

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: Excavation and install fencing and gate to water bunker and machine gun Tobruk and Machine gun embrasure, excavate, install fencing and replica steel turret to tank turret position (site of special significance).

LOCATION: Fort Hommet, Hommet Headland, Castel.

APPLICANT: Mr P Bourgaize

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: 26/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:100 scaled Aerial photo entitled 'Area A', 1:100 scaled Aerial photo entitled 'Block Plan Area B', 1:100 scaled Aerial photo entitled 'Block Plan Area C', 1:100 scaled Aerial photo entitled 'Block Plan Area D', Area A image and Section A-A drawing, Area B image and Section B-B drawing, Water Supply Bunker Detail drawing and section, German gate detail image, Area D image and section, Aerial photo showing all areas to be excavated and the plant storage area, Fort Hommet Phase 2 Method Statement & Fort Hommet Bunkers Phase 2 Ecological Assessment (July 2024).

Application Ref: FULL/2024/0546

Property Ref: D019050000

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. The works hereby approved shall only be carried out in strict accordance with the details contained within the works method statement and the suggested mitigation methods identified within the Ecological Assessment (both date stamped received 30/08/2024) unless the Authority agrees to any variation in writing.

Reason - To limit the impact of the proposal on the surrounding SSS in accordance with the submitted information and to comply with the provisions of Policy GP2 of the IDP.

5. (a) Following completion of the works The Authority must be notified of such in writing within 21 days.

(b) within 28 days of the date confirmed in criterion (a) above, the site compound and any left over materials shall have been removed from the site.

(c) within 28 days of the date confirmed in criterion (a) arrangements must have been made and the site inspected with representatives from the Authority and States Agriculture Countryside and Land Management Service (ACLMS) as detailed in the 'Ecological Assessment' to ensure that the reinstatement of the site is satisfactorily achieved.

(d) Following the expiration of 6 months and within 7 months from the date confirmed in criterion (a) above, arrangements must have been made and the site revisited with representatives from the Authority and States Agriculture Countryside and Land Management Service (ACLMS) to ensure that the reinstatement of the site is satisfactorily achieved. Should any additional reinstatement works be required then these shall be agreed in writing with the Authority and implemented in accordance with an agreed programme of works.

Reason - To limit the impact of the proposal on the surrounding SSS and to ensure that the reinstatement of the land takes the form hereby approved and in accordance with the submitted Ecological Assessment and works method statement and to comply with the provisions of Policy GP2 of the IDP.

6. No development, clearance of vegetation or works of any type, shall begin on site until full details of protection fencing or similar and its position around each of the areas to be excavated has been submitted to and approved in writing by the Authority. The agreed method of protection shall be retained in position on site for the duration of the works.

Reason - To contain the works to those areas shown on the approved plans and to minimise harm on the surrounding Site of Special Significance, in accordance with the recommendations within the Ecological Report and to comply with Policy GP2 of the IDP.

7. Any excavation plant, machinery and materials associated with the approved development when not in use shall be stored within the agreed 'plant' area as shown on the approved aerial image.

Reason - To limit the impact of the proposal on the surrounding SSS in accordance with the submitted Ecological Report and to comply with the provisions of Policy GP2 of the IDP.

Expiry Date: This permission will cease to have effect on 26/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

1. Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. To reduce the impact on nesting birds, the clearance of any vegetation should be avoided during the main breeding season of March-July (inclusive). If such works during the breeding season are deemed necessary, advice from a suitably qualified ecologist should be sought in the first instance. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by email at: societe@cwgsy.net

2. In line with the recommendations of the submitted Ecological Assessment, the works hereby approved should be undertaken only during daylight hours to prevent the need for artificial lighting and to avoid further disturbance to the surrounding Site of Special Significance.

3. For the avoidance of any doubt the reuse of suitable excavated material where appropriate should only be within the existing 'work areas' as defined by the protection fencing pursuant to condition 6 of this permission and shall not be reused outside of these areas.

