

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: Extend and alter earthbank/mounds and pedestrian path and install hardsurfacing area for construction vehicle access and storage for duration of works.

LOCATION: Guernsey Clay Target Shooting Club, Route Des Pecqueries, Vale.

APPLICANT: Guernsey Clay Target Shooting Club

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: 24/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects: 447.002.(PL2), 003.(PL1), 004.(PL1), 005.(PL2) & Environment Guernsey Ltd Ecological Assessment dated December 2023.

Application Ref: FULL/2023/2356

Property Ref: C024630000

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. Prior to the creation of the earthbanks hereby approved full details of the species composition and source of seed mix which will be sown onto the mounds once created shall be submitted to and approved in writing by the Authority. The planting shall be completed in strict accordance with the approved details and any plants or areas of seeding removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by seeding 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 ensure that the planting is appropriate and would not cause harm to the surrounding Site of Special Significance in accordance with Policy GP2 and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

5. Notwithstanding the details shown on the approved plans prior to the commencement of any work in connection therewith full details of how the temporary earth storage area, vehicle and plant storage area and vehicle access route will be created to protect the ground beneath shall be submitted to and agreed in writing by the Authority. The works shall be completed only in accordance with the agreed details.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

6. The temporary earth storage area, vehicle and plant storage area and vehicle access route as shown on the approved drawings shall be created in accordance with the details approved under condition 5 of this permission and shall be retained for a

temporary period only whilst the earthbanks are constructed on site. Within three months of completion of the earthbanks the land shall be reinstated to its former condition in accordance with details previously approved in writing by the Authority. The opportunity of a site visit shall be afforded to the Authority upon written notification of this action having been carried out.

Reason - The earth storage area, vehicle and plant storage area and access route are permitted to meet a declared short term need whilst the earthbanks are created. The permanent creation of these features by virtue of their nature are likely to result in harm to the surrounding area and would involve different policy considerations. Removal of these features on completion is required to avoid harm on the landscape character and visual appearance of the surrounding area in accordance with Policies GP1, GP2 and GP8.

7. The scheme shall be implemented in strict accordance with the recommended mitigation methods specified within the Environment Guernsey Environment Statement (dated December 2023), with the exception of that relating to alterations to the public footpath.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

8. The works hereby approved shall only be undertaken outside of the bird breeding season (January to July inclusive) in any calendar year.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 24/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2023/2356
Property Ref: C024630000
Valid date: 21/11/2023
Location: Guernsey Clay Target Shooting Club Route Des Pecqueries
Vale Guernsey GY6 8LN
Proposal: Extend and alter earthbank/mounds and pedestrian path and
install hardsurfacing area for construction vehicle access and
storage for duration of works.
Applicant: Guernsey Clay Target Shooting Club

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. Prior to the creation of the earthbanks hereby approved full details of the species composition and source of seed mix which will be sown onto the mounds once created

shall be submitted to and approved in writing by the Authority. The planting shall be completed in strict accordance with the approved details and any plants or areas of seeding removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by seeding 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 ensure that the planting is appropriate and would not cause harm to the surrounding Site of Special Significance in accordance with Policy GP2 and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

5. Notwithstanding the details shown on the approved plans prior to the commencement of any work in connection therewith full details of how the temporary earth storage area, vehicle and plant storage area and vehicle access route will be created to protect the ground beneath shall be submitted to and agreed in writing by the Authority. The works shall be completed only in accordance with the agreed details.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

6. The temporary earth storage area, vehicle and plant storage area and vehicle access route as shown on the approved drawings shall be created in accordance with the details approved under condition 5 of this permission and shall be retained for a temporary period only whilst the earthbanks are constructed on site. Within three months of completion of the earthbanks the land shall be reinstated to its former condition in accordance with details previously approved in writing by the Authority. The opportunity of a site visit shall be afforded to the Authority upon written notification of this action having been carried out.

Reason - The earth storage area, vehicle and plant storage area and access route are permitted to meet a declared short term need whilst the earthbanks are created. The permanent creation of these features by virtue of their nature are likely to result in harm to the surrounding area and would involve different policy considerations. Removal of these features on completion is required to avoid harm on the landscape character and visual appearance of the surrounding area in accordance with Policies GP1, GP2 and GP8.

