

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: Change of use of section of agricultural land (789sqm) to form car parking area and install gridforce surfacing.

LOCATION: Land Adjacent to St Matthew's Church Rectory, Le Guet Vinery, Rue De La Lande, Castel.

APPLICANT: The Trustees Of St Matthew's Church

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: 01/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: A2319-02A.

Application Ref: FULL/2023/1625

Property Ref: D011660000

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

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

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

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

4.No development shall begin on site until details of the method of laying, including of any subbase, of the gridforce hereby approved and the marking out of the parking spaces, have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed method of laying. This condition is imposed to make sure that the method of laying is appropriate, reversible and permeable.

5.No development shall begin, and the extended use of the site shall not commence, until a landscaping scheme relating to the provision of a landscape buffer along the southern edge of the parking area hereby approved, tree planting to the eastern edge of that area, supplementary planting along the north and west boundaries of that area, and to the wildflower meadow to the south of the site, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) a method statement for the preparation and establishment of the wildflower meadow;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) 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 provide biodiversity enhancements.

6.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following

the first extended use of the site for parking or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to provide biodiversity enhancements.

7.The car parking hereby approved shall be restricted to users of St Matthew's Church and the Cobo Community Centre only and within six months of the date when use of the site for such purposes ceases, or such other period previously agreed in writing by the Authority, the surfacing hereby permitted and any associated subbase shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of the use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - To ensure the parking meets the identified need and to ensure the long term retention of the open agricultural land.

8.The use of the land to the east of the surfaced car parking area hereby approved, as an overflow car park shall not take place more than 24 times in any one calendar year.

Reason - The change of use of this land to allow for more frequent use would result in a more intense use of the site, in closer proximity to neighbouring property and would require separate consideration.

9.Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no change shall be made to the approved method of surfacing at any time, except under the terms of Condition 7.

Reason - In view of the sensitive nature of the site, a change to the method of surfacing may have an adverse visual or amenity impact. This condition is imposed to make sure that any proposals can be properly considered.

Expiry Date: This permission will cease to have effect on 31/01/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In respect of Condition 5, please refer to La Societe Guernesiais comments appended to this decision notice.

In respect of Conditions 5 & 6, the 'extended use' of the site means any use which goes beyond the previously authorised 24 events within one calendar year.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

If the development involves excavation below the level of the topsoil it is desirable that you contact the States Archaeologist, Culture & Heritage Service to gain advice or make arrangements for archaeological recording during any earth moving. The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

For the avoidance of doubt, no consent whatsoever is conferred for the installation of any lighting at the application site.

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

Application No: FULL/2023/1625
Property Ref: D011660000
Valid date: 10/10/2023
Location: Land Adjacent to St Matthew's Church Rectory Le Guet Vinery
Rue De La Lande Castel Guernsey
Proposal: Change of use of section of agricultural land (789sqm) to form
car parking area and install gridforce surfacing.

Applicant: The Trustees Of St Matthew's Church

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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

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

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

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

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

4. No development shall begin on site until details of the method of laying, including of any subbase, of the gridforce hereby approved and the marking out of the parking spaces, have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed method of laying. This condition is imposed to make sure that the method of laying is appropriate, reversible and permeable.

5. No development shall begin, and the extended use of the site shall not commence, until a landscaping scheme relating to the provision of a landscape buffer along the southern edge of the parking area hereby approved, tree planting to the eastern edge of that area, supplementary planting along the north and west boundaries of that area, and to the wildflower meadow to the south of the site, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) a method statement for the preparation and establishment of the wildflower meadow;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) 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 provide biodiversity enhancements.

6. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first extended use of the site for parking or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to provide biodiversity enhancements.

7. The car parking hereby approved shall be restricted to users of St Matthew's Church and the Cobo Community Centre only and within six months of the date when use of the site for such purposes ceases, or such other period previously agreed in writing by the Authority, the surfacing hereby permitted and any associated subbase shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of the use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - To ensure the parking meets the identified need and to ensure the long term retention of the open agricultural land.

