Reason - In the interests of neighbour amenity.

20. Prior to the commencement of blasting operations at the application site, a structural survey of the adjacent protected monuments, to include Tower 10 and its magazine (PM117) and La Lochande batteries and stone platform (PM134), shall be submitted to the Authority. Updated structural surveys of these protected monuments shall be undertaken every two years through the operational lifespan of the quarry, and shall be submitted to the Authority.

Reason - To ensure that the structural integrity of the protected monuments is preserved and that any impacts arising from the operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

21. Prior to the commencement of blasting operations at the application site, and with the consent of the property owners, a structural survey of the dwellinghouses currently known as L'Eternite, La Morada and La Hougue Biart, and the restaurant currently known as Roc Salt, shall be undertaken and submitted to the property owners. Updated structural surveys of these properties shall be undertaken every two years through the operational lifespan of the quarry, and shall be submitted to the property owners.

Reason - To ensure that any impacts arising from the operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

22. Prior to the commencement of blasting operations at the application site, the screen mound shall be formed in accordance with the landscape details approved under Condition 6. All planting, seeding or turfing of that mound comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the screen mound, or as otherwise agreed in writing by the Authority. 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 during the operational life of the quarry.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings; to secure ecological enhancements across the application site; to protect residential and recreational amenity.

23. No materials to be used on the exterior of the buildings shall be placed on the site until such time as a written schedule of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

24. Prior to the installation of any plant or machinery, details of that plant and machinery including precise location on the site, shall be submitted to and agreed in writing by the Authority. Any plant or machinery shall be installed only in accordance with the agreed details and thereafter shall be retained as approved unless a variation is approved by the Authority.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the plant does not have any adverse impact on visual amenity.

25. Prior to the installation of the information boards hereby approved, details of the exact locations and the form and content of those boards shall be submitted to and agreed in writing by the Authority. The information boards shall be installed in accordance with the agreed details within six months of the commencement of any part of the development hereby approved.

Reason - To ensure the appropriate provision of public art in accordance with Policy GP18: Public Realm and Public Art.

26. Prior to the installation of any external lighting, details of that lighting, including hours of proposed use, shall be submitted to and agreed in writing by the Authority. Any lighting shall be installed and used only in accordance with the agreed details and thereafter shall be retained as such unless a variation is approved in writing by the Authority.

Reason - To ensure the level of lighting is not excessive in order to prevent light pollution which could impact on ecology, wildlife and residential amenity.

27. The Construction Environmental Management Plan (CEMP) submitted shall be reviewed regularly and updated as necessary and any amendments shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. At a minimum updates should include the following:

- i. Updated site plans as the area develops
- ii. Details of correspondence to nearby sensitive receptors
- iii. Regular reviews and if necessary updates to the noise / vibration / dust management plans
- iv. Discharges from the site including water
- v. Monitoring details

The construction shall be carried out in accordance with the approved CEMP.

Reason - To ensure that the construction and operation of the development is managed to minimise impacts.

28. Following completion of each of the following phases of development, as described within the submitted application; Construction phase, Phase 1a), Phase 1b) and Phase 2; a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 13 above shall be submitted to and approved in writing by the Authority. Where there has been any variation from the approved Site Waste Management Plan, 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.

29. One year prior to the cessation of quarrying operations within the Phase 1 site area, unless there is a commitment to continue mineral extraction within the Phase 2 site area, in which case one year prior to the cessation of quarrying operations within the Phase 2 site area, unless there is a Government commitment to continue mineral extraction within the Phase 3 site area, a restoration scheme for the whole of the application site shall be submitted to and approved in writing by the Authority. The restoration scheme will thereafter be completed in accordance with a timeframe agreed as part of that scheme.

Reason - To ensure the appropriate restoration of the site, in the interests of landscape, ecology, biodiversity and amenity.

30. Public use of and access to the existing green waste facilities located to the north of the site must be maintained until those facilities have been relocated in accordance with a scheme previously approved in writing by the Authority.

Reason - To ensure the ongoing provision of a public facility.

31. Public access to the coastal footpath located to the north, south and west of the application site shall be retained at all times, with the exception of temporary closures during blasting events.

Reason - To ensure the ongoing provision of public access, in the interests of recreational amenity.

32. Stone extraction and all associated activities, including sorting, crushing, processing and transportation of stone, shall be restricted to between the hours of 8:00am and 4:30pm Mondays to Fridays. With the exception of maintenance works, there shall be no working on Saturdays and no working whatsoever on Sundays or Public Holidays.

Reason - The site is close to residential property and recreational areas and a limit on

the use is needed to prevent a nuisance or annoyance to nearby residents or other users, and to protect wildlife.

33. Construction of the screen mound shall be restricted to between the hours of 8:00am and 6:00pm Mondays to Fridays. There shall be no working on the screen mound on Saturdays, Sundays or Public holidays.

Reason - The site is close to residential property and recreational areas and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents or other users, and to protect wildlife.

34. Operations shall be undertaken so that noise emissions associated with temporary works to facilitate site preparation, restoration work, construction of baffle mounds and other mitigation measures as well as stone extraction shall not exceed 55 dB LAeq, 1 hr measured 1m from the façade of the elevation closest to the quarry of the nearest noise sensitive receptor. Where absolutely essential increased temporary daytime noise emission limits of up to 70 dB LAeq, 1 hr measured 1m from the façade of the elevation closest to the quarry of the nearest noise sensitive receptor shall not occur for longer than up to 8 weeks in the first year. This is to facilitate the creation of a screen mound. Following this should further increases of the noise emission limits be likely prior written permission must be sought from and approved by the Authority.

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

35. Once operational, noise emissions associated with normal operations (except blasting) shall not exceed the level of 50 dB LAeq, 1 hr measured 1m from the closest elevation to the quarry of the nearest noise sensitive receptor.

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

36. The new facilities hereby approved within the Mont Cuet reception area shall be used for purposes ancillary and incidental to the quarrying operations hereby approved, or for operations in association with the ongoing use and management of the Mont Cuet landfill site, and for no other purpose unless agreed in writing by the Authority.

Reason - These facilities are approved for the specific uses set out in the planning application. Use for alternative purposes would require consideration under different planning policies.

Expiry Date: This permission will cease to have effect on 16/10/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This application does not confer any consent for the relocation of the green waste facilities located within the north boundary of the site. This is subject to consideration under a separate application for planning permission.

This application does not confer any consent for the replacement of the existing weighbridge. This will be subject to consideration under a separate application for planning permission.

The biodiversity strategy required under Condition 5 should identify sites for biodiversity enhancements, both on and off the application site, and with confirmation of land owner consent, to demonstrate biodiversity net gain to offset the impacts of Phases 1 & 2 of the development hereby approved. The strategy should include high level details of the proposed scheme for each site, a timescale for submission of a detailed scheme and an indicative timescale for implementation of the scheme. Detailed schemes should include landscape and ecological plans for each site setting out long term design objectives, ongoing management responsibilities, funding arrangements and maintenance schedules.

In respect of Condition 12, the phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated.

Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with this condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

In respect of Condition 19, the blasting schedule should provide details of days/times that blasting can occur at the site, taking into account the sensitivities of nearby properties.

For the purposes of Condition 26, any lighting scheme should be designed having regard to The Institution of Lighting Engineers 'Guidance Notes for the Reduction of Light Pollution' and with recognition of the site's rural location, and should include:

1. a statement of why the lighting is needed;
2. an indication of the proposed frequency of use of the lights and the hours of illumination;
3. two copies of an accurate plan showing the areas to be lit;
4. details of the number, location, height and colour of any lighting columns or other fixtures;
5. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;

6. a diagram showing the predicted levels of illumination at the site boundaries;
7. a diagram showing the predicted vertical illumination affecting any adjacent dwellings.

The restoration scheme required under Condition 28 shall include the following:

- Details of any phased restoration and how it will be integrated alongside any working areas;
- Details of the removal of buildings, plant, structures, accesses and hardstanding not required for long term management of the site, and where relevant any retention of such infrastructure;
- A landscape strategy incorporating a biodiversity net gain approach. This should include consideration of connectivity with the surrounding landscape and habitats;
- Identification and understanding of the geological, archaeological and historic heritage and landscape features and their settings and how these relate to the restoration plans;
- Restoration should complement the landscape character of the area, with carefully designed contours in order that gradients support biodiversity, amenity and the setting of heritage assets. Details of the proposed final landform including pre and post settlement levels are expected;
- Appropriate consideration of public health and safety including in relation to land stability, and any arrangements for monitoring;
- Consideration of footpaths and open space, identifying opportunities to connect with existing rights of way;
- An assessment of soil resources and their removal, handling and storage, including any areas identified for the storage of soil. Appropriate consideration given to the separation of topsoil and subsoil;
- An assessment of the overburden to be removed and stored and the opportunities and constraints relating to the use of overburden for restoration of Mont Cuet; and
- An aftercare scheme covering a period of at least five years, including details of habitat management.

If mineral extraction is to continue under Phase 3, a separate application for planning permission will be required and the restoration of the whole headland would be addressed as part of that application.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service

PLANNING APPLICATION REPORT

Please note that some Conditions have been amended and added subsequent to the Open Planning Meeting held on 17/10/2022

Application No: FULL/2022/0443
Property Ref: C01750A000
Valid date: 26/07/2022
Location: Land at Chouet Headland Mont Cuet Road Vale Guernsey
Proposal: Development of land to establish a new quarry (Phases 1 & 2 of mineral extraction) including demolition of dwelling, closure of Rue des Grands Camps, installation of plant, perimeter fencing and gates and removal of existing and installation of new facility buildings within the Mont Cuet reception area.
Applicant: Ronez Limited

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. All development authorised by this permission must be carried out and completed in every detail in accordance with the mitigation and monitoring measures detailed within the Environmental Statement, except where any variation is required by virtue of any further conditions set out below. No variations shall be made without the relevant prior written approval of the Authority under the Land Planning and Development (Guernsey) Law, 2005.

Reason - To ensure the development is carried out only as hereby approved and to ensure that any impacts arising from the implementation and operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

3. 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).

4. 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.

5. No development, including site works, shall begin until a biodiversity strategy has been submitted to and approved in writing by the Authority. The strategy shall thereafter be updated with detailed schemes in relation to specific sites identified within the strategy in accordance with a timeframe set out therein. The detailed schemes shall be implemented in accordance with the methodologies and timescales so approved.

Reason - To ensure that ecological impacts of the proposed development are offset and a biodiversity net gain approach is followed, in accordance with the Strategy for Nature.

6. No development, including site works, shall begin until a landscaping scheme, to include those details specified below and demonstrating that there will be no conflict with the setting of protected monuments or existing habitats of ecological value, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) details of the continuation of the coast path along the north boundary of the site, adjacent to the existing informal car park;
- iii) details of ground level reduction, formation of earth bunds and undertaking of planting at the former green waste quarry to the north of the site to provide screening to the primary crusher;
- iv) details of the precise position, form and height of the screen mound, including a contour plan and sectional details;
- v) full details of tree and hedge planting, including locations of that planting and, in particular, detailing earthbank creation and hedge and tree planting along the southern, northern and eastern perimeter of the site and to the south/south-east of the Mont Cuét reception area, adjacent to Les Hures;
- vi) planting schedules, noting the species, sizes, numbers and densities of plants;
- vii) precise details of the location, size and design of any perimeter fencing, and its positioning relative to existing and proposed planting;
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings and to mitigate impacts on residential amenity.

7. No development, including site works, shall begin until all planting and landscape works agreed under the terms of the above condition, with the exception of the construction and planting of the screen mound which is addressed under Condition 22, has been undertaken. 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 during the operational life of the quarry.

Reason - To ensure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings; to secure ecological enhancements across the application site; to protect residential and recreational amenity.

8. Notwithstanding the information submitted, no development, including site works, shall begin on site until a detailed monitoring and management scheme for PM10 and PM2.5 emissions, including reference to current background levels and details of routine sampling for the life of the working area have been submitted and agreed in writing by the Authority. The development shall thereafter be carried out only in accordance with the agreed details.

