

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: Demolish existing dwelling, erect replacement dwelling and outbuilding/garage with associated works, infill existing vehicle access to south boundary (setting of protected structure).

LOCATION: The Auberge, Jerbourg Road, St. Martin.

APPLICANT: Petit Port Pension Scheme Re: A Haining

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: 08/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SOUP Architects: 446_080, _090, -095, _100, _110, _200, _300, _301
ASHP specification- Daikin Altherma 3.

Application Ref: FULL/2024/2103

Property Ref: J016310000

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, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of all buildings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

5.The developer shall arrange for a watching brief to be undertaken by the States Archaeologists so that the excavation is observed and items of interest and finds are recorded.

Reason - To ensure that the archaeological history of the site is recorded.

6.Prior to any demolition a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Development & Planning Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. The CEMP should address the protection of the Site of Special Significance (SSS) during construction to demonstrate that materials do not enter the SSS and that pollution (air, light and noise) are kept to levels that would not damage the special characteristics of the SSS. At a minimum the following should be included:

- I. Details of hours of construction
- II. Details of the storage of materials, excavated materials, plant and machinery
- III. A lighting scheme for the construction phase of development.

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

Reason - Protecting natural habitats which support associated wildlife within the adjoining SSS.

7.a) Prior to the commencement of any work in connection therewith details of the proposed planting schedules noting the species, sizes, numbers and densities of plants of the areas of proposed soft landscaping and details of the proposed planting within the wildflower patches as shown on the approved landscape strategy (sheet no. 446_095) shall be submitted to and agreed in writing by the Authority.

b) 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 occupation of any part of the development 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 - In order to help assimilate the development into its surroundings and having regard to the setting of the site and its relationship with the Site of Special Significance.

8. Prior to the commencement of any work in connection therewith details of external lighting proposed for the site shall be submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To protect the adjoining SSS.

9. Prior to the dwelling hereby approved being first occupied the infilling of the existing access to the south site boundary shall be closed permanently with an earthbank as shown on the approved drawings and shall be built in accordance with the 'construction' details set out in the Conservation Advice Note 3 (Earthbanks in Guernsey).

Reason - To ensure that the new earthbank reflects the construction method, size, form and appearance of similar earthbanks located around the existing site boundary.

10. No occupation of the dwelling hereby approved shall take place until such time as the parking and turning facilities shown on the approved plan have been fully completed in accordance with the submitted details as shown on the landscape strategy drawing (sheet 446_095).

Reason - In the interests of visual amenity and 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.

11.The development hereby permitted shall be constructed in accordance with the details set out in the Planning Policy Appraisal by SOUP Architects, under the heading GP9: Sustainable Development (pages 25 - 27) and in accordance with the details shown on the approved plans regarding permeable hardstanding. There shall be no occupation of the approved dwelling until the electric vehicle charging point to serve it has been installed and made operational.

Reason - In the interests of sustainable development.

12.The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

13.Noise associated with the plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1 metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2024+A1:2019.

Reason - To prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 07/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With regard to condition 7 it is recommended that the wildflower planting follows the published Wildflower Meadows Guidance and that these areas should be sown using native and locally sourced seeds. This is to ensure that no invasive, non-native species are allowed to enter the Site of Special Significance.

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/2024/2103
Property Ref: J016310000
Valid date: 09/01/2025
Location: The Auberge Jerbourg Road St. Martin Guernsey GY4 6BH
Proposal: Demolish existing dwelling, erect replacement dwelling and outbuilding/garage with associated works, infill existing vehicle access to south boundary (setting of protected structure).

Applicant: Petit Port Pension Scheme Re: A Haining

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.

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Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

5. The developer shall arrange for a watching brief to be undertaken by the States Archaeologists so that the excavation is observed and items of interest and finds are recorded.

Reason - To ensure that the archaeological history of the site is recorded.

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- I. Details of hours of construction
- II. Details of the storage of materials, excavated materials, plant and machinery
- III. A lighting scheme for the construction phase of development.

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

Reason - Protecting natural habitats which support associated wildlife within the adjoining SSS.

7. a) Prior to the commencement of any work in connection therewith details of the proposed planting schedules noting the species, sizes, numbers and densities of plants of the areas of proposed soft landscaping and details of the proposed planting within the wildflower patches as shown on the approved landscape strategy (sheet no. 446_095) shall be submitted to and agreed in writing by the Authority.

b) 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 occupation of any part of the development 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 - In order to help assimilate the development into its surroundings and having regard to the setting of the site and its relationship with the Site of Special Significance.

