

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 dwelling. Erect replacement dwelling, erect single storey outbuilding, infill existing vehicle access, create relocated gated vehicle access and associated works. Change of use of agricultural land to domestic garden (1,188sqm)

LOCATION: La Jaoniere, Val Au Bourg, St. Martin.

APPLICANT: Lee Barton 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: 23/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2481 03.01C, 03.02C, 03.03C, 03.04D, 03.05C, 03.06D, 03.08D

Application Ref: FULL/2025/0990

Property Ref: J013140000+J011410000

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. The landscaping scheme shall be fully completed, in accordance with the details submitted within Plan 03.08D - Site Landscaping Plan as Proposed, by the end of the planting season following first occupation or completion of the dwelling, whichever is soonest, or as previously agreed in writing by the Planning 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 ensure a satisfactory external appearance in the interests of visual amenity and to secure biodiversity enhancements.

5. 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.

6. Within four weeks of the new access being completed and brought into use, the existing northern opening shall be closed using materials and a method of

construction which matches the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

7. Prior to any demolition a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Development & Planning 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 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. A Noise and Vibration Management Plan (with reference to BS 5228)
- IV. Details of hours of construction including all associated vehicular movements
- V. Details of the construction compounds and their location
- VI. A plan showing construction traffic routes
- VII. No material such as subsoil, rubble etc may be imported into the site unless it can be scientifically proven to be uncontaminated and only inert material may be stockpiled on the site.
- VIII. Details of the protection of the SSS and existing boundary vegetation during construction to ensure it is not disturbed and no materials, including vegetation, are allowed to enter the SSS.
- IX. An Invasive Non-Native Species Management Plan to ensure that any INNS identified during the course of the construction phase are controlled and disposed of appropriately to prevent spread (either on site or to other sites)

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

Reason - To manage potential disturbance during the demolition and construction phases of the development on the surrounding area and roads and to protect the ecological value of the area.

Expiry Date: This permission will cease to have effect on 22/03/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of

the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Societe Guerneslaise for advice or to arrange a site visit. La Societe can be contacted by emailing info@societe.org.gg.

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing landscape is not currently subject to extensive artificial lighting, and it is therefore requested that external lighting be avoided or kept to a minimum.

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/2025/0990
Property Ref: J013140000+J011410000
Valid date: 10/07/2025
Location: La Jaoniere Val Au Bourg St. Martin Guernsey GY4 6EP
Proposal: Demolish dwelling. Erect replacement dwelling, erect single storey outbuilding, infill existing vehicle access, create relocated gated vehicle access and associated works. Change of use of agricultural land to domestic garden (1,188sqm)
Applicant: Lee Barton Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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

2. The development hereby permitted shall be begun within 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. The landscaping scheme shall be fully completed, in accordance with the details submitted within Plan 03.08D - Site Landscaping Plan as Proposed, by the end of the planting season following first occupation or completion of the dwelling, whichever

is soonest, or as previously agreed in writing by the Planning 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 ensure a satisfactory external appearance in the interests of visual amenity and to secure biodiversity enhancements.

5. 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.

6. Within four weeks of the new access being completed and brought into use, the existing northern opening shall be closed using materials and a method of construction which matches the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

7. Prior to any demolition a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Development & Planning 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 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. A Noise and Vibration Management Plan (with reference to BS 5228)
- IV. Details of hours of construction including all associated vehicular movements
- V. Details of the construction compounds and their location
- VI. A plan showing construction traffic routes
- VII. No material such as subsoil, rubble etc may be imported into the site unless it can be scientifically proven to be uncontaminated and only inert material may be stockpiled on the site.

VIII. Details of the protection of the SSS and existing boundary vegetation during construction to ensure it is not disturbed and no materials, including vegetation, are allowed to enter the SSS.

