

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: Conversion of existing hotel into 15 units of residential accommodation and associated works.

LOCATION: Le Chalet Hotel, Fermain Lane, St. Martin.

APPLICANT: FV Holdings Ltd

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: 04/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell, Ozanne & Partners: U73-10567-S1-100B, 101H, 102H, 103H, 104H, 105H, 106H, 108D, 109C, 110F, 111G, 115F, 116D, 117B, 118A

Application Ref: FULL/2025/0027

Property Ref: J017760000+A410300000

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 2 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). In this instance a shorter period is necessary to expediate the redevelopment of the site.

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.Notwithstanding the Ecological Report dated March 2019 produced by Environment Guernsey LTD a revised and updated Ecological Report must be submitted to and approved in writing by the Authority, prior to any works, including site clearance being carried out on the site.

Reason - Revised information is required to ensure that the scheme has taken into account any changes within the area.

5.Any mitigation measures proposed within the report submitted as a requirement under condition 4 and as approved by the Authority in writing shall be carried out on the site and in full accordance with that report and any indicated timescales.

Reason - To ensure that development is implemented in full accordance with the Ecological Report and any recommendations.

6.No development shall begin on site until details of the

1) Doors

2) Windows

have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

7.No occupation of the dwelling shall take place until such time as the parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter these areas shall be maintained, kept free from obstruction and available for the purposes specified.

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

8.No occupation of any of the units shall take place until such time as the footpath and steps between the car parking area and the buildings as shown on the approved plan have been completed in accordance with the submitted details.

Reason - To ensure that safe pedestrian access is provided between the car parking area and the proposed residential units.

9.No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been 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 make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity, biodiversity or traffic and pedestrian safety.

10.No development, except the demolition works hereby approved shall commence on site until details of the communal waste/recycling storage area including any means of enclosure and management of this area has been submitted to and approved in writing by the Authority. These works shall then be completed in full accordance with these approved details.

Reason - To ensure that communal waste/recycling facilities have been adequately provided for on site.

11.Prior to the commencement of any work in connection therewith, including demolition and site works, a full landscaping scheme to include those details specified below, shall be submitted to and agreed in writing by the Authority by 31/12/25:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in accordance with the Strategy for Nature requirements, and in order to help

assimilate the development into its surroundings.

12.No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

13.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of conditions 11 and 12, by the end of the planting season following the grant of consent (by 31st March 2026). Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

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

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

15.No part of the development hereby permitted 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 and monitored fully in accordance with the Site Waste Management Plan approved under Condition 14 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

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

16. Prior to any demolition a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. The CEMP shall set out aims for the demolition and construction phase, detailing measures to minimise and control, as far as practicable:

- i. the impact on traffic flow, traffic and pedestrian management and safety and public parking;
- ii. negative impacts on residential and business occupiers nearby; and
- iii. waste management and disposal including demolished and/or excavated material.

The CEMP shall detail:-

- a. hours of demolition and building operations;
- b. noise and vibration control;
- c. site lighting and light pollution control;
- d. dust prevention and management;
- e. construction phasing;
- f. traffic and parking management including the movement and use of large scale plant and machinery and parking for site workers during the demolition and construction phase;
- g. pedestrian and construction access and management of access including maintaining public rights of way; and
- h. additional matters that may need to be addressed during the proposed works.
- i. Details of the installation of bat bricks and/or bat boxes into the development
- j. How the mitigation measures noted within the revised ecological report submitted in respect to condition 4 will be incorporated into the development or dealt with during the construction phase.

Reason - To co-ordinate and set out the implementation of construction activities to ensure that the best environmental practice is achieved, reduce the risk of adverse impacts of construction and minimise disturbance and nuisance in the interests of amenity.

17. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

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

Expiry Date: This permission will cease to have effect on 03/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the purposes of condition 9, any lighting scheme should include:

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

For the purposes of conditions 11, 12 and 13 the basic design constituents to be considered in any landscape scheme should include:

Landscape design strategy

- Overall design concept
- Soft landscape elements
- Area and type of hard surfaces, including access and site circulation
- Buildings and relationship to external spaces
- Use/function of different areas
- Contours and levels
- Services
- above and below ground
- Land drainage
- Boundary treatments
- Detailed planting proposals
- Relate to landscape character of locality and make use of locally distinctive species
- Provide scientific names including species and varieties, numbers, locations, form, size (height, spread, girth, pot size)
- Topsoil/planting medium (depth, finished level, etc)
- Planting specification including site preparation, irrigation and plant maintenance provisions, mulch (depth and material) and supports for trees/shrubs/climbers
- Doors, windows, overhanging eaves, fire escapes of buildings adjacent to planting areas
- Temporary/permanent protection of existing/proposed planting - Grass/seeded areas
- Remedial surgery pruning to retained trees/shrubs

Landscape structures and surfaces

- Walls, fences, gates, rails - Surfaces (soft, hard, steps, ramps, drainage falls)
- Construction details and specification, noting use of any local materials/building techniques
- Relationship to building form and materials
- Structures for building services (bin stores, etc)

Management plan

- Design concept/objectives
- Provision for long term management
- Maintenance regime (frequency and types of operation for grass, ornamental and native planting, water areas)
- Identify management agency

In reference to conditions 14 and 15 the way in which waste is dealt with on the site (reused, recycled or disposed of) should be recorded during the clearing of the site and the construction process. This information will be required in order to inform the final Site Waste Management Plan document that is required by conditions 14 and 15 to be submitted to the Authority at the end of the process. For further information on the Site Waste Management Process please refer to Advice Note for Site Waste Management Plans found under the Site Waste Management Plan link at https://gov.gg/planning_building_permissions.

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/2025/0027
Property Ref: J017760000+A410300000
Valid date: 02/01/2025
Location: Le Chalet Hotel Fermain Lane St. Martin Guernsey GY4 6SD
Proposal: Conversion of existing hotel into 15 units of residential accommodation and associated works.

Applicant: FV Holdings Ltd

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 2 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). In this instance a shorter period is necessary to expediate the redevelopment of the site.

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. Notwithstanding the Ecological Report dated March 2019 produced by Environment Guernsey LTD a revised and updated Ecological Report must be submitted to and approved in writing by the Authority, prior to any works, including site clearance being carried out on the site.

Reason - Revised information is required to ensure that the scheme has taken into account any changes within the area.

5. Any mitigation measures proposed within the report submitted as a requirement under condition 4 and as approved by the Authority in writing shall be carried out on the site and in full accordance with that report and any indicated timescales.

Reason - To ensure that development is implemented in full accordance with the Ecological Report and any recommendations.

6. No development shall begin on site until details of the

1) Doors

2) Windows

have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

7. No occupation of the dwelling shall take place until such time as the parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter these areas shall be maintained, kept free from obstruction and available for the purposes specified.

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

8. No occupation of any of the units shall take place until such time as the footpath and steps between the car parking area and the buildings as shown on the approved plan have been completed in accordance with the submitted details.

Reason - To ensure that safe pedestrian access is provided between the car parking area and the proposed residential units.

9. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been 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 make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity, biodiversity or traffic and pedestrian safety.

10. No development, except the demolition works hereby approved shall commence on site until details of the communal waste/recycling storage area including any means of enclosure and management of this area has been submitted to and approved in writing by the Authority. These works shall then be completed in full accordance with these approved details.

Reason - To ensure that communal waste/recycling facilities have been adequately provided for on site.

11. Prior to the commencement of any work in connection therewith, including demolition and site works, a full landscaping scheme to include those details specified below, shall be submitted to and agreed in writing by the Authority by 31/12/25:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in accordance with the Strategy for Nature requirements, and in order to help assimilate the development into its surroundings.

12. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

13. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of conditions 11 and 12, by the end of the planting season following the grant of consent (by 31st March 2026). Any trees or plants

removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

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

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

15. No part of the development hereby permitted 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 and monitored fully in accordance with the Site Waste Management Plan approved under Condition 14 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

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

16. Prior to any demolition a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. The CEMP shall set out aims for the demolition and construction phase, detailing measures to minimise and control, as far as practicable:

- i. the impact on traffic flow, traffic and pedestrian management and safety and public parking;
- ii. negative impacts on residential and business occupiers nearby; and
- iii. waste management and disposal including demolished and/or excavated material.

The CEMP shall detail:-

- a. hours of demolition and building operations;
- b. noise and vibration control;
- c. site lighting and light pollution control;
- d. dust prevention and management;
- e. construction phasing;
- f. traffic and parking management including the movement and use of large scale plant and machinery and parking for site workers during the demolition and construction phase;
- g. pedestrian and construction access and management of access including maintaining public rights of way; and
- h. additional matters that may need to be addressed during the proposed works.
- i. Details of the installation of bat bricks and/or bat boxes into the development
- j. How the mitigation measures noted within the revised ecological report submitted in respect to condition 4 will be incorporated into the development or dealt with during the construction phase.

- To co-ordinate and set out the implementation of construction activities to ensure that the best environmental practice is achieved, reduce the risk of adverse impacts of construction and minimise disturbance and nuisance in the interests of amenity.

17. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

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

INFORMATIVES

For the purposes of condition 9, any lighting scheme should include:

1. a statement of why the lighting is needed;
2. an indication of the proposed frequency of use of the lights and the hours of illumination;
3. two copies of an accurate plan showing the areas to be lit;
4. details of the number, location, height and colour of any lighting columns or other fixtures;
5. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;
6. a diagram showing the predicted levels of illumination at the site boundaries;
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For the purposes of conditions 11, 12 and 13 the basic design constituents to be considered in any landscape scheme should include:

Landscape design strategy

- Overall design concept
- Soft landscape elements
- Area and type of hard surfaces, including access and site circulation
- Buildings and relationship to external spaces
- Use/function of different areas
- Contours and levels
- Services
- above and below ground
- Land drainage
- Boundary treatments Detailed planting proposals
- Relate to landscape character of locality and make use of locally distinctive species
- Provide scientific names including species and varieties, numbers, locations, form, size (height, spread, girth, pot size)
- Topsoil/planting medium (depth, finished level, etc)
- Planting specification including site preparation, irrigation and plant maintenance provisions, mulch (depth and material) and supports for trees/shrubs/climbers
- Doors, windows, overhanging eaves, fire escapes of buildings adjacent to planting areas
- Temporary/permanent protection of existing/proposed planting - Grass/seeded areas
- Remedial surgery pruning to retained trees/shrubs

Landscape structures and surfaces

- Walls, fences, gates, rails - Surfaces (soft, hard, steps, ramps, drainage falls)
- Construction details and specification, noting use of any local materials/building techniques
- Relationship to building form and materials
- Structures for building services (bin stores, etc)

Management plan

- Design concept/objectives
- Provision for long term management
- Maintenance regime (frequency and types of operation for grass, ornamental and native planting, water areas)
- Identify management agency

In reference to conditions 14 and 15 the way in which waste is dealt with on the site (reused, recycled or disposed of) should be recorded during the clearing of the site and the construction process. This information will be required in order to inform the final Site Waste Management Plan document that is required by conditions 14 and 15 to be submitted to the Authority at the end of the process. For further information on the Site Waste Management Process please refer to Advice Note for Site Waste Management Plans found under the Site Waste Management Plan link at https://gov.gg/planning_building_permissions.

OFFICER'S REPORT

Site Description:

The application site is within the Fermain Valley and is accessed, along with the Fermain Valley Hotel, via a narrow, steep road served off Fort Road/ La Route De Sausmarez.

The site is occupied by a currently vacant 39 bedroomed hotel with pool area, terraced gardens and car parking. There are a number of outbuildings within the site forming staff accommodation. Car parking is sited to the north of the site lower in the valley.

The existing building is a mix of 2, 3 and 5 storeys. The main reception building has an 'alpine chalet' style appearance (facing onto the access road) with later extensive additions of modern construction often flat roof in form. The site has been vacant for some time now and appears to be in a state of disrepair and is increasingly overgrown.