8. Prior to the commencement of any work in connection therewith details of external lighting proposed for the site shall be submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To protect the adjoining SSS.

9. Prior to the dwelling hereby approved being first occupied the infilling of the existing access to the south site boundary shall be closed permanently with an earthbank as shown on the approved drawings and shall be built in accordance with the 'construction' details set out in the Conservation Advice Note 3 (Earthbanks in Guernsey).

Reason - To ensure that the new earthbank reflects the construction method, size, form and appearance of similar earthbanks located around the existing site boundary.

10. No occupation of the dwelling hereby approved shall take place until such time as the parking and turning facilities shown on the approved plan have been fully completed in accordance with the submitted details as shown on the landscape strategy drawing (sheet 446_095).

Reason - In the interests of visual amenity and 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.

11. The development hereby permitted shall be constructed in accordance with the details set out in the Planning Policy Appraisal by SOUP Architects, under the heading GP9: Sustainable Development (pages 25 - 27) and in accordance with the details shown on the approved plans regarding permeable hardstanding. There shall be no occupation of the approved dwelling until the electric vehicle charging point to serve it has been installed and made operational.

Reason - In the interests of sustainable development.

12. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing

materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

13. Noise associated with the plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1 metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2024+A1:2019.

Reason - To prevent a nuisance or annoyance to nearby residents.

INFORMATIVES

With regard to condition 7 it is recommended that the wildflower planting follows the published Wildflower Meadows Guidance and that these areas should be sown using native and locally sourced seeds. This is to ensure that no invasive, non-native species are allowed to enter the Site of Special Significance.

OFFICER'S REPORT

Site Description:

The application site is located on the Jerbourg Peninsula and is situated to the north-east of Jerbourg Road, St. Martin. The property is located Outside of the Centres and adjacent to the south cliffs, a Site of Special Significance, as designated under the Island Development Plan (IDP).

The building on the site contains a one and a half storey, 2-bedroom dwelling known as 'The Auberge Cottage', to the north east of which is attached a larger building most recently operated as restaurants known as 'The Auberge' and latterly 'The View' but which is currently vacant.

The topography of the site slopes steeply upwards from the south of the building towards the area of a former car park to the east. The former car park fell within the curtilage of the building and was located at the foot of the Doyle Monument but this has now been enclosed by a new bank and hedging and area of hardstanding removed and now forms part of the raised garden area for the property with associated regrading works. Due to its topography, the site benefits from long distance views of St Peter Port and towards the other Islands.

The area is within the Cliffs Landscape Character area as set out in Annex V of the IDP.

The cliffs which run along the south and southeast coasts provide one of the most dramatic landscape types in Guernsey. The cliffs drop sheer from the Upland Plateau into the sea, cut by occasional short, steep valleys and backed by largely undeveloped agricultural top land. The combination of these features creates a dramatic open landscape which contrasts with the intimate enclosure of the Island's interior.

The Cliffs Landscape Character area is divided into subsections and the site is within the southeast cliffs subsection. This zone continues the cliff landform around to St Peter Port but with a more sheltered aspect the vegetation changes. "The cliffs and steep slopes are thickly covered in a variety of trees, including Oak, Holm Oak, Ash, Elm and Sycamore" which provides a striking appearance to the folds of the cliffs.

Relevant History:

FULL/2020/2070 - Erect earth bank and create new vehicular access to south car park. Alter existing vehicular access and erect gate to north parking area and demolish walls.

Approved 27-11-2020

FULL/2021/0508 - Partial demolition, extension, alteration and change of use of restaurant and land (Retail Use Class 11) to domestic use as part of adjoining dwelling (Residential Use Class 1).

Approved 28-01-2025 (expired 27-01-2025)

FULL/2023/1470 - Variations to previously approved plans for partial demolition, extension, alteration and change of use of restaurant and land (Retail Use Class 11) to domestic use as part of adjoining dwelling (Residential Use Class 1) - Alter roof form and increase floor area to south and north elevation.

Approved 03-10-2023 (expired 27-01-2025)

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the existing building on the site and the erection of a replacement dwelling, with first floor accommodation in the roofspace and a detached garage.