IX. An Invasive Non-Native Species Management Plan to ensure that any INNS identified during the course of the construction phase are controlled and disposed of appropriately to prevent spread (either on site or to other sites)

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

Reason - To manage potential disturbance during the demolition and construction phases of the development on the surrounding area and roads and to protect the ecological value of the area.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Societe Guernesiaise for advice or to arrange a site visit. La Societe can be contacted by emailing info@societe.org.gg.

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing landscape is not currently subject to extensive artificial lighting, and it is therefore requested that external lighting be avoided or kept to a minimum.

OFFICER'S REPORT

Site Description:

The application site is located within the 'The Cliffs' area of landscape character and the Saints Bay character zone (Guernsey Character Study 2013). The property sits above the heavily wooded valley above Saints Bay and Saints Bay Harbour on a plateau above the cliffs. The application site is currently occupied by a one and a half storey pitched roof dwelling which is situated at the end (south) of Val Au Bourg and at the northern side of the site. The dwelling is located on a headland above Saints Bay which has expansive views across the south coast cliffs. The east of the site is landscaped with overgrown, mature trees and shrubs. The south of the site falls away towards the south coast cliffs/Saints Bay.

The site is located Outside of the Centres as defined by the Island Development Plan. The land to the south and west of the site is designated as a Site of Special Significance.

Relevant History:

FULL/2018/1643 – Demolish existing dwelling and erect new dwelling – Granted 31/08/2018

Existing Use(s):

Residential use class 1: dwelling house and Agricultural Use Class 28 (south and east of the site)

Brief Description of Development:

It is proposed to demolish the existing dwelling, garage and domestic sheds and erect a replacement two storey dwelling, which is proposed to be located to the south-west of the existing dwelling, fairly central in the site and mostly within the existing residential curtilage. It is proposed to erect a new garage to the north-east of the site in a similar location to the existing garage, with parking to the north of the site.

It is proposed to relocate the existing vehicular access to the northwest corner of the site and provide new gates which are set back from Val Au Bourg.

The application has been deferred on a number of occasions in order to address the strategy for nature requirements for biodiversity and also to allow for revisions to the proposed design due to the sensitivity of the site, impact on openness and position adjacent to the SSS.

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

GP1:	Landscape Character and Open Land
GP2:	Sites of Special Significance
GP8:	Design
GP9:	Sustainable Development
GP13:	Householder development
IP9:	Highway Safety, Accessibility and Capacity

Representations:

3 letters of representation have been received in response to the application, including one from La Societe. The comments are summarised below:

- The scale and mass of the existing property blends into the landscape without detracting from the view at any point.

- The new building will be dominant on the headland and will not integrate due to the height and scale. The new position of the building increases its dominance.
- The design does not do the site justice, and it has limited architectural interest or merit, having a 'block-like' shape.
- Significant visual impact from nearby cliff paths and surrounding area.
- Provision for parking for 10 cars is inappropriate in a narrow, one way lane.

La Societe raised concern regarding the potential for environmental impacts to wildlife in the vicinity, given the highly sensitive location adjoining the 'Cliffs' SSS, and advise that an environmental appraisal should be undertaken to identify the impacts and ensure mitigation. They advise light pollution will have a significant impact and extend over a large area of cliff land, agricultural land and adjoining woodland. The building may be used by roosting bats and should be inspected by a suitably qualified person prior to building works taking place to reduce the risk of disturbing or destroying habitats. Informative notes should be included to remind the applicant of these issues.

Consultations:

Agriculture, Countryside and Land Management Services (ACLMS)

We are writing in response to the application for the demolition of an existing dwelling and erection of a replacement dwelling with associated works and the change of use of agricultural land to domestic garden (1,188m²) at the La Jaoniere, St Martins.

The proposed development of a dwelling and associated hard standing within an area currently classified as agricultural land will result in a loss of biodiversity, and the loss of permanent grassland and mature hedging currently present there. We therefore recommend that an ecological assessment is commissioned to understand the current ecological value of the site, the predicted loss of biodiversity due to the planned development, and what measures would be required to offset this loss and result in an overall biodiversity enhancement, as required by the Development and Planning Authority for changes of land use classification.