Reason - In the interest of air quality, ecology, and public health.

9. No development, including site works, shall begin on site until a dust management plan has been submitted to and agreed in writing by the Authority. At a minimum this should include:

- i. Responsibilities of staff on site
- ii. Identification of dust generating activities
- iii. Identification of sensitive receptors
- iv. Details of liaison with sensitive receptors
- v. Details of weather impacts on dust and how this relates to operations
- vi. Mitigation measures
- vii. Dust monitoring, specifying multiple locations and time periods for monitoring;
- viii. Response to dust events
- ix. How complaints will be dealt with

The development shall thereafter be carried out only in accordance with the agreed details.

Reason - In the interest of air quality, ecology, and public health.

10. No development, including site works, shall begin on site until a noise and vibration management plan has been submitted to and agreed in writing by the Authority, to include:

- i. Responsibilities of staff on site
- ii. Identification of noise and vibration generating activities

- iii. Identification of sensitive receptors
 - iv. Details of liaison with sensitive receptors
 - v. Details of weather impacts on noise / vibration and how this relates to operations
 - vi. Mitigation measures
 - vii. Noise / vibration monitoring, specifying multiple locations and time periods for monitoring;
 - viii. Response to noise events
 - ix. How complaints will be dealt with
- The development shall thereafter be carried out only in accordance with the agreed details.

Reason - The development is such that noise management is required to protect the amenity of the area and nearby properties/premises.

11. No development, including site works, shall begin on site until a written scheme of archaeological investigation and recording in accordance with the recommendations set out within the Environmental Statement, and to include recording of the field pattern to the east of the site and any WWII fortifications within the site area, has been submitted to and agreed in writing by the Authority. The monitoring shall be carried out and the scheme of archaeological investigation and recording implemented as required in accordance with the approved scheme.

Reason - The application site is located within an area of known archaeological importance and appropriate and satisfactory provision for mitigation measures to avoid damage to the archaeological remains, and/or for archaeological investigation and recording are essential. This condition is imposed to make sure that any features of archaeological interest are protected or recorded.

12. No development, including site works, shall begin on site until the following have been submitted to and approved in writing by the Authority:

(i) (a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) Following completion of each of Phases 1a, 1b and 2, there shall be submitted to the Authority verification by a competent person approved under the provisions of condition (i)b that any remediation scheme required and approved under the provisions of condition (i)b will be implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of

implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i)b.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

13. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

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.

14. No development, including site works, shall begin on site until an updated assessment of the zone of influence related to the dewatering of the quarry and any necessary mitigation measures, together with a surface water management plan has been submitted to and agreed in writing by the Authority. The development shall thereafter be carried out and subsequently managed in accordance with the agreed details.

Reason - To ensure the appropriate management of surface water and to ensure no adverse impacts on water quality or ecology.

15. No development, excluding demolition and site works, shall begin until a scheme showing details of the provision to be made for the covered parking of bicycles has been submitted to and agreed in writing by the Authority. The development shall thereafter be completed and maintained in accordance with the agreed details.

Reason - To encourage the use of bicycles as an alternative to the car.

16. Prior to the stripping of any soil or overburden from the site, details of the

proposed storage and/or use of that soil and overburden shall be submitted to and agreed in writing by the Authority. The development shall thereafter be carried out and subsequently managed in accordance with the agreed details.

Reason - To ensure that any on site storage is undertaken in an appropriate manner to avoid impacts on the surrounding environment and neighbouring property and to ensure that use of the removed overburden is prioritised to provide on site mitigation in the first instance.

17. Prior to the commencement of operations on each phase, site investigations shall be undertaken in respect of unexploded ordnance within that phase area. The findings of those investigations and a scheme for remediation shall be submitted to and approved in writing by the Authority. The remediation works shall thereafter be carried out in accordance with the approved scheme.

Reason - In the interests of public safety.

18. Prior to the commencement of blasting operations at the application site, site investigations shall be undertaken in respect of contaminants and unexploded ordnance within the Torrey Canyon Quarry. The findings of those investigations and a scheme for remediation shall be submitted to and approved in writing by the Authority. The remediation works shall thereafter be carried out in accordance with the approved scheme.

Reason - In the interests of public safety.

19. Prior to the commencement of blasting operations at the application site, a blasting schedule shall be submitted to and approved in writing by the Authority. Blasting at the site shall thereafter be undertaken in accordance with the approved schedule.

Reason - In the interests of neighbour amenity.

20. Prior to the commencement of blasting operations at the application site, a structural survey of the adjacent protected monuments, to include Tower 10 and its magazine (PM117) and La Lochande batteries and stone platform (PM134), shall be submitted to the Authority. Updated structural surveys of these protected monuments shall be undertaken every two years through the operational lifespan of the quarry, and shall be submitted to the Authority.

Reason - To ensure that the structural integrity of the protected monuments is preserved and that any impacts arising from the operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

21. Prior to the commencement of blasting operations at the application site, and with the consent of the property owners, a structural survey of the dwellinghouses

currently known as L'Eternite, La Morada and La Hougue Biart, and the restaurant currently known as Roc Salt, shall be undertaken and submitted to the property owners. Updated structural surveys of these properties shall be undertaken every two years through the operational lifespan of the quarry, and shall be submitted to the property owners.

Reason - To ensure that any impacts arising from the operation of the development can be mitigated, in accordance with the measures set out within the Environmental Statement.

22. Prior to the commencement of blasting operations at the application site, the screen mound shall be formed in accordance with the landscape details approved under Condition 6. All planting, seeding or turfing of that mound comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the screen mound, or as otherwise agreed in writing by the Authority. 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 during the operational life of the quarry.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings; to secure ecological enhancements across the application site; to protect residential and recreational amenity.

23. No materials to be used on the exterior of the buildings shall be placed on the site until such time as a written schedule of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

24. Prior to the installation of any plant or machinery, details of that plant and machinery including precise location on the site, shall be submitted to and agreed in writing by the Authority. Any plant or machinery shall be installed only in accordance with the agreed details and thereafter shall be retained as approved unless a variation is approved by the Authority.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the plant does not have any adverse impact on visual amenity.

25. Prior to the installation of the information boards hereby approved, details of the exact locations and the form and content of those boards shall be submitted to and agreed in writing by the Authority. The information boards shall be installed in accordance with the agreed details within six months of the commencement of any part of the development hereby approved.

Reason - To ensure the appropriate provision of public art in accordance with Policy GP18: Public Realm and Public Art.

26. Prior to the installation of any external lighting, details of that lighting, including hours of proposed use, shall be submitted to and agreed in writing by the Authority. Any lighting shall be installed and used only in accordance with the agreed details and thereafter shall be retained as such unless a variation is approved in writing by the Authority.

Reason - To ensure the level of lighting is not excessive in order to prevent light pollution which could impact on ecology, wildlife and residential amenity.

27. The Construction Environmental Management Plan (CEMP) submitted shall be reviewed regularly and updated as necessary and any amendments shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. At a minimum updates should include the following:

- i. Updated site plans as the area develops
- ii. Details of correspondence to nearby sensitive receptors
- iii. Regular reviews and if necessary updates to the noise / vibration / dust management plans
- iv. Discharges from the site including water
- v. Monitoring details

The construction shall be carried out in accordance with the approved CEMP.

Reason - To ensure that the construction and operation of the development is managed to minimise impacts.

28. Following completion of each of the following phases of development, as described within the submitted application; Construction phase, Phase 1a), Phase 1b) and Phase 2; a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 13 above shall be submitted to and approved in writing by the Authority. Where there has been any variation from the approved Site Waste Management Plan, 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.

29. One year prior to the cessation of quarrying operations within the Phase 1 site area, unless there is a commitment to continue mineral extraction within the Phase 2 site area, in which case one year prior to the cessation of quarrying operations within

the Phase 2 site area, unless there is a Government commitment to continue mineral extraction within the Phase 3 site area, a restoration scheme for the whole of the application site shall be submitted to and approved in writing by the Authority. The restoration scheme will thereafter be completed in accordance with a timeframe agreed as part of that scheme.

Reason - To ensure the appropriate restoration of the site, in the interests of landscape, ecology, biodiversity and amenity.

30. Public use of and access to the existing green waste facilities located to the north of the site must be maintained until those facilities have been relocated in accordance with a scheme previously approved in writing by the Authority.

Reason - To ensure the ongoing provision of a public facility.

31. Public access to the coastal footpath located to the north, south and west of the application site shall be retained at all times, with the exception of temporary closures during blasting events.

Reason - To ensure the ongoing provision of public access, in the interests of recreational amenity.

32. Stone extraction and all associated activities, including sorting, crushing, processing and transportation of stone, shall be restricted to between the hours of 8:00am and 4:30pm Mondays to Fridays. With the exception of maintenance works, there shall be no working on Saturdays and no working whatsoever on Sundays or Public Holidays.

Reason - The site is close to residential property and recreational areas and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents or other users, and to protect wildlife.

33. Construction of the screen mound shall be restricted to between the hours of 8:00am and 6:00pm Mondays to Fridays. There shall be no working on the screen mound on Saturdays, Sundays or Public holidays.

Reason - The site is close to residential property and recreational areas and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents or other users, and to protect wildlife.

34. Operations shall be undertaken so that noise emissions associated with temporary works to facilitate site preparation, restoration work, construction of baffle mounds and other mitigation measures as well as stone extraction shall not exceed 55 dB LAeq, 1 hr measured 1m from the façade of the elevation closest to the quarry of the nearest noise sensitive receptor. Where absolutely essential increased temporary daytime noise emission limits of up to 70 dB LAeq, 1 hr measured 1m from the façade of the elevation closest to the quarry of the nearest noise sensitive receptor shall not occur

for longer than up to 8 weeks in the first year. This is to facilitate the creation of a screen mound. Following this should further increases of the noise emission limits be likely prior written permission must be sought from and approved by the Authority.

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

35. Once operational, noise emissions associated with normal operations (except blasting) shall not exceed the level of 50 dB LAeq, 1 hr measured 1m from the closest elevation to the quarry of the nearest noise sensitive receptor.

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

36. The new facilities hereby approved within the Mont Cuet reception area shall be used for purposes ancillary and incidental to the quarrying operations hereby approved, or for operations in association with the ongoing use and management of the Mont Cuet landfill site, and for no other purpose unless agreed in writing by the Authority.

Reason - These facilities are approved for the specific uses set out in the planning application. Use for alternative purposes would require consideration under different planning policies.

INFORMATIVES

This application does not confer any consent for the relocation of the green waste facilities located within the north boundary of the site. This is subject to consideration under a separate application for planning permission.

This application does not confer any consent for the replacement of the existing weighbridge. This will be subject to consideration under a separate application for planning permission.

The biodiversity strategy required under Condition 5 should identify sites for biodiversity enhancements, both on and off the application site, and with confirmation of land owner consent, to demonstrate biodiversity net gain to offset the impacts of Phases 1 & 2 of the development hereby approved. The strategy should include high level details of the proposed scheme for each site, a timescale for submission of a detailed scheme and an indicative timescale for implementation of the scheme. Detailed schemes should include landscape and ecological plans for each site setting out long term design objectives, ongoing management responsibilities, funding arrangements and maintenance schedules.

In respect of Condition 12, the phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated.

Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with this condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

In respect of Condition 19, the blasting schedule should provide details of days/times that blasting can occur at the site, taking into account the sensitivities of nearby properties.

For the purposes of Condition 26, any lighting scheme should be designed having regard to The Institution of Lighting Engineers 'Guidance Notes for the Reduction of Light Pollution' and with recognition of the site's rural location, and should include:

1. a statement of why the lighting is needed;
2. an indication of the proposed frequency of use of the lights and the hours of illumination;
3. two copies of an accurate plan showing the areas to be lit;
4. details of the number, location, height and colour of any lighting columns or other fixtures;
5. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;
6. a diagram showing the predicted levels of illumination at the site boundaries;
7. a diagram showing the predicted vertical illumination affecting any adjacent dwellings.