The proposed dwelling contains four bedrooms spread across the ground and first floor accommodation of the more northern part of the build with open plan living accommodation in the southern element, incorporating an office and snug above but much of the space being full height to the roof. The one and a half detached garage

towards the front of the site incorporates a first floor multi-use space which could be used for storage or some other ancillary and incidental purpose associated with the dwelling.

The proposed materials are: Dark grey brick, Bronze anodised aluminium glazing, Anthracite finish zinc roof, Vertical black timber cladding battens, Granite walls, Vertical treated railway sleepers, flush aluminium rooflights.

The scheme has been accompanied by a Waste Management Plan and Design Statement which addresses IDP policies including

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

GP2 – Sites of Special Significance
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder development
IP6 – Transport infrastructure and support facilities
IP7 – Private and Communal Car Parking
IP9 – Highway Safety, Accessibility and Capacity

Representations:

Three letters of representation have been submitted and raising the following points:

Landscape character

- The development would not respect the landscape character in which it is set
- It would result in loss of local distinctiveness and would not improve visual access to open and undeveloped land
- The scheme will impact on a Site of Special Significance because of the loss of public view of the SSS from the road
- The development does not respect the character of open landscape, the design being based on a Guernsey Barn which never existed here but rather a Guernsey style cottage

Design, scale and mass

- The development is disproportionate to the original building and would not be in harmony with the surrounding environment
- The orientation of the building would exacerbate the effect of the proposed increase in size and volume
- Attention is drawn to the refusal of application reference FULL/2013/2897 where the scale of development was deemed inappropriate
- Although described as a one and a half storey building the ridge far exceeds that of the existing building, it will impact on the open location and natural

landscape especially views from the south to east on the Doyle Monument from the road

- The material consideration would be the ridge height and the impact of loss of views from certain vantage points towards the Doyle monument and its effect on public views
- The development should be kept to a single storey/bungalow – a lot of open views from the smaller viewing area adjacent to the owners car park will be impacted disproportionately

Neighbour amenity

- The proposal will impact outlook and obstruct natural light to adjoining properties

Change of use of agricultural land

- The extension of curtilage will impact on the landscape once the building has been erected

Other matters

- The drawings show three, not one unit which completely deviates from previous plans
- The example given through the submission at Dolphins, is totally incongruous to the area and its ridge height has massively impacted the local character of the area, it should not be used as justification for ruining another beautiful and relatively unspoilt clifftop area
- The height and mass of the building will obstruct views from neighbouring properties and could decrease the value of adjoining dwellings

La Societe Guerneslaise – commented on the previous application in 2021 highlighting that the buildings may be used by roosting bats and other wildlife and recommending that the building be inspected by a suitably qualified person prior to building works to reduce the risk of disturbing or destroying animals protected under the Animal Welfare Ordinance, 2012.

Consultations:

States Archaeologist - Some elements of the new structures – notably the 'living' space as marked on sheet number 446_005 – appear to intrude into the northern edges of the Jerbourg ramparts. It is unfortunate that the protected monument designation (for PM319) for the ramparts stops on the west side of the Jerbourg Road, since the ramparts very obviously continue beneath the Doyle Monument and down to the east coast

In view of this possible intrusion into prehistoric earthworks I would like to request an archaeological watching brief on excavation into the southern edges of the site, in particular any reduction in levels of the area which used to serve as public parking adjacent to the road around the Monument. This should also give an opportunity to

confirm whether or not a Second World War structure still exists beneath the parking area (it is marked as destroyed but may lie further to the southeast).

Agriculture, Countryside and Land Management Services - We note that the property borders the Cliffs Site of Special Significance (SSS) and welcome the retention of the vegetation along this boundary, which will not only conserve a valuable habitat but also provide screening for the SSS. We recommend that no external lighting is installed to the rear of the property to avoid new artificial light pollution impacting the SSS.

Whilst a detailed landscaping scheme has not been provided, we note that wildflower patches and areas of new planting have been proposed to surround the replacement dwelling. To ensure that no invasive non-native species (INNS) are allowed to enter the SSS, we recommend that no INNS are permitted within this planting. The planting of the wildflower patches should follow the wildflower meadows guidance¹ and should be sown with native, locally sourced seed which can be purchased from La Société Guernesiaise.

The protection of the SSS during construction could be secured through a CEMP to ensure that materials don't enter the SSS, and pollution (including air, light and noise) are kept to levels that don't damage the special characteristics of the SSS.

The authority may wish to condition the production of a landscaping scheme and lighting plan to secure the recommendations noted above.

