

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: Erect a 4 storey building to create 8 residential apartments, demolish and rebuild roadside wall including create pedestrian access and associated works (Revised).

LOCATION: Land at, Les Amballes, Les Amballes, St. Peter Port.

APPLICANT: Hillstone Guernsey 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: 01/10/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/03/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Turnstone Design: 418-10 Rev P4, 11 Rev P4, 12 Rev P4, 13 Rev P4, 14 Rev P4, 15 Rev P3, 16 Rev P4.
Sustainability Proposals
Hillstone guernsey Limited: HS - Les Amballes 01 Rev 1 &
HS02 - Les Amballes RPA Drawing
Nurture Ecology: Ecological Impact Assessment NE/ES/LA.01
Richard Loyd: Tree Condition Assessment dated 18/06/2026

Application Ref: FULL/2026/0418

Property Ref: A11093C000

Conditions and reasons:-

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

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

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

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

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

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

4.No development, including demolition and site works, shall begin until a Construction Environmental Management Plan has been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason - To minimise the effect of the construction phase of the development on surrounding uses and biodiversity within the Area of Biodiversity Importance.

5. No development, including site works, shall begin on site until an Arboricultural Impact Assessment and tree protection measures which set out how the development is to be constructed to avoid adverse impacts on existing trees have been submitted to and approved in writing by the Authority and the approved tree protection measures have been implemented. The trees shall be protected in the agreed manner for the duration of building operations on the application site and the development shall be constructed in accordance with the agreed details. 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.

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, including site works, shall begin on site until details of existing and proposed levels for the proposed soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1 have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

7. Notwithstanding the details submitted, within 6 months of the commencement of works, details of a high obscured screen to be fitted to the south-east elevation of the 3rd floor terrace serving unit 7 shall be submitted to and agreed in writing by the Authority. The screen shall then be installed in accordance with the agreed details prior to the first occupation of unit 7 or completion of development whichever is the sooner, and which shall thereafter be retained at all times.

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

8.Prior to the rebuilding of the roadside (east) boundary wall, details showing the means of construction and bonding of the stone wall, including details of the type and colour of stone, the method of pointing and the strength and colour of mortar mixes, shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

9.No zinc cladding shall be installed until details of the cladding including its colour have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

10.The landscaping scheme shall be fully completed and the areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1 shall be managed, in accordance with drawing HS-Les Amballes 01-Rev1 and the Ecological Impact Assessment reference NE/ES/LA.01. The landscaping

scheme shall be fully completed in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity, to help assimilate the development into its surroundings and in the interests of the biodiversity of the Area of Biodiversity Importance.

11.No part of the development hereby permitted shall be used or occupied until the bicycle store has been completed and made available for use. The provision for cycles shall not be used for any other purpose.

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

12.The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwellings hereby approved. The land recognised as domestic curtilage by the Authority does not include the maintenance path hatched in pink and the soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1.

Reason - In the interests of biodiversity and to mitigate the impacts of the development on the Area of Biodiversity Importance as required by Policy GP3.

13.The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the stated U-values have been achieved and the solar panels and all other sustainable design features, excluding the air source heat pump, set out within the Sustainability Proposals on page 26 of the Planning and Design Statement dated February 2026 have been installed/completed/made operational.

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

14.No permission is conferred to install any services above or below ground within the proposed soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1. Should any services above or below ground be proposed within these areas, details shall first be submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - In the interests of biodiversity and to mitigate the impacts of the development on the Area of Biodiversity Importance as required by Policy GP3.

Expiry Date: This permission will cease to have effect on 30/09/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is advised that an animal welfare licence may be required when handling wildlife (such as birds, slow worms or small mammals under Appendix 2, page 32 of the EclA) to avoid a breach of the Animal Welfare Ordinance (2012).

Guernsey Water note that there is both surface water main and wastewater main located within the public thoroughfare. In addition, they are aware of a public sewer along the southern boundary of the proposed development site, which the developer may wish to investigate further. Mains and services records can be requested by emailing: services@water.gg.