8. The use of the land to the east of the surfaced car parking area hereby approved, as an overflow car park shall not take place more than 24 times in any one calendar year.

Reason - The change of use of this land to allow for more frequent use would result in a more intense use of the site, in closer proximity to neighbouring property and would require separate consideration.

9. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no change shall be made to the approved method of surfacing at any time, except under the terms of Condition 7.

Reason - In view of the sensitive nature of the site, a change to the method of surfacing may have an adverse visual or amenity impact. This condition is imposed to make sure that any proposals can be properly considered.

INFORMATIVES

In respect of Condition 5, please refer to La Societe Guernesiaise comments appended to this decision notice.

In respect of Conditions 5 & 6, the 'extended use' of the site means any use which goes beyond the previously authorised 24 events within one calendar year.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

If the development involves excavation below the level of the topsoil it is desirable that you contact the States Archaeologist, Culture & Heritage Service to gain advice or make arrangements for archaeological recording during any earth moving. The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

For the avoidance of doubt, no consent whatsoever is conferred for the installation of any lighting at the application site.

OFFICER'S REPORT

Site Description:

The land is situated to the north of St Matthew's Church Rectory, Rue De La Lande, Cobo. The land is open and undeveloped, divided only by post and rail fencing. The Ruelle Du Guet runs along the west and north boundaries of the site, separating the site from the Cobo Community Centre to the west and Le Guet woodland to the north. The Rue De La Lande runs along the south-west boundary and a residential property is located to the east. The north boundary is formed by a low wall/bank, reinforced with trees; the east boundary by domestic fencing to the north and hedging to the south; the west by a granite wall, increasing in height along the south-west boundary and reinforced by vegetation; and the south boundary by a wall/trees/planting.

The site is located Outside of the Centres, within an Agriculture Priority Area in the Island Development Plan. St Matthew's Church and the Rectory to the south are Protected Buildings.

Relevant History:

FULL/2015/3172 Infill existing gate opening and form two 4m wide vehicular entrances in existing roadside wall in connection with the occasional use of the agricultural land as an overflow car park. Form new footpath inside roadside boundary wall and create opening in north and west boundaries install gates to rectory and erect timber fencing. Approved 01/09/2016, conditioned as follows:

4.The use of the land as an occasional overflow car park shall be restricted to users of St Matthew's Church and the Cobo Community Centre and car parking shall not take place on the land more than 24 times in any one calendar year. A register of the use of the car park shall be kept by St Matthew's Church and Cobo Community Centre and made available within 14 days of a request by the Planning Service.

Reason - In the interests of the amenities of the rural locality.

5.The stone to be used in the construction of the infill section of wall and the ends of the new openings hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

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

6.The new openings shall not be formed until the existing access has been infilled. The ends of all new new openings (vehicular and pedestrian) shall be finished off using materials and a method of construction which match the remainder of the boundary wall.

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

7.The site shall not be used for occasional overflow car parking until such time as the new vehicular access points shown on the approved plan have been completed in accordance with the submitted details.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management.

8.The vehicular access gates shall be installed before the land is first use for occasional overflow car parking and thereafter shall only be opened when the site is in use as occasional car parking or when site maintenace is being undertaken.

Reason - Planning permission has been granted on the basis the site will be used for occasional off-road parking only. Without access gates there would be unrestricted access to the land which could result in the site being used as a permanant parking area associated with the church and community centre harmful the the visual amenities of the locality.

The new vehicle accesses in the west boundary and new pedestrian access in the north boundary have been formed, the former access closed, and the post and rail fencing dividing the parking area from the rest of the field has been installed, in accordance with the approved plan. The footpath along the south-west boundary and the new pedestrian gate in the south corner have not been implemented however, as works have commenced, these elements could be completed without the further requirement for planning permission.