The Office for Environmental Health and Pollution Regulation comment as follows:

I have reviewed the proposed plans to demolish the existing dwelling, erect replacement dwelling and outbuilding, infill the existing vehicle access, and install two air source heat pumps at the above site. There is an issue of concern that I must raise.

I have carried out an approximate acoustic calculation based on the specifications of the two Daikin Altherma 3 High Capacity Monobloc units proposed for the south elevation. In order to protect the amenity of nearby neighbours, I would recommend that the following condition is attached to any consent granted for this application:

- Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Summary of Issues:

The key issues in this case relate to the principle of constructing a replacement dwelling on the site, its design and appearance, impact on residential amenity and on the adjoining 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.

Principle of replacement dwelling

Although through the public consultation has sought to draw comparisons between the existing building and proposed development replacement dwellings on a one for one basis must be assessed against Policy GP13 of the Island Development Plan, this is irrespective of the size of the existing or proposed replacement dwelling.

The application submission indicates that demolition work approved through the 2021 permission has been implemented, with the Building Control reference confirmed, and witnessed on site during the assessment of the application. As a result, the change of use of the former restaurant to a dwellinghouse has been implemented and the permission granted remains extant beyond January 2025.

Site of Special Significance

In this case, the proposals must meet the statutory duties with regard to Sites of Special Significance set out within Section 40 of the Law and the desirability of preserving, enhancing and managing the character, appearance and environment of the site.

The proposed development is situated outside but adjacent to a Site of Special Significance. It is noted that, over time, the edge of the SSS has been encroached upon and it will be important that the domestic garden area is clearly defined moving forward to protect the SSS into the future. The 2021 permission assessed and confirmed the entire area outlined in red as forming the domestic garden area associated with the property therefore the curtilage extends right up to the SSS.

ACLMS note that the retention of vegetation along the boundary with the SSS will conserve a valuable habitat and provide screening for the SSS. The application details satisfactorily demonstrate that the development will not have a negative or damaging impact on the special interest of the Site of Special Significance. The

application drawings refer to landscaping that will be of benefit to the local wildlife and respectful to the adjoining Site of Special Significance. The landscaping will be within the private garden of The Auberge and would be required to help assimilate the development to its surroundings with regard the character and appearance of the locality and so could reasonably be controlled by planning condition. The landscaping proposals, managed by condition, should have regard to the further comments of ACLMS in relation to wildflower patches and protection against invasive non-native species into the SSS. A CEMP is also considered appropriate in this case to ensure that materials do not enter the SSS during construction and having regard to pollution (air, light and noise) in order to protect the special characteristics of the SSS.

Consideration should also be given to exemption rights for the dwelling proposed with regard to the parts of the site that abut the SSS. It is noted however, that such exemption rights were not removed in connection with the 2021 permission. Nonetheless, this is a comprehensive redevelopment scheme. With the detached garage proposed in terms of exempt buildings only a small shed or greenhouse could be constructed in the garden area. The exemptions preclude the construction of such structures within the SSS itself. On balance, it is not considered reasonable or necessary to remove exemption rights regarding these buildings in this case. The stipulation relating to development in the SSS also applies to boundary fences/walls/gates therefore to mark the rear site boundary between the site and SSS would require permission and the removal of this exemption right is not deemed necessary.

Design, form, scale and massing of the proposed development

Policy GP13: Householder Development sets out a number of criteria that should be satisfied. The policy also identifies that consideration must be given to the contribution the existing building makes to the character of the area concerned and that a Waste Management Plan should be submitted with a planning application.

The preceding text to Policy GP13, paragraph 19.14.10 states:

In considering proposals for the replacement of a dwelling on a one for one basis, consideration will be given to the impact of the new building on the openness of the area rather than a comparison between the impact of the existing dwelling compared with the impact of the new. A replacement dwelling can therefore be larger than the dwelling it is replacing and have a greater impact upon the openness of the area concerned compared with the existing dwelling and will be supported where the Authority is satisfied that the proposed impact is acceptable when considered against all relevant policies of the Island Development Plan.

Policy GP8 supports development that achieves good design that respects the local character but demonstrates an effective and efficient use of land and uses soft and hard landscape where appropriate to help mitigate and/or assimilate a scheme within its setting. The policy recognises the importance of development of a residential

nature to allow for flexibility and adaption to suit needs whilst also assuring that proposals have addressed the health and well-being of the future occupiers and neighbours.