The site is nestled within the valley with significant tree cover, adjacent to a Site of Special Significance (SSS) as defined within the Island Development Plan.

Relevant History:

FULL/2022/0085	Conversion of existing hotel into 15 units of residential accommodation. Approved 10 th March 2022.
FULL/2018/2814	Conversion of existing hotel into 15 units of residential accommodation. Approved 9 th September 2019
PAP/004/2017	Planning Appeal against the decision to refuse application FULL/2016/0213. The appeal was dismissed.
FULL/2016/0213	Alter and convert hotel into 17 residential units with associated car parking and landscaping and demolish staff accommodation blocks and outbuildings. Refused 14/10/2016

Application FULL/2022/2814 was approved in March 2022 with a three year expiry and so lapsed this year (2025) although this application was submitted in advance of this date. The application seeks to effectively renew the existing permission for a further 3 years, proposing the conversion of the former hotel building into 15x residential flats.

Existing Use(s):

Visitor Economy Use Class 11

Brief Description of Development:

The application seeks to effectively renew the permission as originally applied for, that being for the alteration of and conversion of the hotel into 15 residential units with associated car parking and landscaping.

The application proposes the demolition of the existing staff accommodation blocks, outbuildings and the glazed link to the rear of the main building. Landscaping works are also proposed which include the removal and setting back further north of the existing retaining wall adjacent to the north face of the hotel. The existing car parking area will be retained, resurfaced and laid out providing 28 car parking spaces. The existing steps and path between the car park and buildings will be refurbished.

The proposed residential accommodation would comprise 15 units made up of 5 x 1 beds, 9 x 2 beds, 1 x 3 beds over 5 floors. Each unit is proposed as single level except units 1 and 12 which are split over the basement and lower ground (unit 1) and 1st and 2nd floors (unit 12). The building is proposed to be both horizontally and vertically subdivided with the units served by lifts and stairs. Access to the units would be provided from individual access (units 3 – 6) or communal accesses with the majority of units having access to individual balcony or terrace areas (units 8 – 11 and 13 – 15 served by Juliet balconies) in addition to communal gardens to the south of the site.

The application has been submitted with the same information as originally submitted in 2018 and in 2022 including:

- Structural report
- Conditions survey
- Viability reports including estimation of costs survey for baseline works and to bring the hotel back into different forms of tourist accommodation – baseline costs for the refurbishment of the existing hotel; hostel accommodation; room only accommodation; self-catering/serviced apartments and residential units have been submitted. However it is concluded that residential use offers a viable alternative due to the lack of certainty within the tourism market and the lack of viability in terms of investment.
- Dilapidation report
- M&E reports which look at the estimation of costs to bring the hotel back into different forms of tourist accommodation.
- Traffic Impact Assessment
- Photographic record
- Costings for works previously granted planning permission (now lapsed)

- Marketing information including interest arising from this marketing
- Bank information focussing on financing the scheme
- Viability figures for various uses over 10 years.
- Environment Guernsey Report
- Waste Management Plan

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

OC1: Housing Outside the Centres

OC8(C): Visitor Accommodation outside the Centres – Change of Use

GP1: Landscape Character and Open Land

GP2: Sites of Special Significance

GP8: Design

GP9: Sustainable Development

GP16(A): Conversion of Redundant Buildings

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance (SPG): Visitor Accommodation (2016)

Supplementary Planning Guidance - Strategy for Nature

Representations:

One representation has been received from a local resident, this has been summarised:

- Concern regarding the number of units proposed
- Lack of passing points for vehicles and narrow lane means that all road users will suffer as a result of increased traffic.
- Impact on the character of the area- the high density, urban scale housing development is not in keeping with the verdant and peaceful character of the area.

Consultations:

The Office of Environmental Health and Pollution Regulation:

I have reviewed the proposed plans for Le Chalet Hotel which were received by email on 17th January 2025 and there is an issue of concern that I must raise. Due to the size of the project, location and amount of work that will be needed in Fermain Lane, a single road access to some services, properties and the Bay. I believe the below Construction Environmental Management Plan should be applied.