4. As recommended in the Ecological Assessment no materials will be brought to the site and to further reduce the risk of importing invasive non-native species, pests or diseases, that all machinery to be used on the site is clean prior to first use.

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/2024/0546
Property Ref: D019050000
Valid date: 05/04/2024
Location: Fort Hommet Hommet Headland Castel Guernsey
Proposal: Excavation and install fencing and gate to water bunker and machine gun Tobruk and Machine gun embrasure, excavate, install fencing and replica steel turret to tank turret position (site of special significance).

Applicant: Mr P Bourgaize

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. The works hereby approved shall only be carried out in strict accordance with the details contained within the works method statement and the suggested mitigation methods identified within the Ecological Assessment (both date stamped received 30/08/2024) unless the Authority agrees to any variation in writing.

Reason - To limit the impact of the proposal on the surrounding SSS in accordance with the submitted information and to comply with the provisions of Policy GP2 of the IDP.

5. (a) Following completion of the works The Authority must be notified of such in writing within 21 days.

(b) within 28 days of the date confirmed in criterion (a) above, the site compound and any left over materials shall have been removed from the site.

(c) within 28 days of the date confirmed in criterion (a) arrangements must have been made and the site inspected with representatives from the Authority and States Agriculture Countryside and Land Management Service (ACLMS) as detailed in the 'Ecological Assessment' to ensure that the reinstatement of the site is satisfactorily achieved.

(d) Following the expiration of 6 months and within 7 months from the date confirmed in criterion (a) above, arrangements must have been made and the site revisited with representatives from the Authority and States Agriculture Countryside and Land Management Service (ACLMS) to ensure that the reinstatement of the site is satisfactorily achieved. Should any additional reinstatement works be required then these shall be agreed in writing with the Authority and implemented in accordance with an agreed programme of works.

Reason - To limit the impact of the proposal on the surrounding SSS and to ensure that the reinstatement of the land takes the form hereby approved and in accordance with the submitted Ecological Assessment and works method statement and to comply with the provisions of Policy GP2 of the IDP.

6. No development, clearance of vegetation or works of any type, shall begin on site until full details of protection fencing or similar and its position around each of the areas to be excavated has been submitted to and approved in writing by the Authority. The agreed method of protection shall be retained in position on site for the duration of the works.

Reason - To contain the works to those areas shown on the approved plans and to minimise harm on the surrounding Site of Special Significance, in accordance with the recommendations within the Ecological Report and to comply with Policy GP2 of the IDP.

7. Any excavation plant, machinery and materials associated with the approved development when not in use shall be stored within the agreed 'plant' area as shown on the approved aerial image.

Reason - To limit the impact of the proposal on the surrounding SSS in accordance with the submitted Ecological Report and to comply with the provisions of Policy GP2 of the IDP.

INFORMATIVES

1. Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. To reduce the impact on nesting birds, the clearance of any vegetation should be avoided during the main breeding season of March-July (inclusive). If such works during the breeding season are deemed necessary, advice from a suitably qualified ecologist should be sought in the first instance. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by email at: societe@cwgsy.net

2. In line with the recommendations of the submitted Ecological Assessment, the works hereby approved should be undertaken only during daylight hours to prevent the need for artificial lighting and to avoid further disturbance to the surrounding Site of Special Significance.

3. For the avoidance of any doubt the reuse of suitable excavated material where appropriate should only be within the existing 'work areas' as defined by the protection fencing pursuant to condition 6 of this permission and shall not be reused outside of these areas.

4. As recommended in the Ecological Assessment no materials will be brought to the site and to further reduce the risk of importing invasive non-native species, pests or diseases, that all machinery to be used on the site is clean prior to first use.

OFFICER'S REPORT

Site Description:

The application site comprises the Fort Hommet Headland which comprises a complex of PAK bunkers and fortifications, gravel pathways, carparks, sand dunes/dune slacks and coastal grassland. Hommet access road runs through the site and links to the car parking areas to the north and Rue D'Albecq to the southeast.