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

This application relates to the change of use of the north-west part of an agricultural field to allow for the provision of parking primarily in association with the Cobo Community Centre. That area would be laid with grid force. The north-east part of the field would be retained for “occasional overflow parking”.

New trees are indicated scattered around the perimeter of the parking area with a wild flower meadow to be formed on the southern part of the field. An annotation on the plan states “Planning to provide condition for planting to form screen” adjacent to the southern edge of the parking area.

As noted above, the vehicle accesses in the west boundary, the pedestrian access in the north boundary and the post and rail fencing across the site are extant. The provision of a footpath along the length of the west/south-west boundary and a new pedestrian access in the south corner of the site are approved and could be implemented without further need for planning permission.

In support of the application the following documents have been submitted:

- Statement of Use for St Matthew's Parking Area;
- Photographs of traffic on Rue de la Lande;
- Supporting letter from the Trustees of St Matthew's Parish Church.

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

OC2	Social and Community Facilities Outside of the Centres
OC5(A)	Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1	Landscape Character and Open Lands
GP8	Design
GP9	Sustainable Development
IP7	Private and Communal Car Parking
IP9	Highway Safety, Accessibility and Capacity

Strategy for Nature Supplementary Planning Guidance

Representations:

Two letters of representation received raising the following points:

- The area is designated as a pollinator patch and located adjacent to one of the few areas of natural woodland left on the Island, the proposal would have a significant detrimental effect on biodiversity;
- The development would have an adverse effect on the visual amenity, landscape, character and appearance of this rural area;
- The land is an Agricultural Priority Area;
- Gridforce is unsightly and bad for the environment, due to the use of plastic and hard core subbase;
- The proposed access is difficult, and would be better at the far end of the field, as would the parking provision as it appears to be mainly need in association with the church;
- The fence has been erected across the field, in advance of planning permission being granted;
- The proposal would impact on the privacy and security of adjacent residential properties;
- There are concerns the area will be used as point of congregation for anti-social behaviour, expanding the issues already occurring at Le Guet, and potentially for cars to be abandoned;
- There is a lack of understanding of what is allowed on this land, if it is proposed to be for community use, and the gates are often chained shut;
- Existing parking in the area does not seem particularly overstretched, except on Sundays.

The National Trust of Guernsey comment as follows:

- This is a viable, accessible piece of agricultural land in a sensitive area;
- The proposal would result in the loss of agricultural and open land;
- When the Community Centre was approved it must have been considered that there was sufficient parking, and there are several car parks on the coast road within 5 minutes walk. There is no justification for the additional car parking;
- Given the Island's Climate Change obligations, it would be surprising if this application were to be allowed, as it will encourage cars as opposed to alternative forms of travel.

La Societe Guernesiaise comments as follows:

1. Whilst we welcome the demarcation of the parking area with post and rail fencing, we would point out that such fencing typically only lasts a few years before becoming rotten. We would therefore recommend that a new 3ft high earthbank be created instead of (or in addition to) the fencing. There may be surplus soil available from the installation of the gridforce system but if not, the importation of new soil or clean subsoil would be required.

If an earthbank is not considered appropriate, then we would recommend that a native Hawthorn hedge be planted along the fence to provide permanent delineation.

2. We are assuming that the proposed wildflower meadow would be created through supplementary planting of appropriate Guernsey natives, rather than the existing grassland being ploughed up and re-seeded. Ploughing would not meet the requirements of the Wildflower Meadows Guidance.

3. Finally, whilst we confirm that Jamie Hooper did meet representatives on site some time ago, it appears that there has been a mix-up in the application process regarding the recommended tree species for supplementary planting; these should be of native species such as Common Ash, English Oak and Common Hawthorn. We would not recommend (Sweet) Chestnut or Evergreen Oak as neither are native and the latter can be quite invasive.

Consultations:

Traffic and Highway Services commented in respect of the previous application to create parking/vehicular access to this site as follows:

The proposed opening that is intended as the egress from the proposed parking area, would satisfy minimum requirements under the Engineering Guidelines, provided that the roadside wall/vegetation that lies within the visibility splay of a driver exiting the site, was no greater than 900mm in height above road level.