We also note that the area to be developed (as either a building or hardstanding) is considerably larger than the existing dwelling and will involve replacing areas of current vegetation with developed land, and extensive areas of brick paving, cobbles and gravel. The applicant may wish to consider reducing the area of hard surfacing and increasing the provision of vegetation within the plan to mitigate the loss of biodiversity and support wildlife on site.

We note that the property borders the Cliffs Site of Special Significance (SSS), and welcome the commitment made within the Design and Access Statement (Tyrrell Dowinton, June 2025) to preserve all boundary features, which will not only conserve

a valuable habitat but also provide screening from disturbance and pollution (e.g., light pollution) for the SSS.

To reduce potential impacts on sensitive species for which the adjacent SSS was designated (including bats and birds), we recommend that no external lighting is installed and that all internal lighting is installed in accordance with The Institute of Lighting Professionals guidance note (08/23; Bats and Artificial Light).

To ensure that no invasive non-native species (INNS) are allowed to enter the SSS, we recommend that no INNS are permitted within the associated landscaping scheme. Any planting of wildflowers should follow the wildflower meadows guidance and should be sown with native, locally sourced seed which can be purchased from Grow Guernsey Natives.

We would recommend that the pre-development ecological assessment and provision of a detailed landscaping scheme (including biodiversity enhancements) are requested prior to determination of the application so that both the avoidance of impacts on the special characteristics of the Cliff SSS (GP2) and the proposed biodiversity enhancement associated with the change of use can be fully understood.

The protection of the SSS and boundary vegetation during construction could be secured through a CEMP to ensure that materials don't enter the SSS, and pollution (including air, light and noise) are kept to levels that won't damage the special characteristics of the SSS.

Please do not hesitate to contact us if you have any queries about this response and we would also be happy to discuss the points raised with the applicant or their representative.

Summary of Issues:

- Principle of demolition and rebuild.
- Impact on landscape character and openness including visual amenity.
- Design, form, massing, scale and siting of the proposed replacement dwelling.
- Design, form, massing, scale and siting of the proposed replacement garage.
- The provision of a relocated vehicular access.
- The removal of the existing domestic glasshouses
- Impact on neighbouring residential amenity.
- Sustainable development including waste management plan.
- Impact on traffic and highway safety and the potential for a Construction Environmental Management Plan (CEMP).

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Principle of demolition and rebuild

The demolition of the existing dwelling and erection of a replacement dwelling falls to be considered under IDP Policy GP13: Householder Development. This policy, whilst supporting the replacement of residential units on a one for one basis in principle, seeks to ensure that consideration is given to the positive contribution of the existing structure to the character of the area, and where it is considered that such a positive contribution exists, regard will be given to the potential improvement to the character of the area, offered through the proposed replacement building. Policy GP13 focuses on the particular positive contribution to the character of the area from both the existing structure and replacement structure, supporting proposals where the replacement would enhance the character and make a more positive contribution.

The site is not within a Conservation Area, Site of Special Significance (SSS) or an Area of Biodiversity Importance (ABI) and is not within the setting of a protected building. Paragraph 19.14.5 of the IDP notes that outside of these specific areas noted, less prescriptive control will be applied, providing householders with greater freedom of choice with regard to private property development and use.

The policy considers that that the replacement of dwellings on a one for one basis, in less built up environments particularly, enables reconsideration of the layout, location and form of the building within the site to potentially improve its sustainability and its contribution to the character and openness of an area or visual access to open land and can offer opportunity for enhancement and more efficient use of the site (Paragraph 19.14.9).

For proposals for the replacement of a dwelling on a one for one basis, consideration will be given to the impact of the new building on the openness of the area rather than a comparison between the impact of the existing dwelling compared with the impact of the new. A replacement dwelling can therefore be larger than the dwelling it is replacing and have a greater impact upon the openness of the area concerned compared with the existing dwelling and will be supported where the Authority is satisfied that the proposed impact is acceptable when considered against all relevant policies of the Island Development Plan (19.14.10)

In consideration of the application, the existing property is a detached one and a half storey hipped roof dwelling in need of modernisation and the proposed replacement is a larger two storey dwelling which is located in an alternative position on the site.