The application site is located Outside of the Centres where development is varied in terms of its height and design. The concerns raised through the public consultation process with regard to the design, height, scale and bulk of the development and in relation to the style of development now proposed (Guernsey long barn) are noted and summarised in the Representation section of this report. It is also noted that the adjoining two-storey flat roof dwelling has adopted the design approach of a long barn but with a contemporary design and external appearance. Policy GP13 clearly sets out that a comparison should not be made between the impacts of the existing dwelling compared with the impact of the new and that redevelopment on a one for one basis can allow reconsideration of the layout, location and form of the building within a site with potential for improvements to sustainability, contribution to the character and openness of an area or visual access to open land.

It is noted that the orientation of the buildings on the site will differ from the existing situation and that the building will utilise more of the site width than the existing building. The proposed building height will not however, be significantly different to the existing. The building is located on a substantial plot that is capable of accommodating a larger building in terms of making more efficient and effective use of land but also highlighting that redevelopment can make more efficient use of a site.

The existing building on the site did extend close to the roadside boundary although that element of the structure has now been demolished in accordance with the previously approved permission. The new dwelling, as amended, would be situated further from the road than the existing building although the detached garage would sit forward on the plot but outside the footprint of the existing building. The garage would be situated further from the road than the existing building on the site.

The proposed dwelling is broken down into different elements with the pitched roof elements both staggered and orientated differently on the site and with a single-storey flat roof link between them. The design approach adopted helps reduce the bulk of the dwelling.

The Island Development Plan must balance public interest and individual choice but should protect and where possible enhance the built and natural environment and outside of designated areas there is more flexibility with regard to new development. There is no uniform design or palette of materials in the local area and the dwelling to the northwest has adopted a contemporary design approach. The design and external appearance of the proposed dwelling and garage represent a good standard of architectural design that would respect the local built environment and open landscape concerned and will not result in the loss of any specific distinctive features that contribute to the wider landscape character/local distinctness (GP8 and GP1). The one and a half-storey accommodation also represents efficient and effective use of land in line with the aims of Policy GP8.

The application has also been accompanied by a Landscaping Strategy which demonstrates that both hard and soft landscaping have been considered in order to reinforce the local character, have regard to the Strategy for Nature and will help assimilate the development to its surroundings in accordance with the aims of Policy GP8. The design and planting would give the site more privacy and the planting would act as a backdrop to the building. The comments received from ACLMS in relation to the proposed planting have been noted and conditions can be imposed as necessary.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9 and is accompanied by a Planning Policy Appraisal which sets out how the orientation of the dwelling will utilise natural energy (solar heat and light), natural cooling and with high thermal performance to exceed the current regulations and the use of mechanical ventilation and heat recovery. The document refers to permeable paving and EV charging available in the proposed garage. These matters can be addressed by planning condition and demonstrate compliance with Policy GP9.

It is concluded that the replacement dwelling proposed will not have an unacceptable adverse impact on the character or quality of the built environment or the character and amenity of the locality and therefore the aims of Policies GP1, GP13 and GP8 of the Island Development Plan have been satisfactorily addressed in this respect.

Impact on visual amenity

As outlined above the preceding text to Policy GP13 clearly sets out that the impact on a new building on the openness of an area will be considered and does not require a comparison between old and new. As a result a replacement dwelling can be larger and have a greater impact provided that all other relevant planning policies have been satisfied. The principle of the larger dwelling has been considered and addressed above.

Concerns have been raised through the public consultation process regarding loss of access to views of the SSS and coast. In addition, that the proposed building should be single-storey only. It must be noted however, that the existing building on the site is one and a half-storeys in height and consideration must be given to making efficient and effective use of land.

The proposed dwelling and domestic outbuilding will sit within the recognised domestic garden/curtilage which is largely enclosed and screened from public view from the road by the retaining bank. The existing building also interrupts views of the coast beyond the site. The proposed single-storey element between the two parts of the dwelling will provide some views across the site and beyond and the accessway to the south of the site does still currently afford views of the coast and islands beyond the site. This accessway is at a higher level than the proposed dwelling and so the dwelling itself will not, from this adjoining land, unacceptably impact on the open landscape/landscape character concerned. In the case of development of domestic

sites a balance must be struck between making efficient and effective use of land and the aims of Policy GP1 to improve visual access to open and undeveloped land. The development will have an effect on open views from the junction of Route de Jerbourg and the western end of the access road which runs around the back of the Doyle column but the design proposed (low and simple) is such that the effect is mitigated and the scheme will respect the character of the open landscape concerned.