The site is situated Outside of the Centres and is a Site of Special Significance as designated in the Island Development Plan. Although not forming part of this application to the west of the headland is a protected monument.

Relevant History:

FULL/2020/2320	Excavation and landscaping of WW2 bunkers	Granted 14/02/2022
FULL/2015/2273	Install Interpretation board	Granted 13/10/2015
FULL/2014/3028	Install picnic and park style benches.	Granted 25/11/2014
FULL/2013/3286	Excavate personnel shelter, install door and erect post and wire fencing - Protected Monument.	Granted 25/11/2013

Existing Use(s):

Leisure and recreation

Brief Description of Development:

Festung Guernsey (the applicant) a local group dedicated to the preservation of German fortifications is in the process of restoring a complex of bunkers situated on the Fort Hommet headland. Planning permission was granted in 2022 (Ref FULL/2020/2320) to excavate an existing PAK bunker on the site which has been completed. This application is a follow on from that application and intends to expose four bunker structures situated around the site. The following works are required and form part of this planning application:

- to cut back vegetation and excavate where necessary to expose the buried machine gun embrasure on the eastern face of the PAK shelter/emplacement (Area A as marked on the application drawings);
- to excavate an existing buried tank turret Tobruk and create entrance steps (if none exist) and erect post and wire fencing (Area B as marked on the application drawings);
 - o On completion of the excavation install a replica steel tank turret;
- Excavate two sets of steps that exist to the water supply bunker and install steel gates internally and erect post and wire fencing (Area C as marked on the application drawings);
- Excavate the buried machine gun Tobruk, create entrance steps (if none exist), erect post and wire fencing and install galvanised steel grill over circular opening (Area D as marked on the application drawings).

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
GP6 – Protected monuments
GP7 – Archaeological Remains
GP8 - Design

Representations:

One letter of representation has been received objecting to the proposed works. The ground for objection are summarised as follows:

- The proposed works would further blight one of the few remaining open areas in Guernsey;
- Fencing and gates are inappropriate for this location which is a beauty spot on the coast and one of few relatively undeveloped locations in Guernsey;
- Not everybody appreciates Nazi fortifications which is one of the reasons why they were originally buried;
- There should be no presumption that it would be beneficial to unearth them or that their existence benefits Guernsey;
- Festung has recently been afforded relatively many permissions to expose World War two era bunkers in similarly open areas for example at L'Ancrese and Fort Doyle.

Consultations:

Office of Environmental Health and Pollution Regulation (OEHPR)

By letter dated 18th April 2024 stated the following:

"I have reviewed the proposed plans for excavation works to be undertaken at the above mentioned address which were received by email on 16th April 2024 and I do not wish to raise any objections to the proposals."

States Archaeologist

By letter dated 19th April 2024 stated the following:

"I have no particular concerns about the proposals from an archaeological perspective. The material to be removed is by definition post-War backfill, and therefore of little archaeological significance. Although there is medieval settlement recorded on this headland it is not in close proximity to the German structures, and those structures are likely to have destroyed anything earlier that might have survived in those particular locations."

La Societe Guernesiaise

By email dated 03rd May 2024 stated the following:

"Thank you for consulting with La Société Guernesiaise in respect of this application."

As the proposed works are within an SSS and will impact aspects of the special interest of area, in particular rare plants, associated invertebrates and nesting birds,

we would strongly recommend that the applicant be required to provide an Ecological Assessment which considers the possible environmental impacts and reasonable mitigation (or offsetting) measures.

We would highlight that the applicant was required to provide such information for an earlier phase of this overall project and it is therefore appropriate that they be required to do so for these latest proposals. Similarly, a private landowner was recently required to provide an ecological assessment for trenching works across part of L'Ancrese Common, also an SSS."

Agriculture Countryside and Land Management Services (ACLMS)

By email dated 30th May 2024 stated the following:

"I am writing in response to the application submitted to excavate 4 fortifications on Fort Hommet headland (FULL/2024/0546).

