THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish existing dwelling, erect 6 dwellings, remove 4no protected trees from east boundary and undertake alterations to vehicle access and create pedestrian access and associated works (Revised Scheme).

LOCATION: Bru's Retraite, Rue De Friquet, Castel.

APPLICANT: Swallow Services Ltd

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

Date of Grant of Permission: 19/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2366 03.100C, 03.101D, 03.102C, 03.103C, 03.200B, 03.201C, 03.300B, 03.301C, 03.400B, 03.401B, 03.402, 03.600D - Design and Access Statement, 03.104 Method Statement - Root Protection Zones, Site Waste Management Plans, Construction Environment Management Plan. CBL Drainage Report & Surface Water Mangement Plan. Richard Loyd - Professional Tree Management & Arboricultural Planning Consultants.

Application Ref: FULL/2025/0634

Property Ref: D01705E000

Conditions and reasons:-

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

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

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

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

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

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

4. No development, including site clearance and demolition, shall take place until an updated version of the Drainage Report and Surface Water Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated document shall take into account any further site surveys as set out within the document submitted as part of the application. The development shall thereafter be carried out only in accordance with the updated Surface Water Management Plan approved.

Reason - To ensure that surface water can be managed on site and to prevent flooding within the area.

5. No development, including site clearance and demolition, shall take place until an updated version of the Construction Environmental Management Plan (CEMP) submitted as part of this application has been submitted to and approved in writing by the Authority. The development shall thereafter be carried out only in accordance with the updated Construction Environmental Management Plan approved.

Reason - To protect the amenities of the surrounding area and nearby residents.

6. No development, including site clearance and demolition, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the

agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon unless shown on the approved plans. Any works authorised within the protected areas shall be undertaken only in accordance with the details provided on Drawing Nos 2366.03.102/C and 103/C and within the supporting Arboricultural Report and Method Statement - Root Protection Zones. If any other trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

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

7. No development, including site clearance and demolition but excluding the tree protection works required under the above condition, shall take place until the works hereby approved to the site access and within the associated visibility splays (excluding any planting) have been completed in accordance with the approved plans.

Reason - In order to provide a suitable access for all forms of traffic and to ensure that access is in place during the construction phase, in the interests of highway safety.

8. No development shall begin on the construction of Unit 5 until large scale details of the window proposed to the rear (west) facing dormer have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To ensure an appropriate level of privacy and amenity to the adjoining unit.

9. Prior to installation, details of the proposed cycle storage, under cover and secure, shall be submitted to and agreed in writing by the Authority. No dwelling shall be used or occupied until the agreed storage for that dwelling has been provided in accordance with the approved details. The provision for cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

10. Prior to installation of such features, full details of the location and design of the electric vehicle charge points shall be submitted to and approved by the Authority. The approved charge points and the solar panels detailed on the approved drawings shall be installed and made operational, and all other sustainable design features set out in the Design and Access Statement shall be implemented, prior to any dwelling hereby approved being occupied.

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

11. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

12. No part of the development, hereby permitted, shall be occupied or used until the bat and bird boxes have been installed in accordance with the approved plans.

Reason - To ensure provision in accordance with the Strategy for Nature.

13. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

14. No landscaping shall be undertaken until an updated landscape scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:
i) the treatment proposed for all ground surfaces, including a specification of laying for hard areas;
ii) full details of the hedge to be planted along the south boundary and other planting in the planter to the south of the site entrance, including planting schedules, noting the species, sizes, numbers and densities of plants; and
iii) details of the fence proposed along the boundary with Sherwood, including the position and height of that fence.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, to provide biodiversity enhancements and to protect neighbour amenity.

15. The fencing between the application site and Sherwood to the south shall be installed, as agreed under the above condition, within 4 weeks of the removal of the existing boundary treatment.

Reason - To protect the amenity of the adjoining property.

16. The replacement hedging to be planting along the roadside boundary shall be planted in the first planting season following removal of the existing hedging, 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.

17. With the exception of the boundary fencing and roadside hedging, the landscaping scheme shall be fully completed, in accordance with the approved drawing no 2366.03.102/C and the details agreed under the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any new trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting or any retained trees removed, dying, being severely damaged or becoming seriously diseased within 5 years of completion of the development, 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 or as otherwise agreed by the Authority.

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

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

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

19. The dormer windows to the west elevations of Units 1 & 2 shall be glazed with obscure glass as shown on Drawing No 2366.03.201/C to a minimum level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To ensure an appropriate level of privacy and amenity to the proposed units.

Expiry Date: This permission will cease to have effect on 18/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The updated CEMP required under Condition 5 above should have regard to the matters set out within the consultation response from the Office for Environmental Health and Pollution Regulation appended to this decision.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0634
Property Ref:	D01705E000
Valid date:	02/05/2025
Location:	Bru's Retraite Rue De Friquet Castel Guernsey GY5 7SS
Proposal:	Demolish existing dwelling, erect 6 dwellings, remove 4no protected trees from east boundary and undertake alterations to vehicle access and create pedestrian access and associated works (Revised Scheme).
Applicant:	Swallow Services Ltd

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.

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4. No development, including site clearance and demolition, shall take place until an updated version of the Drainage Report and Surface Water Management Plan

submitted as part of this application has been submitted to and approved in writing by the Authority. The updated document shall take into account any further site surveys as set out within the document submitted as part of the application. The development shall thereafter be carried out only in accordance with the updated Surface Water Management Plan approved.

Reason - To ensure that surface water can be managed on site and to prevent flooding within the area.

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

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Reason - In order to provide a suitable access for all forms of traffic and to ensure that access is in place during the construction phase, in the interests of highway safety.

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Reason - To encourage the use of bicycles as an alternative to the car.

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Reason - To ensure provision in accordance with the Strategy for Nature.

13. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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iii) details of the fence proposed along the boundary with Sherwood, including the position and height of that fence.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, to provide biodiversity enhancements and to protect neighbour amenity.

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the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

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

19. The dormer windows to the west elevations of Units 1 & 2 shall be glazed with obscure glass as shown on Drawing No 2366.03.201/C to a minimum level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To ensure an appropriate level of privacy and amenity to the proposed units.

INFORMATIVES

The updated CEMP required under Condition 5 above should have regard to the matters set out within the consultation response from the Office for Environmental Health and Pollution Regulation appended to this decision.