The restoration scheme required under Condition 28 shall include the following:

- Details of any phased restoration and how it will be integrated alongside any working areas;
- Details of the removal of buildings, plant, structures, accesses and hardstanding not required for long term management of the site, and where relevant any retention of such infrastructure;
- A landscape strategy incorporating a biodiversity net gain approach. This should include consideration of connectivity with the surrounding landscape and habitats;
- Identification and understanding of the geological, archaeological and historic heritage and landscape features and their settings and how these relate to the restoration plans;
- Restoration should complement the landscape character of the area, with carefully designed contours in order that gradients support biodiversity, amenity and the setting of heritage assets. Details of the proposed final landform including pre and post settlement levels are expected;
- Appropriate consideration of public health and safety including in relation to land stability, and any arrangements for monitoring;

- Consideration of footpaths and open space, identifying opportunities to connect with existing rights of way;
- An assessment of soil resources and their removal, handling and storage, including any areas identified for the storage of soil. Appropriate consideration given to the separation of topsoil and subsoil;
- An assessment of the overburden to be removed and stored and the opportunities and constraints relating to the use of overburden for restoration of Mont Cuet; and
- An aftercare scheme covering a period of at least five years, including details of habitat management.

If mineral extraction is to continue under Phase 3, a separate application for planning permission will be required and the restoration of the whole headland would be addressed as part of that application.

OFFICER'S REPORT

Site Description:

The site is located at Chouet Headland within the Vale Parish, at the north-western tip of Guernsey. The site is situated Outside of the Centres in the Island Development Plan and covers approximately 8.5 hectares (51 vergées) in area, including the headland to the west of Rue des Grands Camps, the National Trust land to the south and the Mont Cuet landfill reception area to the east.

Access to the site is from Mont Cuet Road leading onto Rue Des Grands Camps which runs north/south through the site. The site is bordered to the east by Mont Cuet landfill site, and is surrounded to the north, west and south by the sea. A public coastal path, part of a wider Island network, runs along the south, west and northern boundaries of the site. To the southeast of the site the path continues through the National Trust land, past a residential property (L'Eternite) and restaurant (Roc Salt) located to the south-east of that land. Further residential properties are located to the east of Mont Cuet Road (La Morada and La Hougue Biart).

The site itself is safeguarded within the Island Development Plan for possible mineral extraction, with the foreshore around the headland designated as an Area of Biodiversity Importance and the common land to the south-east designated as a Site of Special Significance.

The headland also supports designated protected monuments at the south-western point; Tower No 10 and associated single storey magazine building (PM117) and the Chouet Batteries (La Lochande) and stone platform (PM134).

Relevant History:

In September 2021, the States of Deliberation agreed a Policy Letter entitled 'The Island's Future Aggregate Supply' recommending that aggregate extraction continue on-island, and that that quarrying would occur within the area safeguarded for mineral extraction at Chouet headland. The States also agreed that Phase 3 of the development at the headland would be subject to a further decision by the States, at least five years before the completion of Phase 2, to determine whether on-island quarrying remains the most appropriate method of supply of aggregate for Guernsey at that time.

Subsequent to this decision, a Development Framework for the safeguarded area was approved by the Development and Planning Authority in October 2021.

Existing Use(s):

There are a mix of uses within the site including residential, leisure and recreation, open land, public amenity land, former quarries, agricultural land, car parking, heritage sites and refuse and recycling facilities.

Brief Description of Development:

The proposal is for development of the headland to establish a new quarry (Phases 1 & 2 of mineral extraction) including demolition of a dwelling, closure of Rue des Grands Camps, installation of plant, perimeter fencing and gates and removal of existing and installation of new facility buildings within the Mont Cuët reception area.

The phases of development are described as follows:

Phase 1a – Site establishment works (including the removal of vegetation, soil and stripping of overburden together with installation of ancillary structures and enclosures) and extraction of granite from an area of 2.3ha. Extracted granite would undergo initial processing on site by a mobile primary crusher located in the quarry to the north of the site (currently in use for green waste) and would then be loaded on to HGVs for transfer to Les Vardes quarry for further processing. The initial construction works would be anticipated to be in two phases, the first comprising c12 weeks and the second c30 weeks. The whole phase would take c4-5 years.

Phase 1b – Extraction would cease at Chouet, and recommence at Les Vardes with all processing equipment relocated to Chouet, located on the quarry floor (c-15m Ordnance Datum). This phase would take c4-5 years.

Phase 2 – Extraction at Les Vardes would cease. The extraction area at Chouet would be expanded to the west, with all production, processing and dispatch from Chouet. This phase would take c6 years and would increase the quarry area to c3.8ha.

Once mineral extraction commences, blasting would occur at set times of day (1230 hours or 1630 hours), typically three to four times a month. At these times access to the coastal track would be temporarily suspended for a 15 minute period, with sentries posted at either end of the track to prevent access. If access was required by Guernsey Police in a case of emergency, blasting would be delayed.

Hours of operation are proposed to be 0700-1615 Monday to Thursday, 0700-1600 Friday and 0700-1200 Saturday and Sunday (only if needed and at the discretion of the Authority). The construction of bunds/screen mounds would be restricted to between 0800-1800 Monday-Saturday.

The application is supported by:

- A Planning Statement (submitted 25/02/2022);
- An Environmental Statement (submitted 25/02/2022 amended 26/07/2022);
- A Site Waste Management Plan (submitted 25/02/2022);
- A Construction Environmental Management Plan (submitted 25/02/2022 amended 26/07/2022).

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

Chouet Headland Development Framework, Supplementary Planning Guidance
October 2021 (DF)

Island Development Plan 2016:

- | | |
|------|---|
| S1 | Spatial Policy |
| S4 | Development Outside of the Centres |
| S5 | Development of Strategic Importance |
| | |
| OC2 | Social and Community Facilities |
| OC9 | Leisure and Recreational Facilities |
| | |
| GP1 | Landscape Character and Open Land |
| GP2 | Sites of Special Significance |
| GP3 | Areas of Biodiversity Importance |
| GP6 | Protected Monuments |
| GP7 | Archaeological Remains |
| GP8 | Design |
| GP9 | Sustainable Development |
| GP10 | Comprehensive Development |
| GP12 | Protection of Housing Stock |
| GP17 | Public Safety and Hazardous Development |
| GP18 | Public Realm and Public Art |
| | |
| IP2 | Solid Waste Management Facilities |

- IP5 Safeguarded Areas
- IP6 Transport Infrastructure and Support Facilities
- IP7 Private and Communal Car Parking
- IP8 Public Car Parking
- IP9 Highway Safety, Accessibility and Capacity

Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance, 2016

Strategy for Nature, 2020

Representations:

9 letters of representation have been received from 12 signatories and the Guernsey Pistol Club raising the following points:

Impact on adjoining residents and restaurant:

- Noise levels and dust from operation of heavy machinery, blasting and increased traffic;
- Health impacts, in particular impacts on air quality resulting from surface level activity and associated impacts on respiratory conditions;
- Operating hours outside of traditional working week and to include Saturdays and Sundays, with a note that working hours may alter depending on demand;
- Blasting times are outside of the operating hours of the quarry;
- Residents in the area work from home, and are therefore sensitive to noise during the day as well as at night;
- Potential for harm to foundations of nearby properties;
- Dust and associated impacts on property maintenance;
- Impact on property values;
- Impact on diners and events at nearby restaurant, including al fresco.

To offset these impacts it is suggested that:

- Regular monitoring of dust particles undertaken by an independent body, with findings published publicly and penalties for exceeding agreed levels;
- Penalties for trucks leaving the site uncovered – observation at Les Vardes showed that over a period of one hour no vehicles which left the site were covered;
- Reversing sensors on trucks to be switched off;
- Blasting be limited to Mondays to limit impact on restaurant customers and no operations before 8am or at weekends;
- Notification of blasting to nearby properties;
- Buffer earth mound should be in place prior to quarrying commencing;
- Full structural surveys be undertaken of nearby properties with on going monitoring to establish any impacts on building fabric;
- Limitations on noise emissions;
- Upgrading of windows to nearby properties;

- Installation of air quality, noise and vibration alarms/monitoring devices at adjacent properties be undertaken;
- Cleaning contracts be put in place for the adjacent properties, eg windows, extraction systems, etc.

Visual amenity:

- Landscape effect will be significant, with minimal mitigation proposals;
- Screening should be extended along the south side to screen the quarry in longer views across the bay and could include mature trees, which also act as a particulate filter;
- The provision of three interpretation boards to offset the impacts of a scheme of this scale is insufficient.

Environmental impact:

- Loss of open green space;
- Impact on wildlife and ecology, including migratory birds, brown argus butterfly, owls and buzzards, and extending to marine ecology;
- The harm to ecology is not offset by a few fragmented wildflower meadows in other areas of the Island.

Noise:

In addition to the points raised above under “Impacts on adjoining residents”:

- A primary portable crusher will be located at Chouet, with secondary crushing at Les Vardes. No evidence of mitigation other than location within current green waste quarry;
- The application fails to address emissions from vehicular traffic.

Dust/air quality:

In addition to the points raised above under “Impacts on adjoining residents”:

- Fine dust particulate can travel several kilometres and granite is a known carcinogenic, which could effect the many users of the adjacent recreational space that is L’Ancresse Common. Stringent measures should be applied to monitor particulate in the air across the whole common, and to cease operations if recognised safe limits are exceeded. This is particularly important at the outset when works will be at surface level.
- Misters should be put in place around the perimeter of the site.

Road Safety:

- The submitted traffic surveys are limited and there is too little data to fully assess impacts;
- The proposal would result in significant numbers of vehicle movements;
- On hot days there is overspill from the public car park at Chouet along the road, narrowing the width of the road;
- Impact of increased number of vehicles on:
 - o Vulnerable road users in the area;
 - o Road surfaces, particularly around L’Islet;
 - o Already busy road junctions between Chouet and Les Vardes;

- Could traffic calming measures such as speed bumps be considered along Mont Cuet road.

Alternatives:

- There is provision for the delivery to the Island of aggregate at St Sampson's harbour and importation should be considered, taking into account green economies of scale.

Other matters:

- Loss of recreational facilities, specifically the Guernsey Pistol Club, under Phase 3;
- The impacts of blasting vibrations on unexploded munitions in the Torrey Canyon quarry is not explicitly addressed;
- The data relied upon in the ES is at least 5 years old. With the landfill site closed within that period, air quality and wildlife levels are likely to have changed;
- A Committee should be formed including interested parties to address concerns or complaints arising from the development;
- The proposals are driven by a UK company with a lack of commitment to the Island.

Consultations:

The proposed development comprises Schedule 1 development as identified within the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007 and, under that legislation, an Environmental Statement (ES) must be submitted as part of any application for the proposed works. Once received, and prior to validation, the Authority has an obligation to consult statutory consultees to ascertain whether the information contained within the ES is adequate to make a full assessment of the likely impacts arising from the development. The responses to that consultation relate to the adequacy of the content of ES and do not provide comment on the acceptability of the development, therefore, although referenced in some of the responses below, those responses are not replicated within this report. The responses below are those received following publication of the application, and relate to the issues arising from the development.

Agriculture Countryside and Land Management Services comment as follows:

The applicant has supplied additional information which aims, amongst other matters, to address environment matters arising from the previous consultation (see Section 3 of '220704 Chouet Response FINAL' document). Our comments here focus on that additional information in relation to our previous comments.

Many of our suggestions and/or requests for additional information (see our letter dated 13th April 2022) have been appropriately addressed by the applicant. The following matters have either not been addressed or only partially addressed.

- We welcome the inclusion of the 'Foreshore Area of Biodiversity Interest' within the assessment. Please note that the document incorrectly refers to the designation as the 'Foreshore Area of Importance' or 'Foreshore AI' throughout.
- We previously suggested that the proposed mitigation needed to be made less ambiguous or, rather, be confirmed before it would be possible to accurately measure any residual ecological impacts. The applicant has replied with 'We have amended the relevant sections in light of recent proposals for sites such as Creve Coeur to make them less ambiguous.' However, the Creve Coeur proposal has not been set out in any detail or negotiated with the new landowner.