7. The scheme shall be implemented in strict accordance with the recommended mitigation methods specified within the Environment Guernsey Environment Statement (dated December 2023), with the exception of that relating to alterations to the public footpath.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

8. The works hereby approved shall only be undertaken outside of the bird breeding season (January to July inclusive) in any calendar year.

Reason - To reduce the impacts of the proposal and avoid any unnecessary harm on the surrounding Site of Special Significance in accordance with Policy GP2 of the Island Development Plan.

OFFICER'S REPORT

Site Description:

The application relates to the Guernsey Clay Target Shooting Range situated on a headland between Portinfer Bay and Baie de Pecqueries. The site comprises open grassland covering an area of approximately 1.1ha, with a scattering of small shelters and other structures associated with the shooting range. The southern perimeter of the site is bounded by an earth bund, separating the site from a public car park and access road, and a coastal path surrounds the remainder of the site at the beach head. There is vehicular access to the site through the earth bund to the east.

There are also several buildings which have been constructed over the years comprising a club house and toilet (recently extended as part of planning permission ref: FULL/2019/2261), a store and workshop, three skeet houses, a covered trap stand, marking boxes and two trap trenches.

The site is located within a Site of Special Significance, Outside of the Centres in the Island Development Plan.

Relevant History:

FULL/2023/0421	Install memorial bench	Granted 25/04/2023
FULL/2019/2261	Erect single storey extension to east elevation of club house.	Granted 17/01/2020
FULL/2016/1609	Extend clubhouse.	Refused 05/10/2016
FULL/2013/1116	Extend and remodel existing clubhouse to north east and north west together with associated landscaping.	Granted 13/08/2013

Existing Use(s):

Shooting Range - Leisure and recreation

Background to the application

The Guernsey Clay Target Shooting Club (GCTSC) was first established in 1967 and have been shooting at the Portinfer site since 1969. The application has been submitted as a direct result of discussions held between Guernsey Clay Target Shooting Club (the applicant) and States' Office of Environmental Health and Pollution Regulation (OEHPR), to avoid pollution being caused from lead shot to the surrounding marine environment. In short, the governing body for clay pigeon shooting in the UK (The Clay Pidgeon Association) is banning the use of lead shot being used in shooting activities, and the GCTSC has undertaken to adopt all measures that are being introduced.

Steel shot will be used as an alternative, which does not absorb as much energy on impact and has the potential to cause ricochet. In addition, steel shot necessitates the use of plastic wads (a small plastic cup within the cartridge which contains the pellets) which have not been used on the range in favour of ammunition with biodegradable fibre wads. The use of steel shot will therefore re-introduce the use of plastic Wads on the range. However, the alteration to the earthbank and the pedestrian path (the subject of this application) are proposed to ensure that the plastic wads are contained within the site making their collection and disposal easier, to contain significantly more shot thus reducing the fall out onto the beach and to shield the pebble bank (seaward side) to avoid ricochet and potential injury to those using the range. This will enable the use of steel shot as opposed to lead shot moving forward.

This is illustrated on drawing ref: 447_005_PL01 which shows the existing situation without the earthbanks and the proposed situation with. The drawing outlines a deadzone, an area that due to the trajectory of fire shot, no shot would fall. Without the earthbanks the angle of shot would be lower leading to a narrower deadzone extending from the valley floor to just north of the back of the shingle bank, circa 36m wide. The shaded area on the drawing also indicates that wadding ejected from the guns could reach the top of the shingle bank. The current situation allows for approximately 30% to 50% of shot to fall beyond the deadzone area from shooting points 1 to 4.

With the earthbanks in place any shot projecting over the earthbanks will be at a higher trajectory. This in turn leads to a wider deadzone area of circa 48m. No plastic wadding ejected from the guns will go beyond the earthbanks allowing for easy collection by the club after each shoot. The earthbanks will also lower the percentage of shot falling beyond the deadzone to around 10% to 25% from shooting points 1 to 4.

The alterations to the path and the overall height of the earthbanks have been designed to ensure that walkers can continue to enjoy unobstructed views of the coast and the surrounding environment on this costal path walk.