OFFICER'S REPORT

Site Description:

The application site comprises a detached single-storey dwellinghouse located to the west of Rue du Friquet. The eastern part of the site comprises domestic curtilage, whilst the western part is classified as agricultural. The site is accessed from Rue du Friquet, with a vehicular access to the south-west end of the roadside boundary and a separate pedestrian access to the north-east of that boundary. The roadside boundary is otherwise formed by an established hedge and mature trees, the latter of which are subject to a Tree Protection Order.

The site is bounded by a residential property fronting on to Rue du Friquet to the south, behind which and extending along the south-west boundary of the site is a residential development site. Land to the north, north-west and across the road to the south-east is open and undeveloped agricultural land.

The site is located within the L'Aumone Local Centre. The site abuts an Agriculture Priority Area (APA) to the north and north-west.

Relevant History:

Application site (D01705E000)

Pre-application advice regarding residential development at the site.

FULL/2024/1231 - Demolish existing dwelling and erect 7 dwellings, remove hedge to north boundary and erect fence. Remove section of earthbank to west, create access road and landscaping. Withdrawn 30/12/2024 following advice from the Planning Service, specifically raising concerns regarding:

- Self-contained nature of the development, resulting in a piecemeal and disjointed form of development;
- The scale, bulk and massing of buildings, extent of hardsurfacing to the site frontage and landscape design;
- Provision of good quality, private external amenity space for the proposed units;
- Overlooking of adjacent residential properties;
- Road safety standards achieved by the proposed new access;
- No provision of micro-renewables or proper consideration of ground and surface water conditions;
- Inadequacies in the Construction Environmental Management Plan.

PT96 Tree Protection Order confirmed 21/05/2025 relating to 9 individual Turkey Oaks located along the roadside (south-east) boundary of Sherwood and Bru's Retraite (D01705B000 & D01705E000), 5 of which are located within or along the boundary of Bru's Retraite.

Development site to south-west (D013360000)
FULL/2023/1322 - Erect 9 dwellings with associated works, create vehicle access to east boundary. Approved 20/12/2023

FULL/2024/0964 - Variation to previously approved plans to Erect 9 dwellings with associated works, create vehicle access to east boundary - Convert Unit 5 & 6 from 2 dwellings into 4 Flats and associated works. Approved 30/07/2024

Petit Lande – Located on the other side of the property to the south of the application site (D01705A000)
FULL/2024/1370 - Erect dwelling with associated works, erect roadside wall and hedge, widen vehicle access to south-east boundary. Approved 12/02/2025

Existing Use(s):

Residential Use Class 1
Agricultural Use Class 28

Brief Description of Development:

The application proposes the demolition of the existing dwelling at the site and the construction of 6no. semi-detached dwellings. Units 1-4 would comprise 2-bed dwellings, whilst Unit 5 would comprise a 3-bed dwelling with 13m2 snug and Unit 6 would comprise a 2-bed dwelling with 11m2 study.

As proposed, the existing site access on to Rue du Friquet will be altered to form a 6.2m access (10m across the bellmouth), requiring removal of 4 of the protected trees and the hedge along the roadside boundary. Following deferral, the existing low bank would be retained and replanted with a new hedge. A 4.5m wide access drive will extend from the access point along the south-west boundary of the site, serving parking areas formed to the front and towards the rear of the site.

In support of the application the following documents have been submitted:

- Design & Access Statement;
- Construction Environmental Management Plan;
- Site Waste Management Plan;
- CBL Consulting Guernsey Drainage Report and Surface Water Management Plan;
- Richard Loyd – Arboricultural report;
- Tyrell Dowinton Method Statement – Root Protection Zones & Drawing No 2366.03.103/C Tree Root Protection Zones
- Collas Crill supporting statement.

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

LC2 Housing in Local Centres
GP1 Landscape Character and Open Land
GP7 Archaeological Remains
GP8 Design
GP9 Sustainable Development
GP10 Comprehensive Development
GP11 Affordable Housing
GP18 Public Realm and Public Art
IP6 Transport Infrastructure and Support Facilities
IP7 Private and Communal Car Parking
IP9 Highway Safety, Accessibility and Capacity

L'Aumone House Development Framework
Parking and Traffic Impact Assessment Supplementary Planning Guidance

Representations:

2 letters of representation have been received raising the following points and noting that the proposal does not comply with the approved Development Framework (DF) for the site for the following reasons (DF paragraph numbers and IDP policy references cited):

- It does not comprise comprehensive development with the remainder of the site (7.2, S3, GP10)
- It is not described as Phase 2 (7.3)

- Design & sustainability (7.4, GP1, GP8, GP9):
    - Although height and number of units has been reduced, the footprints have been increased and the overall massing remains significant, with a high density level and constitutes overdevelopment;
    - High level of hard surfacing and insufficient communal greenery;
    - The building line along Rue du Friquet is broken, the set back in itself may not be a concern, however the large extent of hardsurfacing and low level of planting impact on street scene (also 7.9);
    - The requirement of future dwelling occupiers has not been considered (also 7.11).
- Installation of EV chargers and PV solar panels should be conditioned (7.5, GP9)
- The interface between the Type 1 and 2 units is too close (7.11, GP8)
- The housing mix could easily be altered through changing the stated use of the rooms to provide larger housing not in line with current requirements (7.12, LC2)
- The density relative to the site size does not accord with DF requirements. Compliance with the overall density for the Framework area is only possible because of lower densities on the adjacent land (7.14)
- The proposed access would result in road safety concerns (7.15, GP8) including:
    - Proximity to access to adjacent development site and garden centre egress;
    - There are visibility issues with the proposed access, sightlines blocked by trees (also 7.18);
    - Increased potential for accidents along the road resulting from creation of a new access, including conflict with pedestrians and cyclists;
    - Provision for through access was a requirement for the adjacent development and use of this access would be the safest option for this development. Development on the adjacent site has commenced and will continue until completion. The through access is available for use and will be of suitable quality for commercial vehicle use, and for any further development of all phases of the Framework area.
- The storage of cargo bikes and electric bike charging does not appear to be considered (7.20)
- The landscaping scheme is not comprehensive (7.22), removes trees and lacks continuous areas for biodiversity (7.25), and the proposal removes soft landscaping from the road frontage, is of limited width at the boundaries and provides limited green space within gardens (7.24);
- The roadside trees have been protected for contribution to street scene and biodiversity corridor, removal as proposed and relocation elsewhere on site would not make the same contribution (7.24);
- A contaminated land survey has not been carried out;
- The majority of the site will be covered in buildings and hard surfacing, and there are concerns regarding how surface water will be dealt with, exacerbated by the removal of trees. The land to the north and north-west is

relatively flat with a high water table. The geology report for the adjacent development site identified the site as on an area of mineral water percolation and the same will be true at the application site. There is little capacity within the ground, or the nearby douit, for any overflow and ground water level is such that it is unlikely to be the requisite depth below a soakaway.

