

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: Change of use of agricultural land to domestic garden (1,494sqm), demolish building and erect dwelling to south of site with associated works.

LOCATION: Northbrook, Grand Douit Road, St. Sampson.

APPLICANT: Mr J Newsom

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

Date of Grant of Permission: 26/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JM Design Limited - 2413-03 PD/01, PD/02 & PD/03
Tree Dimensions Landscaping Recommendations dated 16/05/2025
Thermal Details for ground floor, external walls, pitched roof and flat roof

Application Ref: FULL/2025/0476

Property Ref: B015260000

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.(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice; and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by

the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition.

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

5.No development, including demolition and site works, shall begin until a Preliminary Roost Assessment and breeding bird survey of the outbuilding has been undertaken and details of the results and any proposed mitigation measures to be included in the design of the new building have been submitted to and approved in writing by the Authority. The approved mitigation measures shall then be completed in accordance with the approved details.

Reason - To ensure that any protected species present are not impacted by the works in the interests of biodiversity.

6.No development shall begin on site until a scheme for the treatment of the east boundary of Northbrook has been submitted to and agreed in writing by the Authority (see other remarks). No use or occupation of the dwelling hereby permitted shall begin until the agreed scheme for the east boundary treatment has been fully completed.

Reason - In the interests of visual amenity.

7.The landscaping scheme shall be fully completed, in accordance with drawing number 2413-03/PD/01 and the Tree Dimensions landscaping recommendations dated 16/05/2025, 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 make sure that a landscaping scheme for the development is implemented, in the interests of biodiversity and the visual amenity of the area.

8.Prior to the first occupation of any part of the development or completion of development whichever is the sooner, all works to the roadside boundary walls including the ends of the new and altered opening shall be finished off using stone to match as closely as possible the type, colour, texture, method of bonding and pointing

of the existing roadside wall.

Reason - In the interests of visual amenity.

9.The existing outbuilding shall be demolished and all ancillary materials removed from the site prior to the first occupation of the hereby approved dwelling or completion of the development whichever is the sooner.

Reason - To make sure the development takes the form hereby permitted.

10.The development shall not be occupied until the proposed thermal standards and electric car charging point have been installed/completed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policies GP16(B) and GP9.

Expiry Date: This permission will cease to have effect on 25/06/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With reference to condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

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.

Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation. In addition, any mobile crushing activity is required to be covered by a valid Air Pollution Licence and The Office of Environmental Health and Pollution Regulation are required to be notified prior to any crushing activity.

With regards to condition 6, it is recommended that tree planting is included inside the east boundary of Northbrook.

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/2025/0476
Property Ref: B015260000
Valid date: 31/03/2025
Location: Northbrook Grand Douit Road St. Sampson Guernsey GY2 4WG
Proposal: Change of use of agricultural land to domestic garden (1,494sqm), demolish building and erect dwelling to south of site with associated works.
Applicant: Mr J Newsom

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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

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(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition.

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

5. No development, including demolition and site works, shall begin until a Preliminary Roost Assessment and breeding bird survey of the outbuilding has been undertaken and details of the results and any proposed mitigation measures to be included in the design of the new building have been submitted to and approved in writing by the Authority. The approved mitigation measures shall then be completed in accordance with the approved details.

Reason - To ensure that any protected species present are not impacted by the works in the interests of biodiversity.

6. No development shall begin on site until a scheme for the treatment of the east boundary of Northbrook has been submitted to and agreed in writing by the Authority (see other remarks). No use or occupation of the dwelling hereby permitted shall begin until the agreed scheme for the east boundary treatment has been fully completed.

Reason - In the interests of visual amenity.

7. The landscaping scheme shall be fully completed, in accordance with drawing number 2413-03/PD/01 and the Tree Dimensions landscaping recommendations dated 16/05/2025, 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 make sure that a landscaping scheme for the development is implemented, in the interests of biodiversity and the visual amenity of the area.

8. Prior to the first occupation of any part of the development or completion of development whichever is the sooner, all works to the roadside boundary walls including the ends of the new and altered opening shall be finished off using stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing roadside wall.

Reason - In the interests of visual amenity.

9. The existing outbuilding shall be demolished and all ancillary materials removed from the site prior to the first occupation of the hereby approved dwelling or completion of the development whichever is the sooner.

Reason - To make sure the development takes the form hereby permitted.

10. The development shall not be occupied until the proposed thermal standards and electric car charging point have been installed/completed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policies GP16(B) and GP9.

