

**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:** Variations to previously approved plans to erect 26 dwellings and alterations to public parking area - Reconfigure development to create 7 additional dwellings, extend and alter dwellings, alter landscaping, parking and associated works to north of site, erect electricity substation and alter cycle parking.

**LOCATION:** Briarwood, Car Park & Blanche Pierre Site, La Grande Rue, St. Martin.

**APPLICANT:** Infinity Group

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:** 01/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Tyrrell Dowinton Architects: 2452/03.100C, 101C, 103B, 104C, 105B, 110D, 111D, 112C, 113C, 114D, 115D, 116D, 117D, 118C, 119C, 120D, 121D, 122D, 123D, 124D, 125D, 130D & 131D  
Guernsey Gardens: 003-2025-0001

**Application Ref:** FULL/2025/0203

**Property Ref:** J000590000+J00059C000+J00059B000

**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 on or before 09/03/2026.

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 case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2605.

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

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

4.No external brick slip cladding shall be installed until such time as details of the type, texture and colour of the brick slip cladding to be used has been submitted to and agreed in writing by the Authority. The work shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

5.Prior to the first occupation of any part of the development an updated landscape scheme to replace plan number 003-2025-001, and which includes revisions to the tree planting to the rear (south) of units 12 to 23, shall be submitted to and agreed in writing by the Authority.

Reason - To help assimilate the development into its surroundings in the interests of visual amenity.

6.The landscaping scheme shall be fully completed, in accordance with Guernsey Gardens plan number 003-2025-001 and as updated by the details agreed under condition 5, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To help assimilate the development into its surroundings in the interests of visual amenity.

7.All windows and balcony screens indicated on the hereby approved plans to be obscure or opaque glazed shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents and the occupiers of the approved dwellings.

8.The first floor window in the south-west elevation of unit 11 serving an ensuite and the first floor window in the north-east elevation of unit 1 serving an ensuite shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) and the lower section of the windows shall be fixed shut and the windows shall thereafter be retained as such at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

9.The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the solar panels have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

10.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 10/03/2023, issued under planning application reference FULL/2021/2605, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

**Expiry Date: This permission will cease to have effect on 09/03/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

**Effect of planning permission:**

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

**Right of appeal against planning decisions:**

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at [www.gov.gg/planningpanel](http://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](mailto: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/2025/0203  
**Property Ref:** J000590000+J00059C000+J00059B000  
**Valid date:** 04/02/2025  
**Location:** Briarwood, Car Park & Blanche Pierre Site La Grande Rue  
St. Martin Guernsey GY4 6RX  
**Proposal:** Variations to previously approved plans to erect 26 dwellings  
and alterations to public parking area - Reconfigure  
development to create 7 additional dwellings, extend and  
alter dwellings, alter landscaping, parking and associated  
works to north of site, erect electricity substation and alter  
cycle parking.  
**Applicant:** Infinity Group

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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 on or before 09/03/2026.

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 case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2605.

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.

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Reason - To help assimilate the development into its surroundings in the interests of visual amenity.

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7. All windows and balcony screens indicated on the hereby approved plans to be obscure or opaque glazed shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents and the occupiers of the approved dwellings.

8. The first floor window in the south-west elevation of unit 11 serving an ensuite and the first floor window in the north-east elevation of unit 1 serving an ensuite shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) and the lower section of the windows shall be fixed shut and the windows shall thereafter be retained as such at all times.

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10. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 10/03/2023, issued under planning application reference FULL/2021/2605, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

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## **OFFICER'S REPORT**

### **Site Description:**

The site covers an area of approximately 1 hectare (6.1 vergées) and is currently occupied by the Office of the Children's Convenor building at Briarwood, a section of the rear garden of the dwelling known as Les Blanches Pierres, the St Martin's public car park and footpaths and an agricultural field.

The site is located in the St Martin's Local Centre. Part of the rear garden of the dwelling known as Les Blanches Pierres lies within the St Martin's Church and Sausmarez Manor Conservation Area. The remainder of the site is outside of the Conservation Area but is bounded by the Conservation Area to the north-east along La Grande Rue.

