

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: Alterations to vehicle access and erect gates, erect fencing to south west roadside boundary and alterations to landscaping (Revised) (Protected Building).

LOCATION: Belvedere House, Rue De Belvedere, Fort George, St. Peter Port.

APPLICANT: Tazinda Limited

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 24/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 246/G1N, L1F & L2B.
Amy Perkins Garden Design: BEL/DD/046 & BEL/DD/053.
Richard Loyd Arboricultural Impact Assessments dated 18/12/2024 & 18/06/2025.

Application Ref: FULL/2025/0111

Property Ref: A41110C000

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.Notwithstanding the details submitted, this permission is limited to the works detailed on The Drawing Room plans 246/G1N, L1F and L2B.No permission is conferred for additional works detailed on the Amy Perkins Garden Design Ltd plans including security fencing and landscaping which have been or are to be dealt with under separate applications.

Reason - To define the permission for the avoidance of any doubt.

5.The walls and fencing hereby granted shall be constructed in accordance with the details set out in the Arboricultural Impact Assessment dated 18/06/2025 section 4.1 titled Design Process.

Reason - To make sure that the works are carried out in a way which safeguards the health and amenity of existing trees.

6.No development shall begin until details of the hedge to be planted inside of the fence, including species, size, number and densities of plants at the time of planting, have been submitted to and approved in writing by the Authority.

Reason - In the interests of visual amenity and biodiversity.

7.The landscaping scheme shall be fully completed, in accordance with Amy Perkins Garden Design drawing numbers BEL/DD/046 and 053 and the details agreed under the terms of the above condition 6, in the first planting season following the completion of the development, or in accordance with a programme previously

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

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

8. Prior to the installation of the railings, gates and lamps, specifications shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

9. Prior to the construction of the driveways and parking areas, details of the materials and pattern of laying of all areas of hard-surfacing shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

Expiry Date: This permission will cease to have effect on 23/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is strongly recommended that prior to the removal of any larger mature trees that a bat roost assessment is undertaken by a competent and qualified professional.

It is advised that where new tree stock is planted of a size greater than transplant size (i.e. 40-60cm long bare root plants) that a suitable irrigation programme is implemented to ensure establishment and to avoid unnecessary costs of replacements.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

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/2025/0111
Property Ref: A41110C000
Valid date: 21/01/2025
Location: Belvedere House Rue De Belvedere Fort George Fort George
St. Peter Port Guernsey GY1 2SJ
Proposal: Alterations to vehicle access and erect gates, erect fencing to
south west roadside boundary and alterations to landscaping
(Revised) (Protected Building).
Applicant: Tazinda Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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

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

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

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

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

4. Notwithstanding the details submitted, this permission is limited to the works detailed on The Drawing Room plans 246/G1N, L1F and L2B. No permission is conferred for additional works detailed on the Amy Perkins Garden Design Ltd plans including security fencing and landscaping which have been or are to be dealt with under separate applications.

Reason - To define the permission for the avoidance of any doubt.

5. The walls and fencing hereby granted shall be constructed in accordance with the details set out in the Arboricultural Impact Assessment dated 18/06/2025 section 4.1 titled Design Process.

Reason - To make sure that the works are carried out in a way which safeguards the health and amenity of existing trees.

6. No development shall begin until details of the hedge to be planted inside of the fence, including species, size, number and densities of plants at the time of planting, have been submitted to and approved in writing by the Authority.

Reason - In the interests of visual amenity and biodiversity.

7. The landscaping scheme shall be fully completed, in accordance with Amy Perkins Garden Design drawing numbers BEL/DD/046 and 053 and the details agreed under the terms of the above condition 6, in the first planting season following the completion of the development, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

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

8. Prior to the installation of the railings, gates and lamps, specifications shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

9. Prior to the construction of the driveways and parking areas, details of the materials and pattern of laying of all areas of hard-surfacing shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

INFORMATIVES

It is strongly recommended that prior to the removal of any larger mature trees that a bat roost assessment is undertaken by a competent and qualified professional.

It is advised that where new tree stock is planted of a size greater than transplant size (i.e. 40-60cm long bare root plants) that a suitable irrigation programme is implemented to ensure establishment and to avoid unnecessary costs of replacements.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

OFFICER'S REPORT

Site Description:

The application site comprises a large, prominent, detached dwelling set in extensive grounds at the northern end of the Fort George estate. The whole of the building and various features around it are protected. The site is located within the St Peter Port Conservation Area and is adjacent to a Site of Special Significance and Area of Biodiversity Importance. The site is Outside of the Centres.