The existing building makes a limited contribution to the character and visual amenity of the area. The proposed building is larger than the existing dwelling and is

sited in a different location, more centrally, but is largely within the property's existing domestic curtilage and has a greater impact on the openness of the area. However, and as noted above, this is not precluded by Policy. It is therefore concluded that the principle of the demolition of the existing building and replacement with the dwelling proposed is acceptable as assessed against Policy GP13: Householder Development.

Further consideration of the impact on the openness of the area and assessment against the other relevant policies of the IDP is set out later in this report.

Impact on landscape character and openness including visual amenity

Policy GP1 states that: *proposals will not be supported if they would result in the unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of an area.*

Paragraph 19.2.12 states that: *'the value of the landscape and open and undeveloped land will be required to be assessed in a wider context rather than in terms of the impact development might have on an individual site. Development that affects landscape character or distinctive natural or built features will be considered in the wider context of the landscape value of a particular locality. In assessing development proposals, the Authority will balance the character of the locality concerned with the aspirations for development'.*

In terms of the wider setting, the site forms part of the south coast cliffs which as defined within Annex V: Landscape Character of the IDP is regarded as one of the most dramatic landscape types in Guernsey. Defined by occasional short, steep valleys backed by largely undeveloped agricultural top land results in a landscape open in character. The site is located within 'The Cliffs' area of landscape character and the Saints Bay character zone (Guernsey Character Study 2013). The property sits above the heavily wooded valley above Saints Bay and Saints Bay Harbour on a plateau above the cliffs which has expansive views across the south coast cliffs.

Although this provides the wider definition of the cliffs, the openness of the site area itself is broken up by existing groups of trees to the east of the site which contribute to the wider landscape character. The south and west of the site is fairly open in nature with a number of landscaped areas and the land gently slopes to the south.

A number of key views of the site have been identified during the consideration of the application. Due to the topography of the surrounding land and the existing vegetation, the site is not easily visible from the east side of the valley. It is, however visible in glimpsed views from the cliffs paths, Saints Bay Harbour Road and from Icart Road where the existing building sits within a mature landscape which helps it blend into the wider landscape character. It is also visible from the Val Au Bourg. It is however important to note that the building is viewed in the context of other domestic scale buildings in the immediate vicinity and when viewed from Icart Road

can also be seen in the context of Blanchelande Park (a nursing and residential home), which is a particularly large building.

The main views have been summarised below:

- Icart road and the cliff paths (west & south west) - The proposed building will sit below the viewer at a distance of between 250 – 350 metres. It sits within the east slope of the valley and with a group of trees. From these views the proposed building is considered to have a negligible effect on the openness of the landscape.
- Saints Bay Harbour (south) - The proposed building will sit above the viewer and will be seen at a distance of between 300 and 600 metres. At this distance it will be seen in the context of other individual buildings. It will be on the ridge of the valley and will break the skyline, however considering the provision of other buildings within the vicinity, its impact on the openness of the landscape in these views is considered to be minimal.
- Cliff paths (south-east) - The proposed building will sit above the viewer and will be seen on the skyline approx. 175 metres away. At this distance the building will be seen as an individual building within vegetation not within its greater landscape context as seen in other noted views. The proposed building is considered to affect the openness of the landscape in this view, however this is only to a slightly negative degree.
- Val Au Bourg (north) - The proposed building will sit at the level of the viewer and will be seen at a distance of between 10 and 50 metres. The proposed building will reduce the openness of the landscape, albeit to a slightly negative degree and will reduce visual access to the open space when viewed in the immediate approach to the site. The existing boundary wall already reduces the visual access and it is likely that the proposed building will extend above this in some views from Val Au Bourg.