### **Relevant History:**

03/04/2025 – FULL/2025/0384 – Permission granted to install substation with enclosure.

10/03/2023 – FULL/2021/2650 – Permission granted to erect 26 dwellings with associated landscaping and parking, erect cycle storage and alterations to public parking area, vehicle access and pedestrian access link to east of site (revised).

Briarwood Development Framework approved August 2018

**Existing Use(s):**

Public car park

Residential use class 1: dwelling house

Administrative, financial and professional services use class 15

Agricultural use class 28

**Brief Description of Development:**

Planning permission is requested for variations to works previously approved to erect 26 dwellings and alterations to the public parking area (FULL/2021/2605). The variations involve reconfiguring and revising the design to create 7 additional dwellings, increasing the size of and altering the architectural design of the dwellings to the residential development to the rear of Briarwood and the north of the public car park. In total the proposal now involves the erection of 33 dwellings comprising of 23, three bedroom houses and 10, two bedroom flats. The dwellings are proposed to be finished with a mix of rendered, white/grey brick slip and Millboard smoked oak composite clad walls, anthracite grey uPVC fenestration and zinc standing seam roofs. Permission is also sought to erect an electricity substation and to alter the cycle parking to the north of the public car park.

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

Policy LC2: Housing in Local Centres

Policy GP1: Landscape Character and Open Land

Policy GP4: Conservation Areas

Policy GP7: Archaeological Remains

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP10: Comprehensive Development

Policy GP11: Affordable Housing

Policy GP18: Public Realm and Public Art

Policy IP6: Transport infrastructure and support facilities

Policy IP7: Private and Communal Car Parking

Policy IP8: Public Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

**Representations:**

Two representations were received, main points as follows:

- Concerns were raised about the impact on the neighbouring property to the north-west due to the increase in the number and height of dwellings and the resultant loss of privacy and overbearing effect.
- Concerns were raised about the potential creation of terraces at first floor level on the proposed flat roofs.

- Concerns were raised about insufficient onsite parking and that the additional units will put unnecessary pressure on the public car park.

### **Consultations:**

#### **The Office of Environmental Health and Pollution Regulation, 27/02/2025**

"I have reviewed the revised scheme in relation to the above site which was received by email on 21<sup>st</sup> February 2025. I have also reviewed the current status of the initial application FULL/2021/2605. It is noted that a phased contaminated land site investigation is being undertaken, with the desktop report (phase 1) having been agreed and an intrusive site investigation now taking place. Given that the phase 1 report has been produced and agreed in relation to the previous scheme it is now a requirement to demonstrate whether the revised proposal will have any impact on the phase 1 desktop report and phase 2 site investigation. Therefore, I would advise that there is currently insufficient information for me to be able to comment on the application.

The contaminated land investigation being undertaken in relation to condition 4 attached to FULL/2021/2605 should be revisited and a method statement produced determining whether these stages need to be revisited to take into account the revised scheme. Should it be the case that the phase 1 desktop and phase 2 site investigation need to be reconsidered it is likely that a phased contaminated land condition would be attached to this consent".

#### **The Office of Environmental Health and Pollution Regulation, 15/04/2025**

"Whilst we are content with the additional information submitted we will expect the remedial method statement to include removal of the lead contaminated soil (in the hotspot location) to be included".

Consultations were requested from Traffic and Highway Services, the Constables of St Martins, the Office of the Children's Convenor and the Committee for Education Sport and Culture. No response was received from these consultees.

### **Summary of Issues:**

The main issues in deciding this application are:

1. Whether the principle, mix and type of new housing is acceptable.
2. Design and impact of the development on the character and appearance of the area.
3. The impact of the development on the amenity of people living in the area.
4. Road safety, traffic management and parking
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

**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).**

**Whether the principle, mix and type of new housing is acceptable**

As set out in Policy LC2, the Island Development Plan is required to provide limited opportunities for housing development in Local Centres to enable community growth and to reinforce them as sustainable centres but requires that the scale of such development does not undermine the aims and objectives for the Main Centres. The site is located within the St Martin Local Centre and is not identified as Important Open Land. Policy LC2 supports proposals for housing on this site where the scale is appropriate to the centre concerned; where able to accommodate a variety of dwellings the proposal provides an appropriate mix and type of dwellings; and the proposal accords with other relevant policies of the Island Development Plan.