- The hedge proposed at the western end of the site will be within a ditch which currently forms a swale for water from the site and adjacent field.
- The States' Arboricultural Report highlights the importance of the trees to the rear of the site in terms of partially screening and softening any proposed development and the quality of the trees as assessed in that report differs from that presented by the applicant. Too many trees are proposed to be removed. Specifically concerns relating to Trees 247 & 249 on the submitted plans. If 249 is retained, the north-western dwelling would encroach significantly into the root protection zone, and this tree is actually on adjacent land and not within the ownership of the application site (see below). Tree 247 could also be damaged if the adjacent bank is to be removed.
- The north boundary shown on the submitted plan is incorrect – the boundary is correct in the centre of the site and extends in a straight line towards the road to the east, to the western end the boundary cuts across the corner of the site, as shown on CBL plans.

Consultations:

Traffic and Highway Services commented on the previous application FULL/2024/1231 (in which the access was proposed to the north of the roadside boundary) as follows:

This response is further to the previous responses submitted by THS to the Planning Service in 2022 when we were asked to comment in respect of the Development Framework for the L' Aumone House /Petit Lande/Sherwood/Bru's Retraite sites.

Further to our commentary, which I paraphrase below, the Supplementary Planning Guidance (SPG) for the combined sites was issued by the Planning Service, and subsequently planning permission was granted for the adjacent site (L' Aumone House - FULL/2023/1322 refers).

At the time of considering the THS response to the Development Framework, a number of studies were carried out in the area, to understand fully the implications of development from a traffic management and road safety perspective. On the basis of these studies, and in line with the commentary within the SPG at paragraph 2.3, THS welcomed the opportunity to consider the entirety of the sites, as opposed to the individual sites in isolation. In particular, THS considered the effect of the development as a whole, in relation to the location and nature of access arrangements that could be applied.

Of particular relevance in respect of our recommendation at that stage that the combined sites should be served by a single point of access and egress were the considerations made in relation to the implications of multiple points of access for multiple dwellings that would result if a single access model was not adopted. Key to these considerations were the proximity of the traffic signal junction, the road geometries in the area of the sites and also the traffic movements associated with the Friquet Garden Centre.

In this regard, the access location (as granted under FULL/2022/1322) in the Rue du Friquet for the L' Aumone House part of the development framework site was specifically assessed both to ensure compliance with the engineering guidelines in respect of sightline / visibility splays, etc. but particularly in relation to how traffic movements via this access would affect traffic management and road safety for other road users. Careful consideration was given to the different directions of approach and egress, and what would happen in relation to standing traffic on the signal junction in particular. Overall, the location was in the context of the road's classification as a Traffic Priority Route, the most suitable, with clear visibility from the access for a driver egressing and not in direct conflict with traffic movements from either the signal junction or the Friquet Garden Centre. Given the above, and in line with our recommendations at the time, the Development Framework adopted the approach that the combined site be served by a single access point to serve all dwellings within the DF area.

Therefore, THS has assessed this application in terms of the above, and would comment as
follows;

THS has specific concerns from a road safety perspective on the addition of a new access at the location shown on the plans supplied under this application. This is based on a number of factors, but primarily the concerns are centred around the proximity of the proposed access to the exit gate of the Friquet Garden Centre site. The Garden Centre exit gate is bellmouthed, but due to the 85th percentile speeds of oncoming vehicles and dependant on the egressing driver's position before entering the carriageway, the road geometry makes this a less than ideal exit from what is a busy retail outlet with significant vehicle movements in and out during the businesses trading hours. THS' view is that the addition of a new access in close proximity **will** add to the difficulties in egressing the site, and in doing so, introduce both a traffic management concern if vehicles are in conflict, but also increase the road safety risks associated with the use of the exit gate described.

Therefore, in summary, THS would object to the application on both road safety or traffic management grounds for the reasons stated.

Following withdrawal of that application, Traffic and Highway Services undertook further on site analysis of vehicle speeds and concluded the following (still having regard to the access point as previously proposed):

From the plans currently provided, THS still have concerns that the necessary visibility splays and sightlines from the location of the proposed access are not met, but this is in large part based on the two mature trees at either end of the roadside boundary. THS would accept that the visibility splay requirements can be met (and clearly seen to be) if the trees are removed. Aside from the sightlines, the analysis of vehicle speeds at this location, clearly indicates vehicle speeds are higher and in the order of an 85th percentile speed of circa 30mph for oncoming vehicles at the site when compared to the access 42m from the signal junction. Whilst appreciating that the speed limit is 25mph at this location due to it being within the local centre, the basis of the previous commentary and as evidenced during the two data collections are that speeds of oncoming vehicles at the access to the development site 42m from the signal junction are significantly lower than outside the property Bru's Retraite. I have discussed the speed data collected with Guernsey Police's Roads Policing Inspector. THS' view remains that the single access in place is preferable from a road safety perspective, than having multiple accesses with intensification of vehicle movements, on a traffic priority route, which in addition to having significant vehicle movements throughout peak hours, is also in close proximity to the exit of a busy garden centre business. I acknowledge that the existing property has a vehicle access, and therefore it can be argued that the intensification of use on the scale indicated by the plans and application is not as significant in terms of development as many others, but the concerns outlined are easily identifiable at this location.

In respect of the current access location, THS noted the following:

Whilst it's relatively straightforward to achieve the sightline standards by removing the trees, the preference would continue to be to reduce roadside activity to a single point of access to the entire Development Framework site as per my previous.

Guernsey Water commented in respect of the previous application FULL/2024/1231 as set out below. It is considered that the comments made remain applicable to the current submission and that Service have not therefore been re-consulted as part of the consideration of the current application.

Guernsey Water have no major concerns for the proposed development as the principles are fine. However, the foul sewer within the area is shallow and there is history of sewer surcharging during heavy rainfall events in Les Baissieres, therefore we would request that all surface water is dealt with on site and would not be accepted into the foul or surface water systems.

The surface water system to the North and West of the proposed development also has a history of flooding issues, which may need to be considered within the development plan.

We would also like to refer to our letter dated to you on 7 September 2023 in reference to L' Aumone House, Route De Cobo.