The siting and design of the proposed dwelling combined with the existing means of enclosing the site which currently prevents views to the open cliffs beyond the site combined with the retained access to views from the higher land to the south is such that the scheme would comply with this aspect of GP1.

The concerns expressed through the public consultation have been noted with regard to the impact of the development on the character and appearance of the locality. The Island Development Plan allows for greater flexibility with regard to new development proposed in non-designated areas such as this and a development should preserve or enhance the character and appearance of the locality. With the varied nature of development here the dwelling proposed will not appear unduly visually intrusive and would not be out of keeping in the locality. Long distance views of the site may be possible from St Peter Port such as Castle Emplacement, however the development would not appear as an obtrusive feature in long distance views. Consideration should be given as to whether a control on external lighting around the site would be appropriate given the possible impact of excessive lighting on long distance views, and in terms of the effects on the SSS.

The scheme will preserve the character and appearance of the locality and accords with Policies GP1, GP8 and GP13 of the Island Development Plan.

Impact on neighbour amenity and the living environment of future occupiers

Concerns have been raised through the public consultation regarding the impact of the development on daylight to surrounding properties. The proposed dwelling and garage are set sufficient distance from all site boundaries and neighbouring dwellings so as to ensure they will not result in overshadowing and loss of light to the occupiers of adjoining properties.

Given position of the dwelling on its plot and fenestration proposed the dwelling will not result in unacceptable harm to the amenities of surrounding residents with regard to overlooking and loss of privacy. The detached garage building has no first floor windows/rooflights that could result in overlooking or loss of privacy. With existing boundary treatments and the layout proposed the scheme will not result in harm to residential amenity and complies with Policies GP8, GP9 and GP13 in this respect.

The scheme has been designed to provide for the future occupiers of the dwelling with flexible living accommodation, off-road parking and private amenity space which will provide access for all and will enable future occupiers to remain in the property for longer.

The comments received regarding a loss of view are noted however this is not a matter that can be taken into account as part of the assessment of a planning application as there is no right to a private view.

Car parking provision and effects on surrounding highway

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively.

There is ample off-road parking and on-site turning to serve the property and therefore the aims of Policy IP7 have been satisfied in this case.

To infill an existing access to the south boundary with an earthbank to match the existing would comply with all relevant policies in the Island Development Plan and can be managed by planning condition. The main, existing access is noted on the application drawings has being as per the 2020/2070 approval with a timber 5 bar gate with timber post and rail fencing to either side. The gate would be set back from the road in order to enable a vehicle to pull clear of the highway and not obstruct the free flow of traffic in line with the aims of IP9. The proposal will also not result in an intensification of the use of the access for a single dwelling house when considering the matter of highway safety and capacity.

Although specific cycle parking is not provided the proposed garage would offer the opportunity for secure and covered cycle parking in compliance with the aims of Policy IP6.

Protected Monument/Protected Building

The proposals will not directly impact on the protected structures on the site nor result in unacceptable harm to their setting.

The comments received from the States Archaeologist in relation to the protected monument and the matter of a watching brief can be addressed through the grant of planning permission.

Waste Management Plan

The application has been accompanied by a brief Waste Management Plan which is considered to be satisfactory in this case and this matter can be managed by planning condition.

Other matters

Although private views and the effect of development on property values have been noted through the public consultation these are not matters that can be considered or influence the outcome of an application and they do not represent material planning considerations.

Reference is made in the submission and through the public consultation to other sites and planning decisions. The 2013 scheme referred relates to a different scheme which was assessed under the Rural Area Plan which has now been superseded by the Island Development Plan. There has been a material change in the policies against which an application must be assessed. Furthermore, it is difficult to safely draw conclusions that what applies in one case will apply in the same way in another. Each case must be considered on its own merits and no two situations will be precisely the same.

Conclusions

In view of the above it is recommended permission is granted for the replacement dwelling proposed subject to appropriate planning conditions including:

- Landscaping including levels
- Infilling the existing access
- ASHP noise generation
- Sustainable design measures
- External lighting that could impact on SSS
- Waste Management Plan
- CEMP

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 adverse impact on protected trees. The effect on other protected sites is assessed elsewhere in this report.

Date: 31/03/2025