The reports and photos submitted as part of the application make reference to oil tanks and possible asbestos. As such, considering the outdated reports, some 15 years old, it is reasonable to assume that further deterioration has occurred to the Le Chalet Hotel since they were first prepared that may have caused contamination. As

such, I believe a discovery strategy should be applied to the application by the Planning Authority.

Construction Environmental Management Plan (CEMP)

Prior to any demolition a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. At a minimum the following should be included:

- I. A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)*
- II. A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site*
- III. Details of hours of construction including all associated vehicular movements*
- IV. Details of the construction compound*
- V. A plan showing construction traffic routes*

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

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.*

Agriculture, Countryside and Land Management Services (ACLMs):

We are writing in response to your letter dated 17th January 2025 regarding the application to convert an existing hotel into residential accommodation at Le Chalet, St Martin.

We note that the site is predominantly bordered by the Cliffs Site of Special Significance (SSS). We welcome the retention of the development within the existing footprint of the hotel, recognising that the footpath and car park are within the SSS itself.

In line with planning policy GP2 of the Island Development Plan, the application should ensure that there is no net loss in special interest of the SSS and mitigation should follow the sequential approach to avoid impacts in the first instance, mitigate the extent of any impacts that cannot be avoided, and offset any remaining impacts. We welcome the removal of the raised walkway from the plans and recognise that the reinstatement of the footpath connecting the accommodation and the car park

constitutes utilising an existing use. This will minimise the introduction of new impacts on areas that are otherwise undisturbed. However, it is mentioned within the Ecological Report (Environment Guernsey, 2019) that “low level directional lighting would be included to provide a safe route for users after dark.” It should be ensured that this lighting is compliant with the bat friendly light guidance, published by the Bat Conservation Trust¹, and is reactive to a sensor so that it is only turned on when required to minimise the impacts of that lighting on features of the SSS.

For the same reason, we would recommend that any external lighting to be included on the accommodation buildings is also compliant with the bat friendly lighting guidance to minimise its impacts on the characteristics of the SSS.

The Ecological Report also sets out a summary of mitigation measures which includes the need to “incorporate native tree, shrub, and hedge planting, rather than non-native stock” and to “investigate opportunities to replace non-native plants with native ones in the SSS.” We note that new Euonymus japonicus is proposed for the boundary hedge line of the car park within the Design Statement. This is a non-native species that has proven to become invasive in other areas of the island; the planting of it in this location may impact the special interest of the SSS. It should therefore be ensured that the plans for this hedge line are revised to include native species only as per the applicant’s Ecological Report. The Authority may wish to require that only native species are included within the planting scheme for this development through a suitably worded condition.

The Authority may also wish to condition the provision of a Construction Environmental Management Plan (CEMP) which outlines how the mitigation measures included within the Ecological Report, and our additional recommendations included within this letter, are to be implemented throughout the phases of development.

We wish to reiterate the need for the existing buildings to be surveyed by a suitably qualified ecologist for breeding birds and roosting bats before any construction or demolition begins, as outlined by the Ecological Report. As the building has been redundant for numerous years and is located within an area of mature trees and optimal foraging conditions, it is likely that the structure will be being used by both birds and bats. The results of the surveys should be used to inform the management measures required during the alteration of the buildings to ensure compliance with the Animal Welfare Ordinance and determine what mitigation measures should be included within the design of the accommodation to ensure that there is a net enhancement in biodiversity.

Traffic and Highways:

I refer to the application received on 17th January 2025 by FV Holdings Ltd for the above request. This application is further to a previous application by Chalet Developments in November 2018, and the THS response in December 2018.

The design and scope of the development laid out in this application is fundamentally the same as the previous application from 2018 and 2022, both from a road safety and traffic management perspective and therefore THS would refer to the previous commentary ref: FULL/2018/2814 as our response for this application. Therefore, the conclusion from THS is that there are good road safety and traffic management grounds to support the application due to the reduction in vehicle movements that would result from this application as opposed to the site's previous use as a hotel and restaurant.