(N.B. The Guernsey Water letter dated 7 September 2023 repeated the above)

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

I have reviewed the proposed plans for the development of six dwellings at the above site. Having reviewed previous comments made I have a number of concerns that I have detailed below:

I have reviewed the CEMP provided as part of the application and have the following comments to make:

- The introduction still refers to the construction of seven dwellings. This should be updated to reflect the new proposals.
- I note that a noise limit of 85 dB(A) for no longer than 30 minutes at any one point and between 08:00 and 18:00 has been proposed, along with a vibration limit of 20 mm/s PPV. A reference or justification for these specific limits should be provided to support their suitability.
- In reference to the noise and vibration limits noted above, we also request that specific monitoring points are determined and provided as part of the CEMP.
- Please confirm what equipment will be used to monitor compliance with the noise and vibration limits.
- We would request that a map or list of properties is provided detailing the intended distribution area for the letter drop regarding noisy or high vibration work.
- Under the Highways Cleanliness section, La Grande Rue is referenced as the site access. I believe this relates to a different site.
- While the CEMP states than an environmental log will be initiated at the start of the project, we request that a log is included within the current CEMP submission.

I understand from discussions with the Planning Officer that the above amendments to the CEMP could be conditioned on the consent.

In addition, the adjacent land parcel previously housed heated glasshouses and as such there may be the potential to discover unidentified contamination. I would therefore recommend that the following discovery strategy condition is attached to the consent:

- If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Summary of Issues:

Principle of development;
Comprehensive development;
Access and traffic management;
Design and sustainability;
Residential amenity;
Amenities of neighbouring residents;
Housing density, type and numbers;
Pedestrian and cycling routes;
Parking and cycle storage;
Public realm and public art;
Landscape design and biodiversity;
Contaminated land;
Site Waste Management Plan & Construction Environmental Plan.

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).

Principle of development (LC2)

This site, together with the residential properties along Rue du Friquet to the south, and the land to the south-west, is located within the L'Aumone Local Centre and is the subject of an approved Development Framework. The adopted Development Framework comprises Supplementary Planning Guidance and forms a material consideration in the assessment of any development proposed within the Framework boundaries. The current application will therefore be assessed below against the Development Guidelines set out within the Framework, in addition to the relevant Plan policies and material considerations of the Law.

The principle of residential development at this site is supported by Policy LC2, subject to a number of criteria, and is permissible within the terms of the Framework.

Comprehensive development (GP10)

Reflecting the requirements of Policy GP10, the Framework states that proposals for development must conform to a comprehensive scheme for the whole site area, enabling development to make the most effective and efficient use of land and maximising the site potential. In this case, it is acknowledged that the proposed development is entirely self-contained with no physical connection to the wider Framework area. Given that work is underway to develop the larger part of the

Framework area, and taking into account the position and layout of the other land parcels within that area, it is however unlikely that the development as proposed could prejudice future development within the area, a fact which could not have been stated when considering the adjacent development to the south. Whilst it unfortunate therefore that the proposed development has come forward in this manner, it would not be reasonable or in the public interest to further delay development by seeking connection with the adjacent sites to the south.

The application is not described as Phase 2, as stipulated within the Framework. As noted above, whilst this application would comprise a second development at the site, it is however a self-contained design and it would not be accurate to refer to it as a phase. This is not considered a significant omission which would materially affect the outcome of the application.

Access and traffic management (IP9)

The Framework suggested a main site access point along Rue du Friquet and noted, if the existing residential properties along Rue du Friquet were not to be developed, that this should be located immediately to the south of those properties. This access point has been constructed as part of the approved development to the south of the application site, and provision has been made as part of that approval for through access to the application site. Both the access point and the associated access road have been designed to fully comply with the Building Regulations and Traffic and Highway Guidelines and to accommodate traffic from the whole of the Framework site. Whilst the Framework notes that, if, at the time of the initial application, the existing residential properties were also to be developed, it may have been beneficial to move the access further north, that related to the creation of the initial and primary access and did not envisage the creation of a second access into the site. That said, the Framework does not explicitly preclude the use of a second access.

The current application proposes to retain and enlarge the existing site access to the south of the roadside (east) site boundary, to provide all access and egress from the application site, with no interconnection to the adjacent development site to the south.

In support of the application, the Design and Access Statement raises a number of points, contending that it is not practical to require the proposed development to share access with an adjoining and unrelated development, noting that the adjoining development is near completion and requiring construction traffic to pass through that development would be likely to have adverse impacts on that development, and that there is no legal or planning mechanism requiring the adjacent development to allow access. The Statement also notes that the proximity of the approved access to the traffic light junction raises road safety concerns which would be exacerbated by the further intensification of use by requiring traffic from the proposed development to use that access.

In respect of the first point, no concerns have been raised by the developer of the adjacent site regarding potential impacts on their completed development should construction works at the application site occur at a later date. It is however acknowledged that construction traffic passing through a recently completed development is likely to have some impacts. This in itself would not however be sufficient to justify use of a separate access on a permanent basis. Conflicting reports have been presented regarding communications between the developers to allow use of the approved access for the adjoining development by that now proposed, however it is clear that the applicant considers there is no potential to achieve any linkage between the two sites. Whilst such linkage is preferred both through the Framework and THS consultation, as stated above, the use of a separate access is not precluded either through the Framework or Plan policy, and there is no requirement for the proposed development to utilise the through access designed into the adjacent approved development. Furthermore, the application site comprises the end stop to the Framework area, and an absence of connection to the site to the south would not prejudice any further development of the Framework area, in the way that an absence of provision on the site to the south could potentially have prejudiced development of the application site. The retention of the existing access to serve the development now proposed must therefore be considered on its own merits.

The design of the proposed extended access, taking into account the position relative to the road, geometry of the access and visibility splays, would meet the requirements of Part P of the Guernsey Technical Standards for the size of development proposed.

THS concerns however relate to the intensification of use of the existing access, having regard to traffic movements within the surrounding area and on the adjacent Traffic Priority Route. The proposed access would be located c130m north of the traffic light junction of Rue du Friquet/Route de Cobo/Rue des Varendes/Rue du Presbytere and c80m north of the access to the approved development to the south. The access would also be located c40m to the south-west of Le Friquet Garden Centre egress, on the opposite side of the road.