INFORMATIVES

With reference to condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

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.

Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation. In addition, any mobile crushing activity is required to be covered by a valid Air Pollution Licence and The Office of Environmental Health and Pollution Regulation are required to be notified prior to any crushing activity.

With regards to condition 6, it is recommended that tree planting is included inside the east boundary of Northbrook.

OFFICER'S REPORT

Site Description:

The site comprises of a traditional detached dwelling fronting onto Grand Douit Road with a large detached outbuilding to the rear (south), a former horticultural site which has largely been cleared and is now laid to grass and which includes a tarmac track along the west boundary leading to a large storage shed. The site is located Outside of the Centres.

Relevant History:

01/05/2025 - FULL/2025/0433 – Permission granted for the change of use from storage of compost and fencing to general storage or distribution (Use Class 22), and alterations to fenestration.

26/02/2025 – FULL/2024/1989 – Permission granted for the change of use of agricultural land to domestic garden (1,494 sqm). Convert, extend and alter building/barn to dwelling (residential Use Class 1) with associated works. Alterations to 1st floor fenestration to existing dwelling (Northbrook).

17/10/2023 – FULL/2023/1449 – Permission granted for the change of use of agricultural land to domestic garden (412sqm), demolish and alter wall to widen existing vehicle access and create new access and hard standing.

16/03/2015 – FULL/2014/3112 – Permission granted for the change of use of packing shed from horticulture/agriculture to storage/distribution (Use Class 30).

04/12/1975 – Permission granted to create office/store within outbuilding.

Existing Use(s):

Residential use class 1: dwelling house
Agriculture use class 28

Brief Description of Development:

Planning permission is requested for the change of use of a parcel of agricultural land measuring 1,494sqm to domestic land to serve the existing and proposed dwelling, demolish building and erect a 3 bedroom dwelling to the south of the site with associated works including alter and widen the existing access to serve the existing dwelling and create a new access to serve an existing store and the proposed dwelling.

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

Policy OC1: Housing Outside of the Centres

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(B): Conversion of Redundant Buildings – Demolition and Redevelopment

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation, main points as follows:

- As this is a curtilage extension, the planting should provide biodiversity net gain and the species list should be of native species.

Consultations:

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

"I have reviewed the proposed plans for Northbrook which were received by email on 7th April 2025 and there are a number of issues of concern that I must raise. The site once played host to hot greenhouses, I would therefore be concerned for land contamination from hydrocarbons. I would also be concerned for contamination from the agricultural/horticultural industry itself, specifically but not limited to, pesticides and metals such as lead. Therefore, I am inclined to recommend the below full contaminated land condition be applied by the Planning Authority.

The Waste Management Plan contains reference to crushing. Although I do not wish to raise an objection about the crushing, I note the location of the site is in a residential area, therefore I would like to highlight that it is this Office's requirement that any mobile crushing activity is covered by a valid Air Pollution Licence. As part of the licence conditions, approved crushing times may be conditioned by this Office. Furthermore, considering crushing may take place in a residential area, I would be inclined to recommend the Planning Authority apply a CEMP to any permission granted, a CEMP is live document and may need to be updated if a licence issued under the Environmental Pollution (Air Pollution) Ordinance, 2019 is approved.

Potential Land Contamination:

Please note this is one condition with multiple sub-sections:

(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition”

Informatives/Advice Notes

With reference to condition X a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

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.

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".

Summary of Issues:

The main issues in deciding this application are:

1. The principle of the development.
2. The impact of the development on the character and openness of the landscape.
3. The impact on the amenities of neighbouring residents.

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).**

Planning permission was granted to convert and extend the barn to form a dwelling in February 2025 (FULL/2024/1989). As a result of this previous permission, Policy GP16(B) makes provision for the demolition and redevelopment of the previously approved dwelling to be considered.

The floor space and volume of the proposed dwelling has increased by less than 20% from the approved conversion scheme and is broadly the same for the purposes of Policy GP16(B).

The existing traditional building makes a positive contribution to the character of the area. However, its siting and proximity to the rear of existing dwelling limits its visibility from public places, particularly along Grand Douit Road, which does somewhat reduce its contribution to the character of the area. The replacement dwelling achieves a good standard of design and its relocation would improve its relationship with the existing dwelling which would enhance the amenities of the occupiers of the existing and proposed dwelling. Provided that an appropriate boundary treatment is installed along the east boundary to replace the barn, such as the retention of a section of the existing east elevation stone wall and tree planting, the proposal is likely to make an equal contribution to the character and appearance of the area. Details of the east boundary treatment can be requested by condition.

