

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 buildings and remove hedge to south boundary, install site office and associated works.

LOCATION: La Gibauderie Complex, La Gibauderie, St. Peter Port.

APPLICANT: Walter Property 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: 09/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects: 2373 03.112; Concept Accommodation Ltd Open Plan Unit and Single Toilet Unit details; Heras Mobile Fencing detail; Richard Loyd Tree Report; Ravenscroft Construction Site Waste Management Plan and Construction Environmental Management Plan.

Application Ref: FULL/2025/1309

Property Ref: A20591A000

Conditions and reasons:-

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

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

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

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

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

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

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

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

and unless otherwise agreed in writing by the Authority,

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

and, unless otherwise agreed in writing by the Authority,

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

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)(c) of this condition that any remediation scheme required and approved under the

provisions of subsection (i)(c) of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

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

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

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

5.No development shall commence on site (including demolition and site works) until the tree protection measures shown on TDA Drawing No 2373.03.112 and as set out within the Tree Dimensions Tree Condition Assessment and Root Protection Evaluation Report have been fully implemented. These measures shall be retained in the agreed manner for the duration of building operations on the application site, unless otherwise agreed in writing by the Authority. 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. If any 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.

6.No development shall commence on site (including demolition and site works, excluding Tree Protection works required under Condition 5 above) until solid hoarding panels between 2-2.5m in height are erected along the east side of the access drive from La Gibauderie, from the rear building line of 1 Gibauderie to the rear boundary of that property, and along the western 46m of the south site boundary. The hoarding shall thereafter be retained until replaced by an alternative approved boundary treatment or removed in accordance with Condition 10.

Reason - In the interests of neighbour amenity.

7.Within two weeks of the removal of the hedging hereby approved along the south boundary of the site, solid hoarding panels between 2-2.5m in height shall be erected along that section of the boundary. The hoarding shall thereafter be retained until replaced by an alternative approved boundary treatment or removed in accordance with Condition 10.

Reason - In the interests of neighbour amenity.

8.The development hereby approved shall take place only in full accordance with the approved Construction Environmental Management Plan and Site Waste Management Plan. Should any amendments be proposed to those Plans prior to or during the works hereby approved, updated Plans shall be submitted to and approved in writing by the Authority prior to those amendments being implemented and the development shall thereafter be undertaken only in accordance with the approved updated Plans.

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

9.No part of the development hereby permitted 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 and monitored fully in accordance with the approved Site Waste Management Plan. Where there has been any variation from the approved Site Waste Management Plan, 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.

10.The site office, toilets, heras fencing, hoarding and gates hereby approved shall be permanently removed from the site upon completion of the operations hereby approved, unless in accordance with a phasing timetable submitted to and approved in writing by the Authority.

Reason - Permission for these structures has been granted only on the basis that they are required in association with the approved operations. There is no justification to retain the structures if there is no further development approved at the site.

11.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.

Expiry Date: This permission will cease to have effect on 08/10/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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

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

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

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

With reference to Condition 8, any updated CEMP should, as a minimum, retain reference to:

- A Community Liaison Strategy
- Neighbour Impact Mitigation Measures
- Construction Hours and Vehicle Movements
- Construction Compound Details
- Construction Traffic Management Plan.

The applicant should be aware that it is a requirement of the Office for Environmental Health and Pollution Regulation that a valid Air Pollution Licence be held prior to the use of any mobile crusher at a site.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works.

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/2025/1309
Property Ref: A20591A000
Valid date: 02/09/2025
Location: La Gibauderie Complex La Gibauderie St. Peter Port Guernsey
GY1 1XN
Proposal: Demolish existing buildings and remove hedge to south
boundary, install site office and associated works.

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

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

and unless otherwise agreed in writing by the Authority,

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

and, unless otherwise agreed in writing by the Authority,

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

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

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

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

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

5. No development shall commence on site (including demolition and site works) until the tree protection measures shown on TDA Drawing No 2373.03.112 and as set out within the Tree Dimensions Tree Condition Assessment and Root Protection Evaluation Report have been fully implemented. These measures shall be retained in the agreed manner for the duration of building operations on the application site, unless otherwise agreed in writing by the Authority. 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. If any 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.