We note that this is within a Site of Special Significance and so, in accordance with Policy GP2, developments will only be permitted where it can be demonstrated that they will not have an adverse impact on the special interest of the site or where any impact can be satisfactorily mitigated or offset.

The proposal includes the clearance of vegetation and the disturbance of the ground, it therefore has the potential to impact on the special interest of the site. There has not been sufficient information provided to enable us to determine the scale of these impacts, whether all practical measures to avoid them have been put in place, and whether any residual impacts will be mitigated.

We recommend that the Authority request further information, namely:

- An ecological assessment of the sites of excavation are undertaken.*
- If required, a revised application which has considered how to avoid any potential ecological impacts, especially those which may materially affect the special interest of the SSS.*
- Detailed plans which highlight exactly which areas of vegetation are proposed to be cleared and which areas are to be excavated.*
- A method statement for the works, which should clearly describe the method of excavation (i.e., using diggers or hand tools), access routes to be used, detail any materials which are to be imported to the site and any materials to be removed from site.*
- A landscaping scheme detailing how the site will be 'made good' following the excavations and mitigate any residual ecological impacts.*

We would be very pleased to review the additional information once provided. And we would be very happy to discuss the above with the applicant or their representatives."

Following receipt of this consultation, the application was deferred to seek the additional information requested. The additional information was received on 30th August 2024 and ACLMS was reconsulted on its content. By letter dated 16th September 2024 ACLMS stated the following:

“We are writing in response to your letter requesting comments on the application to excavate four ‘bunkers’ at Fort Hommet. We note that the application is within a Site of Special Significance and as such, in line with policy GP2, the application should ensure that there is no net loss in special interest and mitigation must follow this sequential approach:

- 1. Avoid impacts by considering alternative sites or locations for the development;*
- 2. Minimise impacts by taking measures to reduce the duration or extent of the impacts;*
- 3. Restore the site on completion of the development by returning the area to its condition before the impacts occurred;*
- 4. Offset the impacts.*

We welcome the undertaking and provision of an ecological assessment of the site which identifies important ecological features and makes recommendations for how to minimise and mitigate potential impacts. We note that this report has not addressed point 1 in the above hierarchical list, however given the nature of the proposed works, and the aspiration of the applicant to continue to restore features within the complex at Fort Hommet, we recognise that it is not possible to consider alternative locations for these works.

The recommendations of the ecological assessment to minimise impacts have mostly been integrated into the method statement for the works, and the applicant can therefore be considered to have addressed point 2 in the above hierarchical list.

Two recommendations appear to have been omitted. Firstly, the applicant does not include the installation of temporary fencing or roping of adjacent grasslands to reduce the risk of the works expanding into these important features. Secondly, the dates of works have not been specified in the method statement. In line with the recommendations of the ecological assessment, this should take place outside of bird breeding season and during daylight hours (to prevent the need for artificial lighting). We note that no materials will be brought to site, including grass seed. In order to further reduce the risks of importing invasive non-native species, pests or diseases, all equipment brought to site should be clean.

The method statement proposes that excavated material will be used on site where possible. For the avoidance of doubt, this should only be within the existing ‘work areas’.

To ensure that the site is suitably restored following works, we would recommend that it is inspected by a suitably qualified ecologist upon completion and 6 months following the works. At this point, if the restoration is not as anticipated, then

additional mitigation may be required and we would be happy to meet the applicant to discuss this further at that time.

Following restoration of the site there are likely to be outstanding residual impacts, the scale of which will depend on the success of the restoration. It is possible that these will be significant, such as the permanent loss of habitats. To ensure compliance with GP2, and in particular that any adverse impact can be successfully mitigated in accordance with a scheme agreed by the Authority so that there are no significant impacts on the special interest of the Site of Special Significance, the applicant may wish to offset these residual impacts. There may be opportunities on site, such as habitat restoration adjacent to the excavated bunkers, or offsite. ACLMS would be happy to discuss offsetting options with Planning Service or the applicant or their representative.