The agent advises that by implementing modern construction methods the new dwelling will have enhanced thermal performance and improved air tightness which should significantly reduce energy consumption. In this respect, proposed u-values have been submitted for the floors, walls and roofs which indicate that they would exceed current Guernsey Technical Standards. In addition it is proposed to reuse stone from the existing structure, to install an electric car charging point and permeable paving and it is noted that the repositioning of the dwelling and the pattern of fenestration to increase south facing glazing will enhance natural light levels. The application is accompanied by a Waste Management Plan. The information submitted is sufficient to demonstrate that the proposed dwelling would be constructed to significantly enhance its sustainable design.

The repositioned dwelling would encroach into an undeveloped area of the site to the south. However, the proposed domestic curtilage remains the same as the previously approved scheme. The repositioned dwelling would be partially visible from Grand Douit Road with the existing dwelling and neighbouring properties limiting views from the highways. Although the repositioned dwelling would amount to a significant incursion into the open and undeveloped land to the rear, the site is bounded to the east and south-east by residential properties, to the west by an industrial yard and to the south-west by a large storage building. As a result, and on balance, the land does not form a significant part of a wider area of open land and the repositioned dwelling is unlikely to have an unacceptable adverse impact on the landscape character or openness of the area, in accordance with Policies GP1, GP15 and GP16(A).

Repositioning the dwelling will increase the distance to neighbouring residential properties and is likely to have a reduced impact on the amenities of neighbouring residents. The proposal accords with Policy GP16(B), subject to the demolition of the existing outbuilding prior to completion or occupation of the new dwelling.

The proposed dwelling would exceed minimum internal space standards as set out under the Building Regulations and the best practice minimum internal space standards which are published on the Authority's website. The dwelling would have good daylight, privacy and outdoor space and would provide a satisfactory living environment.

Following a request for additional information, a landscaping and biodiversity gain report has been submitted. Agriculture, Countryside and Land Management Services commented on the previously approved application and advised that due to the site being overgrown by pampas grass, the land is currently of low conservation value and the measures proposed including tree and hedge planting were likely to result in a net increase in biodiversity. However, it was noted that care is required during the clearance of land so as not to disturb slow worms and small mammals or to spread pampas grass seeds and recommendations were made to improve biodiversity through revisions to species selection and the siting of the wildflower area. In addition, due to the nature and condition of the existing building and the length of time that it has been unused, it was recommended that a Preliminary Roost Assessment and breeding bird survey is undertaken to understand if and how the outbuilding is currently being used by bats and birds and to establish whether mitigation measures are required to be included in the design of the development.

The landscape scheme for this current application is similar to the previously approved scheme and it includes revisions to the species selection following the recommendations from Agriculture, Countryside and Land Management Services. Provided that surveys are undertaken to understand and if necessary mitigate the impact of the development on bats and birds (these aspects can be dealt with by condition), the development is likely to provide proportionate biodiversity enhancements, taking into account the size of the area of land involved.

To address the concerns raised by the Office of Environmental Health and Pollution Regulation regarding the potential for contaminated land, it is recommended that a condition is attached to the decision.

The Office of Environmental Health and Pollution Regulation note that reference is made to the crushing of waste. Whilst no objections are raised to the crushing, the Office of Environmental Health and Pollution Regulation recommend that a Construction Environmental Management Plan is submitted to minimise the impact on the amenities of neighbouring residents. However, considering the relatively modest scale of the development, the distance to and relationship with neighbouring properties, and the need for a valid Air Pollution Licence to undertake mobile crushing and the ability to apply conditions as part of the licence conditions, including restrictions to the timing of crushing, in this case it would be unreasonable

to require a more general Construction Environmental Management Plan which includes details of vehicle movements, the construction compound and construction traffic routes. A degree of disturbance is an inevitable but temporary consequence of most building operations and separate controls exist under Environmental Health legislation to deal with any statutory nuisance that may arise.

The alterations to the roadside wall including lowering the height of the wall and the creation of an additional access will enhance the sightlines from the access points whilst retaining sufficient enclosure along the highway and respecting the character of roadside boundaries. As a result, the proposal will enhance road safety and will have no significant adverse effects on the character and appearance of the area.

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: 24/06/2025