The proposed access is therefore set at a distance from both the traffic light junction and the garden centre egress, and vehicles using the access would be less likely to have to contend with any standing traffic waiting at the traffic lights than those using the access to the approved development. In respect of the garden centre egress, there would be a clear line of sight, presuming no standing traffic, at a distance of c40m which should provide adequate time and visibility for vehicles moving through either access point to accommodate vehicles moving through the other. If standing traffic is present this could obscure the sightlines, however would slow traffic movements. It is appreciated that THS observations demonstrate that vehicles approaching the proposed site entrance from the south will likely be accelerating away from the traffic light junction, and the intensification of use of the existing access point could form an impediment to traffic flow and potentially increase the potential for road safety incidents. On balance however, given that the access

design meets all relevant standards, including good sightlines in both directions, the limited size of the development and therefore relative scale of the intensification and taking into account the points raised by the agent and the economic and social benefits arising from the proposal, it is considered that road safety concerns relating to the position of the access relative to the road junction to the south and garden centre access to the north, and the intensification of use of an access along the Traffic Priority Route, would not be sufficient to warrant refusal of the application. This assessment is however only in relation to the principle of the use of the existing access to serve the proposed development and the design of that access and any associated impacts, such as the impacts on protected trees and character, are assessed separately below.

It is noted that the access as existing would not achieve the requisite sightlines and geometry in respect of any intensification of use, and it is therefore recommended that any permission issued be conditional upon the implementation of the works to the access and within the sightlines prior to any other works commencing on site, ensuring safe access and egress during the construction and completion phases.

Design and sustainability (LC2, GP1, GP8 & GP9)

Framework requirements

The application site is set away from L'Aumone House and the proposed development would not impact on the retention of that building, in accordance with paragraph 7.8 of the Framework.

The Framework identifies that the dwelling at Bru's Retraite is not of historic or architectural interest, and therefore states that redevelopment of the application site could be supported, where a high standard of design is achieved in respect of any replacement development.

The Framework states that development of the site should make a positive contribution to the character of the area, consistent with the requirements of Policy GP8, and notes that new dwellings will be expected to respect, but not necessarily copy, the form, bulk and massing of other residential buildings in the vicinity. The Framework however goes on to state that it is important for development to carefully consider the transitional position of the site, between the built environment within the Local Centre and the adjoining countryside to the north, emphasising the need for graduated building spaces and heights and a reduction in density from south to north. Whilst acknowledging that multi-storey buildings constitute a more efficient use of land, the Framework identifies, in this case, that buildings should be 1.5-2 storey unless otherwise justified.

Density

The Development Framework sets out a suggested density of 15-25 dwellings per hectare across the site, and the current proposal would achieve a higher density of

30 dwellings per hectare. The Framework however anticipated between 13-22 dwellings across the whole of the Framework area, should all sites within the boundary be developed. The approved development to the south initially included 9 dwellings, and was subsequently varied to include 7 dwellings and 4 flats. There is a further extant approval to build one additional dwelling at Petit Lande, and no proposals involving Sherwood. The provision of 6 additional dwellings as proposed would remain within the estimated range for the Framework site and would not, in itself, breach the requirements of policy or the approved Framework.

Whilst the proposal does not comprise a reduction in density relative to the existing and approved development to the south, it is acknowledged that the site is located within a Local Centre, and there is a requirement within Plan policy to ensure that a development makes an efficient and effective use of land. The Framework states that the exact number of residential units will depend on the detailed design response to the site, and there is no objection, in principle, to the proposed density, provided it can be demonstrated that the development otherwise meets the Framework, Law and Plan requirements.

Development at the front of the site and impact on roadside trees

In respect of the development at the front of the site, the proposed layout orientates the eastern dwellings to face the road, reflecting the pattern of development along the roadside. The dwellings would be set slightly further into the site, behind the building line of the existing dwelling and that of the adjacent property. The Framework sets out an expectation that any development proposals uphold the generally consistent building line that follows Rue du Friquet, however it is recognised that that building line is not uniform and, on balance, it is considered there is some scope for variation in the positioning of the buildings. This variation would however be acceptable only on the basis that the site frontage maintains a positive contribution to the character of the area.

The Framework identifies that the tree line that forms the roadside border along Rue du Friquet, extending along the boundary of Sherwood to the south, the application site and the agricultural land to the north, and mirrored on the opposite side of the road, makes an important contribution to the character of Rue du Friquet and would be expected to be retained, and also notes that the frontage on to Rue du Friquet should respect the contribution that front gardens make to the character of the area through their mature landscaping. As noted above, in recognition of the contribution the roadside trees make to the character of the area and public amenity, subsequent to publication of the Framework, the trees along the roadside boundary of the application site, together with the trees to the front of Sherwood to the south, have been protected and regard must be had to Section 44 of the Law in considering this application.

Under the current application, to facilitate the creation of an appropriate access point and to achieve adequate sightlines from that access, it is proposed to remove four of the protected trees along the roadside boundary of the application site

(described as T231-234 on the submitted Landscape Plan), retaining only the northernmost of those trees (described as T230 on the same plan). In accordance with the requirements of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007, due to these works to the protected trees, the development has been assessed against the matters set out in Schedule 4 of that Ordinance and it has been concluded that in this case the impacts on the protected trees can be appropriately assessed and, where necessary, mitigated through the planning application process and a full Environmental Impact Assessment is not warranted.

In making the TPO, the supporting report noted that "*it is likely that some of the trees along Rue Du Friquet will need to be removed if no alternative vehicle access (e.g. from L'Aumone House site) can be realistically found* [to serve the proposed development at Bru's Retraite]. *Protecting the trees will provide the Authority with control over the trees to ensure they are not removed without fully exploring alternative vehicle access points and/or, if they must be removed, a landscape scheme to mitigate for the loss of public amenity".* It has been accepted above that the retention and enhancement of the existing access is necessary to facilitate the development of the site, and removal of the trees is required to allow for the creation of an appropriate access.

A Tree Report has been provided in support of the application, which identifies three of the trees to be removed as of low quality and limited life expectancy and one as of high quality with a reasonable life expectancy. The tree assessment undertaken by the States' Arboriculturalist generally aligns with this assessment, as set out in the table below.

Tree No	**Applicant Consultant Report**		**States Arboriculturalist Report**	
	Category	**Lifespan/yrs**	**Condition**	**Lifespan/yrs**
230	A	At least 40	Good	10-20
231	A	At least 40	Good	20-40
232	C	At least 10	Good	20-40
233	C	At least 10	Fair	10-20
234	C	At least 10	Fair	10-20

In making the assessment for the TPO, it was also noted that, whilst the trees make a group contribution to visual amenity, they are not of unique or valuable species in themselves, but are non-native species which are growing within a relatively sterile landscape and do not form part of a cohesive continuous habitat. The scale of impact resulting from removal of the trees in terms of biodiversity and ecology is not therefore significant and could be mitigated through replacement with appropriate species.

In terms of visual amenity, the impact of the loss of the trees would be significant, but limited, restricted to a short section of the adjacent road and negated to an extent by the presence of other mature trees along both sides of the road. On

balance therefore, taking into account all of the above, it is considered that the removal of the protected trees would facilitate development which is otherwise supported by Plan policy, and any impacts would not be of such scale that would warrant refusal of the application, subject to provision of appropriate replacement planting.