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/2026/0418
Property Ref: A11093C000
Valid date: 20/03/2026
Location: Land at Les Amballes Les Amballes St. Peter Port Guernsey
Proposal: Erect a 4 storey building to create 8 residential apartments, demolish and rebuild roadside wall including create pedestrian access and associated works (Revised).

Applicant: Hillstone Guernsey 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. No development, including demolition and site works, shall begin until a Construction Environmental Management Plan has been submitted to and approved in writing by the Authority. The works shall then be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason - To minimise the effect of the construction phase of the development on surrounding uses and biodiversity within the Area of Biodiversity Importance.

5. No development, including site works, shall begin on site until an Arboricultural Impact Assessment and tree protection measures which set out how the development is to be constructed to avoid adverse impacts on existing trees have been submitted to and approved in writing by the Authority and the approved tree protection measures have been implemented. The trees shall be protected in the agreed manner for the duration of building operations on the application site and the development shall be constructed in accordance with the agreed details. 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.

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, including site works, shall begin on site until details of existing and proposed levels for the proposed soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1 have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

7. Notwithstanding the details submitted, within 6 months of the commencement of works, details of a high obscured screen to be fitted to the south-east elevation of the 3rd floor terrace serving unit 7 shall be submitted to and agreed in writing by the Authority. The screen shall then be installed in accordance with the agreed details prior to the first occupation of unit 7 or completion of development whichever is the sooner, and which shall thereafter be retained at all times.

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

8. Prior to the rebuilding of the roadside (east) boundary wall, details showing the means of construction and bonding of the stone wall, including details of the type and colour of stone, the method of pointing and the strength and colour of mortar mixes, shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

9. No zinc cladding shall be installed until details of the cladding including its colour have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - In the interests of visual amenity in order to conserve the character and appearance of the Conservation Area.

10. The landscaping scheme shall be fully completed and the areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1 shall be managed, in accordance with drawing HS-Les Amballes 01-Rev1 and the Ecological Impact Assessment reference NE/ES/LA.01. The landscaping scheme shall be fully completed in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity, to help assimilate the development into its surroundings and in the interests of the biodiversity of the Area of Biodiversity Importance.

11. No part of the development hereby permitted shall be used or occupied until the bicycle store has been completed and made available for use. The provision for cycles shall not be used for any other purpose.

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

12. The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwellings hereby approved. The land recognised as domestic curtilage by the Authority does not include the maintenance path hatched in pink and the soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1.

Reason - In the interests of biodiversity and to mitigate the impacts of the development on the Area of Biodiversity Importance as required by Policy GP3.

13. The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the stated U-values have been achieved and the solar panels and all other sustainable design features, excluding the air source heat pump, set out within the Sustainability Proposals on page 26 of the Planning and Design

Statement dated February 2026 have been installed/completed/made operational.

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

14. No permission is conferred to install any services above or below ground within the proposed soft landscaped areas coloured green and hatched green on plan number HS-Les Amballes 01-Rev1. Should any services above or below ground be proposed within these areas, details shall first be submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - In the interests of biodiversity and to mitigate the impacts of the development on the Area of Biodiversity Importance as required by Policy GP3.

INFORMATIVES

It is advised that an animal welfare licence may be required when handling wildlife (such as birds, slow worms or small mammals under Appendix 2, page 32 of the EclA) to avoid a breach of the Animal Welfare Ordinance (2012).

Guernsey Water note that there is both surface water main and wastewater main located within the public thoroughfare. In addition, they are aware of a public sewer along the southern boundary of the proposed development site, which the developer may wish to investigate further. Mains and services records can be requested by emailing: services@water.gg.

OFFICER'S REPORT

Site Description:

The site comprises of an area of undeveloped open land which forms part of a larger woodland area along an escarpment, below Les Cotils and Beau Sejour.