Brief Description of Development:

Planning permission is sought to extend and alter the existing earthbank/mounds and the pedestrian path and to install a hard surfacing area required solely for vehicle access and storage of construction vehicles. Permission is sought for the hard surfacing area on a temporary basis for the duration of the construction works only.

During the course of consideration the application has been deferred on three occasions following various consultation responses (see consultation responses below) to seek additional information and revised plans, and to ensure that minimal harm is caused to the surrounding Site of Special Significance (SSS) whilst ensuring that the main aims of the scheme are achieved, namely to provide a safe environment for the shooting club to allow the transition from lead shot to steel shot and to avoid unnecessary harm to the surrounding environment.

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

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP2: Sites of Special Significance

GP8: Design

GP9: Sustainable Development

Representations:

One letter of representation has been received from a local registered charity. Various points are raised which they request are taken into account in consideration of the application, which are summarised as follows:

- The Clean Earth Trust is a Charity with the stated aim of limiting human impact on the environment;
- During a beach clean in the area, there was a significant number of plastic cartridges and quantities of lead shot along this section of coast. Those which have accumulated within the rock pools are of particular concern;
- During the summer of 2022 the concerns were raised with the States' Agriculture, Countryside and Land Management Services (ACLMS) and photographs and samples showing lead shot in the water were submitted;
- Subsequently the Office of Environmental Health and Pollution Regulation (OEHPR) became involved and carried out their own extensive sampling. It is understood that OEHPR identified high levels of toxicity arising from the presence of lead shot and that they intend to take matters further;
- Following discussions with OEHPR it is understood that the Club has agreed to cease using lead shot and use steel shot as an alternative and that the proposed application would create a safe environment to enable this;
- Concerns are raised that there is no mention of any agreement between the Club and OEHPR within the application to confirm that the use of lead shot will cease. The agreement between OEHPR and the club is of great importance to the application;

- The proposed bank would be no solution to the lead pollution without the club's undertaking to cease the use of lead shot;
- The Club's agreement should be before the Committee prior to determination of the application;
- The decision should expressly refer to the existence and terms of the agreement between OEHPR and the Club and that the decision should be conditioned upon agreement of the club's undertaking.
- If it is confirmed that the application is being made to enable the Club to cease using lead shot in accordance with the agreement with OEHPR no objection would be raised to consent being granted.

Consultations:

As part of the application, the States' Agriculture, Countryside and Land Management Services (ACLMS) and the States' Office of Environmental Health and Pollution Regulation (OEHPR) were consulted. Their consultation responses to the initial submission and to the revised plans submitted are set out below:

Agriculture, Countryside and Land Management Services

By letter dated 20th December 2023 stated the following:

"We note that the proposed development is within a Site of Special Significance (SSS) and is for works to support the existing use as a clay target shooting range. We would expect environmental considerations to have been incorporated into the design stage of the proposed development to ensure that potential impacts on the special interest of the site can be avoided as far as possible, as per the mitigation hierarchy set out in the relevant policy within the Island Development Plan. The Ecological Report is dated after the submission of the application and contains a number of recommendations which do not appear to have been included in the application, therefore we do not believe that the avoidance of environmental impacts has been considered as far as practically possible.

In addition to the recommendations within the ecological report, we would also recommend that development is restricted to only those areas already under the management of the GCTSC and the proposed new earth mound to the north is situated entirely inside of or on top of the existing footpath. This would ensure that the areas identified as having higher ecological value (the uncut grassed slopes and 'slack') are not disturbed or impacted by the proposed works.

We also advise that all materials brought onto site to create the mounds should be carefully sourced to ensure that it doesn't contain invasive non-native species (such as, for example, invasive flatworms or seed of invasive plant species) and is of a suitable composition for a coastal grassland (i.e., relatively nutrient poor and slightly acidic).

In order to reduce impacts to the wider SSS during the construction phase, these works should be undertaken outside of bird breeding season (January – July inclusive).

We would welcome further details on:

- 1) the species composition and source of seed which would be sown onto the mounds once created; and*
- 2) how the temporary earths storage area and vehicle access route will be created to protect the ground and what measures will be taken for the areas to be 'made good' after construction. Such details could be secured via a suitably worded planning condition."*

Following the consultation response received, the application was subsequently deferred and additional information was received by the applicant's agent to address the issues raised. ACLMS was reconsulted and by email dated 23rd January 2024 stated the following:

"Thanks for forwarding on that email with the added info which is very helpful. I do still have some questions and would like a bit more information from the applicant to properly understand the implications of moving the bund within the existing footprint of the shooting range."