As initially submitted, the application proposed removal of the low roadside bank and griselinia hedging and replacement with a low wall, extensive hard surfacing over the site frontage, two limited planters of low-level ornamental shrubs adjacent to the roadside boundary and was unclear regarding the eastern end of the north boundary. Following deferral, the plans have been amended. Whilst the plans retain a large area of hardsurfacing on the site frontage, this is now softened through retention of the existing roadside bank, planted with Wild Privet hedging and reinforced with an extended planter with a mix of more appropriate, if not entirely native, species. Additionally, two English Oak trees are proposed either side of the site entrance, outside of the visibility splays, and hedging is proposed along the north and south boundaries of the frontage (although, as above, that to the south is not clearly shown on the submitted plans this can be managed by condition). Whilst the Framework refers to mature gardens forward of dwellings being characteristic of the area, review as part of the assessment of this application shows that whilst mature landscaping, both tree and hedging, along the roadside boundaries makes a strong contribution to the character of the area, residential properties are generally typified by hardsurfacing and parking areas behind those boundaries. On balance therefore, as the amended scheme reinforces the soft landscaping generally found along the roadside in this area, and includes planting of appropriate trees which would provide some mitigation for the loss of the existing trees, it is considered that the site frontage and proposed planting would respect the character of the area.

Having accepted the loss of the four trees as proposed, the value of the remaining tree and its contribution to the amenity of the area however becomes even more significant. That tree is located immediately on the boundary edge with the pavement, with evidence of root protrusion on the pavement surface, with further surfacing located adjacent to the tree within the site area. The consultant's report provided by the applicant notes that this surfacing is likely to have affected the distribution of the root projection, and therefore the shape and extent of the root protection zone. This is not reflected on the accompanying Tree Root Protection Zones plan, however is likely to have affected the extent to which the roots project into the site. Following deferral, the existing roadside bank is to be retained, the extent of surfacing within the indicated Root Protection Zone has been reduced and the method of laying of that surfacing is designed to minimise impacts on roots. Overall this revised approach is likely to limit damage to the retained tree, and can be controlled by condition.

Overall development design and impacts on the character of the area

Whilst the density and scale of the proposed development is greater than might be expected in more rural locations, the proposal does a strike a balance between the

transitional location of the site on the edge of a Local Centre and providing an efficient and effective use of land. The proposed dwellings are designed to read as 1.5 storey, although the eaves height of the buildings increases towards the rear of the site. The dwellings at the front of the site would be of greater height than the existing dwelling at the site and that at Sherwood to the south, however would be comparable to the height of the new dwelling being constructed to the rear of Sherwood and overall the development would comprise a slight reduction in overall height compared with the adjacent dwellings on the development site to the south. The form, design and materials proposed have similarities to those of the adjacent development, and would therefore be consistent with surrounding built form.

On balance, the proposal is considered to respect the character of the surrounding built environment and adjacent open landscape and is considered to accord with Policy GP8 and the approved Framework.

Sustainable development

The information submitted in support of the application notes the following sustainable approaches:

- The orientation of the buildings considers the sun path, general daylight and prevailing winds, including large openings to the ground floor to enhance the living environment;
- Construction will be in cavity blockwork, manufactured locally and incorporating high levels of high-performance insulation;
- High levels of air tightness will be achieved;
- Materials selected to be recyclable wherever possible;
- EV charging points will be provided to each unit, subject to Guernsey Electricity capacity;
- Photovoltaic solar panels are proposed;
- Roadways will be finished with a Sustainable Urban Drainage system, including permeable paving and a soakaway.

The above satisfactorily demonstrates that the layout and construction of the buildings has taken into account sustainable design approaches, including the provision of micro-renewables, and implementation can be secured through condition.

Concerns have been raised through the letters of representation regarding surface water run off, and associated implications in terms of flood risk on adjacent land, reflecting points made with the Framework. A Drainage Report and Surface Water Management Plan prepared by CBL Consulting has been provided in support of the application, to demonstrate that water run off can be managed on site through the measures outlined above. This matter is addressed further below.

Residential amenity

The accommodation proposed within each dwelling would be generous, exceeding the Nationally Described Space Standards, and would generally benefit from good standards of daylight and sunlight.

The amenity spaces associated with each unit would be adequate in size and either to the west or east of the associated dwelling and set away from the development to the south, preventing any significant overshadowing.

The amenity spaces associated with Units 5 & 6 would be generally private, with only some obscure overlooking from the rear facing windows of the adjoining dwelling. It is noted that there is a large first floor window located in the rear (west) elevation of Unit 5, positioned close to the intervening boundary. At the scale submitted, the details of this window are not clear however the agent has confirmed no Juliet balcony is proposed and only limited parts of the window are openable. In this case the window would not give rise to significant overlooking and large-scale details can be secured by condition.

The separation distance between Units 1 & 2 and 3 & 4 would be sufficient to prevent significant interface between the buildings (c17m at first floor, c12m at ground floor), and there would be c10m between the first-floor fenestration of Units 3 & 4 and the intervening boundary, generally accepted as appropriate to prevent undue overlooking of the adjacent amenity space. There is however only 6m between the first-floor fenestration to the rear (west) elevation of Units 1 & 2 and the intervening boundary. Whilst the proposed rooflights would be high level, the dormer windows are large and would overlook the amenity spaces associated with Units 3 & 4. Following deferral, it is proposed to glaze the majority of the windows within the west facing dormers of Units 1 & 2 and the east facing dormers of Units 3 & 4 with obscure glass. On balance, this would reduce the extent of overlooking without unacceptably compromising the amenity of the associated bedrooms. It is recommended that a condition be applied ensuring the implementation and retention of the obscure glazing to Units 1 & 2. Whilst no objection is raised to the proposed obscure glazing to Units 3 & 4, it is not considered necessary to require implementation by condition, given the greater distance to the intervening boundary.

Subject to the conditions recommended above, the development adequately considers the health and well-being of the occupiers of the development and would accord with Policy GP8d) and the Framework.

Amenities of neighbouring residents

Neighbouring properties include Sherwood and the residential development along the south boundary of the site. Maison L'Aumone, Maison de Quetteville and Petit Lande are set at a distance from the application site, divided from the site either by

the approved development or by Sherwood, and the proposals would not impact on those premises.