The site is visible from various points along Les Banques and St George's Esplanade, as well as from Piette Road and Les Amballes. Parts of the site are visible from Les Cotils and the woodland to the rear.

The Habitat Survey, 2018 classifies the site as Semi Natural Broadleaved Woodland and a Preliminary Ecological Assessment dated March 2017, submitted with a previous application, set out that the site comprised of a young semi-natural woodland dominated by Sycamore with a bramble understory. However, the site was largely cleared of trees between March 2017 and September 2022.

The adjoining property to the north, Les Amballes Lodge, together with its roadside wall and railings is a protected building.

Relevant History:

30/03/2023 – FULL/2022/1936 – Permission granted to erect 3 dwellings (revised scheme).

29/03/2022 – FULL/2021/1809 – Application refused to erect 3 dwellings with associated parking and landscaping and alter and widen vehicle access (Protected Building).

13/11/2018 – FULL/2018/0771 – Application refused to erect three storey building providing nine flats with basement parking, create new vehicular access and associated landscaping.

Existing Use(s):

Woodland/Open land

Brief Description of Development:

Planning permission is requested to erect a 4 storey building containing 8 flats and to demolish and rebuild the granite roadside wall, including create a pedestrian access. The building is proposed to be finished with rendered walls, uPVC sliding sash windows and a zinc clad mansard roof. The proposal involves the creation of 4x1 bedroom and 4x2 bedroom flats.

During the course of consideration the application was deferred to request additional information to assess the impact of the development on the biodiversity of the site, including existing trees, and to review bicycle parking arrangements, the extent of roadside wall to be demolished and to create a maintenance path around the building. Additional information, including an Ecological Impact Assessment and a Tree Condition Assessment, and revised plans were subsequently submitted.

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

MC2 – Housing in Main Centres and Main Centre Outer Areas

GP1 – Landscape Character and Open Land

GP3 – Areas of Biodiversity Importance

GP4 – Conservation Areas

GP5 – Protected Buildings

GP8 – Design

GP9 – Sustainable Development

IP6 – Transport Infrastructure and Support Facilities

IP7 – Private and Communal Car Parking

Representations:

Five objections were received in response to the original application, main points as follows:

- Loss of one of few remaining green spaces within the area, including loss of visual amenity and biodiversity.
- Green space is visible in distant views.
- Height of building would encroach on view of treeline and would be visually intrusive and out of keeping with the prevailing form and grain of development along Les Amballes.
- Proposed development is significantly larger due to its bulk, form and visual massing than the 2023 approved scheme, is more synonymous with the 2018 refusal, and is a material intensification of use and scale than the approved scheme.
- Scale, height, mass and density results in an overdevelopment and is not appropriate on this site.
- Proposal will result in an unnecessary loss of open and undeveloped land and does not meet Policy GP1.
- Landscape scheme has been copied from previous approval, it is not appropriate for the scale and design of the development and it has not formed part of the detailed design process of this scheme.
- The biodiversity interest of the Area of Biodiversity Importance has not been given adequate consideration.
- Impact on character and appearance of the Conservation and the setting of the Protected Building due to its siting, bulk, form, scale and massing.
- Design of building does not achieve a good standard of design and does not accord with Policy GP8 in terms of amenity, accessibility, flexibility and adaptability.
- Impact on the amenities of neighbouring residents due to its overbearing, overshadowing and overlooking effect to the north and east.
- Cumulative impact of recent large developments has significantly altered the character of the area. Proposal will further erode residential amenity and townscape quality.
- Extensive excavation raises serious concerns regarding ground stability, potential subsidence, interference with drainage infrastructure, impact on neighbouring properties and loss of trees.
- Impact on the amenities of neighbouring residents due to construction activity including extended periods of noise, vibration, dust and heavy vehicle movements.
- Impact on road safety and traffic management including exacerbating existing issues with limited public parking and traffic congestion.
- Pedestrian access raises additional concerns regarding visibility splays, pedestrian safety, vehicle-pedestrian conflict and proximity to a busy junction.