A meeting was held between Planning, ACLMS and OEHPR prior to deferring the application again to ensure that any amendment sought to the application addressed the issues raised in the ACLMS consultation, whilst ensuring that both Planning and OEHPR requirements were also met. The application was subsequently deferred to seek amendments to the scheme to move the proposed earthbank slightly inward to reduce the associated impacts on the SSS, or if this was not possible to provide information to demonstrate as to why.

Additional information was submitted and ACLMS was reconsulted and by letter dated 09th April 2024 stated the following:

"We are writing in response to the additional information and revised proposals for the application for works at Guernsey Clay Target Shooting Club, Route des Pecqueries and in response to our previous letter requesting further information in relation to the avoidance of impacts within an SSS.

We note that the revised plans have sought to retain the development within the existing footprint wherever possible and that, where the bunds must fall outside of that area, full justification has been provided. Where those impacts cannot be avoided, we are satisfied that those impacts have been considered and will be mitigated for through the proposals.

We also note that the materials to create the mounds will be carefully sourced and inspected.

Provided that all mitigations outlined in the ecological assessment and subsequent correspondence we are satisfied that the proposed development will not have a negative impact on the special interest of the site."

Office of Environmental Health and Pollution Regulation

By letter dated 13th January 2024 stated the following:

"I have reviewed the proposed plans for the extension and alteration of earthbanks / mounds at the above site which were received by email on 29th November 2023 and I do not wish to raise any concerns.

I can confirm that we have been working with the Guernsey Clay Target Shooting Club in relation to waste materials including lead shot spilling out of the site boundary. I can advise that it is felt that this proposal adopts a proportionate and reasonable approach to ensuring that materials are contained and that the club can move away from the use of lead shot."

Following deferral of the application and further meetings held between Planning, OEHPR, ACLMS and the Club (as referred to above) further information was submitted to address the issues raised and OEHPR was reconsulted and by letter dated 19th April 2024 stated the following:

"I have reviewed the additional information submitted in relation to the proposal to extend and alter earthbanks/mounds etc at the above site. I can confirm that we have no objections to the proposals.

Although there are no objections, I would like to comment that OEHPR have been and will continue to work with the Guernsey Clay Target Shooting Club to reduce the impact of their operations on the environment. It is noted that the UK are considering moving away from the use of lead shot and that this will consequently facilitate a transition in Guernsey. I understand that whilst the proposed works will provide a level of material capture that has not occurred before, we believe the club are committed to continuing with a transition away from lead shot and working to improve their environmental management of the site.

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter."

The application was deferred a final time as the revised information submitted was confusing and the shot data and distances shown did not appear to be accurate. An additional plan was requested to clearly demonstrate the existing scenario for steel and lead shot and how this will be improved with the introduction of the earthbanks. OEHPR was reconsulted and by email dated 11th June 2024 stated the following:

"I can confirm that having considered the additional information my comments made previously dated 19th April 2024 remain valid."

Summary of Issues:

- Whether the principle of development is acceptable;
- Impact of the development on the landscape character and openness of the surrounding area; and
- Impact of the development on the Site of Special Significance.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Whether the principle of development is acceptable

Guernsey Clay Target Shooting Club (GCTSC) was established in 1967 and has been shooting at the application site since 1969. The site therefore has a long well established use which pre-dates planning control. That said, development proposals to provide new facilities for outdoor formal recreation (a rifle range is defined as outdoor formal recreation at paragraph 18.1.2 of the IDP) or informal leisure and recreation, or to extend, alter or redevelop existing facilities are supported by Policy OC9 of the IDP provided that:

- i. Any ancillary built development is proportionate to the nature and scale of the formal outdoor recreation or informal leisure and recreation use; and*
- ii. The visual impacts of ancillary built development can be mitigated to respect the character of the locality; and*
- iii. The site does not fall within an Agriculture Priority Area, or where it does fall within an Agriculture Priority Area the land cannot positively contribute to commercial agriculture use or cannot practically be used as such without adverse environmental impacts.*

Furthermore in all case proposals must accord with all the relevant policies of the Island Development Plan.