Relevant History:

FULL/2025/1252 – Application pending for alterations to landscaping, driveway areas and hardstanding.

10/07/2025 – FULL/2025/0902 – Permission granted to erect single storey outbuilding to south boundary (site of a Protected Building).

27/06/2025 – FULL/2025/0500 – Permission granted to erect fencing to north and south boundaries and to east of site (site of a Protected Building).

16/08/2024 – FULL/2024/1175 – Permission granted for variations to previously approved plans to alter ground level and erect retaining wall to create basement light well to east (rear) of property. Alterations to fenestration and internal alterations, install oil tank, erect oil tank/bin enclosure and gates (Protected

Building) - Alterations to landscaping scheme including hardstanding drive and parking area.

14/01/2021 – FULL/2020/1253 – Permission granted to alter ground levels and erect retaining wall to create basement light well to east (rear) of property, alteration to fenestration and internal alterations, install oil tank, erect oil tank/bin enclosure and gates (Protected Building).

08/07/2016 - FULL/2016/0845 – Permission granted for conversion of existing 3 apartments to 1 dwelling, demolish existing extensions and erect 1st floor extensions on south east and north west elevations, erect glazed conservatory at rear and install terraces at rear (north east) with garage below and create lightwells to front elevation (Revised scheme) (Protected Building).

Existing Use(s):

Residential

Brief Description of Development:

Planning permission was originally requested to erect a roadside boundary wall, railings and pillars, alter vehicle accesses and erect gates. The proposed boundary comprised of a 1.2m high rendered wall with 1m high iron railings above and an earth bank planted with a bay hedge to the rear (inside) of the roadside wall. The proposal also involved the removal of 14 trees.

During the course of consideration the application was deferred due to concerns about the replacement of the entire roadside boundary with a wall and railings, the removal of trees and the impact on the character and appearance of the Conservation Area.

Revised plans have subsequently been submitted which propose to retain the majority of the existing earth bank and hedging along the roadside boundary and to limit the proposed boundary walls, railings and pillars to the entrances of the site. In addition, 3 trees previously proposed to be removed are now indicated to be retained (T219, T220 and T233).

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

GP1 – Landscape Character and Open Land
GP2 – Sites of Special Significance
GP4 – Conservation Areas
GP5 – Protected Buildings
GP7 – Archaeological Remains
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development

Representations:

None

Consultations:

Agriculture, Countryside and Landscape Management Services, 18/07/2025

"The revised application for Belvedere House has been reviewed and the following comments are made:

It is noted that most of the proposed wall along the front boundary of the property has been replaced with "2.4m high security fencing". Although there will be some inevitable damage to tree roots where ground is dug for posts, within the Root Protection Area it will be significantly less compared to a strip foundation for a wall. Nevertheless care should be taken, during the installation of the fence, to minimise the extent of root damage as well as limiting compaction of the soil. The proposal includes the planting of new hedging as well as the creation of low earth banks on which it is proposed to plant bay. This will presumably involve the grubbing out of the old hedge, preparation of the area to ameliorate the soil and planting new stock. Whilst this will cause a level of disturbance to roots it is anticipated that the measures necessary to establish the new hedge will also mitigate any damage caused to the roots of retained trees i.e. mulching and irrigation.

The preliminary report, provided by ACLMS, dated 21st Feb raised a number of questions regarding the original application and which related to specific trees. The responses given by the applicant (principally through the Loyd report dated 18th June 2025) are commented on below:

Tree 219.

A naturalised Sycamore which, due to the loss of apical dominance at an early growth stage, has resulted in co-dominant form of two stems.

The tree has attained mass above the point of bifurcation which now exacerbates forces to the connection point at the stem base.

The deterioration in condition, where the equal dominant stems emit, will be subject to further pressures as the upper scaffold increases. This will most likely result in catastrophic failure at this point.

Whilst the loss of this tree will have a limited effect to the amenity value of the tree stand, the anticipated eventual loss could impact the proposed new, sustainable tree planting within the landscape proposals, and the adjoining better quality and sustainable examples.

COMMENT: A site visit was made on 18/7/2025. The sycamore most likely arose as a seedling which grew and reached maturity. In that sense it has probably arisen naturally rather than deliberately planted. It is made up of a single stem which has subdivided into three stems. The unions between the respective stems are U shaped and show no indication of included bark or decay and simply make up a tree with forks, something which is extremely common in nature. As with all trees future

growth, development and the risk of disease and decay may result in a tree becoming hazardous. However insufficient evidence has been offered to justify removal on the grounds of risk alone.

Tree 220.