6. No development shall commence on site (including demolition and site works, excluding Tree Protection works required under Condition 5 above) until solid hoarding panels between 2-2.5m in height are erected along the east side of the access drive from La Gibauderie, from the rear building line of 1 Gibauderie to the rear boundary of that property, and along the western 46m of the south site boundary. The hoarding shall thereafter be retained until replaced by an alternative approved boundary treatment or removed in accordance with Condition 10.

Reason - In the interests of neighbour amenity.

7. Within two weeks of the removal of the hedging hereby approved along the south boundary of the site, solid hoarding panels between 2-2.5m in height shall be erected along that section of the boundary. The hoarding shall thereafter be retained until replaced by an alternative approved boundary treatment or removed in accordance with Condition 10.

Reason - In the interests of neighbour amenity.

8. The development hereby approved shall take place only in full accordance with the approved Construction Environmental Management Plan and Site Waste Management Plan. Should any amendments be proposed to those Plans prior to or during the works hereby approved, updated Plans shall be submitted to and approved in writing by the Authority prior to those amendments being implemented and the development shall thereafter be undertaken only in accordance with the approved updated Plans.

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

9. No part of the development hereby permitted 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 and monitored fully in accordance with the approved Site Waste Management Plan. Where there has been any variation from the approved Site Waste Management Plan, 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.

10. The site office, toilets, heras fencing, hoarding and gates hereby approved shall be permanently removed from the site upon completion of the operations hereby approved, unless in accordance with a phasing timetable submitted to and approved in writing by the Authority.

Reason - Permission for these structures has been granted only on the basis that they are required in association with the approved operations. There is no justification to retain the structures if there is no further development approved at the site.

11. 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.

INFORMATIVES

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

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

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

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

With reference to Condition 8, any updated CEMP should, as a minimum, retain reference to:

- A Community Liaison Strategy
- Neighbour Impact Mitigation Measures
- Construction Hours and Vehicle Movements
- Construction Compound Details
- Construction Traffic Management Plan.

The applicant should be aware that it is a requirement of the Office for Environmental Health and Pollution Regulation that a valid Air Pollution Licence be held prior to the use of any mobile crusher at a site.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works.

OFFICER'S REPORT

Site Description:

The application site comprises an area of c0.5 hectares (3 verges) and is located behind the roadside residential development along La Gibauderie to the south and Upper St Jacques to the north-west, and benefits from two way access from both of those roads. The site is bounded to the south, west, north-west and east by residential properties and is separated from open land at a lower level to the north by mature vegetation and established trees.

The site supports two large commercial buildings, the main building to the west of the site comprising a mix of 2 and 3 storeys and the later annexe to the east of the site comprising a single storey block. Excepting the boundary treatments, the site is entirely hardsurfaced.

The site is located within the St Peter Port Main Centre Outer Area and Conservation Area as designated in the Island Development Plan.

Relevant History:

The main building at this site was originally a warehouse, in storage and distribution use, however permission was granted in 1980 for the use of the first floor for light industrial purposes, and further permission was granted in 1994 for use of part of that building for business continuity purposes. Permission was granted in 1982 for the erection of the eastern annexe for light industrial purposes. The permissions issued at this site have consistently stated that there is no permission for the use of any part of the site for permanent office.

FULL/2025/1124 Demolish buildings, erect 21 dwellings, install substation and enclosure to south-west of site and associated works. Pending

Existing Use(s):

The site has a mixed use of storage and distribution and light industry, with specific conditional approval for ancillary use of parts of the buildings for business continuity purposes.

Brief Description of Development:

Permission is sought under this application to demolish the existing buildings at the site, to remove all hardstanding areas and to remove the hedge along part of the south boundary.