In light of the amendments made to Chapter 11 of the Environmental Impact Assessment (EIA) we would like to make the following comments.

Up to 1 ha of the proposed mitigation at Creve Coeur has yet to be agreed with the landowner. It should be noted that the area at Creve Coeur is an important area on the Island for breeding Meadow Pipit which should be considered when planning changes to land management in the area.

Sections 11.228 and 11.229 state that 5.5ha of habitat assessed as being of local ecological importance will be permanently or temporarily lost through Phase 1 and 2 of the development. Sections 11.234 to 11.236 cumulatively state that potentially an area between 1.48ha and 1.98 ha of fragmented coastal grassland and pine planting may (if secured) be delivered in mitigation. This figure includes proposals to manage existing areas of habitat of equivalent biodiversity value (i.e. of local ecological importance as assessed by SLR) equating to 0.5ha to 1ha.

The review of residual impacts on Notable Habitats at Section 11.237 concludes that 'Provided that the biodiversity initiatives which are taken within the wider Chouet headland or elsewhere on Guernsey result in no net loss then a residual loss of site habitats evaluated as being of local ecological importance would be avoided'.

It is not clear from the EIA how that ambition to have 'no net loss' will be achieved given the discrepancy between the area of habitat that will be permanently or temporarily lost (5.5ha) and the area of biodiversity initiatives referred to in the EIA (maximum of 1.98ha).

The Policy Letter entitled 'The Island's Future Aggregate Supply' dated 28th June, 2021 asked the States of Deliberation 'to note Ronez Limited's agreement to offset local negative environmental impacts in the short and long term, to achieve overall biodiversity net gain'.

Although an approach to quantitatively measure biodiversity net gain in the Bailiwick has yet to be developed, we believe that the options presented currently don't achieve overall biodiversity net gain, especially where those options lack detail or certainty.

States Archaeologist comments as follows:

I have already discussed the archaeological implications of this in some detail with your department over the last few years (e.g. letter of 25 April 2019), and there is relatively little to add at this stage. I am pleased to see that an archaeological watching brief is recommended for the soil stripping of the eastern part of the site (Planning Statement vol. 1, para. 3.22), and I trust that will be included as part of any approval.

My main concerns remain the protection of the pre-Martello tower and associated magazine, and I would also like to see the German tunnel on the western part of the headland preserved if possible (as detailed in my letter of 25 April 2019). I believe that this falls outside the remit of the present application, which as I understand it covers only phases 1 and 2 of the proposed operations, but nevertheless I think it is important to highlight these matters in advance of any future application.

Business, Innovation & Skills comment as follows:

This letter is to confirm that the Committee *for* Economic Development (“the Committee”) are supportive of the proposed quarry development, as the consequence of not identifying a new site for on-island quarrying – and as a result the required increased importation of aggregate – would be significantly detrimental to Guernsey’s construction industry.

As established in the Policy Letter entitled ‘The Island’s Future Aggregate Supply’ (Billet d’État XIX), a move towards partial importation would result in a 25% increase in the price of aggregate, whilst full importation would increase aggregate prices by 33%. Such increases in the price of aggregate would increase the costs of building in the island making building projects more expensive thus restricting the construction industry and further exacerbating the concerns regarding on-island housing supply.

However, the Committee are also of the view that the potential development should minimise the impact of the proposed activity on the surrounding area, especially the neighbouring restaurant as well as the wider appeals of the headland as an area of natural beauty along Guernsey’s coastline. The Committee welcome the proposed landscaped screen mound to the south of the proposed quarry as well as the landscape planting around the periphery of the quarry working area, which should reduce the visual impact of the activity to both visitors to the restaurant and users of the coastal path.

Furthermore, the Committee notes that the planning application shows an area allocated for the receipt of green waste, which has been included for illustrative purposes and does not form part of the planning application. It is the view of the Committee that including a location for the disposal of green waste is of high importance, as the existing facility to the north of the Chouet Headland that will be lost if the proposed development progresses provides a valuable service for local horticultural and gardening businesses.

Committee for Education, Sport & Culture note that the Guernsey Pistol Club operate from a specially designed range to the north-west of the site, and it took many years

of search to agree this site. Finding another site for this club is not therefore likely to be straightforward. The Committee also note that the proposal would impact on the leisure amenity value of the headland, were access to be restricted for walkers, joggers, etc. Access should also be retained to the Pre Martello tower. Whilst the Committee note that the application is only for phases 1 & 2 of the proposed development of the headland, and so may not immediately fully realise these concerns, they do remain relevant.

Committee for the Environment and Infrastructure comments as follows:

In recommending the continuation of on-Island quarrying to the States (which was approved in September last year), the Committee evaluated as much evidence as possible to assess its relative merits and disadvantages compared with the importation of aggregate, taking into account economic, social and environmental factors. As these span such issues as security of aggregate supply, effects on construction costs and employment, infrastructure demand and requirements, pollution impacts, carbon emissions, biodiversity and nature loss a strategic assessment was neither simple nor straightforward. While there is a clear economic case for the continuation of on-Island quarrying the environmental and social amenity cases are much more complex.

One of the principal factors that influenced the Committee's recommendation was the overall lower energy and climate change impacts of quarrying at Chouet headland compared with importation. With the Island recently experiencing prolonged dry conditions together with above average high temperatures the effects of global climate change, including rising sea levels, more intense rainfall patterns and more frequent extreme weather events, are already being felt.

Accepting there is a need for aggregate to support development and infrastructure, on-Island quarrying offers the lowest overall carbon emissions compared to other options and thus aligns most closely with the States' Climate Change Policy and Energy Policy. The Committee is very much aware though, that on-Island extraction has far higher localised environmental implications. As such, the Committee stresses that the negative localised impacts must be minimised, mitigated and more than off-set and would request that these factors be conditional to granting of planning permission.

A full description of environmental impacts (which include impacts on ecology and habitats, air quality, noise and vibration among others, some of which have amenity impacts on the local community) is laid out in section 10 of the Policy Letter 'The Island's Future Aggregate Supply' (P.2021/83) which was laid before the States in September 2021.

A detailed response analysing the Environmental Impact Assessments submitted by the applicant is being forwarded separately from the Director of Natural Environment.

The Committee considers it essential that any negative impact on ecology and habitats in particular should be mitigated and offset. Approval of this planning application provides an excellent opportunity to realise net positive environmental improvements both at Chouet headland itself and in other parts of the Island. Ronez's agreement to

implement Biodiversity Net Gain played a key factor in the Committee's recommendation of on-Island quarrying, and the Committee would very much like to see this formalised with the gains implemented from the start of any quarrying operations.

Constables of the Vale have no objection to the application, appreciating the need for stone aggregate and that this headland is really the only realistic place for quarrying to take place and will inconvenience the least number of people, and noting the coastal path will remain and only be closed when blasting is taking place, along with access to the car park used by the mooring holders opposite the Torey Canyon quarry. The Douzaine was also reassured that the model plane fliers and the pistol range will remain, albeit for a short period of time.

Guernsey Electricity comment as follows:

To accommodate Phase 1 of Ronez Mont Chouet, GEL will need to extend HV cables from the existing substation at the entrance to the existing tip northwards to the entrance of the existing green waste site and install a new secondary substation on a currently undefined location.

Additional to the works local to the new quarry we will be undertaking some works external where a High voltage cable will need to be enlarged. This replacement will be from the start of Les Clotures Road to the end of Les Mielles Road. This route will mainly be utilising the L'ancresse common to minimize disruption to road traffic.

Guernsey Fire & Rescue Services have no comment to make.

Guernsey Police comment as follows:

There are three areas of concern.

1. The effect of the mining on the security alarms in use within the headland.

There are alarms fitted to the Guernsey Pistol Club and to the Storage Bunker used by both Ronez and the Guernsey Police. It is unknown the effect that the mining will have on the alarm system which may create the alarm to be activated at either or both sites which will cause a Police response. Both structures and their alarms are within 120m of phase 2 blasting area.

2. The contents of the Torrey Canyon Quarry.

It is understood from the planning application submitted that a water sampling event was undertaken in 2017. That survey as reported did not detect evidence of Unexploded Munitions in either the Torrey Canyon Quarry or the nearest borehole.

The Guernsey Police has evidence from 1985 that there is Unexploded Munitions in the Torrey Canyon Quarry.

As a result of enquiries made with experts within the field there are many factors that will effect the quality of Unexploded Munitions that could date back to 1945. It is possible that Unexploded Munitions may not have deteriorated to an extent so as to release their inner contents into the water and would still represent a significant risk and should only be dealt with by in this instance the Guernsey Police Bomb Disposal Team.

The head land historically (during the second world war) had both S mines and Telemines deployed across it. The Guernsey Police hold evidence dating back to 1985 of Unexploded Munitions in the Torrey Canyon Quarry. It also holds intelligence that historically firearms have been disposed of within the Torrey Canyon Quarry.

All unexploded munitions should be initially reviewed by members of the Guernsey Police Bomb Disposal. All located firearms should be brought to the attention of the Guernsey Police on discovery.

3. Explosives survey

In the UK an explosives survey would have to be undertaken prior to development in circumstances such as these. Has an Explosives Survey been undertaken for the headland?

Guernsey Waste comments as follows: As we were consulted at EIA phase and the majority of the documents were also reviewed at the validation phase, any points we have raised previously appear to have been addressed in the final Planning Statement and the additional document 3 220704_Chouet_Response_FINAL.

There are a couple of minor issues relating to the layout of facilities within the reconfigured Mont Cuët reception area; however as we are working with Ronez on this part of the development, with resulting weighbridge, wheel wash and welfare facilities being shared between the quarrying operations and operations associated with the landfill site, I will raise these directly with Ronez.

It is noted that the relocation of the public green waste drop off facility to the entrance of the site is not covered by this planning application, and a separate application for this will be produced by Guernsey Waste (with support from Ronez) in the near future.

As such, Guernsey Waste will not be submitting any further comments on the Planning Application.

Guernsey Water comment as follows:

Whilst the area is outside of catchment there would need to be suitable protections in place to make sure it doesn't pollute water sources in different areas that are in catchment.

A surface water management plan would be required.

There is an existing water supply to the site, however no main drain therefore a cess pit would be required.

Health & Safety Executive comment as follows:

Major hazards

The Health and Safety Executive has considered the information provided and would not wish to raise any objections to the development as a statutory consultee in relation to Major Hazards or Explosives licensing.

General health and safety at work

The Health and Safety Executive's comments in relation to the Environmental Impact Assessment are still of value and I have reproduced them for the benefit of the applicant:

1. Vehicle movements
 - a. In the planning stage due consideration must be given to [Workplace transport safety HSG136 \(hse.gov.uk\)](https://www.hse.gov.uk/workplace-transport-safety/hsg136/) when considering pedestrian/vehicular routes and avoidance of conflict is advocated by the HSE where reasonably practicable to do so. Risk assessment should be undertaken by competent persons to establish this at the earliest opportunity to avoid intervention by the HSE at a later date.
2. Dust.
 - a. The guidance set out at [HSE - Quarries - Dust and silica](https://www.hse.gov.uk/quarries/dust-silica/) must be considered and risk mitigation implemented following a risk assessment. The risks are likely to change through the life of the proposed quarrying activities so this should be regularly reviewed.
3. Noise
 - a. The HSE uses [HSE - Noise: Regulations](https://www.hse.gov.uk/noise/regulations/) as the benchmark to be achieved. Again risk assessment, and implementing reasonably practicable control measures is key to protecting employees and others from exposure to harmful noise. An example may be a soundproofed refuge for quarry staff so that they can take regular breaks as necessary, when considering infrastructure.
4. Vibration
 - a. The vibration referred to here is likely to fall in the 'nuisance' end of the spectrum as Health and Safety vibration guidance is generally focussed on either Hand/Arm vibration (use of hand tools), or Whole Body Vibration (Drivers cab). That said vibration from quarrying will need to be monitored and should be subject to regular risk assessments throughout the live of the proposed quarry.
5. Torrey Canyon Quarry
 - a. Waste oil has clearly been considered here. Again Risk assessment and reasonably practicable control measures will need to be implemented to protect employees and others when waste processing is undertaken.