- Legal right of way to gable end of adjoining neighbouring property to the south is not acknowledged.
- A representation on behalf of La Societe Guernesiaise advises that the site is within an Area of Biodiversity Importance. The proposal would result in most of the land being developed, the removal of the existing habitat and associated wildlife and we do not believe the site can achieve biodiversity net gain. Policy GP3 requires the biodiversity interest of the site to be taken into account, to protect and enhance the biodiversity interest and to mitigate any negative impacts. The proposal does not meet any of the 3 requirements of Policy GP3 and La Societe Guernesiaise oppose the application.

Two objections were received in response to the revised application, main points as follows:

- Questions Ecological Impact Assessment which included only one site walkover which is insufficient to reach any robust conclusions.
- The trees have a higher group value than suggested in the tree report.
- Concerns raised about process of proposed concrete piling and impact on trees.
- Policy conflicts regarding poor design and amenity, lack of sustainability, natural beauty, biodiversity and landscaping remain.
- Previous objection remains.

Consultations:

Agriculture Countryside and Land Management Services, 14/09/2026

“We are writing in response to the letter dated 18 August requesting comment on the revised plans for the application to build a 4-storey building and associated works at the land adjacent to Les Amballes, St Peter Port.

We welcome the addition of an Ecological Impact Assessment (EclA) (which includes an evaluation of the ecological baseline) and the tree condition assessment to the application. Both reports indicate that the current woodland habitat is in poor condition due to a lack of previous management and the recent land clearance.

Although the development requires further land clearance, we are satisfied that the proposed works and future woodland management will result in an enhancement of biodiversity from the current condition of the site (as concluded within the PECA of Les Amballes, Nurture Ecology) and cause minimum disruption to the current ecological features, should all measures within the EclA be followed. It is important that these measures are fully implemented to comply with Policy GP3: Areas of Biodiversity Importance.

Should the Authority approve this application, we therefore recommend that the measures set out within the EclA, including all appendices, are included within a suitably worded condition.

The Authority may also wish to inform the applicant that an animal welfare licence may be required when handling wildlife (such as birds, slow worms or small mammals under Appendix 2, page 32 of the EclA) to avoid a breach of the Animal Welfare Ordinance (2012).

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”.

Agriculture Countryside and Land Management Services, 24/04/2026

“We are writing in response to the letter dated 23 March requesting comment on the application to build a 4-storey building and associated works at the land adjacent to Les Amballes, St Peter Port.

The site in its entirety is designated an Area of Biodiversity Importance (ABI), and forms part of the wider ‘Rope Walk’ ABI, designated due to its former classification as a Site of Nature Conservation Importance within the Urban Area Plan.

We note the Biodiversity Strategy provided with the application which seeks to follow UK best practice guidelines to achieve Biodiversity Net Gain and to meet the objectives and guiding principles of the Strategy for Nature.

The Biodiversity Strategy does not include an assessment of the existing biodiversity, including existing features of ecological importance or features which will be lost during the development, it is therefore not able to take account of the existing biodiversity interest of the site (as required in GP3).

In the absence of an assessment, the best available evidence sources are the results of the 2018 Phase 1 habitat survey (during which the site was classified as semi-natural broadleaved woodland (sycamore and elm) and amenity grassland), recent aerial photography, and photographs supplied by Planning Service from a recent site visit. These data sources appear to indicate the presence of mature woodland to the northwest of the site and younger secondary woodland/scrub to the east where clearance works had previously taken place. Semi-natural Broadleaved Woodland is a priority habitat in Guernsey and considered an important ecological feature. Likewise, the younger secondary woodland also has the potential to support a moderate diversity of species.

Given the potential for this development to result in the loss of some or all of these habitats, and the biodiversity they support, we recommend that a Preliminary Ecological Assessment (PEcA) is commissioned from a suitably qualified ecologist. The results of this PEcA should be used to inform an updated biodiversity strategy and landscaping plan which can take account of the existing baseline and ensure that the proposed development minimises negative impacts and is able to implement opportunities for enhancement, in accordance with Policy GP3.