As part of the application it is proposed to erect Heras fencing along the east and south site boundaries, to install gates at each access point, to install a site office to the north of the access road on to Upper St Jacques and site toilets against the south boundary of the site.

In support of the application it is noted that there is an opportunity to commence demolition on site in September 2025, in advance of the likely timeframe for determination of the application for development of the site, hence submission of a separate application for the initial works. The following documents have been submitted as part of the application:

- A statement addressing the relevant policies in respect of the existing uses at the site;
- Tree Condition Assessment;
- Construction Environmental Management Plan;
- Site Waste Management Plan.

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

MC2	Housing in Main Centres and Main Centre Outer Areas
MC5(C)	Industry, Storage and Distribution Uses in Main Centres – Change of Use
GP4	Conservation Areas
GP8	Design
GP9	Sustainable Development
GP17	Public Safety and Hazardous Development
IP9	Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance:
Parking Standards and Traffic Impact Assessment

Representations:

One letter of representation has been received in relation to this application raising the following points:

- No details have been put forward for biodiversity net gain;
- The current buildings may hold bats and should be checked by a suitably qualified expert.

It is noted that a number of letters of representation have been received in respect of FULL/2025/1124, which pre-dated the submission of this application. Those representations primarily relate to issues associated with the proposed new development, however do raise concerns regarding traffic management and road safety associated with any increase in size and number of vehicle movements on the surrounding one way road network which is busy at peak times and used by vulnerable road users.

Consultations:

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

I have reviewed the proposed plans for Gibauderie Complex which were received by email on 5th September 2025 there are a number of issues of concern that I must raise. I maintain that the site is not suitable for crushing owing to the site being in a densely populated area. I anticipate crushing in this area, may cause statutory nuisance to residents from dust, noise and vibration, and also air pollution. Therefore, possible offences may be caused under the Public Health Ordinance, 1936 and Environmental Pollution (Air Pollution) Ordinance, 2019 (the Air Pollution Ordinance). I appreciate that it is not possible for the Planning Authority to prohibit crushing on the site and I am of the understanding that the agent has been made aware that crushing is a licenced activity regulated by this office under the Air Pollution Ordinance.

The use of crushing equipment is defined as a prescribed operation under the Air Pollution Ordinance. As such a licence must be granted for such operations. Mobile crushing equipment is licenced and conditions are attached to licences to reduce the impact on surrounding properties. In accordance with licence conditions permission must be ascertained from the Director of Environmental Health and Pollution Regulation to ensure compliance with legal requirements. It is highly likely that the Director will severely restrict operations of crushing equipment in this location, which I am aware may lead to delays on the project. Any planning permission does not supersede the requirements of the Air Pollution Ordinance, 2019 or the Public Health Ordinance, 1936.

I have concerns for land contamination caused by the sites industrial history and varied uses ranging from but not limited to factories, storage, garages, workshops, car parking and other commercial uses. As such would recommend the Planning Authority apply a full contaminated land condition to the site. I note I have previously already recommended this condition for application FULL/2025/1124.

In regard to the CEMP, I note the planning officer has confirmed that Heras fencing is intended to be used on the south boundary, and would confirm a more robust alternative should be used here. Once the plans for the amended fencing have been agreed I would recommend that the proposed condition and informative below is included on the consent:

- *The development hereby approved shall take place only in full accordance with the approved Construction Environmental Management Plan and Site Waste Management Plan. Should any amendments be proposed to those Plans prior to or during the works hereby approved, updated Plans shall be submitted to and approved in writing by the Authority and the development shall thereafter be undertaken only in accordance with the approved updated Plans.*
- With reference to Condition X, any updated CEMP should, as a minimum, retain reference to:
 - A Community Liaison Strategy
 - Neighbour Impact Mitigation Measures
 - Construction Hours and Vehicle Movements
 - Construction Compound Details
 - Construction Traffic Management Plan.

Potential Land Contamination:

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

- (i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:
 - (a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

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

and, unless otherwise agreed in writing by the Authority,

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

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

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

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

Informatives/Advice Notes

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

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

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

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

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site, 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.