- b. Anecdotal evidence suggests that munitions, dumped post World War 2, remain in the Torrey Canyon Quarry. Consideration must be given to this in terms of the exploration of the quarry, and removal/disposal of any munitions found if it is to be disturbed.
- 6. During the construction phase, due consideration must also be given to the [Guernsey Construction \(Design and Management\) Approved Code of Practice 2020](#) in making decisions for this project. However, this is for the client, designers, principal contractors etc. to implement and manage.

La Societe Guernesiaise note the closure of the Rue Des Grands Camps would limit access to the Marine Observatory located on the headland to the north of the site, preventing those with mobility issues or large amounts of equipment accessing the Observatory.

Office for Environmental Health and Pollution Regulation initially commented as follows:

I have reviewed the letter from SLR Consulting Limited submitted in relation to comments made on the Environmental Statement that I was previously consulted on. I can confirm that I have concerns in relation to some outstanding matters and would comment that there is currently insufficient information available. The outstanding matters in relation to our legislative remit are as follows:

Noise – a comment has been made about the area being sparsely populated. Whilst I would agree the headland is sparsely populated there is a direct line of sight from Rousse / Port Grat, these areas are close (around 1km) do have a significant number of residential properties.

The dB levels referred to in the paragraph titled *Top soil and Overburden Removal and Statutory Nuisance* are from UK guidance and whilst this has been referenced this may not be suitable in a local context. We would welcome further information in relation to how this guidance will be applied in the local context and would stress that assumptions should not be made in relation to local application of UK / English guidance.

Several references are made to statutory nuisance provisions not being applicable in this context. Assessment of statutory nuisance remains available to the Office of Environmental Health and Pollution Regulation and should complaints be received we follow our standard processes. Disregard for statutory nuisance now could potentially prejudice site operations in the future. In addition, a licence under the relevant ordinance under the Environmental Pollution (Guernsey) Law, 2004 will be required for the site to operate and this will also have conditions in relation to noise / vibration / dust etc. that site operations will need to achieve.

I would suggest that the applicant consults Guernsey Waste in relation to waste cells at Mont Cuet Landfill site and then reconsiders potential vibration impacts.

I would comment that there is currently insufficient information for me to be able to comment fully on the application. I would welcome the above information / confirmation of points. In addition, the applicant should also be aware that once a further response has been provided the OEHPR are likely to recommend a number of conditions in relation to the proposals. These will relate to both development and operational phases of the site.

Office for Environmental Health and Pollution Regulation further comments:

The Office have concerns regarding noise, and reserve the right to investigate and take proceedings using their statutory nuisance provisions under the Public Health Ordinance, 1936.

A number of conditions are recommended to mitigate impacts of the development, which are attached to this decision as recommended, and relate to:

- Lighting;
- Noises emissions from plant and machinery;
- PM10 and PM2.5 emissions;
- Noise emissions during temporary works;
- Operation noise emissions;
- Hours of operation;
- Hours of operation for construction works;
- Contaminated land;
- Dust management;
- Noise and vibration management;
- Implementation of the CEMP.

That office also recommends conditions in relation to the Site Waste Management Plan, removal of soil and overburden from the site, a surface water management plan, and management of contaminants within the Torrey Canyon Quarry.

Traffic and Highway Services comment as follows:

In conjunction with reviewing the Planning Statement and Non-Technical Summary outlining the phasing of the quarrying operation, particular attention has been paid to the Transportation (Sect 7) of the Environmental Statement in respect of this application. Additionally, THS staff have carried out site visits to the Chouet and Les Vardes areas, as well as the vehicle route between the two locations in order to detail areas of specific concern or note pertinent to this report.

THS notes the commentary and research undertaken by the applicant in respect of the traffic volumes and junction capacity outlined within the Transportation section of the ES. THS would agree with the reports findings that HGV movements as a percentage of overall vehicle movements on the route between the two sites is minimal and typically represents less than 2% of the total traffic volumes on the coast roads and roads within the L'islet Local Centre.

THS would acknowledge that the traffic volumes undertaken by way of automatic traffic counts and manual traffic counts, although dated from June 2017 are not likely to have changed significantly in the intervening years. It is reasonable to state that based on the observations carried out by THS staff on the areas where the counts have taken place, that traffic volumes in 2022 are close to those recorded in the report and that traffic flows on the Traffic Priority Routes that form the majority of the road network between the two sites are relatively equal, aside from a slight 'tidal' variation attributed to commuter journeys in the morning and afternoon peak. In relation to the recorded RTC history for the five-year period covered with the Transportation section of the ES, there is no evidence of causation or correlation relating to the HGV movements within the road sections, or indicators of specific junctions or road sections where RTC's are more prevalent due to traffic volumes or road geometries. The recorded RTC's are indicative of similar roads throughout the island which witness comparable RTC statistics, both by number and type / outcome of the RTC.

Consideration has been given to whether the increase in HGV movements that would result under the different phases of quarrying / transfer of activities between the two sites as outlined in the application. Although the concurrent operations of the two sites will result in an increase in HGV movements, the calculated movements based on the average extraction of 110,000 tonnes per year under figures 7.5 to 7.9 are accepted as accurate based on what is known of the planned operation at the time of application. As such, the increase of HGV movements associated with the application under Phase 1a of 5 additional movements per hour in either direction on the route between the two sites. This is not considered to present problems in relation to traffic management on the route between the two sites.

As outlined in Figure 7-9 and paragraph 7.67, the transfer of the coated stone plant to Les Monmains does not result in significant HGV numbers on the route between Mont Cuet and Les Monmains.

In relation to the combined routes (Les Vardes to Chouet and Chouet to Monmains), the basis of commentary in relation to traffic management and road safety is on the use of the primary road network detailed within the application, and the junctions which HGV's would manoeuvre through. It should be recognised by the applicant, that at times when these roads are unavailable due to the traffic management requirements of either roadside or works within the carriageway resulting in the closure of road sections, that THS would understandably have concerns in relation to the alternate routes that drivers may opt to take between sites. It is noted that in recent years drivers of HGV's serving the site at Les Vardes have frequently ignored official diversion routes which use traffic priority routes, and opted to use narrow road sections and lanes such as Route de Vaugrat and Les Hauts Courtils to take the shortest possible route. In turn, this has resulted in complaints from residents of the area and given the lack of pedestrian infrastructure in these lanes raises road safety concerns. THS will maintain a watching brief on the routing of HGV's to and from the site, and whilst recognising that many of the drivers of HGV's to the site are not employed directly by Ronez, would ask that the applicant is made aware of these

concerns and as appropriate incorporate into driver induction programmes as referenced in paragraph 7.111. If necessary, THS would introduce restrictions on these types of road sections to prevent HGV's from using the lanes and narrow roads that are of concern.

Green Waste Site

Although not part of this application, it is noted that the existing green waste site is shown as 'relocated' to the entrance area of the Mont Cuet site (Proposed site layout drawing CH3/7). Whilst (as stated on the drawing) the siting of the green waste drop off, does not form part of this application, it is reasonable to determine that if this application is approved, that the necessary enabling works will need to commence quickly, and likely result in the relocation of the green waste site early in the programme of enabling works. It is reasonable in terms of this submission to comment that the daily traffic movements associated with the green waste site, do cause some concerns should the site be relocated as shown on the plan. Information passed to THS indicates that the total number of vehicles visiting the existing green waste site (through seven days a week of current operation) is in the order of between 600 and 700. Assuming that unless there are changes to the operation of the relocated green waste site, this number of mainly domestic vehicles utilising the same entrance area to the quarrying operation area does raise some concerns. In the first instance, the current green waste area utilises the gravelled area from the end of the Rue des Grands Camps for vehicles to queue into the site. Although this queuing may happen in the period before the site opens, it is also necessary when vehicle access to the green waste site is prevented when plant or vehicles temporarily operate within the site – (to push green waste back, to create space for further drop-off of green waste). Therefore, there is the potential for vehicle queuing to the relocated green waste site, and in the absence of an off-road area for vehicles to queue, this will result in vehicles queuing back along the Mont Cuet Road. In turn, this has the potential to cause some traffic management issues in the immediate area.

Ownership of road section

Currently, the Rue des Grands Camps is classified as public road. By necessity, under this application, the road section will (as shown on the plans) fall within the boundary of the quarry and be securely fenced off to prevent public access of any type. Therefore, in conjunction with this application (if approved), the necessary legislative and procedural steps must be taken to transfer the road section from public to private ownership. THS would expect that this process is being undertaken by States Property Services, but can offer advice to interested parties as necessary.

Therefore in summary, THS would not raise objections to this application in its current form, based on the phasing and extraction volumes specified resulting in the trip generations expressed. In part, a number of areas which could cause concern will be mitigated under the applicant's own induction programmes and standard

operating procedures, and if necessary THS will assist or advise in respect of these programmes.

Summary of Issues:

The key issues to be addressed as part of this application are set out in the approved Development Framework, and are as follows:

- Phased approach to development;
- Dual use of facilities;
- Access to waste management facilities;
- Loss of agricultural land;
- Loss of existing residential unit;
- Residential amenity, with particular reference to:
 - o Noise;
 - o Dust/air quality;
 - o Light pollution; and
 - o Vibration;
- Existing contamination and unexploded ordnance;
- Leisure and recreational facilities;
- Protected Monuments and other buildings and structures of historical interest;
- Police ordnance storage;
- Archaeology;
- Biodiversity;
- Landscape;
- Access and movement;
- Parking;
- Public realm and public art;
- Utilities and services;
- Surface water drainage/sustainability;
- Restoration of the site.

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).**

Chouet Headland is designated within the Island Development Plan (IDP) as a Safeguarded Area for possible mineral extraction and Policy IP5: Safeguarded Areas states that development within such areas will be supported where the proposal is in accordance with an approved Development Framework (DF). A DF for this site was approved in October 2021 and the proposed development will be assessed against the requirements of that DF below.

The proposal also comprises Schedule 1 development in respect of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007 and the application requires an Environmental Impact Assessment. An Environmental Statement (ES) has been submitted with the application and will be drawn upon in considering the relevant sections below.

The principle of mineral extraction at this site (S1 Spatial Policy, S4 Development Outside of the Centres, S5 Development of Strategic Importance, IP5 Safeguarded Areas)

In September 2021, the States of Deliberation agreed a Policy Letter recommending that aggregate extraction continue on-island. That letter concluded that, in the event that on-island extraction was agreed, according to all available information, there are no viably recoverable reserves of stone within the Island other than at Chouet headland.

Chouet Headland is identified as a strategic reserve for mineral extraction by the Strategic Land Use Plan 2011. This is reflected in the Island Development Plan designation of the site as a Safeguarded Area.

The principle of developing this allocated site for mineral extraction is not therefore open to question in considering this application and is wholly consistent with the Island Development Plan and the Strategic Land Use Plan.

Phased approach (DF Paras 8.12-8.21, GP10 Comprehensive Development)

The application proposes a three phase approach to development, in accordance with the requirements of the DF, enabling the efficient transition of quarrying activities from Les Vardes to Chouet.

The application relates to Phases 1 & 2 of development, which are intrinsically linked, however only provides an outline indication of Phase 3, which will be subject to separate agreement by the States and, if agreed, subsequent planning application. The detailed design and layout of the first two phases of development would not preclude subsequent development of the remainder of the allocated site, and as such complies with the objectives of Policy GP10 and the requirements of the DF.

The additional points raised within these paragraphs of the DF will be addressed under the relevant headings below.

Dual use of facilities (DF Paras 8.22-8.23, IP2 Solid Waste Management Facilities)

The application proposes to use the existing Mont Cuét reception area, with upgraded facilities, to serve both the quarrying operation and any ongoing uses at the Mont Cuét landfill site.

The application initially proposes the continuation of mineral processing at Les Vardes, with limited primary crushing occurring at Chouet in the current green waste quarry to the north of the site. Once the interim quarry floor level has been reached as part of Phase 1 (c-15m Ordnance Datum), the processing equipment will be relocated to Chouet whilst quarrying at Les Vardes is brought to completion.