Tree 220, is an Oak which has lost its apical dominance at an earlier growth stage. The multi-dominant stem formation, from approximately 2 metres high, is showing significant signs of reactive tissue application to where the tree is anticipating deterioration in structural integrity to support the scaffold structure.

To this end, my recommendations for the removal of the structurally deficient stem and the retention of the remaining scaffold structure stands.

The removal of the stem would improve the tree's life expectancy, thus upgrading the potential category under the British Standard.

Following a recent site visit, my assessment of this tree supports the original findings.

In addition to the advice given regarding the decline in the structural condition of a component part of the scaffold, the tree, following the production of leaf material for this growth season, is showing significant decline in overall vitality and the application of epicormic leaf burst (appendix 1).

Given there is evidence of stem bleeding from within the crown break, it would appear there is an active pathogen that could explain the decline in vitality and physiological condition.

COMMENT: The 18/7 site visit found the tree to have reasonable vigour and vitality. No objection is raised to the works suggested in the Loyd report if it means that the tree is retained.

Tree 231.

The comments regarding T231 from (AmC ACLMS) do not relate to the findings within the original tree assessment (TBDR BH TCS 1224).

The position of the tree corresponds with the original GPS site survey compiled by ForeSite which has been checked against the point cloud plan which confirms the accuracy of the tree's position.

Appendix 5 shows the position of T221 (furthest), T222 (middle) and T223 (closest) which also supports the accuracy of the trees' position in relation to the boundary hedge.

AmC's comments about the categorisation has been noted, on further inspection, the original categorisation of B within my report states the tree could, subject to normal climatic conditions be able to offer a continued contribution of 20 years.

The direction from BS 5837 indicates, a Category B tree is a tree of moderate quality with an estimate remaining life expectancy of at least 20 years.

As an independent arboricultural feature, this might include a tree of a higher category, but is downgraded due to unsympathetic past management which, this tree has been subject to.

I therefore stand by my original assessment within the tree condition survey from 2024.

COMMENT: No reference was made to a tree 231 in the ACLMS report so it is presumed this refers to tree 221. It is clear there was confusion with the tree numbers. The ACLMS report referred to tree 221 but this was actually tree 223 in the Loyd report. It is agreed that tree 223, as labelled in the Loyd report is category B.

Tree 233.

The advice offered for the removal of this naturalised tree was given due to the low contributing effect it can be expected to offer given the structural deficiencies.

Whilst the retention of co-dominant trees which exhibit sound inclusion of growth unions can promote the structural diversity of tree groups, trees that have defects which will limit their sustainable contribution at the expense of introducing new and sustainable genus, is a poorly considered management proposal.

COMMENT: Tree 233, a sycamore, appeared to be in good health and exhibited a forked stem, a not uncommon feature in nature as remarked on above. Although forks can be potentially hazardous the shape of the union was U shaped suggesting it is stable and shows no obvious sign of disease or decay, Insufficient evidence has been given to justify this tree's removal, on the grounds of risk.

Tree 235.

The Pine is indicating deterioration in stem condition. The early stages of bottling or stem bulging (appendix 2) caused concerns, and it would be irresponsible for me, as an arboriculturist, to not make the client aware of these indicators.

The elongated form from extensive crown-lifting operations has resulted in an unbalanced weight distribution which, I suggest, along with the historical removal of a substantial co-dominant stem now decaying within the overall stem structure, is the primary factor in the deterioration in the stem's condition.

I strongly believe that the risk of catastrophic failure in relation to this outweighs the expected contribution the tree can be expected to offer, and mitigation planting with sustainable new planting is a more appropriate management proposal..

COMMENT: This pine is considered to be of a similar age and condition to the other larger pines on site i.e. it is moving toward the end of its mature stage, before entering over-maturity a stage characterised by a gradual decline in the vigour and vitality of the tree, amongst other indicators. The Loyd report's finding that this tree is demonstrating early signs of "bottle butting" which can be an indicator of internal decay is sufficient to justify its early removal. This recommendation is given on the balance of the mitigation of, the loss of the final years of its useful life expectancy and the benefits this offers, with the opportunity to plant replacement trees for future tree cover.

Tree 244.

This tree, along with the adjoining Sweet Chestnut (T243), are most likely to be the oldest trees within the site.

At the time of the assessment T244 was exhibiting a significant decline in vitality and form through the reduction of the canopy as it has declined.

The tree now exhibits less than 30% of anticipated leaf and new twig production for this growing season, which fully supports the advice given. (appendix 3)
The predicted total physiological decline of this tree is inevitable, and its removal would allow for the earliest introduction of sustainable new tree planting as part of a landscaping plan proposed by the appointed landscape designer.