A Development Framework for the residential development of the site was approved in August 2018. The proposed density of 33 dwellings exceeds the anticipated density of development as set out in the Development Framework (15-22 dwellings). The increase in density from the previously approved scheme has been partially achieved by subdividing dwelling-houses into flats and by creating more and a higher proportion of 2 bedroom units.

Overall, the scale of the development remains appropriate to maintain the vitality of the St Martin Local Centre and it would not negatively affect the vitality and viability of the Main Centres or otherwise undermine the Spatial Policy.

At the time of considering the previously approved application, the evidence regarding private market housing suggested a need for homes of 1 to 3 bedrooms, with an emphasis on 2 and 3 bedrooms. The original proposal comprised of 22, three bedroom dwellings and 4, two bedroom dwellings and was heavily weighted towards 3 bedroom properties. The current revised proposal comprises of 23, three bedroom houses and 10, two bedroom flats. Whilst the proposal remains weighted towards 3 bedroom properties, the increase in the number and proportion of 2 bedroom properties is more reflective of current housing need. Considering the approved mix and type of dwellings and together with the scale and nature of neighbouring properties and the character of the surrounding area, the proposal broadly reflects current housing need and is appropriate in this instance.

Following an amendment by the States of Deliberation, no affordable housing is required under Policy GP11.

The assessment of the proposal against other relevant policies is discussed below but in principle the residential development of the site for 33 dwellings with the mix and type of dwellings proposed accords with Policy LC2.

#### Design and impact of the development on the character and appearance of the area

The revised proposal results in an increase to the scale, mass and height of the dwellings and alterations to the architectural design and external materials of the dwellings. As a whole, the general appearance and composition of the proposed buildings are acceptable, as are the materials and layout of the public realm. The proposed dwellings would incorporate multi-storey units of 2½ storeys with accommodation over 3 floors, which is encouraged by Policy GP8 and the approved Development Framework as a means of making a more efficient use of land. The dwellings would be higher than the existing Briarwood property but their height and proportions would not be unduly out of character with neighbouring development. The positioning and orientation of the dwellings remains similar to the previously approved plans and would respect the character of the location.

Revisions to the landscaping scheme are generally satisfactory although there are some concerns about the positioning and species of the trees to the rear of units 12 to 25, the impact on the usability of amenity spaces and the long term retention of the trees, and the limited screening effect of the proposed tree species. It is recommended that trees are located either within or close to the rear boundary hedge line in order to maximise the usability of amenity spaces and the long term retention of the trees and to enable trees of greater stature to be planted without unduly effecting the amenities of future occupiers. Revised planting details of the trees to the rear of units 12 to 25 can be addressed by condition.

In summary, the proposed development achieves a good standard of design and would have no significant adverse effects on the character and appearance of the area, in accordance with Policy GP8 and the approved Development Framework.

#### The impact of the development on the amenity of people living in the area

The revised proposal would result in a significant increase to the scale and mass of unit 1 which would increase the impact on the neighbouring property to the north-east. Unit 1 would be set back 3m from the rear boundary and between 13m and 16m from the rear elevation of the neighbouring property. Unit 1 would affect a proportion of the outlook along the neighbour's rear boundary and would cause some shading of the neighbouring property. However, due to the layout and orientation of the dwelling and together with the distance between unit 1 and the neighbouring property, unit 1 is unlikely to have an overbearing or a significant overshadowing effect on the neighbouring property which would result in a material adverse effect on the amenities of the neighbouring residents. A first floor window in the north-east gable of unit 1 serving an ensuite faces towards the neighbouring property but the proposed window design including the use of obscured glazing would be sufficient to prevent overlooking of the neighbouring property. In addition, it is noted that a large conifer hedge currently provides an additional level of

screening and separation for the neighbouring property although it is noted that this cannot be relied upon to be maintained at its current height in the future.