This dual use of facilities accords with the requirements of the DF.

Access to Waste Management Facilities (DF Paras 8.24-8.26, IP2 Solid Waste Management Facilities)

Access to the existing landfill site at Mont Cuét will remain as existing, albeit with potential for additional management through the installation of gates.

The relocation of the public green waste drop off area is subject to consideration under a separate application (ref FULL/2022/1930) and no consent is conferred for that relocation under this application. To ensure the ongoing provision of this facility, it is recommended that the decision be conditioned to ensure that access is retained to the existing facility until that facility has been replaced (Condition 28).

Guernsey Waste state that issues in respect of the potential impact of blasting on landfill waste cells and gases at Mont Cuét have been satisfactorily addressed within the ES.

Loss of agricultural land (DF Paras 8.27-8.29, OC5(B) Agriculture Outside of the Centres)

The DF notes that the five agricultural fields which would be lost as a result of Phase 1 lie outside of the Agriculture Priority Area, and their loss would not conflict with Policy OC5(B): Agriculture Outside of the Centres.

The loss of the historic field pattern is assessed as part of the Landscape Value Impact Assessment in Chapter 6 of the ES, referenced under 'Landscape' below, and potential impacts on surrounding agricultural land would be addressed through the mitigation proposed throughout the ES.

Loss of existing residential unit (DF Paras 8.30 & 8.31, GP12 Protection of Housing Stock, S5 Development of Strategic Importance)

There is one vacant residential unit within the site (The Bungalow) and that unit would be lost as part of the submitted proposals. The loss of housing stock falls to be considered under Policy GP12: Protection of Housing Stock, which only allows for such loss where it can be demonstrated that the accommodation is substandard by specified criteria; that the site or building is needed to meet an important essential social or community requirement; or the displacement of housing will facilitate a development with substantial and overriding economic and/or social benefit to the Island. In this case, the unit is not stated to be substandard, nor can the site be said

to be needed to meet an important essential social or community requirement and there is no proposal to replace the house on an alternative site. The proposal would not therefore comply with Policy GP12.

The proposal does however comprise development of strategic importance and Policy S5 would be engaged. That policy allows, exceptionally, for such developments, notwithstanding any conflict with the Spatial Policy or other specific policies of the Island Development Plan, including Policy GP12, where there is no alternative site available and the proposals accord with the Principal Aim and relevant Plan Objectives.

As set out above, it has been established that there is no alternative site available for mineral extraction. Provided that the proposals are found to be in compliance with the Principal Aim and relevant Plan Objectives through the assessment set out in this report, the application would meet the terms of Policy S5, and this would override the requirements set out in Policy GP12.

Residential amenity (DF Paras 8.30, 8.32-8.35, GP8 Design, GP9 Sustainable Development)

There are three residential dwellings within 400m of the Phase 1 site area, located to the south and south-east (L'Eternite, La Morada and La Hougue Biart). The restaurant Roc Salt is also located within that range, and would have similar sensitivities to the proposed development. The key issues identified within the DF in relation to residential amenity are noise, dust/air quality, light pollution and vibration. The provision of new facilities within the Mont Cuët reception area would not, in themselves, give rise to any impacts on residential amenity.

Noise at the site will be generated at the construction phase, particularly during the overburden stripping and creation of the screening mound; by quarrying, especially during blasting; and at a lower more constant level by site machinery (plant) and vehicles, on and off site. The proposal is to initially undertake primary mineral processing at the site in the quarry to the north of the site, currently used for green waste, with secondary processing, such as crushing, sorting and washing, proposed to be completed at Les Vardes (Phase 1a), before relocating all processing equipment to the site for Phases 1b & 2.

Chapter 9 of the ES relates to noise and contains an Environmental Noise Impact Assessment. That assessment concludes that, in respect of noise levels measured at two of the closest receptors (adjacent to Roc Salt and adjacent to La Morada), the noise generated from top soil and overburden removal would be within the recognised noise limit for temporary operations (which is above that normally expected on daily basis). In respect of granite removal and processing, provided the stipulated mitigation measures were implemented, the assessment concludes that at Roc Salt, the closest receptor measured, noise levels would be slightly in excess of the noise limit when set at 10dB above background noise level for Phase 1, reducing as the void deepens, and that there would be no significant impact from subsequent

phases. At La Morada, the ES contends that granite removal and processing would not exceed the noise limit when set at 10dB above background noise level for any phase. The assessment also finds that additional noise levels resulting from increased traffic movements would not be significant. To mitigate any noise emissions the ES proposes:

- Location of processing plant within the green waste quarry and the previously worked void for Phase 1a;
- Location of noise-generating activities at as large a distance as possible from sensitive receptors;
- Monitoring of noise on an annual basis;
- Construction of screening mound;
- Retention of woodland/hedges along the south boundary where possible, and addition of supplementary planting to that boundary;
- Effective site management, including efficient blasting practices;
- Use of broadband reverse warning systems on all mobile machinery (white noise) and effective exhaust silencers;
- Limited hours of operation.

Notwithstanding the findings and recommendations of the ES, the Office *for* Environmental Health and Pollution Regulation have concerns regarding noise levels from the site, both for the construction and operation phases, and recommend a number of conditions to limit and monitor noise levels, which form part of the proposed conditions set out above (Conditions 10, 32, 33 and 34). That Office also reserves the right to investigate and take proceedings using the relevant statutory nuisance provisions under the Public Health Ordinance, 1936 should it prove necessary.

Taking into account the proximity to residential property, as well as the characteristics and recreational use of the area, the Office *for* Environmental Health and Pollution Regulation also recommend amended operating hours for the site, in line with that Service's construction site noise guidelines. The amended hours would commence at 8:00am and continue until 4:30pm Monday-Friday (the later finishing time being to accommodate stated blasting times), and 8:00am-12:00noon Saturdays. Operations at the site cease prior to blasting occurring. Following afternoon blasting the site is inspected for safety purposes but no further operations take place. Given the high noise levels anticipated in association with the construction of the screen mound, and the proximity of that mound to residential property, it is recommended that operating hours on that feature are limited to 08:00-18:00 Monday to Friday and 08:00-13:00 Saturdays. These hours can be controlled by condition (Conditions 30 & 31).

The proposed mitigation measures, together with the additional requirements and amended hours of operation proposed by the Office *for* Environmental Health and Pollution Regulation, would significantly reduce impacts on residential amenity. Whilst it is noted that there are day time sensitivities, such as working from home

and clientele and staff at Roc Salt, operations have to be undertaken during the day time when sensitivities are generally likely to be lower than during the night.

Chapter 8 of the ES relates to air quality, and assesses potential emissions arising from the proposal, both at construction and operational stages, and in relation to minerals dust, vehicle and traffic emissions, through a dust assessment undertaken using the Institute of Air Quality Management's 'Guidance on the assessment of Mineral Dust Impacts for Planning'. That chapter acknowledges that there will be dust dispersal arising from the development and proposes a number of mitigation measures to control the emission of minerals dust to within acceptable levels. In respect of vehicle and traffic, the assessment however concludes that emissions would not be significant when considered against the Air Quality Objectives set out in the Environmental Pollution (Air Pollution) Ordinance, 2019. Those Air Quality Objectives are stated to take into account the range of responses to particulate matter concentrations found in the population, for example increased susceptibility of those with pre-existing health conditions. To mitigate dust emissions the ES proposes:

- Strict dust control/suppression measures, including damping down areas, a water suppression system included in the primary mobile processing plant and multi-stage processing plant, avoiding windy days and the use of a wheel wash/sprayer bay and covering of trucks leaving the site;
- Use of water suppression in the construction of the screen mound, and seeding to be undertaken at the earliest opportunity;
- Monitoring of dust;
- Construction of screening mound;
- Retention of woodland/hedges along the south boundary where possible, and addition of supplementary planting to that boundary;
- Effective site management, including efficient blasting practices.

In addition to the above, the Office *for* Environmental Health and Pollution Regulation recommend conditions to require submission of a detailed dust management scheme, and specific details in respect of PM10 and PM2.5 emissions (Conditions 8 & 9). Whilst perimeter misting is not proposed as a current mitigation measure, it could be included within the dust management scheme, if found to be necessary. Tree planting to be included as part of the landscape scheme may also provide further mitigation (Condition 6).

Limited information is provided in respect of lighting of the works and it is recommended that a lighting scheme is required by condition to ensure any light pollution is limited and would not result in adverse impacts on residential or recreational amenity (Condition 24).

Chapter 10 of the ES relates to vibration and sets out how the blasting process has been designed to limit vibrations, taking into account impacts on both built and human receptors, to within nationally approved standards. Although mitigation measures are proposed to limit any impacts, it is stated that, prior to any blasting at

the site, structural surveys of the closest properties (L'Eternite, Roc Salt, La Morada and La Houge Biart) would be undertaken. It is recommended that these surveys, and monitoring of those properties as the development progresses, is required by condition of the planning decision (Condition 20).

Throughout the ES, and particularly in the chapters referenced above, mitigation measures to address dust, noise and vibration are proposed. These mitigation measures are reiterated in the Construction Environment Management Plan (CEMP) and it is recommended that the decision be conditioned to ensure all mitigation measures are carried out in accordance with the recommendations of the ES and as described in the CEMP (Conditions 2 & 25). Specific conditions are also recommended to be attached to the decision restricting hours of operation (Conditions 30 & 31), and where further details are required to ensure robust mitigation, such as in relation to the screening mound and landscaping (Condition 6). Further commentary in respect of the screening mound and landscaping is set out under 'Landscape' below. It is noted that other forms of mitigation have been suggested in the letters of representation, as summarised above, such as notification to neighbours of blasting events, which are not mentioned within the ES. Whilst it is not considered reasonable to apply conditions in respect of these points, they are commended to the applicant to consider as part of the site management.

In conclusion, as previously noted, the principle of mineral extraction in this location is established and cannot be re-considered through the consideration of this planning application. Whilst it is inevitable that an operation of this scale and in such proximity to residential property will have impacts on the amenities of those properties, in light of the above, it is concluded that the mitigation measures proposed, if adhered to, and the additional conditions recommended, would limit those impacts as far as is reasonable and practicable. Further controls on air quality, noise and vibration impacts would also be placed by licence under separate legislation, including the Environmental Pollution (Guernsey) Law, 2004.

Existing contamination and unexploded ordnance (DF Paras 8.36-8.39, GP17 Public Safety and Hazardous Development)

The DF states that investigation and full remediation works of oil and any weapons/explosives in Torrey Canyon should be undertaken prior to commencement of Phase 1, unless it can be satisfactorily demonstrated that an alternative approach is acceptable.

The information submitted within the ES, and the Unexploded Ordnance (UXO) Risk Assessment submitted during the course of the consideration of the application, confirm the likelihood of UXO at the site, both within the Torrey Canyon Quarry and potentially buried across the wider site area, which the Risk Assessment states was identified as a minefield on WWII maps. The ES, and subsequently submitted information, does not however provide any assessment of the potential impacts of blasting on any unexploded ordnance, and there is therefore no evidence to

demonstrate whether blasting activity undertaken during Phase 1 could cause activation of any ordnance present or leaching of contaminants.

The Phase 1 Land Quality Risk Assessment (Appendix 13/3 of the ES) and the UXO Risk Assessment both however identify that further site investigations, such as geophysical/magnetometry or radar surveys, would be needed to ascertain the presence and extent of both unexploded ordnance and contamination, and to inform both the timeframe and methodology for remediation.

In light of the above it would be both reasonable and necessary to attach conditions to the decision requiring further investigations in respect of contamination and UXO and, where necessary, a scheme for remediation prior to commencement of Phase 1, unless substantive evidence can be provided that implementation of Phase 1 would not increase the risk of detonation or a contamination event (Conditions 17 & 18).