Tree 243 exhibited reasonable structural condition at the time of the assessment. It is apparent this tree has become infected with an aggressive pathogen. This is represented as over 90% failure in attaining leaf cover, and therefore is subject to ultimate, rapid decline. This should also be removed as part of a sound arboricultural management plan. (appendix 4).

COMMENT: Trees 243 is virtually dead and tree 244 is in the advanced stages of decline. Consequently no objection is raised to their removal.

GENERAL COMMENTS:

It is strongly recommended that prior to the removal of any larger mature trees that a bat roost assessment is done by a competent and qualified professional.

It is an advisory that where new tree stock is planted of a size greater than transplant size (i.e. 40-60cm long bare root plants) that a suitable irrigation programme is implemented to ensure establishment and to avoid unnecessary costs of replacements”.

Agriculture, Countryside and Landscape Management Services, 21/02/2025

“Belvedere House is a large Georgian style residence situated at the eastern extremity of Fort George. The property is set in a relatively large parcel of land comprising 0.81 hectares, comprising a mixture of planted mixed (deciduous & coniferous) woodland with amenity grassland. The grounds themselves are set within an area which is bounded to the north/north-east by semi-natural woodland (designated an Area of Biodiversity Importance), to the north-west by a Site of Special Significance (deciduous woodland), amenity grassland to the south-west – a large area of publicly accessible improved grassland (Belvedere field) and to the south-east by the Fort George estate.

The building has a dominant influence over its surroundings which is enhanced by the open grassland to the front and framed by the large mature trees either side of the main gate. As well as enhancing the look of the property the existing trees also help to reinforce the underlying rural character of the area and soften the impact of the existing development on the surrounding landscape.

The high level of public visibility & proximity to publicly accessible land heightens the importance of the trees within Belvedere House and justifies any efforts which seek to conserve and enhance the contribution they make to the general amenity of the area.

The site has been the subject of a previous pre application enquiry, (PREA/2024/1175) to remove some of the trees on the site. A planning application

(FULL/2025/0111) has been received by the planning service, to remove trees some of which were included in the pre-application enquiry.

There is a planning condition on application FULL/2013/1307 which states that no trees can be lopped or felled, without permission. There is currently some re-development taking place on the site at the time this assessment was done.

General comments on retention and conservation of treed areas

The two areas of trees either side of the main gate contain a mix of deciduous broad-leaved and coniferous species of varying ages. The trees vary in condition and quality and require a level of management to ensure their sustainable future and to minimise risks to people and property.

Any management plan should aim to conserve, where practicable, the stands of trees so that they contain a wide age profile and which also allows for re-planting. Where trees are proposed for removal there should be a clear justification given – see comments on tree survey.

Comments on planning application

Planning application FULL/2025/0111 seeks permission to build a *“one metre high boundary wall with 1m high railings atop to roadside elevation of property and erect main and secondary gates with pillars..”* and *“..fell some existing trees and replace with new...”*.

The addition of a boundary wall along the south-west boundary, facing Belvedere field, will have a material impact on the character of the area. The rendered wall plus railings, which would replace the existing earthbank (partly faced with granite), would bring a formality to the area that would amplify the urban character. This underscores the importance of retaining and protecting (from development) as many viable trees as practicable.

The foundations of the proposed wall will run through the tree protection areas of several trees and in some cases they run straight through the location of some trees located along the south-western boundary. Around 14 trees are proposed for removal, according to plan drawing 246 G1. All the trees have either been categorised “C” or “U” in the Loyd report. It is accepted that, for several trees, their removal can be justified either because they are dead or of such poor form that their removal would offer opportunities to replace with new trees with better form and which would increase diversity. However further information is required to provide a justification for the removal of a number of the following trees numbered as follows:

219 sycamore

233 sycamore

235 pine

244 sweet chestnut

220 – oak

British Standard BS5837:2012 recommends that an Arboricultural Impact Assessment (AIA)¹ be done based on the tree survey and this would go a long way to providing justifications for either removal or retention.

The quality assessment provided for tree 220 (oak) raises the need for clarification. The Loyd report gives a “U” category for the tree but suggests it could be retained by the removal of the main stem, leaving sub-dominant stems to provide a level of screening. The use of an AIA in this case would help to clarify the position regarding this tree eg the development as proposed might be assessed as having a detrimental on the tree (or not) but if it does then the options *may* be mitigation, such as the removal of the main stem as advocated in the Loyd report or its complete removal (again, with a reasonable justification).