2018 Response from Traffic and Highways:

I refer to your letter of 23 November 2018, regarding an application by Chalet Developments about the above works. This application is further to a previous application submitted by the Vista Hotel properties Limited in March 2016, and the THS response of May 2016.

The site adjoins a single track Neighbourhood Road which is a dead end. There are no footpaths installed and few passing points. The passing points mostly require manoeuvring onto private land.

The road is classified as a Prohibited Street which excludes circulation of motorcycles along its length and all forms of vehicle east of the hairpin bend adjacent to the site, except for access to the site's surface car park.

The junction of Fermain Lane with Fort Road is constrained and there are minimal bell mouth radii such that 2 cars are unable to pass each other. The sightline oncoming when exiting is 10m with no realistic prospect of improving it due to an approximately 2.5m high roadside wall. There is a mirror installed to assist drivers. The sightline in a southerly direction is in excess of 33m. Traffic speeds along Fort Road and Route de Sausmarez are considered to be high in Guernsey terms and therefore the significantly sub-standard sightline (oncoming) is of concern from a road safety perspective.

In light of the above, there are good road safety and traffic management grounds to support a use of the site that would lead to fewer traffic movements using the road/junction. In this regard, it is noted from the Traffic Impact Assessment dated 4th August 2014, produced by ARUP and submitted with this application, that a residential use based on 17 units (under the March 2016 application) would lead to a reduction in traffic movements in comparison to redevelopment of the hotel. As this application relates to 15 units of accommodation, THS recognises that trip generation rates would be below those stated in the TIA.

In contrast to the previous application which proposed to accommodate vehicle parking within the development itself, this application utilises the existing site car park, with a total of 28 car parking spaces set out.

The car park layout would allow all vehicles to turn within the car park and egress the car park in a forward direction. When egressing the car park, the sightline of oncoming traffic (vehicles coming up from Fermain Bay) is in excess of 30m. The sightline of vehicles coming down the hill is constrained by the available visibility splay due to the bend. The sightline of vehicles coming down the hill is 12m. It is

relevant that driver speeds would be low given the proximity of the hairpin bend and that traffic flows will be minimal due to the section of lane below the site car park being prohibited to all vehicles except permit holders.

In conclusion, there are good road safety and traffic management grounds to support the application due to the reduction in vehicle movements that would result from this application as opposed to the site's previous use as a hotel and restaurant.

Marketing and Tourism:

The Committee acknowledges that the Planning Tribunal Appeal Decision of September 2017 determined that Le Chalet Hotel can no longer be considered part of the overall visitor accommodation stock. The Committee further acknowledges that the principle of the loss of this site to tourism on the grounds of viability has also been established by the appeal.

The Chalet Hotel has, therefore, not been considered as a part of the visitor accommodation sector or held a boarding permit since 1st January 2012 when it closed definitively to visitors.

Two previous planning applications for conversion to apartments have been approved, with the latter expiring on the 9th March 2025. This application seeks to renew the permission granted in 2022.

The Committee, with the exception of Deputy Kazantseva-Miller who recused herself, are unanimous in their decision not to object to the application for a change of use of the premises to 15 residential units given that The Chalet Hotel has not held a boarding permit since 1 January 2012.

Building Control

There are no comments to be made at this stage and this development will be dealt with during the BC submission and will be subject to the Building (Guernsey) Regulations, with it being a change of use under the regulations.

It would be advisable for an BC application to be made at the earliest possible convenience to enable the proposals to be accurately assessed.

Summary of Issues:

Any material changes in circumstances since the previous approval of the proposed development.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Given that the principle of the proposed development has already been considered and the conversion of the site for 15 residential units previously agreed under the existing Island Development Plan, the main considerations of this current application focus on whether there are any subsequent significant changes in policies, their compliance or physical changes which would alter the previous decision.