The neighbouring property to the north-west has raised objections about the loss of privacy to their property. The revised plans have relocated units 1 to 11 closer to the boundary with the neighbouring property than was approved under application FULL/2021/2605. First floor windows in units 1 to 11 vary between 7m to 11m from the neighbouring boundary (previously approved plans indicated 9m to 13m from the neighbouring boundary), with an earth bank and hedging on the neighbouring property beyond this. The dwellings closest to the neighbour's dwelling (units 1 to 3) are staggered further from the boundary (11m), with the dwellings which are approximately 7m to 8m from the boundary being sited over 20m from the rear elevation of the neighbour's dwelling. As a result, the design and siting of the dwellings has sought to reduce overlooking of the neighbouring property to some extent and whilst a degree of overlooking would occur, it is unlikely to be to such a degree as to have a material adverse effect on the amenities of the neighbouring property. No balconies are proposed to be created on the flat roof extensions to the rear of units 1 to 3 and a separate planning permission would be required to create a balcony on these extensions.

A first floor window in the south-west elevation of unit 11 serving an ensuite faces towards the school playground. To prevent potential privacy/safeguarding issues, it is recommended that the lower section of the window is fixed shut and the entire window is obscure glazed, this can be dealt with by condition.

In summary, the revised proposal will have some increased adverse effects on neighbouring properties to the north-east and north west but the degree of harm is unlikely to result in any material adverse effects on the amenities of neighbouring residents.

#### Road safety, traffic management and parking

During the consideration of the original application for 26 dwellings, Traffic and Highway Services considered that traffic movements associated with a development of that scale would not result in a noticeable change to traffic movements or traffic management in the local area given the current traffic volumes in the area. The revised proposal for 33 dwellings is unlikely to result in any significant increase to traffic in the area when compared to the previously approved scheme and consequently the previous conclusions in respect of traffic movements and traffic management remain relevant.

Concerns have been raised about the car parking provision for the dwellings and the potential increase in pressure for the use of the public car park. There are no set standards for car parking within Local Centres but the provision of two car parking spaces per 3 bedroom dwelling and 1 car parking space per 1 bedroom dwelling is reasonable. There is ample space to provide safe and secure storage for bicycles with the gardens or within the proposed sheds for each of the dwellings. There would be scope for residents or visitors of the dwellings to utilise the public car park, as

currently exists for residents and visitors of existing dwellings in the area. This is unlikely to cause any traffic management concerns for the majority of the time. During peak school drop off and collection times, the likely limited additional demand on the public car park is unlikely to raise significant traffic management concerns and would be mitigated by the significant increase in bicycle parking provision and the improvements to road and pedestrian safety such as the alterations to and additional footpaths and crossing points, the provision of a turning circle and 'drop-off' point and the improvements to the geometry and sightlines of the car park access. In addition, it is noted that the overprovision of car parking spaces within the residential developments and the encouragement of car use by residents would not reduce existing traffic congestion or road safety concerns in the wider area and would not make the most efficient use of the land.

#### Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposed dwellings all substantially exceed the Guernsey Technical Standards minimum internal space standards and they all exceed the best practice minimum internal space standards which are published on the Authority's website. All of the dwellings are dual aspect and would have adequate daylight and sunlight. Levels of privacy would be adequate. All of the units have access to private gardens or balconies although the amount and quality of useable outdoor space in some cases is limited for the type and nature of dwellings that they would serve. Overall, despite the limited provision of outdoor space, the proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

#### Other Matters

Biodiversity measures are similar to the previously scheme with the addition of bird and bat boxes to this section of the development.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, including the installation of solar panels to all dwellings, in accordance with Policy GP9.

An Environmental Impact Assessment Screening Opinion was previously undertaken by the Authority where it was concluded that the previously approved development was unlikely to have significant environmental implications and therefore the development was not an Environmental Impact Assessment development. The revised development is not substantially different to the previously approved

scheme and it remains the case that the development is not an Environmental Impact Assessment development.

Information has been submitted to address issues raised by The Office of Environmental Health and Pollution Regulation regarding the potential for contaminated land. The remediation of the land can continue to be dealt with under the conditions attached to the previous permission.

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:** 25/04/2025