Please do not hesitate to contact us if you have any queries about this response and we would also be happy to discuss the points raised with the applicant or their representative."

Summary of Issues:

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

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 the development is acceptable;

Paragraph 18.1.2 of the IDP (which forms the preceding text to Policy OC9) defines the various forms and type of leisure and recreation uses Outside of the Centres. Informal Leisure and recreation is defined as including civic spaces, nature walks, woodlands, cliff paths, commons, parks and formal gardens, allotments and development ancillary to beaches and the coast, which the use of this site falls within.

Policy OC9 supports proposals to provide new facilities informal leisure and recreation, or to extend, alter or redevelop existing facilities, providing that certain criteria are met. In this case the ancillary/built development will be limited

(comprising steps and fencing) and is proportionate to the nature and scale of the informal leisure and recreation use, will have limited visual impact that respects the character of the locality, and the site does not fall within a Agriculture Priority Area. Accordingly, the proposal complies with the provisions of policy OC9.

The nearest part of the site to be altered as part of this application is situated circa 130m from the protected monument and at this distance and given the type of works involved no harm on its special interest or its setting would occur. The States Archaeologist was consulted on the application and has raised no objection from an archaeological perspective. The scheme therefore complies with policies GP6 and GP7 respectively.

Impact on the Site of Special Significance

Fort Hommet headland (the application site) is a west coast headland and includes adjacent land with the small bay of Albecq to the east and Vazon to the southwest. The area comprises a rich area of calcareous sand dunes next to Albecq Bay on the neck of the peninsula. To the west of the road towards Vazon Bay is an area of Brackish dune slacks with diverse fauna and flora. The area is designated as a Site of Special Significance (SSS) for its importance for a wide range of wildlife including rare and threatened species of insects, plants and birds.

Following a review of the information submitted as part of the initial application as originally submitted, the full impacts of the proposal on the SSS were unknown. States ACLMS and La Societe Guernesiale were also consulted on the application and requested that additional information be submitted to enable a full assessment of the proposal and its associated impacts to be made. The application was subsequently deferred and additional plans, a method statement describing the extent of works proposed, together with an Ecological Assessment (produced by Environment Guernsey) was submitted.

The method statement demonstrates how works on site will be undertaken and the methods and mitigation proposed to limit the impact of the proposal on the SSS and the character of the surrounding area. The two most sensitive areas (areas B and D as shown on the plans) will be excavated by digging by hand with all excavated material (not suitable for re-use within the site) moved by wheelbarrow to an area reserved on an existing car park for collection. For areas A and C, a small excavator will be used which will be positioned close to existing structures (to minimise harm) and excavated material not suitable for re-use will be removed by lorry (parked on the existing access road) again to minimise harm on the SSS. The method statement also confirms that for all areas the following measures will be introduced to minimise harm:

- the removal of any vegetation will be kept to a minimum allowing the maximum amount of existing vegetation to be left in place during the excavation;
- any disturbed areas will be allowed to reseed naturally;
- No additional material will be brought onto the headland;

- Access to each site area will follow existing 'desire lines' where possible or traverse habitats of lower ecological value;
- when not in use plant/equipment and materials will be stored on existing hardstanding in a demarcated area on the car park as shown on the application drawings;

In addition to these suggestions, the States ACLMS also consider it necessary to ensure (as suggested in the ecological assessment) that temporary fencing or roping is erected around the excavation sites to protect adjacent grassland and to reduce the risk of the works expanding into surrounding important areas of the SSS, and that any works are undertaken outside of the bird breeding season and during daylight hours. These recommendations are acceptable in planning terms and should be included as conditions or informatives should permission be granted.

Based on the above and given the limited extent of areas to be excavated and the limited works involved, the proposal comprises minor works not requiring an Environmental Impact Assessment as set out under Schedule 1 or 2 of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007 or Section 40(5) of the Land Planning and Development (Guernsey) Law, 2005.