Traffic and Highway Services comment as follows:

The applicant has submitted a Construction Environmental Management Plan (CEMP) prepared by Ravenscroft Construction for the demolition works at the La Gibauderie Complex, La Gibauderie, St Peter Port. The works are anticipated to last for 14 weeks. The site was previously used as a commercial complex, most prominently by Guernsey Motor Spares, and comprised several large warehouses and office buildings.

The site is served by two access points:

- **La Gibauderie (south):** Bounded by tall granite walls, with a bellmouth measuring 6m, narrowing to 3.8m. The adjoining road is 4.7m wide and includes a nearside 1.2m continuous footway across the access.
- **Upper St. Jacques (west):** Also bounded by granite walls, with an access width of 4.4m. The adjoining road is 4m wide and features a nearside 1.2m terminated footway across the access, with a bellmouth.

Site operating hours will be Monday to Friday, 08:00–16:30, and Saturday, 08:00–13:00. The project includes provisions to discourage off-site parking, with Active Travel being promoted to reduce the impact on nearby roads. THS welcomes this initiative and strongly encourages site management to monitor compliance throughout the works to ensure operatives do not resort to on-street parking.

Access and egress will follow a one-way system from Upper St. Jacques to La Gibauderie. Statutory health and safety signage will be installed at both entrance and exit points, including a 'Pedestrian Caution' sign at the exit to remind drivers to proceed carefully. Additionally, signage will be provided to alert pedestrians to construction traffic crossing the continuous footway. THS supports the inclusion of this additional signage.

Using a datum of 2.4m from the carriageway, the oncoming sightline at the La Gibauderie access was measured at 8m, restricted by a 2m-high wall to the southwest of the access boundary. Although the visibility splay at this pre-existing access falls well below the required standard, THS notes that vehicle movements during demolition will be significantly lower than when the site operated as a commercial complex. Furthermore, the CEMP's 'Mitigation Measures' indicate that deliveries and skip exchanges will be scheduled outside peak commuting and school traffic hours—where possible, between 09:00 and 14:30—which THS supports.

Highway cleanliness will be addressed through the use of high-pressure hoses for wheel washing at the site exit to remove mud and debris before vehicles enter the highway. Loose waste will be covered during transit. The contractor also commits to monitoring surrounding roadways and, if necessary, employing States Works to sweep affected areas. THS welcomes these measures.

In conclusion, THS supports this application, albeit with some concerns regarding the limited sightline at the La Gibauderie exit. While the visibility splay is substandard, the access is pre-existing, and anticipated vehicle movements during demolition are expected to be considerably lower than during the site's previous commercial use. The proposed safety signage for both operatives and pedestrians is also noted positively. THS emphasises that the comments provided in response to this application should not prejudice the assessment of application FULL/2025/1124 concerning the future development of the site.

Summary of Issues:

Loss of existing uses;

Impacts arising from the proposals, particularly:

- Visual impacts
- Impacts on neighbour amenity
- Impacts on surround road networks, traffic management and road safety.

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).**

The site has a mixed use of storage and distribution and light industry. Policy MC5(C) allows for change of use away from such uses in areas such as this, provided that the alternative use contributes positively to the vitality and viability of the Main Centre.

In this case, no replacement use is proposed as part of the application. There is however a current pending application to develop the site for residential purposes (ref FULL/2025/1124), a use which could be supported, in principle, under Policy

MC2, and would not only contribute to the vitality of the Main Centre but would be consistent with surrounding uses. This application gives a clear indication of intent to develop in the near future. For the avoidance of doubt, approval of demolition works under this application would not however infer any grant of consent for the pending application for residential development, the details of which must be assessed against the relevant policies of the Plan and material considerations as part of the determination of that application.

The existing buildings at the site are of no particular architectural merit and, given the location of the site set behind the roadside development, are of very limited visibility within the surrounding townscape. Clearance of the site, and retention of the site in that state pending determination of the application for residential development, would have a negligible impact on the wider character of the Conservation Area and would not impact significantly on the amenities of surrounding properties.