It is also recommended that an arboricultural survey be done to record information about the trees on and adjacent to the site. Whilst the survey should include all trees the focus should be on the more mature trees at the top (western) end of the site. Any survey should follow the recommendations laid out in sections 4.4 & 4.5 of British Standard BS5837:2012 Trees in relation to design, demolition and construction – Recommendations”.

Guernsey Water, 15/05/2026

“Please note that there is both surface water main and wastewater main located within the public thoroughfare. In addition, we are aware of a public sewer along the southern boundary of the proposed development site, which the developer may wish to investigate further.

Mains and services records can be requested by emailing: services@water.gg.”

Summary of Issues:

The main issues in deciding this application are:

1. The impact of the development on the Area of Biodiversity Importance.
2. The design and impact of the development on the character and appearance of the Conservation Area.
3. The impact of the development on the setting of the adjacent protected building.
4. The impact of the development on the amenity of people living in the area.
5. Road safety and traffic management issues.
6. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Planning permission was granted for a terrace of 3 dwellings on a similar footprint in March 2023 (FULL/2022/1936). The approved development followed previously refused schemes in November 2018 (FULL/2018/0771) and March 2022 (FULL/2021/1809) which were refused for a combination of reasons including that it had not been demonstrated that the negative impacts of the development on the Area of Biodiversity Importance had been mitigated; the impact on the character and appearance of the Conservation Area; the application did not respect the local built environment and the open landscape concerned; the substandard sightlines and proximity to the junction of the parking area raised road safety concerns; the development did not provide adequate secure covered cycle storage; and

insufficient information was provided to demonstrate that the proposal would provide a flexible, adaptable and sustainable design.

As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres. The site is located in a Main Centre Outer Area and does not form Important Open Land. Current evidence regarding private market housing suggests a need for homes of 1-2 bedrooms. The proposed mix and type of housing reflects current housing need and is appropriate in this case. As such Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan.

The impact of the development on the Area of Biodiversity Importance

The site in its entirety is designated an Area of Biodiversity Importance, and forms part of the wider 'Rope Walk' Area of Biodiversity Importance, designated due to its former classification as a Site of Nature Conservation Importance within the Urban Area Plan. During the 2018 Phase 1 habitat survey the site was classified as semi-natural broadleaved woodland (sycamore and elm) and amenity grassland.

Policy GP3 requires proposals to demonstrate that the biodiversity interest of the site has been considered, and protected and where possible enhanced, or that any negative impacts on biodiversity are mitigated.

The overall footprint and siting of the built form on the site is similar to the previously approved scheme and the siting of the building towards the southern end of the site helps to create a consolidated remaining area of undeveloped land at the northern end of the site which would be visible along Piette Road. The landscape proposal indicates an area of native tree and understorey planting which has the potential to enhance the biodiversity value of the site, however this is dependent on appropriate management and use of the area which should strive to ensure the site achieves good ecological condition in the longer term.

The revised application is supported by an Ecological Impact Assessment, a Tree Condition Assessment and a detailed landscape plan. The Ecological Impact Assessment includes mitigation measures for lighting, tree protection zones, boundary treatments and habitat creation and method statements for vegetation clearance and a woodland management plan.

The Tree Condition Assessment concludes that the layout of the development has sought to minimise the impact on retained trees and based upon anticipated root projection, there appears to be reasonable scope to accommodate development without resulting in any impact to retained trees. However, it is stated that this is subject to detailed design development (such as foundation designs) and the implementation of appropriate arboricultural protection measures and it is recommended that a detailed Arboricultural Impact Assessment is prepared should development progress.