Notwithstanding the above, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting a Site of Special Significance that special attention is paid to the desirability of preserving, enhancing and managing the character, appearance and environment of the site. This approach is reinforced through Policy GP2.

The ecological assessment as submitted provides a detailed account of the main environmental impacts of the proposal and suggests mitigation methods aimed to reduce any environmental impact to an acceptable level.

In summary the main environmental impacts are as follows:

- Loss of scrub and grassland habitats;
- Damage to species-rich habitat during works;
- Noise and visual disturbance associated with the works;

The report identifies the following mitigation methods to reduce the environmental impacts to an acceptable level:

Excavation Stage

1. Avoid vegetation removal in bird breeding season (March to July inclusive);
2. Be watchful for wildlife (e.g. bats, slow worms, small mammals etc.);
3. Limit extent of excavation site and protect adjacent land with fencing or ropes;
4. Retain and protect adjacent Hawthorn (Area A) and Tamarisk (Area B);
5. Store materials, heavy plant and any spoil in car parks only;

6. Use recommended access route for heavy plant (i.e. follow existing desire lines or where this is not possible traverse habitats of lower ecological value);
7. Store spoil in car parks only;
8. Ensure that no materials are brought to the site and to further reduce the risk of importing invasive non-native species, pests or diseases, that all machinery to be used is clean.

Restoration phase and Long term

1. Restore any damaged grassland areas;
2. Remove excavated material from the site as quickly as possible;
3. Arrange a site inspection with suitable qualified ecologist upon completion of the works;
4. Monitor the sites and surroundings for 2 to 3 seasons until fully restored and settled.

The conclusion of the ecological assessment considers that the excavation of the four bunker sites would result in several environmental impacts. Some impacts are limited to the works sites which are currently of moderate ecological importance, whereas others are associated with the movement of material, machinery and spoil across the wider headland. The negative impacts of the works would be reduced by following the recommended mitigation methods.

Based on the above and the commitments made by the applicant, it is recommended that permission is granted subject to appropriate conditions and informative notes specifically ensuring that the works are undertaken in accordance with the suggested mitigation measures and the works method statement. Subject to these conditions/informatives and subject to conditions to reflect the comments raised by ACLMS (in particular the need to review the site at various junctures following completion of the works) it is considered that the environmental impacts of the proposal would be reduced to an acceptable level. The proposal is therefore unlikely to adversely affect the special interest of the Site of Special Significance in accordance with Policy GP2.

Impact 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.

In this instance although during construction the character of the area will be disrupted this will be temporary. Furthermore, the majority of the works proposed are subterranean and once completed the site will be reinstated to its former condition in accordance with the mitigation and method statements summarised

above. The area is interspersed with various historic fortifications and the partial excavation of these features as proposed would be consistent with the landscape character of the area.

The comments from the representor are noted however, although the proposed fencing has the potential to impact the character of the surrounding natural environment, given the limited amount proposed, that these are required to provide a safe access to the bunkers and that they will be largely screened by surrounding vegetation, the proposal would not cause significant long-term harm to the landscape character of the surrounding area.

Impact on highway safety

With regards to highway safety, part of the existing car parking area will be given over to accommodate the site compound (to store all materials machinery etc). However, given the limited size of the compound, that it will only be required for a temporary period and that additional car parking is available adjacent to the compound and on another car park to the southeast adjacent to the coastal wall, the proposal would not cause harm to highway safety.

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; the effect of the proposed which the site could be put without further planning permission; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

The issues raised by the representor stating that not all people of Guernsey want Nazi structures to be excavated (which is why they were buried initially) is not a material planning consideration that can be taken into account in the assessment of this planning application.

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

The proposal would not impact on any Protected Buildings, trees or monuments. The impact on the SSS has been fully assessed above.

For the reasons set out within this report the proposal complies with the relevant provisions of the Island Development Plan and satisfies the other relevant material planning considerations; it is therefore recommended that planning permission be granted with conditions.

Date: 18/09/2024