IDP Paragraph 19.2.13 states that: *'In respecting the landscape character and openness of an area, a development need not be hidden from public view, but will be required to avoid undermining the wider landscape character and/or openness of an otherwise undeveloped area.'*

The proposed dwelling is larger than the existing, and revised plans have repositioned the dwelling 4m further to the east and moved the garage 4m to the north. This moves the proposed built form closer to the eastern boundary of the site, closer to the footprint of the existing dwelling and therefore retains the open view from the Val au Bourg.

The proposed dwelling has also been revised in design, reducing the roof pitch to 25 degrees which has reduced the ridge height by 1m. These alterations along with the limited impact of the development in views from a small number of public vantage points, the existing stone boundary wall which limits views into the site, the

surrounding residential context and the policy gateway for larger replacement buildings within the domestic curtilage, have ensured that the development will not have a significant negative impact on the landscape character and openness of the area. In addition, the proposed development does not result in the loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness.

Policy GP1 also notes that proposals should take advantage, where practicable, of opportunities to improve visual and physical access to open and undeveloped land. The site is a private domestic site, it would therefore not be appropriate to require further physical access to the open land within the site.

Whilst the roof line and elements of the walls of the dwelling will be visible from the Val Au Bourg above the existing wall, the proposed dwelling will not reduce visual access to the surrounding open land more than the existing boundary wall. The existing north boundary wall which presently limits visual access into the open land beyond is being retained, although reduced in height to 1.8m.

The proposed building is therefore not considered to have a negative effect on the surrounding landscape character or open land sufficient to warrant the refusal of planning permission.

Design, form, massing, scale and siting of the proposed replacement dwelling

Policy GP8 focuses on design, also taking into account factors in relation to impact on well-being and health of occupiers and neighbours, accessibility and adaptability of the building. Policy GP8 comprises of seven criteria that new development is expected to achieve; each will be considered in turn.

- a) *Achieve a good standard of architectural design, including the design of necessary infrastructure and facilities.*

A letter of representation considers that the height and scale is inappropriate for this site and that the building is of a poor design. As previously noted, the building is not proposed to be sited within a Conservation Area, SSS or ABI and is not within the setting of a protected building. Paragraph 19.9.5 of the IDP states that: *'In other, less sensitive areas, a good standard of design will be expected, however the Island Development Plan adopts a supportive position with regard to building design in these areas to enable the property owner to exert personal choice in design matters. This adopts the flexible and proportionate approach that underpins the Plan Objectives of the Island Development Plan.'*

Paragraph 19.9.3 also notes that: *'whilst new development should acknowledge the surrounding built form, flexibility in the design of development will be allowed in order to ensure proposals also address issues of sustainable design, mitigation and adaptation to climate change and creating flexible and adaptable spaces within*

buildings as well as recognising the personal choice and aspirations of property owners.'

The policy therefore requires a good standard of architectural design but allows flexibility and personal choice in the design and appearance of a building and allows greater flexibility in design where proposals address issues of sustainable design. IDP paragraph 19.2.13 notes that development can be of traditional or contemporary design.

The proposed building is a fairly traditional two storey, hipped roof form with a glazed projecting gable to the frontage and utilises a simple palette of materials including natural slate and render. The orientation of the building and proposed external spaces have been designed to maximise the southern views and protect the existing trees which lie to the east of the site. The dwelling provides level access to the ground floor, with lift to the first floor which provides accessibility throughout the property.