Leisure and recreational facilities (DF Paras 8.40-8.42, OC2 Social and Community Facilities, OC9 Leisure and Recreational Facilities)

The submitted application confirms that Phases 1 & 2 of development would enable the continuation of all leisure and recreation uses at the headland. Any impacts on these uses arising from Phase 3 would be considered as part of a formal application for that phase.

The public coastal path is to be retained and access is to be maintained at all times, with the exception of during blasting events. It is however noted that for a short length along the north boundary of the site the coast path passes through the existing informal car park, which is to be located within the site boundary. To ensure access is maintained around the whole headland, it is recommended that a condition be applied to require details of the continuation of the path in this location (Condition 6).

Public access would be retained to the Marine Observatory/Seawatching Hide located to the north of Mont Cuet. Whilst it is noted that the closure of Rue des Grands Camps will prevent access to the informal parking area located adjacent to that hide, this is not a designated public parking area and it would not be reasonable to require that vehicular access is maintained. Closure of the road is required to support the quarry development and public access through Rue des Grands Camps, which would form part of the working quarry operations, would comprise a health and safety risk. There may be potential to provide improved access/parking as part of any scheme for public access to Creve Coeur or restoration of Mont Cuet however that would fall outside of the consideration of the current application.

The restaurant known as Roc Salt, located to the south of the site, would be sensitive to many of the same impacts as residential property in the area and impacts on that premises have been considered as part of 'Residential Amenity' above.

Protected Monuments and other buildings and structures of historical interest (DF Paras 8.43-8.48, GP6 Protected Monuments, GP8 Design, statutory duty in respect of protected monuments)

Phases 1 and 2 of the quarrying development are positioned in accordance with the DF and would result in no direct effects on the protected monuments or the sites on which they are located. Public access would be maintained, other than for short periods of time during blasting operations, and it is intended to install interpretation panels to explain the significance of the structures in the area.

The application sets out an intention to undertake a structural survey of Tower 10 prior to the commencement of blasting operations in order to ensure that vibrations do not adversely affect the structure. This should be expanded to include the magazine associated with that tower, and the protected batteries and stone platform to the west. A condition should be applied to any decision requiring a structural survey prior to the commencement of blasting operations, and on going monitoring of the structural integrity of the Protected Monuments, using that survey as a baseline (Condition 19).

Despite some limitations in the surveys undertaken in support of the ES, it is clear from observations on the ground that changes to the landform and skyline resulting from the quarrying operation would not impinge on interconnecting views between the chain of Towers which edge the coastline from Fort Le Marchant to Rousse. The chief impact on setting would result from removal of the hillside which would leave Tower 10 much more prominent in the landscape.

There are discrepancies within Chapter 14 of the ES in assessment of the effect of the development on Tower 10 and its associated magazine, however from assessment of the submitted information it is concluded that the setting of the monuments would be moderately affected by Phases 1 and 2. However, the history of quarrying on this headland, and the consequent changes in land levels and form, together with the fact that sightlines between the Towers would not be compromised, are such that this effect would not be adverse.

Overall the impacts on the protected monuments and their settings would accord with Policy GP6 and the requirements of the DF, and the statutory duty in respect of protected monuments would be discharged. It is recommended that conditions be attached to ensure that buffers to the monuments and enhanced screening indicated to the south and south west of the development are appropriate in form and position, e.g. it would not be appropriate for these to be located to the south and west of any of the protected monuments (Condition 6).

The WWII tunnels are located to the north of Tower 10 and outside of the areas proposed for Phases 1 & 2. The tunnels will not therefore be directly affected by the proposals set out under the current application.

The mitigation measures set out in Chapter 14 state that prior to the demolition of any German structure within the area, the opportunity will be afforded to remove any remaining fixtures and fittings present that may be of value in the conservation or restoration of similar structures elsewhere in the Island. This will be controlled under Condition 2. Archaeological surveying of these features will be addressed as part of the programme of archaeological work required under Condition 11.

Police ordnance storage (DF Paras 8.49-8.50, GP17 Public Safety and Hazardous Development)

Access to this storage is to be maintained, with the exception of during the blasting events. Guernsey Police will be kept apprised of these events and, in the case of access being required, blasting can be delayed.

Guernsey Police raise concerns that blasting may set off alarms within the storage unit, and at the adjacent Pistol Club. This is however a matter to be managed by the Police and the applicant and does not comprise a material planning consideration. The agent for the application notes that similar alarms are fitted to the explosive store at Les Vardes and no issues have arisen during blasting events.

Equally the method of storage of ordnance on site does not form a material planning consideration. This matter will be controlled through the relevant licencing process.

Archaeology (DF Paras 8.51-8.52, GP7 Archaeological Remains)

The site includes undisturbed land and three findspots which, in combination with other archaeology found in the vicinity, gives potential for the site to have archaeological value.

The DF identifies a need for archaeological mitigation, which as a minimum should include:

- Archaeological supervision of the stripping of the topsoil for the whole of the site, as set out within the submitted Planning Statement (Volume 1, Para 3.22);
- Geophysical survey of the five fields in the east of the site; the garden of the Bungalow in the south-east; and the higher area to the west;
- Provision for further investigation should the geophysical survey highlight further areas of archaeological interest.

These points are addressed as part of the mitigation scheme identified under Chapter 14, however it is recommended that the decision be conditioned to ensure these recommendations are implemented (Condition 11).

Biodiversity (DF Paras 8.53-8.55, GP2 Sites of Special Significance, GP3 Areas of Biodiversity Importance, Strategy for Nature)

Chapter 11 of the ES (Ecology) contains an Ecological Impact Assessment. The assessment states that the proposal will result in the removal of 5.5ha of mixed habitat over Phases 1 & 2 and identifies that options to create new and replacement habitats would be limited due to the physical constraints of the site once quarried. The ES however continues to note that the eastern part of the site is in agricultural or domestic use, with an associated lower level of biodiversity, and that site surveys have not identified any particular rare species of flora, or habitats which are of significance in an island-wide context. The ES identifies that there would be opportunities for habitat creation through the application within the upper-most quarry benches (0.3ha), the proposed site for overburden storage (situated to the south of the site)(0.68ha) and also off-site within the wider Chouet headland (including both Mont Cuét and Creve Coeur (0.5-1ha)), and at Les Vardes Quarry. No details are however provided in respect of either the on or off site mitigation.

In terms of wildlife, the ES assesses the likely ecological importance of the site as local level only for bats, breeding and wintering birds, reptiles and amphibians, and invertebrates and, in respect of the brown argus butterfly, notes that, whilst this species has a restricted distribution on the Island, it is not reliant on the application site alone to support its population. The butterfly is currently found on the plateau grassland, predominantly falling outside of the Phase 1 & 2 site area.

The ES acknowledges that there would be an adverse residual effect in respect of loss of habitats and features available to birds for nesting, feeding, etc. and proposes the following mitigation measures, which can be controlled by condition (Condition 2):

- All vegetation removal and building demolition to take place outside of the nesting season (February to August inclusive);
- Watching brief to be maintained in respect of possible use of inland quarry cliffs by barn owl/kestrel;
- Investigate potential for alternative nesting sites for long-eared owl and house sparrows in local area;
- Relocate existing pole/tree mounted nest boxes used by barn owl/kestrels to Creve Coeur site;
- Target use of artificial refuges to relocate any Slow Worm population.

In respect of the wider area, the ES acknowledges the potential for some impacts on the Foreshore Area of Biodiversity Importance and L'Ancrese Site of Special Significance (SSS).

In particular, potential for dust transfer is identified and the ES sets out mitigation measures to limit such transfer, as addressed above under 'Residential Amenity'.

In respect of noise and vibration, the ES contends that the presence of an active landfill immediately to the east of the site until recently has reduced the sensitivity of wildlife in this area and notes that the updated wintering birds survey (2020/2021) did not record the presence of important colonies of breeding birds which could be

affected by adjacent noise or vibration. The document goes on to state that the L'Ancrese SSS is at sufficient distance from the site to prevent impacts in terms of noise or vibration. Overall, the ES concludes that there is a low likelihood that there would be significant adverse effects on important ecological receptors through noise and vibration.

Mitigation for dust, noise and vibration impacts will be as outlined under 'Residential Amenity' above and controlled under Condition 2.

A lighting scheme has not been submitted as part of the application and it is not therefore possible to assess potential impact on wildlife (Condition 24).

In conclusion, the ES identifies that there would be a minor adverse residual effect on ecological significance at a local level, but states that mitigation is proposed to avoid or reduce impacts locally and the development will form part of a wider initiative involving habitat creation in an Island context.

As part of the consideration of the 2019 Policy Letter, the States were asked to note Ronez Limited's agreement to offset local negative environmental impacts in the short and long term, and to achieve overall biodiversity net gain. The letter recognised that the development of a new quarry would have unavoidable localised ecological and environmental impacts, and those impacts would need to be appropriately mitigated. The letter identified that there would however be potential, given the long-term nature and scale of the strategic development at Chouet, to require overall biodiversity net gain as part of the development.

Commenting on the current application, the Committee *for* the Environment and Infrastructure (who submitted the policy letter) stress the need for negative localised environmental impacts to be minimised, mitigated and more than offset and reiterate the opportunities to realise net positive environmental improvements, both at Chouet headland (by virtue of restoration and offsetting projects) and in other parts of the Island.

The proposed mitigation measures put forward as part of this application, particularly in respect of off site mitigation, are not clearly defined or detailed. The application states that 5.5ha of habitat assessed as being of local ecological importance will be temporarily or permanently lost through Phase 1 & 2, whilst the proposed mitigation indicated would comprise an area between 1.48ha and 1.98ha of fragmented coastal grassland and pine planting, provided land owner's agreement is secured. Given this discrepancy it is unclear how the stated ambition of 'no net loss' would be achieved and there is no evidence that there would be net gain, a point emphasised in the consultation response from Agriculture, Countryside and Land Management.

In light of the above it is recommended that any decision be conditioned to require the submission of a strategy demonstrating biodiversity net gain for the development prior to the commencement of works at the site. That strategy would

thereafter have to be updated with detailed approaches for implementation in accordance with a timeframe set out within the strategy (Condition 5). This approach would allow for phased implementation as the various sites identified for potential enhancement came forward.

Landscape (DF Paras 8.56-8.58, GP1 Landscape Character and Open Land, GP8 Design)

The headland comprises of a low hill (up to 17 metres above sea level), rising from five small rectangular fields on lower, level ground to the east towards the west. The headland is located within the Northern Shores landscape type as designated within the IDP. The headland has visual connections to Ladies Bay and Grand Havre to the south, Rousse headland to the south-west and L'Ancrese Common to the south-east and can be viewed from the surrounding open sea.

A Landscape and Visual Assessment is provided in Chapter 6 of the ES, which identifies that the main landscape and visual elements of the proposed development would be the disturbance and clearance of existing vegetation and soils/overburden, formation of new landform (heaps and voids) and land-cover pattern. The chapter concludes that the overall landscape effect would be major/moderate, resulting in the permanent loss of landform and change to topography, and significantly altering the composition of the landscape.

The proposal will have an undeniable impact on landscape and visual amenity, however the impacts of Phase 1 & 2 would be of lesser degree than Phase 3, as the higher western end of the headland would be retained, and, whilst the headland skyline would be altered, the enclosure to the bay would be maintained. The ES identifies that the proposed mitigation, including a screening mound with tree planting and hedge planting along the southern perimeter of the works, would be beneficial in helping to merge the development into the surrounding landscape. Additional planting is also suggested along the south-east edge of Les Hures, to the south-east of the site, however that is subject to agreement with the landowner and falls outside of the site boundary. A site visit has identified that planting has already been undertaken in this location, although it is unclear whether this has been undertaken by the land owner or the applicant. The extent of any benefit arising from this landscaping is questionable in the context of the scale of the landform change proposed, however the details of the proposed landscaping are particularly limited and it is recommended that a robust landscaping scheme is required by condition (Condition 6). This should clearly detail perimeter planting to the works, including not only hedge but tree planting, and addressing both the north and south site boundaries, and should include details of the proposed screening mound. Any planting proposed should be arranged to maintain a buffer to the protected monuments and any security fencing should be detailed.