Clarification is also required for tree 221 (pine) earmarked for retention. This appears inconsistent for two reasons: 1) the tree’s proximity to the proposed wall and foundation and 2) its condition and structure which would categorise the tree as a “C” at best. The discrepancy may be a mapping error and a site visit may prove useful to clear up any confusion.

It is recommended that a Tree protection plan is drawn up as per BS5837 which *“...should be superimposed on a layout plan, based on the topographical survey (see 4.1 and 4.2 of BS5837) and showing all hard surfacing and other existing structures within the RPA.*

The plan should clearly indicate the precise location of protective barriers to be erected to form a construction exclusion zone around the retained trees. It should also show the extent and type of ground protection, and any additional physical measures, such as tree protection boxes, that will need to be installed to safeguard vulnerable sections of trees

An Arboricultural method statement, as per BS5837, should also be drawn up, which is specific to the trees (to be retained) on site:

[BS5837 section 6.1.1 (requires that) A precautionary approach towards tree protection should be adopted and any operations, including access, proposed within the RPA (or crown spread where this is greater) should be described within an arboricultural method statement, in order to demonstrate that the operations can be undertaken with minimal risk of adverse impact on trees to be retained.

6.1.2 The arboricultural method statement should be appropriate to the proposals and might typically address some or all of the following, incorporating relevant information from other specialists as required..etc].

¹ Section 5.4 (of BS5837) Arboricultural Impact Assessment

5.4.1 *The project arboriculturist should use the information detailed in 5.2 and 5.3 to prepare an arboricultural impact assessment that evaluates the direct and indirect effects of the proposed design and where necessary recommends mitigation.*

Not related the boundary wall proposal but to the north-east of the site the application letter requests permission to fell 204, an ash tree. The removal is justified on the basis of the tree's condition and structure".

Summary of Issues:

The main issue in deciding this application is the impact on the character and appearance of the Conservation Area.

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).**

Belvedere House is a formal Georgian-style house, constructed as officer's quarters in association with the 19th century military use of Fort George. It has a symmetrical and classically proportioned façade facing on to a courtyard set within woodland and bounded to the road by low, stone-fronted banks surmounted by hedging plants. Views are obtained over a long distance down the meadow which rises to the south-west of the house. This meadow is a former parade ground associated with the military use of the area. All contribute to the setting of the protected building.

Belvedere House and the meadow to the south-west have strong military associations with one another, the former officers' quarters and the latter a former parade ground. These are now a private residence and publicly accessible meadow (currently used to grow hay) but their historic connection remains. A primary characteristic of this area is the overwhelmingly green impression provided by the meadow and woodland planting/mature landscape that encloses the perimeter of the meadow. Trees around Belvedere House and on the periphery of the meadow provide enclosure to the open, sloping meadow, views over which are panoramic but also lead notably down the hill to the house the boundaries of which are predominantly green. The existing low stone boundary wall with earthbanks and hedge above, contributes to the green enclosure of Belvedere House.

The revised proposal involving the retention of the majority of the existing roadside bank and hedging and a reduction in the number of trees to be felled along the roadside will retain the green enclosure of Belvedere House. The walls, railings and pillars at the entrances achieve a good standard of design. The proposed 2.4m high security fence would be largely screened by the existing roadside bank and hedging. In addition, the proposal indicates hedging to be planted on the inside of the fence which would further reduce its visual impact, details of which can be requested by condition. The design of the fencing achieves an acceptable standard of design.

The installation of a 2.4m high security fence inside the roadside boundary and the retention of the existing bank will have a much reduced impact on the adjacent trees than the originally proposed wall. However, there will be some inevitable damage to tree roots where ground is dug for posts within the root protection areas and care is required during the installation of the fence to minimise the extent of root damage as well as limiting compaction of the soil. A method statement for the installation of the fence has been submitted with the aim of minimising the impact on existing trees. Provided that the works are undertaken in accordance with the proposed method statement the proposed fence is unlikely to have a significant adverse effect on existing trees. The proposal includes the removal of 11 trees and planting 14 replacement trees. Although the replacement trees are situated within the site, as opposed to along the roadside boundary, the proposal would retain the woodland setting around the dwelling. As a whole, the proposal would conserve the character and appearance of the Conservation Area and would have no significant adverse effects on the setting of the protected building, in accordance with Policies GP4 and GP5.

The proposal is unlikely to have a significant negative or damaging impact on the adjacent Site of Special Significance to the north.

The submitted landscaping details include works approved under previous applications (including fencing under FULL/2025/0500) and works proposed under a currently pending application (FULL/2025/1252). Consequently, a condition is recommended limiting the works approved under this application to those detailed on The Drawing Room plans 246/G1N, L1F and L2B.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 22/09/2025