The boundary between the application site and Sherwood is currently formed by dilapidated fencing forward of the building line, the side wall of the dwelling at Bru's Retraite, and a rendered wall to the rear. Following deferral, the Landscape Plan has been annotated to note that from the building line of Sherwood to the rear boundary of that property timber fencing is proposed, although the height is not specified and the location of the fencing is not clearly shown on the plan. Forward of the building line it is noted that the boundary will be formed by hedging, however the type and position of the hedging is not shown on the plan. Whilst the proposed forms of boundary treatment are likely to be acceptable, clarification of the precise locations, height and species should be required by condition. Subject to clarification in respect of the boundary treatment, the layout of the proposed development and positioning and orientation of the proposed dwellings relative to Sherwood would prevent any significant impacts on the amenity of that property.

As part of the approved scheme for development on the adjacent site, 2m hedging was to be planted along the boundary between the application site and that development. This has been carried out. The Landscape Plan indicates that this planting will be supplemented on the application site by small to medium shrubs and ornamental planting from the rear of Sherwood to the front of Unit 6 on the application site.

As above, the orientation of the proposed development relative to the approved would prevent any impacts in terms of overshadowing and the positioning of the buildings and offset from the boundary would prevent any overbearing of the approved development. No first-floor fenestration is proposed to the south elevations of the dwellings, facing towards the adjacent development site.

The proposed development would not therefore have any significant impact on the amenities of neighbouring properties, in accordance with Policy GP8d), GP9b) and the requirements of the Framework.

External lighting of the development would be required to meet the requirements of the Building Regulations and the submitted information states that such lighting will be attached to the gables and front doors of the dwellings and controlled by motion sensors. To ensure any proposed lighting is appropriately designed and does not impact adversely on the amenity of adjoining residents, full details of the proposed lighting scheme can be required by condition.

Accessibility and flexibility of the development

A statement has been provided as part of the application identifying that the proposed development will include level access and level thresholds to each unit, and appropriate door widths, hallway widths, staircases, etc. to be compliant with Part M of the Guernsey Technical Standards (Access to and use of buildings). The

submitted plans therefore demonstrate accessibility to and within a building for people of all ages and abilities, and the proposed layouts and rooms sizes could allow for the building to be adapted over time to address changing needs.

Housing density, type and numbers (LC2)

The density of the development has been addressed above.

Notwithstanding the potential for future adaptation, the proposal as submitted is for 5no 2 bed and 1no 3 bed dwellings. This mix reflects current housing requirements as set out within the States' Strategic Housing Indicator 2024.

Subsequent to adoption of the Framework, Policy GP11 (Affordable Housing) has been zero rated by States Resolution until 2029, and there is no policy mechanism to require affordable housing, irrespective of the number of units proposed.

Pedestrian and cycling routes (IP9)

The Framework states that development should ensure that good connectivity and permeability is provided for pedestrians and cycles, fostering a safe and attractive environment for all users. In particular, it is advised that consideration should be given to appropriate separation between vehicles and pedestrians, particularly at the site entrance.

There is no connectivity between the application site and the remainder of the Framework area. Given the relative positions of the approved and proposed accesses, it is however acknowledged that, if separate vehicular access to the application site is accepted, there would be limited benefit to any such connectivity for either site.

A separate pedestrian walkway is shown to the front of the site, from the public pavement back to the front of the units within the development. This walkway is marked by different forms of surfacing and would provide good pedestrian access to the site for those travelling from the north. Initially there were concerns regarding access for those approaching the site from the Local Centre to the south. Whilst such pedestrians would still have to cross the access point to attain the walkway, following deferral, the position of the walkway has been amended to improve accessibility.

Parking and cycling storage (IP6, IP7)

Two parking spaces are proposed to serve each proposed dwelling, appropriate to the size of units proposed. Parking spaces are noted to be of sufficient width to be accessible and, as noted above, electric vehicle points would be provided to each unit, subject to Guernsey Electricity capacity.

Individual sheds are located within the amenity space of each dwelling, which can be used to provide cycle storage; details and implementation can be controlled by condition. Provision was initially made for visitor cycles within a structure at the front of the site. This structure was however to be located within the Root Protection Zone of the retained protected tree, and necessitated the provision of additional hardsurfacing. In the context of this development, it is considered unlikely that there would be a requirement for such a cycle store, with visitors likely to park their cycles within the garden area of the visited dwelling. This storage was therefore omitted following deferral, in preference of reduced development within the RPZ.

Public realm and public art (GP18)

In respect of the adjoining approved development, the planning application report noted the following: "*The supporting statement notes that accessibility has been considered in respect of the public realm and considers that, given the limited visibility of the site, that public art would not be appropriate for this phase of development. Whilst the public realm and public art can contribute to a sense of place for a development, it is acknowledged that, taking into account the scale, location and layout of the development in this case, that the proposal as submitted would be sufficient to address the requirements of Policy GP18, and there would be limited benefits to any requirement for public art".*

The submitted Statement makes a similar argument in respect of the current application and it would be reasonable to come to the same conclusion, provided the public realm is appropriately addressed. As noted above, following deferral, the layout and arrangement of the shared space to the front of the site has been amended and is now considered sufficient to meet this requirement.

Landscape design and biodiversity (GP8, GP9, Strategy for Nature)

Landscape design and biodiversity

As identified above, the front section of the site comprises domestic curtilage, whilst the rear is classed as agricultural land. The 2018 Habitat Survey identifies the majority of the land to the rear of the existing dwelling as Amenity Grassland, within and outside of curtilage, with the boundaries of that land noted as semi-natural broadleaved woodland. Amenity Grassland is generally regarded as having low biodiversity value, however the woodland has a higher level.

As discussed above, the five trees along the roadside boundary have been made the subject of a Tree Protection Order (TPO), and four of those trees are to be removed as part of this application, together with the roadside hedge. The impact and potential offsetting of this removal has been previously addressed.

According to the submitted Tree Survey, there are also 19no trees to the rear of the site, of varying size and condition (A-C), and these are predominantly grouped to the west of the site but also positioned along the north and south boundaries and

encroaching into the south-west corner. These trees were also considered as part of the assessment of the site for the TPO. Whilst concluding that it was not expedient to protect any of these trees as part of the TPO, it was noted that the group value of the trees should be taken into account as part of the assessment of any planning application for development on the basis that, whilst individual value varied, the trees, particularly along the north and west site boundaries, do contribute to public amenity, providing a natural screen to the development to the south when viewed across the fields from the north-east. The trees to the south and within the site boundaries, whilst providing a level of visual amenity, were not however considered to form a cohesive part of the treescape.