The apparent proposal to establish an Entry / Exit arrangement for the parking area, is welcomed by the THS, however appropriate road markings or signage should be put in place to clearly establish such an arrangement.

The internal design of the car parking facility, is not noted on the supplied plans, however all reasonable measures should be taken to establish traffic flow and vehicle priorities so as to avoid vehicle conflicts.

The proposed creation of a designated off road pedestrian route from Ruelle du Guet through to the rectory/Church is welcomed by the THS as being of a benefit to the safety of pedestrians in that area, given that the creation of a car park will potentially greatly increase the numbers of pedestrian movements to/from both facilities.

The minor shortfall in the minimum distance of the proposed egress point from the public road junction, would not raise particularly significant levels of concern. However, the single file width of Ruelle du Guet where it adjoins Rue de la Lande, raises some Traffic Management concerns due to the lack of an adequate passing point.

One area of Road Safety concern however in regard to the overall proposal, is that of the existing junction of Ruelle du Guet with Rue de la Lande in terms of visibility in either direction when exiting Ruelle du Guet (approx 9 metres for oncoming traffic and 16 metres for traffic approaching from the southeast (direction of Castel School). The existing granite roadside wall that forms the southern boundary of the Community Centre and the existing granite roadside wall to the east of the junction, both significantly exceed 900mm in height, and as such would represent obstructions to visibility.

Currently, the existing vehicle movements associated with the nearby public parking in Le Guet (pine forest) and the adjacent Community Centre car park, would be considered to be reasonably low; however, the proposed creation of a car park facility that could accommodate 60 additional vehicles (information contained within application), would potentially result in a considerable intensification of use of the junction of Ruelle du Guet and Rue de la Lande. If this usage was for instance associated with a large wedding or funeral for instance, the number of parked vehicles could potentially far exceed the number of movements normally associated with the Community Centre and nearby Le Guet public area.

Whilst the THS accepts the historic nature and usage of the junction, it does have Road Safety concerns arising from the potentially significant intensification of use associated with the proposed development of the field as a parking area, particularly given the capacity proposed in the application.

Given the above observations, the Traffic and Highway Services considers that good Road Safety grounds exist on which to oppose the application in its current form, specifically with regard to the significantly sub-standard sightlines that exist at the

junction, and in view of the level of intensification of use that would arise from the proposed car parking facility.

Should a future application either satisfactorily address the sightline concerns, or reduce the vehicle parking provision to a level where it could be justified that the associated usage would not be considered to be a significant increase in comparison to the existing vehicle movements, no particularly significant Road Safety grounds on which to oppose such an application would remain.

Currently, some Traffic Management grounds for opposition exist in regard to the lack of a passing point within Ruelle du Guet adjacent to the junction with Rue de la Lande.

In further consideration of the proposal, the THS notes that the area of land to the south of the proposed car park, would potentially offer a solution to the sightline shortfalls and the lack of a passing point just within the Ruelle du Guet. This would involve the creation of a single point of the car park/pedestrian access/egress at a location further south along the roadside boundary of the Rectory – ie in a more central position. The car parking area could also be relocated to this location, thus making it more easily accessed by the church users.

However, in order to achieve satisfactory sightlines in both directions, significant remodelling of the roadside granite wall (lowering of approx 12 metres to north west & 10 metres to south east, to a maximum height of 900mm above road level) would need to be undertaken in order to meet with the minimum standards of the Engineering Guidelines.

The States Archaeologist commented in respect of the previous application at this site as follows:

There was a pre-1787 farmhouse on this site, demolished – we believe – during the Second World War. The hoggin path proposed to run alongside the roadside wall will cross the site of the farmhouse. While we assume it is unlikely that the path will have any substantial foundation, if the intention is to excavate below the level of the topsoil we would like to carry out a watching brief on this work. If the path will only be cut a few centimetres into the existing ground surface then we have no particular interest in the work.