In this case the built development will take the form of a modest extension to the existing earthbanks/bunds, a slight raise in the level of the coastal footpath and the installation of temporary hard surfacing areas for construction vehicle access, the storage of earth and required machinery and plant. A need to require the alterations (i.e. to provide a safe environment to enable the transition from lead shot to steel shot and thus reducing the impact on the surrounding area and marine environment) has been provided. The hard surfacing areas for the earth, plant and machinery storage areas are temporary measures required only for the duration of the

construction works on site, which can be controlled by planning condition. Considering the above, the proposal would be proportionate to the nature and scale of the associated use.

The alterations to the earthbanks have been designed to achieve its purpose, whilst maintaining the character of the area and allowing people using the footpath to enjoy views of the coast.

The site is not located within an Agriculture Priority Area, although it is located within a Site of Special Significance (SSS) (assessed in detail below).

For the above reasons and subject to compliance with all other relevant policies of the IDP (assessed in detail below) the principle of the development accords with Policy OC9.

Impact of the development on the landscape character and openness of the surrounding area

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

Policy GP8 requires proposals for new development to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

By means of background to the landscape character of the area, the site as designed in Annex V: Landscape Character within the IDP, is within the 'Northern Shores' landscape area. These areas are generally low and windswept with extensive sandy beaches separated by rocky points and headlands. Unlike other sections of Guernsey's coastline, the area is backed by the horizontal expanse of lowland landscapes rather than cliffs or escarpments and in contrast to the densely populated hinterland, the coastline is generally open and undeveloped. The Headlands and Islets tend to be lower and less dramatic than those on the west coast and many of the rocky promontories have been exploited over many years by quarrying for stone, waste disposal and various recreational activities (including clay pigeon shooting), that said they still support important semi-natural habitats.

The height and profile of the earth banks have been shown in the form of cross sections throughout the site. The drawings demonstrate that the earthbanks have been designed at such a height to provide a safe environment and to prevent ricochet for the shooters, to contain the plastic Wads on site (to allow for collection after each shoot) and to reduce the amount of shot that would project over the

earthbank and beyond the deadzone, whilst enabling a pleasant environment for walkers by maintaining the coastal views.

Although the enabling works required during construction (the areas of hardstanding, machinery and plant store etc.) will have a detrimental effect on the character of the surrounding area, this will be short term and will last the duration of construction of the earthbanks only. It is recommended that should permission be granted a condition is included for such items to be removed and the site reinstated to a condition as agreed in writing by the Authority.

Although the Environmental Assessment recommends that to avoid disturbance to the local bird population the height of the path remains at its original height alongside the bank to 'largely screen' walkers, at present the character of the surrounding area is open and views from this coastal path towards the coast to the west and north are undisturbed. It is considered that a path at a much lower level would disrupt these views and would affect the feeling of openness and the character and appearance of the surrounding area. On balance therefore and in the absence of any objection from the States' ACLMS, the path as proposed is considered to be acceptable.

For the above reasons it is considered that the proposal would not have an unacceptable impact on the open landscape character of the area and accords with the provisions of Policy GP1.

Impact of the development on the Site of Special Significance

Policy GP2 requires that any development does not have an adverse impact on the special interest of the SSS, or that any adverse impact can be successfully mitigated in accordance with a scheme agreed by the Authority.

This particular SSS extends from Port Soif to Pont du Valle, forming a coastal strip along a significant portion of the west coast, and is designated primarily due to the sand and pebble dunes and coastal grassland. In the Guernsey Habitat Survey 2018 the majority of the shooting range, including the land surrounding the clubhouse, is designated as Coastal Grassland, whilst the bund and land to the south is classified as Dense Scrub. The Survey identifies that, whilst Dense Scrub is a valuable habitat, it has lower biodiversity than other classifications which it overgrows, such as Coastal Grassland, and, due to the increasing areas of Dense Scrub, is designated as "Of Concern" in terms of its impact on biodiversity. Coastal Grassland has a wide diversity of fauna and flora and, due to the reducing area of this classification, is identified as "Endangered".