In order to ensure that the woodland establishes into one of good condition, it is recommended that the site is managed for biodiversity purposes as per the woodland management plan. It should not be considered to be a part of the domestic curtilage, or managed as such. Gardening practices will reduce the biodiversity value of the site. Furthermore, the biodiversity of the site would be best suited by preventing regular access which causes disturbance to both the ground flora and the fauna, such as breeding and foraging birds. Policy GP3 (Areas of Biodiversity Importance) does not apply within the curtilage of a dwelling. Therefore, to prevent the loss of the entire site from the Area of Biodiversity Importance, it is recommended that the domestic land associated with the dwellings is restricted and does not include the landscaped planting areas indicated on the submitted plans, this can be dealt with by condition.

Agriculture Countryside and Land Management Services conclude that although the development requires further land clearance, the proposed works and future woodland management will result in an enhancement of biodiversity from the current condition of the site and cause minimum disruption to the current ecological features, should all measures within the Ecological Impact Assessment be followed.

In summary, a detailed landscape scheme and future management plans has been submitted which has the potential to satisfactorily mitigate any negative impacts of the development, in accordance with Policy GP3. To prevent potential post development pressures in future it may be beneficial to replace the proposed English Oak trees bordering the rear patios/terraces with Hawthorn and Hazel. The information submitted indicates that the development could be constructed without causing significant harm to existing trees. However, to ensure that this would be the case, further information would need to be submitted including an Arboricultural Impact Assessment which includes details of the method of construction of the development. As a whole, the revised proposal demonstrates that the biodiversity interest of the site has been taken into account during the design process and any negative impacts can be mitigated, in accordance with Policy GP3.

The design and impact of the development on the character and appearance of the Conservation Area

The site is within the 'Escarpment' zone (Island Development Plan, p276) and is described as "*The Inland Scarp has also been affected by development. The landform is less evident than on the West Coast, but the Scarp still reads as a strong landscape feature standing up against the horizon. Though there is little actual woodland, the combined effect of garden and hedgerow trees creates an impression of woodland from a distance. As the Scarp is sheltered from the sea and trees tend to occur in gardens, the tree species are more varied than on the West Coast Scarp*". The escarpment is described as the fossil cliff forming the northern edge of the upland plateau and as such it is prominent from the lowlands to the north.

The underlying landscape is one of the principal features that contribute to the character of the Town Conservation Area, the valleys and hills on which the town is built give the distinctive appearance. In particular, when viewed from the north or

from the approach by sea, the appearance of the town climbing the hill is accentuated by the green spaces on either side of it. As set out in the St Peter Port Conservation Area Appraisal, December 2021: Part Two Study of the Hillside Town, the Hillside Town is bookended by two wooded areas, to the south is Le Val des Terres and Havelet Valley; and to the north is a swathe of land that runs from St Jacques to Beau Sejour. These green bookends are key characteristics of the Conservation Area as they are the background/counterpoint to the blanket of built development. The St Peter Port Conservation Area Appraisal sets out guidance for new development and states that *“The green book-ends of woodland and large groups of trees (see page 7) should be retained. Development within these areas will need to be carefully considered so as to not erode character. If it is expedient, statutory protection for the trees in these areas should be considered. This study demonstrates that individual trees and groups of trees, including those within private gardens, (see page 7) make a valuable contribution to the character of the Hillside Town and to public amenity. These trees should be considered for statutory protection if it is expedient to do so”*.

Whilst the site has not been identified as Important Open Land, the undeveloped/open nature of the site does contribute to the character of the Conservation Area by virtue of:

- its contribution to the readability of the underlying landscape character;
- its open nature from far viewpoints and the contribution to the town as a whole;
- its open nature from nearer viewpoints and the contribution to the amenity of the immediate area including the coast road, Piette Road, Les Amballes and the nature walk and woodland behind; and
- its designation as an Area of Biodiversity Importance, and the habitat that it provides.

In terms of the immediate area, the site is of particular importance when viewed from the coast and up Piette Road, to which it is a stop end and it gives a strong visual link to an undeveloped and green space. From Les Amballes the break in development and the resultant connection with a wider green open space does contribute highly to the amenity of the surrounding buildings. When viewed from the publicly accessible woodland walk the site has the potential to bolster the woodland, which is quite sparsely planted at the boundary of the site with trees but minimal low level planting.