Summary of Issues:

Impact on visual amenity, open landscape character and character of the area;
Impact on neighbour amenity;
Impact on road safety.

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).**

The site presently comprises agricultural land, on which parking currently occurs on a temporary or occasional basis (not more than 24 times in one calendar year), and does not therefore amount to development. The current proposal would increase the use of part of the site for parking associated with the adjacent community uses, and would amount to a change of use of that part of the land.

The land at the application site does not form part of a farmstead or an existing agricultural holding, as defined within the Island Development Plan. Policy OC5(A) states that proposals for development which is not related to a farmstead or existing agricultural holding will be supported provided that they are in accordance with all other relevant policies of the Plan.

Policy OC2 allows for development in relation to existing social and community facilities, where the proposal would not undermine the vitality of the Centres, where the development is of a scale appropriate to its setting, and where there would be no unacceptable impacts on the visual appearance and amenity of the location concerned. There is no requirement under the provisions of this policy to consider impacts of the proposals on agricultural land.

Further to these considerations, Policy GP1 states that proposals will not be supported if they would result in the unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of an area. Policy GP8 requires a proposal to demonstrate an effective and efficient use of land, to respect the character of the local built environment or open landscape concerned and to provide soft landscaping where this reinforces local character and distinctiveness or mitigates the impacts of the development. Policies GP8 and GP9 require consideration to be given to the impacts on neighbouring properties, whilst GP9 also requires issues relating to flooding to be addressed. The Strategy for Nature Supplementary Planning Guidance would also be relevant.

It is understood that the proposed change of use would support the use of the adjacent Community Centre and Church, and it is acknowledged that parking provision associated with those uses is limited. Whilst there is public parking provision in the area, this provision is also limited and is frequently in use by other users of the area. It is also noted that the current lack of parking results in on road parking, to the detriment of road safety, and, in some instances, restrictions on the adjacent highway to only allow one-way traffic. The proposed parking area would be proportionate to the Community Centre and Church uses, as set out within the application material, and would facilitate the operation of those facilities at their

current level. The proposal would not therefore undermine the vitality of the Centres.

The application site, whilst comprising open land in its own right, is peripheral to wider areas of open land, being bounded by built form to the south, east and west. Whilst the land to the north would be classed as undeveloped, the heavily wooded nature of that land prevents long views and results in a wooded rather than open landscape character. Views into and across the site are prevented from Rue de la Lande to the south and south-west by the high roadside wall and adjacent planting buffer, and from the north-west by the building at the Community Centre. Views into the site are therefore restricted to a short section of the road running along the west boundary of the northern part of the site, and the Ruelle du Guet to the north. These views are interrupted by existing tree planting along the boundary, however this planting is not sufficient to entirely screen the site.

The proposal would be limited to the north-west part of the site, retaining the open land to the south and east. The proposal would however result in a permanent change of use of that part of the site, as opposed to the current temporary and occasional use of the land, and, whilst the laying of gridforce in itself may not significantly change the character of the land, the parking of vehicles on a frequent basis would have a visual impact and, as found elsewhere where gridforce is laid on an area in frequent use, the use tends to impact on grass growth. These visual impacts would however be limited to the close views identified above. The post and rail fencing across the site was previously approved and has been installed on site. There is no recourse under the current application to seek removal of that fencing, and it does have the virtue of providing a physical limit to the parking area.

The site is not located within or adjacent to a Site of Special Significance or an Area of Biodiversity Importance, and, whilst the land owners may have chosen to create a pollinator area, this is not a planning designation. The land was identified as Improved Grassland in the 2018 Habitat Survey, and is of lower ecological value than other forms of grassland.