As part of the application an Ecological Assessment produced by Environment Guernsey has been submitted which assesses the potential Environmental impacts of the proposal. At section 9.2 of the document the environmental impacts of the proposal and suggested mitigation methods are summarised in tabular format. The resulting likely impact of the development following the suggested mitigation

methods are confirmed to be minor and of inconsequential nature. In conclusion the report summarises as follows:

“the installation of the proposed new earthbanks at the Portinfer Shooting Range would lead to the short-term loss of Coastal Grassland. This habitat is relatively widespread in the local area and is of moderate to high ecological value. Once the new banks are sown with an appropriate grass mix and become established, this impact would be fully mitigated within a few years; there would be a small increase in the extent of the habitat due to the large surface area of the banks. Most importantly, the primary aim of the new bank is to catch and prevent ricochet of steel shot and cartridge wads as the club moves away from the use of lead. This would bring an end to lead shot falling onto the foreshore and accumulating in rock pools and gullies; this represents a significant ecological gain.”

As part of the application process, the States’ Agriculture Countryside and Land Management Service (ACLMS) was consulted and initially suggested amendments to the scheme. In summary they requested that the earthbanks be relocated slightly to follow the existing footprint and away from the sensitive coastal grassland to avoid unnecessary harm to the surrounding SSS, or if not possible to provide a justification as to why. Revised drawings and additional information have been submitted, with cross sections to show the current situation, the position of the earthbanks as initially applied for and as amended. A letter from the applicant’s agent dated 20/03/2024 accompanied the drawings to explain the alterations in detail. The letter also confirmed that the materials to create the mounds will be carefully sourced and inspected by a suitably qualified professional, prior to bringing them to the site.

ACLMS was reconsulted on the application and confirmed that provided that *“all mitigations outlined in the ecological assessment and subsequent correspondence we are satisfied that the proposed development will not have a negative impact on the special interest of the site.”* It is recommended that a condition be included on any permission to this effect. In addition to ensure any impact is limited and/or mitigated, it is recommended that conditions are included for full details of planting (including types and density of plants) to the earthbanks; a scheme to be provided to demonstrate how the hard surfaced areas and storage areas will be decommissioned and the land returned to its natural state within suitable timeframes.

Subject to the suggested conditions and in the absence of any objection from ACLMS, it is considered that the proposal would not have a significant long term negative effects on the surrounding SSS. The scheme therefore complies with Policy GP2 in this respect.

Other issues

The comments raised by the representor are noted with particular regard for a contract between OEHPR and the shooting club to prevent the use of lead shot. However, the site has been used as a shooting club since 1969 and the use of lead shot at this site is not and cannot be a planning consideration as there are no legally

binding conditions or restrictions on the site controlling such use (as the initial use of the site and lead shot predates the need for planning permission/planning control). Furthermore, the use of lead shot and any associated impacts is controlled under separate Environmental Health legislation and any legal binding contract would be separate to planning. The OEHPR was consulted on the application and confirmed that *“we have been working with the Guernsey Clay Target Shooting Club in relation to waste materials including lead shot spilling out of the site boundary. I can advise that it is felt that this proposal adopts a proportionate and reasonable approach to ensuring that materials are contained and that the club can move away from the use of lead shot. I would like to comment that OEHPR have been and will continue to work with the Guernsey Clay Target Shooting Club to reduce the impact of their operations on the environment. It is noted that the UK are considering moving away from the use of lead shot and that this will consequently facilitate a transition in Guernsey. I understand that whilst the proposed works will provide a level of material capture that has not occurred before, we believe the club are committed to continuing with a transition away from lead shot and working to improve their environmental management of the site.”*

Considering the findings of this report, the proposed development would provide the best solution to enable a safe and environmentally and visually acceptable environment for all, to enable a move away from lead shot to steel shot moving forward. This would bring an end to lead shot falling onto the foreshore and accumulating in the rock pools and gullies representing significant environmental and ecological gain.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on protected buildings, trees or monuments. The impact of the proposal on the SSS has been assessed fully in section 2 above.

The application accords with the relevant policies of the IDP and it is recommended that the application is approved subject to conditions.

Date: 24/06/2024