The clearance work in itself could however give rise to impacts on the amenities of those properties and a CEMP has been submitted to mitigate any such impacts. The properties to the west and north-west of the site are separated from the site by robust boundary treatment, and those to the east by substantial established boundary planting which would be supplemented by heras fencing. The south boundary is however formed by substantial leylandii hedging, supplemented by a low granite wall and post and mesh fencing, or just a low granite wall. As part of the application it is proposed to remove the leylandii hedging, which, in itself, is not a concern given that it does not comprise a native species or species otherwise of particular landscape or biodiversity value. The removal of the hedge would however remove any buffer between the site and the adjacent residential properties, and all of the properties along that boundary would be exposed and vulnerable to activities at the site. Whilst the CEMP notes that heras fencing would be erected along that boundary, this is not considered to provide sufficient protection to the adjoining properties and the agent has agreed that solid hoarding panels of between 2-2.5m will be erected along the boundary to provide additional protection. This matter can be managed by planning condition.

The Office for Environmental Health and Pollution Regulation are satisfied that, with the exception of the proposed on site crushing, the CEMP would satisfactorily control activities at the site in a manner that would minimise disruption to surrounding properties. In respect of on site crushing, as set out above, that Service has significant concerns regarding potential impacts arising. Any crushing would however be subject to separate control through licencing by the OEHPR and this matter, in itself, would not be sufficient to warrant objection to the application. Whilst it is recommended that the decision be conditional upon construction works being undertaken in accordance with the submitted CEMP, that document is a live document and can be updated post-decision to reflect the finalised agreement in respect of crushing.

In respect of vehicle movements during the demolition phase, the proposal is to maintain the existing access points, with a one way through the site from Upper St Jacques to La Gibauderie. The full response by Traffic & Highway Services is set out above. That Service conclude that, whilst there are some concerns regarding the limited sightline at the La Gibauderie exit, the access is pre-existing, and anticipated vehicle movements during demolition are expected to be considerably lower than during the site's previous commercial use. Taking into account the number of vehicle movements and the limited timeframe of the works proposed under this application, it is considered, on balance that the proposal would not give rise to significant road safety concerns. It is however emphasised that this conclusion relates only to the current application, and the separate application for further development at the site would be assessed separately and on its merits.

There is a line of mature trees along the north boundary of the site, located on the adjacent land. A Root Protection Zone is identified along the north boundary of the site, to be demarked with Heras fencing for the duration of works on site and any works within that Zone are to be undertaken in a sensitive manner. Implementation can be controlled through planning condition.

The Office for Environmental Health and Pollution Regulation raise concerns regarding potential land contamination on site, and it is recommended that a condition is attached to the decision requiring submission of details setting out investigations of potential contaminants and proposals for remediation of such contaminations if found prior to commencement of works.

A Site Waste Management Plan is provided as part of the application, update and implementation of which can be controlled by condition.

The application includes the installation of a site office, toilets, heras fencing and gates. Consideration has been given to the proximity of these structures to the site boundaries however the installation of these structures would comprise exempt work after the grant of planning permission and it would not therefore be reasonable to resist their installation under this application. It is however noted that, under the exemption, the structures could only be retained until completion of the operations approved as part of this application. This would mean that, if there was not an extant permission for further development in place once the approved works were complete, these elements would have to be removed from the site. To avoid such abortive work, it is therefore reasonable to include these elements within the current permission but to attach a condition requiring removal following the completion of the approved works, unless in accordance with a phasing timetable submitted to the Authority for approval. This would allow agreement of a reasonable timeframe for retention should a further permission for development not be in place.

In this case, taking into account the clear intent for development and the limited visual impacts which would arise from the site being cleared, together with the mitigation measures set out within the submitted Construction Environmental Management Plan and recommended conditions above, it is considered that the proposal would meet the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 06/10/2025