Processing plant associated with operations at the site would be located initially in the quarry to the north of the site, currently used for green waste, and subsequently

on the quarry floor, c15m below datum. This would limit any visual impacts associated with the proposed plant.

Provision of new facilities within the Mont Cuët reception area has the potential to create additional visual impacts, however given the existing use of this area and the location against steeply rising land to the south-east, the visual impacts are unlikely to be significant. It is however noted that there will be visibility from the lower section of Les Hure and it is recommended that supplementary planting is undertaken along the boundary with that road (Condition 6). The use of these structures for purposes ancillary to either the quarrying operation, or activities at the Mont Cuët landfill site can be controlled by condition (Condition 35) and removal of these structures when no longer required would form part of a restoration scheme, addressed below. No details are however provided on the submitted plans in respect of the proposed material of the buildings, and details should be required by condition (Condition 22).

No details have been provided in relation to works to the weighbridge. A separate application would be required should it be determined that the existing weighbridge requires replacement.

As identified above, the principle of quarrying in this location is established, and will inevitably have a significant impact on landscape character and visual amenity for which there can be only limited mitigation. Full details of the proposed screening mound would be required to ensure it is of appropriate scale and form, together with a detailed landscape scheme relating to planting along the south and north boundaries of the site, as well as on the mound (Condition 6). The provision of a robust landscape scheme and recording of elements of landscape value (eg the historic field patterns)(Condition 11), together with a requirement for restoration once quarrying at the headland ceases (Condition 27), is considered to be the extent of mitigation which could practically be achieved in respect of landscape character and visual amenity.

Access and movement (DF Paras 8.59-8.6, IP9 Road Safety, Accessibility and Capacity)

Chapter 7 of the ES relates to transportation and identifies the following traffic movements to be associated with the development:

- Phase 1a:
 - o 76 two way HGV movements a day, or 10 per hour, between Chouet and Les Vardes;
- Phase 1b:
 - o Same as above between Chouet and Les Vardes;
 - o Additional movements related to distribution of processed material, 52 two way HGV movements a day, or 6 per hour, approximately 50% to Les Monmains and others supplying businesses across the Island;
- Phase 2:

- No movements between Chouet and Les Vardes, movements would reduce to those associated with distribution of processed material outlined for Phase 1b.

Whilst the overall level of traffic movement increase is not assessed by the ES to be significant, having regard to Institute of Environmental Management and Assessment guidelines, the increase in HGV movements is and an environmental assessment of traffic impacts, including noise and vibration, dust and dirt, traffic delays and impacts on vulnerable users, is therefore set out within the chapter. Accident data for the proposed route between Les Vardes and Chouet headland has also been reviewed and is not found to be indicative of any road safety issues involving HGVs or vulnerable road users.

The assessment is based predominantly on 2017 data, when there were a greater number of vehicle movements associated with the landfill site. Whilst this might skew the data in terms of the percentage increase in vehicle movements relative to the current situation on that section of the route, it does demonstrate that the road network has previously dealt with greater numbers of vehicle movements than at present. Amending the 2022 baseline to account for the reduction in movements associated with the landfill (as identified at paragraph 7.9 in the ES) does not however significantly alter the percentage increase in traffic movements and would reduce the absolute number of movements relative to those indicated within the document.

Traffic & Highway Services (THS) confirm that the submitted information has been reviewed and consideration has been given to the potential for road safety implications during all phases of the development, and including both the transport routes between Les Vardes and Chouet, and Chouet and Les Monmains. That Service conclude that the increased movements associated with the development, particularly in respect of HGVs, would fall within the capacity of the road network, and no road safety concerns are raised in respect of the road network. THS however note that a watching brief will be placed on the routing of HGVs to and from the site to ensure compliance with that detailed within the ES.

The transfer of ownership of the public road known as Rue des Grands Camps does not fall within the remit of the Authority and would not form part of the consideration of the planning application.

THS identify potential for conflict between traffic associated with the quarry, that associated with the landfill and that associated with the indicative new green waste site. The management of traffic associated with any relocation of the green waste facilities will however fall to be considered as part of the application for that work.

Parking (DF Paras 8.65-8.68, IP6 Transport Infrastructure and Support Facilities, IP7 Private and Communal Car Parking, IP8 Public Car Parking)

The applicant has confirmed that there would be approximately 8 personnel working at the site for Phase 1, rising to 10 for Phase 2. It is anticipated that these personnel would park on the former informal car park to the north of the site. Limited spaces would also be provided within the Mont Cuet reception area, and spaces would be reserved in this area for site transport. Parking provision would therefore be appropriate for the site requirements. Given that the areas proposed for this provision are existing parking areas, there would not be significant additional visual impacts, however, if ground conditions and existing habitats allow, it is suggested that additional screening planting could be undertaken to enhance the area, particularly if security fencing is proposed. This could form part of the landscaping scheme required under Condition 6.

Covered cycle storage is not shown on the submitted plan. To accord with the requirements of Policy IP6 and the Parking Standards, a condition should be attached to the decision requiring details and installation of cycle storage (Condition 15).

Access will be maintained to the public car park to the south of the Torrey Canyon quarry, and that to the west, adjacent to the Pistol Club, except during blasting.

As identified under 'Leisure and Recreational Facilities' above, the closure of Rue des Grands Camps will result in the loss of access to the informal car park to the north of the site. Notwithstanding the concerns raised by La Societe Guernesiais in respect of access to the bird hide/marine observatory, this is not a designated public parking area and it would not be reasonable to require that vehicular access is maintained, particularly when taking into consideration the likely risks to public safety if access were retained.

Public realm and public art (DF Paras 8.69-8.71, GP18 Public Realm and Public Art)

The application gives consideration to the public realm in so far as it retains access to existing coastal paths and recreational facilities, with the exception of vehicular access to the northern informal car park which has been addressed above. A robust landscape scheme would also provide some mitigation of impacts to the public realm (Condition 6).

Enhancements of the public realm are otherwise limited to public art provision in the form of three public interpretation panels around the headland, anticipated to be located:

- Within the car park on the southern side of the headland to depict the Torrey Canyon Quarry and WWII heritage features on the headland;
- On the northern boundary to describe the quarry operations;
- At the western tip of the headland to describe the Martello Tower and other Napoleonic defences.

Exact locations and details of the form and content of these boards should be required by condition (Condition 23).

Whilst the level of public art provision is low, it is proportionate to the form of development proposed and the nature of the landscape in this area. In terms of mitigation of impacts on the public realm, those aimed at ameliorating landscape character and mitigating impacts on biodiversity would be of greater significance.

Utilities and services (DF Paras 8.72-8.74, IP11 Small Scale Infrastructure)

No evidence of consultation with utility providers has been submitted. However consultation on the application has identified the following:

Works required to upgrade the high voltage cable to this area, located outside of the site area, have been approved separately under planning application FULL/2022/1090. Guernsey Electricity identify that a new secondary substation will be required within the site area, however location of such a substation would not prejudice the consideration of the current application and this work can form the subject of a separate application once the best practicable location has been determined. Works to upgrade cabling within the site are likely to be along Rue des Grands Camps and would not require planning permission.

There is an existing water main serving the Mont Cuet reception area. A cesspit would be required for foul water, however the installation of a cess pit, should a new one be required, would not require planning permission.

Surface water drainage/sustainability (DF Paras 8.75-8.76, GP8 Design, GP9 Sustainable Development)

Chapter 13 of the ES, which includes an In Situ Permeability Assessment (13/2), a Phase 1 Land Quality Risk Assessment (13/3) and a Water Quality Result Summary (13/4), relates to the Water Environment, with additional comments provided on page 17 of the SLR letter dated 05/07/2022.

That chapter identifies that the proposed quarry would extend below the existing groundwater table and, given the proximity to the coast line, the ground water surface receptor is assessed as of 'high' sensitivity. Mineral extraction has the potential to significantly alter water quality in the case of accidental leakages, particularly from the Torrey Canyon oil containment site, and measures must be undertaken to ensure no adverse impacts. Contaminants within the Torrey Canyon Quarry have been addressed above under 'Existing contamination and unexploded ordnance' and controlled by condition (Condition 18).

The ES identifies proposed measures to prevent impacts on water quality, including:

- Ground water management would be implemented within quarry void (to manage inflowing ground water);
- Pollution prevention and control measures, eg. quarry sump and settlement lagoons;
- A water management plan will be provided, demonstrating how surface water runoff and ground water will be captured and managed, including

allowing settlement of water and associated fines before discharge from the site, and setting out regular sampling and analysis of ground and surface water (Condition 14).

The ES concludes that, as a consequence of the site design, site setting and embedded mitigation, no significant effects are predicted. The ES however recommends that more detailed calculations of the Zone of Influence associated with the dewatering should be undertaken as part of the quarry detailed design, and this would be controlled under Condition 14.

Given the scale and nature of the proposed development it is not considered necessary to require provision of renewable energy technology in this case, although such provision would be encouraged where useful and practical. Given the natures of the surfaces within the site, and the type of use of those surfaces, it is not considered reasonable or practical to require Sustainable Urban Drainage in this case.

Restoration of the site (DF Paras 8.77-8.81 GP1 Landscape Character and Open Land, GP8 Design, GP9 Sustainable Development)

The application does not include any final restoration proposals for the site, although suggests that the quarry void could be allowed to fill with water or alternatively infilled with inert materials.

This application is for Phases 1 & 2 of development at the headland only, and Phase 3 would be subject to further agreement by the States of Deliberation. In the absence of a strategic direction for the future use of the quarry it is accepted that submission of a restoration scheme at this stage would not be realistic. It is therefore recommended that the decision be conditioned to require submission of a restoration scheme prior to the completion of Phase 1, unless there is a commitment to continue mineral extraction through Phase 2, or prior to the completion of Phase 2, unless there is a commitment to continue mineral extraction into Phase 3 (Condition 27). Phase 3 would be the subject of a separate planning application and restoration of the whole headland would form a consideration of any such application. A restoration scheme should address all of the points set out in paragraph 8.80 of the DF, and these should be replicated as an informative on any decision issued.

Other matters

A Construction Environmental Management Plan has been submitted with the application (DF Paras 9.2-9.3, GP9 Sustainable Development). This document appropriately summarises the issues identified within the ES, collates the suggested mitigation measures and sets out requirements for ongoing monitoring. The decision should be conditioned to ensure compliance with this document (Condition 25).

A Site Waste Management Plan has been submitted with the application (DF Paras 9.4-9.6, GP9 Sustainable Development), particularly focussing on the construction phase of development as waste generation would be limited during the operational phases. The document satisfactorily addresses management of waste, with the exception of two points:

- Surplus overburden is to be stored at site for an unspecified timeframe, pending identification of suitable reclamation or development projects. Further details of this storage, and of the end locations of this overburden, should be required by condition to ensure no adverse visual or residential amenity effects arise (Condition 16).
- Additional investigation is required to establish the best method for remediation of the contaminated water and silts of Torrey Canyon, and this will be addressed by condition as outlined under 'Existing contamination and unexploded ordnance' above (Condition 18).

As these matters will be addressed by separate condition, the decision should be conditioned to otherwise ensure compliance with this document (Conditions 13 & 26).

Conclusion

The principle of developing this allocated site for mineral extraction has been approved by the States of Deliberation and is wholly consistent with the Island Development Plan and the Strategic Land Use Plan.

Taking into account the assessment set out above, the proposals are found to comprise development of strategic importance, in accordance with Policy S5, and, exceptionally in this case, the importance of the development would override the policy requirement to replace the existing house at the site.

The Environmental Statement submitted with the application adequately covers the matters required to be addressed by the Environmental Impact Assessment, Development Framework and Island Development Plan policies, and sets out mitigation measures for the issues arising.

Overall, subject to implementation of the mitigation measures set out within the Environmental Statement and the decision being conditioned as set out within this report, the proposal would accord with the purposes of the Land Planning and Development (Guernsey) Law, 2005, the material considerations set out within that Law and the policies of the Island Development Plan. Consequently it is recommended that the application be approved.

Date: 10/10/2022