The roof form of the building is a simple hipped roof, with projecting glazed gable to the frontage and another gable to the rear with several Juliet balconies to the rear (south) elevation. The dwelling has been reduced in size and height through revised plans and whilst larger than the existing, it remains domestic in scale and the hipped roof limits the massing in long views. Therefore, and acknowledging flexibility in personal choice afforded by paragraphs 19.2.13, 19.9.3 and 19.9.5 of the IDP, the design, form, massing, scale and siting of the replacement dwelling are considered to be acceptable.

b) Demonstrate the most effective and efficient use of land

The proposed dwelling is located to the southwest of the existing dwelling in a more centralised location, largely within the existing domestic curtilage. The traditional two storey layout of the property has living accommodation on the ground floor and bedrooms on the first floor, with the external spaces projecting out and merging with the rear garden. Policy GP8 and IDP paragraphs 19.9.5 and 19.2.13 note that a supportive position with regard to building design in areas that are not Conservation Areas, SSS, ABI or protected buildings is adopted to enable property owners to exert personal choice in design matters.

A large area of undeveloped land would remain available within the site to provide sufficient amenity space and to ensure that a good living environment is provided for the future occupiers of the dwelling. As previously noted, the proposed dwelling is considered to have an acceptable impact on the surrounding landscape character and openness of the area. In this context, it is considered that the proposed dwelling demonstrates an effective and efficient use of the land.

c) Respect the character of the local built environment or the open landscape concerned

The supporting text to this policy notes that building design will depend upon the location of the development and should respect the palette of traditional local materials but not be bound by them. It is acknowledged that a contemporary or traditional approach to design could be adopted with new development considering but not needing to replicate the scale, mass, detail and special interest of the surrounding built form in order to complement the local character of the area, unless that character is sensitive to building design, e.g. Conservation Area, SSS, ABI or protected building. A degree of flexibility can therefore be applied enabling personal choice in design matters.

The plans indicate the use of natural slate to the roof, with smooth rendered walls and grey aluminium windows, doors, rainwater goods, fascias and soffits. In relation to the style of dwelling proposed, the site is not within an area of higher protection and flexibility of personal choice in this location is therefore permitted and expected within the IDP. The proposed palette of materials is acceptable and respects that of the surrounding residential built form.

An assessment of the impact of the proposal on the landscape character and openness of the area has been set out earlier in this report. The proposed replacement dwelling is not considered to have a negative effect on the local built environment or open landscape concerned sufficient to warrant the refusal of planning permission.

d) Consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space

The nearest neighbouring properties are circa 70m to the south-east and north of the site. The replacement dwelling would have no adverse impact on the residential amenity of neighbouring properties.

Policy GP8 and Annex I: Amenities of the IDP seek to ensure that acceptable living and working environments are provided by considering matters such as internal space provision; privacy; aspect/outlook, access to external open space and daylight/sunlight.

The proposed development is in a unique position on the south coast cliffs surrounded by dense planting (east) and open gardens and land. The design and orientation of the building has been designed to take advantage of the views to the south and to capture large amounts of natural light. The levels of amenity provided for future residents are considered to be very good.

e) Provide soft and hard landscaping where this reinforces local character and distinctiveness and/or mitigates the impacts of development and/or contributes to more sustainable construction

This criterion focuses on the opportunities available to reinforce or improve the local character and distinctiveness through the use of soft and hard landscaping. Policy GP1 also notes that significant development in terms of scale, setting and appearance will normally be required to include a landscaping scheme.

The site is currently well landscaped with a dense area of trees to the east and areas of trees/planting to the south. A large section of the site is considered to represent an area of non-cultivated grassland which has a high biodiversity value. The existing landscaping is substantial, and it is noted that much of this landscaping to the east is to be retained and maintained. A landscaping scheme was submitted as part of the application, however this has been revised in order to incorporate the biodiversity enhancements required in line with the Strategy for Nature SPG.

With input from ACLMS the landscaping scheme has been revised to include biodiversity enhancements including native planting and the use of appropriate seed mixes in this location adjacent to a SSS. A condition to ensure the implementation of this landscaping will be applied to ensure its delivery in a timely manner.

f) Demonstrate accessibility to and within a building for people of all ages and abilities

The building has been designed to be fully accessible with pedestrian level access from the driveway into the entrance hallway with lift access to the first floor. Circulation spaces and rooms are wide enough to allow people with disabilities to move through and use them and access to a W.C. is provided at entrance level.

g) With regard to residential development, offers flexible and adaptable accommodation that is able to respond to people's needs over time

The design and layout of the building lends itself to be altered and adapted to meet the needs of its proposed and future occupiers. The building provides lift access between floors as well as level access and is considered to provide flexible and adaptable accommodation.