In relation to the design of the scheme this remains consistent with the previously approved proposals both in relation to the works to the building and the associated development such as car parking and landscaping.

The original application was assessed and approved in 2018, falling to be considered under the policies of the Island Development Plan 2016 (IDP). The subsequent application was approved in 2022 and also assessed under the IDP. As the IDP remains the adopted plan there has been no change in Development Plan policy since the previous approval. However, notwithstanding this, further Supplementary Planning Guidance (SPG) has been adopted since the 2018 approval, in the form of the Strategy for Nature which was also a consideration in the 2022 approval.

Since the approvals in 2018 and 2022 there have been no significant changes within the site or its surroundings to alter the original decision. The building itself has visibly deteriorated further over time although no intervening use of the site has occurred and for this reason the original survey information has been accepted. Since the previous application was determined and since the pre-application meeting was held, the Development and Planning Authority have introduced the Land Amenity Improvement Notice (LAIN) which requires the owners to take steps to remedy the condition of their land where the Authority considers the condition of that land is adversely affecting the amenity of the area. As a result, it is considered reasonable to reduce the validity of the planning permission from the usual three years to requiring commencement within two years before the permission expires in order to expedite the conversion.

The landscaping plan provided shows sufficient native planting to ensure the requirements of the Strategy for Nature have been fulfilled, and a condition applied to ensure the timely submission of details regarding this and another to ensure the implementation of this by the end of the next planting season. This is due to the change of use of the land being considered to occur concurrently with the grant of permission and is now standard practice for such applications for the change of use of land to domestic garden.

Previously a condition was used to ensure a revised Ecological Report was submitted prior to the commencement of works. On this basis and coupled with the adoption of the SPG on the Strategy for Nature, it is considered that a revised report should be submitted prior to any works taking place and has been conditioned accordingly. It is not considered that a revised Ecological Report is necessary prior to the determination of the application on the basis that the original report will provide a baseline for any subsequent report and mitigation measures, that the principle,

design, scale and form of the proposed development has not changed and given that the permission was extant at the time of submission.

On the same basis as the above, it has not been considered necessary to revise the submitted financial information. The submitted forecasts and costings were previously accepted as being unviable and given the known increases in inflation, building costs, staffing costs, materials etc over the time period since the initial application was approved, there is no question that the updated costings would remain unviable.

The application site falls partly within the SSS. An EIA screening opinion was originally carried out in 2018 and concluded that the proposal overall would be unlikely to have significant impacts on the flora and fauna of the designated SSS. The 2022 application relied on this conclusion. Due to the passage of time since the original consideration, advice was taken from ACLMs as to whether the proposal would be considered EIA development. It has been concluded that the development is of a minor nature and is incapable of having a significant adverse effect on the quality of the environment, the use of natural resources or biological diversity. For this reason, no formal screening opinion is required as the development is not considered to be Schedule 1 development and therefore no EIA is required.

In relation to the representations made, the comments received relating to the increase in traffic using the narrow lane have been considered, however, Traffic and Highways have raised no objection to the conversion and in fact consider that the conversion will result in less traffic than then existing hotel use.

The number of units proposed, 15, is considered appropriate given the scale of the building, providing mainly 1 and 2 bedroom units which meets the identified housing need, ensures that minimum room standards are met, provides a good standard of amenity whilst making the most effective and efficient use of the land and the existing built form. The surrounding area contains some existing residential dwellings mainly to the north west of the site and positioned further up the valley side and a large hotel complex to the north east of the site which includes gardens running down the valley side. To the south of the building lies the densely landscaped valley leading down to Fermain Bay and the beach café. Although the proposal would see the creation of residential units in this area and some amendments to the building to facilitate this, it is not considered that the development overall would have a significantly different impact on neighbouring properties or the character of the area than the existing hotel.

Summary:

For the reasons above, there have been no significant changes either in policy or physically to alter the previous decision to grant planning permission. Providing that all previous conditions are attached to this permission along with a further condition requiring the submission of an up-to-date Ecological Report with the requirement to implement any mitigation measures proposed, the application is recommended for approval.