According to the submitted plans, the current application proposes to retain the trees along the west boundary of the site (6no), and to retain 1no tree along the south boundary, removing all other trees along and within that boundary (5no). As initially proposed works were indicated within the Root Protection Zones of the trees to the west, which could have jeopardised the retention of those trees however, following deferral, no ground breaking works are proposed in that area. A large extent of surfacing remains proposed within the RPZ of the retained tree to the south boundary. Whilst this is noted to be installed by hand digging only, this still represents disturbance/potential damage to the roots and, combined with the development already undertaken on the development to the south of the site, is likely to impact on the longevity of the tree. Given the lesser value of this tree, and the adjacent trees to be removed, in respect of public amenity, it is however considered sufficient to require replacement should the tree not survive post-completion of the development and to support removal of the remainder of the trees, provided a suitable landscape plan is submitted.

Along the north boundary, it is proposed to retain 2no trees, removing 5no trees. All of these trees are identified as Category C in the submitted Tree Report, however the assessment undertaken as part of the TPO placed a slightly greater life expectancy on some of these trees. Whilst loss of these trees is unfortunate, it is noted they were not considered to be of sufficient value for protection and the proposed landscape scheme includes planting of 7 replacement trees along the north boundary, which would provide long term mitigation to the development. In respect of the two retained trees, as with that to the south, it is noted that a large extent of hardsurfacing is proposed within the Root Protection Zone. In this instance it is however noted that the RPZ could extend into the undeveloped land to the north and any impacts are unlikely to be as significant as to the tree to the south.

The proposal includes planting of 7no trees along the north boundary, comprising a mix of appropriate species, and supplementing with a mixed hedge of native species. A further two trees are to be planted along the south boundary, two at the site entrance, also supplemented by hedging and a mixed planter, and three within the site area. Ornamental planting is also proposed within the site. Bird and bat boxes are also to be installed to the gables of the dwellings. This matter can be controlled by condition.

On balance, taking into account the relatively low biodiversity value of the centre of the site, and the plans to enhance the higher value tree planting around the perimeter, the soft landscaping provision proposed following deferral is better designed to reflect and reinforce the local character and to mitigate the impacts of development and would therefore comply with the requirements of Policy GP8e) and the approved Framework.

To ensure the ongoing retention of the trees to be kept, it is recommended that tree protection measures are required prior to the commencement of development and that any works within the Root Protection Zones of retained trees are undertaken in accordance with the annotations on Drawing Nos 2366.03.102/C and 103/C, and the recommendations set out in the submitted Arboricultural Report and Method Statement – Root Protection Zones, including the use of tree root protection grids. To ensure all landscape proposals are implemented in a timely manner, a condition should also be attached to the decision controlling the implementation of the approved landscape plan.

Surface water management

The Development Framework states that a Surface Water Management Plan will be required as part of any application, demonstrating an understanding of ground water conditions in the area. It is understood that the water table is frequently near to the surface, and the effect of development on ground and surface water conditions and, in turn, on neighbouring properties, must be considered. As part of the application a Drainage Report and Surface Water Management Plan has been provided by CBL Consulting, together with soakaway designs for the development, which concludes that surface water can be dealt with on site. That report notes the findings are preliminary and acknowledges that assumptions have been made in respect of the permeability of the underlying ground, however accounts for this through the application of conservative permeability values, allowing for very poor permeability. It also notes the variable, and often high, water table in the area and the intention to undertake on site percolation tests to further inform and update the proposed solutions. As initially submitted the soakaway design located the soakaways within the Root Protection Zones of the retained trees however, following deferral, the positioning of the soakaways has been amended to ensure no interference with the RPZs. On the basis of the submitted report and amended drawing, it is considered that the application has adequately demonstrated that surface water could be managed on site, however it is recommended that the decision be conditioned to require an updated report and surface water management plan, based on a detailed site investigation, prior to commencement of works on site.

<u>Infrastructure</u>

It is confirmed in the Design and Access Statement that the relevant infrastructure providers have been contacted and can support the proposed development.

Archaeology (GP7)

There is no known archaeology at the site, nor is it located with an identified area of archaeological interest.

Contaminated land

Historically, heated glasshouses were present on the adjacent land parcel to the south and there may therefore be potential to discover unidentified contamination at the application site, although the risk is lower than if the site itself had been under glass. The Office for Environmental Health and Pollution Regulation therefore recommend that a discovery strategy condition is applied in respect of this site.

Site Waste Management Plan & Construction Environmental Management Plan (LC2, GP9)

A Site Waste Management Plan has been provided in support of the application, in accordance with Policies LC2 and GP9, and the requirements of the Framework and update and verification of this Plan can be required by condition. The SWMP explicitly states that no crushing will take place on site. If any such crushing were proposed it would however require a licence from the Office for Environmental Health and Pollution Regulation to ensure no disturbance to adjoining property.

A Construction Environmental Management Plan has been submitted as part of the application, in accordance with the requirements of the Framework. The Office for Environmental Health and Pollution Regulation identify a number of areas in which the document needs updating before it could be accepted, set out in detail under Consultations above. These matters are not however critical to the acceptability of the application, and relate to details regarding the management of the construction phase. These matters can therefore be addressed by planning condition requiring submission of an updated CEMP prior to the commencement of any works at the site.

Other matters

The Open Market Housing Register Law is separate to the Land Planning and Development (Guernsey) Law and management of the Open Market Housing Register cannot be undertaken through a planning application.

The accuracy of the western end of the north site boundary has been queried in the representation. This has been raised with the agent/applicant, who confirm that the position of the boundary has been carefully considered having regard to the property deeds and legal advice, and these indicate the boundary shown on the submitted plans is accurate. The agent however notes a willingness to liaise with the neighbouring landowner and, if this is demonstrated not to be the case, to revise the plans. It is however noted that the land adjacent to the boundary comprises garden area and if a realignment of the boundary is found to be necessary this would not

prejudice the development. Furthermore, the grant of planning permission cannot alter legal boundaries or third party rights. It is not therefore considered necessary or reasonable to withhold a decision on the application on the basis of this matter.

Conclusion

The principle of residential development at the site is supported by Policy LC2 (Housing in Local Centres) and is permissible within the terms of the approved Development Framework for the site. For the reasons set out above, and subject to the recommended conditions, the retention and enhancement of the existing access, removal of protected trees and density, layout and scale of development as proposed under this application is considered to meet the statutory duties of the Land Planning and Development (Guernsey) Law, 2005, to take into account the material considerations of that Law and to comply with the relevant policies of the Island Development Plan and the approved Development Framework for the site. Consequently it is recommended that the application be approved.

Date: 15/09/2025