Having considered all of the criteria of GP8: Design, it is considered that the development as proposed satisfies the criteria of Policy GP8.

Extension of Curtilage

The proposal includes an extension to the domestic curtilage, and the proposed biodiversity enhancements have been considered above.

In respect of the change of use of the land to the south, this parcel of land is enclosed by existing fencing to the east elevation and bound by the road/footpaths to the north and west and the majority will not be clearly visible in public views. The proposed change of use would not therefore have an adverse impact on open land or landscape character and is not located within an Area of Biodiversity or

Agriculture Priority Area. No boundary features will be altered as a result of the proposal and there will be no adverse impacts on neighbouring residents. The proposed change of use would therefore accord with Policies GP1 (Landscape character and open land) and GP15 (Creation and extension of curtilage).

Design, form, massing, scale and siting of the proposed replacement garage

The replacement garage is a single storey pitched roof structure. It is located in a similar position to the existing garage, in the north eastern corner, adjacent to the boundary. The proposed garage and plant store is larger in footprint than the existing. The structure is situated behind an existing boundary wall, as this access is to be closed, and remains domestic in scale and is considered to be in keeping with the character of the proposed dwelling. The proposed car parking is generous although its location behind the boundary wall means that it is not prominent and will not have a significant or harmful impact on the character of the area.

The garage proposed is therefore not considered to have any negative effects on the character or amenity of the area or any surrounding properties as assessed against Policies GP8 and GP13 of the IDP.

No specific bicycle parking is proposed, but the garage is of a size where cycle parking is easily possible. Alternatively there is ample garden space for the installation of dedicated bicycle parking.

The provision of a relocated vehicular access

It is proposed to use the existing vehicular access to the northwest corner of the site and close up the access adjacent to the house and garage with a stone wall to match the existing. The proposed access is similar in width to the existing but includes an electric gate, and is not considered to negatively affect traffic or highway safety and is considered to be formed and finished using appropriate materials. The wall to this north boundary is proposed to be reduced in height from approx. 2.2m to 1.8m. Providing that a condition is applied to ensure that the existing opening is closed using appropriate materials and method, then the proposal is considered to have an acceptable impact on the character and appearance of the area and is acceptable as assessed against Policies GP8, GP13 and IP9.

The removal of the existing domestic glasshouses

The existing glasshouses are located to the south west of the existing dwelling. They are not visible from the public highway and are not largely visible from public vantage points. Their contribution to the character and amenity of the area is limited, their removal is supported.

Construction Environmental Management Plan (CEMP)

The proposed dwelling is situated at the end of Val Au Bourg, the lane is narrow and has limited points where vehicles can pass. It is recommended that a proportionate Construction and Environmental Management Plan (CEMP) is required by condition in order to control and minimise environmental impacts, including traffic impacts, of the development during the construction phase.

Sustainable Development and Waste Management plan

A Waste Management Plan has been submitted to demonstrate how the development has been designed to take account of the use of energy and resources with regard to the location, orientation and appearance of the building as well as the form of construction and materials. This is in accordance with GP13: Householder Development.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; the effect of the proposed which the site could be put without further planning permission; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would not impact on any protected buildings, trees or monuments. The proposed building is to be set within a site which is adjacent to a SSS. However, given the location of the proposed development relative to the SSS and the recommended conditions, any impact on the SSS because of the proposed development would be likely to be negligible.

For the reasons set out within this report the proposal is considered to comply with the relevant provisions of the Island Development Plan and satisfies the other relevant material planning considerations; it is therefore recommended that planning permission be granted with conditions.

Date: 19/03/2026