To offset and mitigate the impacts of the proposed surfacing and car parking, it is recommended that a robust landscape buffer of appropriate native species is provided along the south boundary of the proposed car parking area, together with intermittent tree planting along the eastern edge of the surfaced area and supplementary planting along the north and west boundaries, to limit views into the site (whilst avoiding the visibility splays from the egress point). The provision and implementation of a landscaping scheme can be controlled by condition. The information provided as part of any landscaping scheme should take into account the matters raised by La Societe Guernesiaise (above), and include details of the formation of the wild flower meadow.

Taking into account the above, it is considered that a need has been demonstrated for the proposed use and that the proposal, subject to conditions, would not have an unacceptable impact on open landscape character or biodiversity. Given the current

nature of the site, and that the proposal is only acceptable on the basis it is required to serve the need identified within the application, it is recommended that the decision be conditioned to ensure that the parking is only used in association with and ancillary to activities occurring within St Matthew's Church or Cobo Community Centre, and that, should the current requirement cease, that the gridforce and any subbase be removed and the land revert to its current condition.

The proposal would result in an intensification of use of the north-west part of the site. That area is however located c18m from the boundary with the adjacent residential property to the east and would not result in significant impacts on the amenity of that property. No lighting is proposed as part of the application, and any such lighting would need to form the subject of a separate application for planning permission and would need to be carefully considered in respect of impacts on the surrounding area, wildlife and neighbouring properties.

Concerns have been raised in the letter of representation regarding the potential for anti-social behaviour at the site. This would fall outside of the remit of the Planning Service and would be a matter for the site management. It has however been noted that the gates to this area are currently locked when not in use, and continuation of this practice would ensure that no unauthorised vehicles could access the surfaced area.

The north-east part of the site is proposed to be retained as existing, and used only as occasional overflow parking (approximately 15-20 undefined spaces). This land, and that to the south of the site, would remain classified as agricultural, and the extension of the permanent car parking on to that land, and the laying of any form of hard surfacing on that land, would comprise a change of use and works requiring planning permission, and further consideration would need to be given to visual and neighbour impacts, together with any associated requirements for additional landscaping. For the avoidance of doubt, it is therefore recommended that the use of this area is conditioned as per the previous consent relating to this land, to ensure the area is not used more than 24 times in any one calendar year.

The proposed site layout would provide 30 parking spaces, with ample manoeuvring space around the site. Two new vehicle accesses have been formed in the west boundary of the site, in accordance with the previously approved plans. Whilst these works did not include the reduction in height of the roadside walls, this was not a requirement of the previous permission and the walls are already low and would not significantly obscure visibility. The proposed accesses are therefore considered acceptable in road safety terms.

The comments previously provided by THS raised some concerns regarding the capacity of the Ruelle du Guet/Rue de la Lande junction to cater for a significant increase in vehicular traffic. The current proposal however relates to a reduced number of parking spaces relative to that previously proposed, even on the limited number of occasions when the overspill parking area is in use. On balance therefore,

any road safety concerns are not of such significance as to warrant refusal of the application.

Whilst it is noted both in the THS comments previously provided and the letters of representation that the parking might be better located to the south of the site, adjacent to the Church, to achieve adequate sightlines for a new access in that location would require substantial alteration to the roadside wall and would result in significant impacts on the character of the area.

The proposed surfacing is designed to allow through-drainage and to avoid exacerbating any water off issues. To ensure the reversibility of the surfacing as required above and that the surfacing will drain appropriately, and to clarify how the spaces will be marked out, details of the method of laying should be required by condition.

It is not clear whether the proposed works would be in the location of the former farmhouse at the site, however an informative can be added to the decision notice to seek consultation with the States Archaeologist, should the development include excavation below topsoil level.

In terms of the use of the land for community purposes, this is a matter for the land owners. The current use of the land is for agricultural purposes, which could be used on a temporary or occasional basis for other purposes, such as dog walking or parking as previously agreed. The Service can however only consider the application that is before it, and assess its acceptability against the relevant policies of the Plan.

On balance, and subject to the conditions set out above, the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 26/01/2024