Any well-established green space which breaks the pattern of development in an otherwise urban environment has value, but this site in particular is important as it links the urban environment with a wider corridor of green space which extends up and over the top of the hill. Therefore, the value of the green backdrop, of which this application site forms part, has a very high contribution to the character of the Conservation Area.

The site should be considered as a feature in the Conservation Area that makes a very high contribution to its character and appearance. The proposal would result in

the 'demolition' or 'partial demolition' of this feature and, under Policy GP4, such a development will only be supported where the replacement makes an equal or enhanced contribution to the character of the Conservation Area.

The footprint and siting of the building is similar to the previously approved scheme (FULL/2022/1936) and its siting towards the southern end of the site helps to create a consolidated remaining area of undeveloped/open land at the northern end of the site and retains the green and open nature of the site in views along Piette Road.

The size and bulk of the building has increased from the previously approved scheme. The proposed scheme is a classical (roughly Georgian) style with a zinc clad mansard roof and is 4 storeys rather than 3, it has similar contemporary details to the approved but is in a more traditional shape. The scale is minimised by reducing the level of the ground floor as much as possible in relation to the site, 1.2m lower than the approved scheme, but the ridge is still 2.2m taller than the approved scheme due to the extra floor. The increased height of the building would result in a limited additional encroachment into the green backdrop along the hillside but when viewed in context with existing development, the building would not appear out of scale and the wider corridor of green space which extends up and over the top of the hill would be maintained. The building has moved closer to the neighbour to the south and slightly forward. Whilst existing buildings line the sides of the road, there is no strong building line and the buildings move back and forward creating tight spots and open spots along the road. The proposed position of the building is therefore not out of character with the immediate or wider Conservation Area.

Overall whilst the size of the building has increased, given its traditional appearance and appropriate location within the site, there will be no significant additional harm to the Conservation Area as compared to the approved scheme and the development would conserve the special character and appearance of the Conservation area, in accordance with Policy GP4.

The impact of the development on the setting of the adjacent protected building

The neighbouring property to the north, Les Amballes Lodge, together with its roadside wall and railings is a protected building.

The revised proposal has retained the section of roadside wall immediately adjacent to the protected wall on the neighbouring protected building. The setting of the neighbouring protected building is formed by its front garden, its relationship with the street and the green backdrop of the escarpment as well as its overall contribution to the street. The application site contributes to its setting, but only marginally. The retention of an undeveloped woodland area at the northern end of the site will provide a buffer to the adjoining neighbouring protected building and the proposed development will not substantially affect the setting of the protected building, in accordance with Policies GP5 and GP8.

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

Whilst the building is closer to the neighbour to the south and is taller than the previously approved scheme, as the building is to the north of the neighbouring property and is not placed in the way of the neighbours amenity area, the proposal is unlikely to result in any significant shading or have an overbearing effect on the amenities of neighbouring residents. Due to a combination of the respective layouts and levels of the site and the neighbouring property, the 1st floor terrace of unit 3 and the 2nd floor patio of unit 5 is unlikely to adversely affect the privacy of neighbouring residents.

Concerns were raised with the potential loss of privacy from the 3rd floor terrace serving unit 7 towards the neighbouring property to the south. To address these concerns the agent has agreed to install a high obscured screen to the south-east elevation of the terrace, this can be dealt with by condition.

The 3rd floor terrace serving unit 8 would be situated approximately 7m from the boundary of the neighbouring property to the north. Due to the layout of the neighbouring property and the relative location of the parking area, an outbuilding and the external amenity space to the north-west of the site, the terrace of unit 8 is unlikely result in a significant loss of privacy for the neighbouring residents. Due to the distance to the boundary, the scale and mass of the building is unlikely to result in any significant shading of the neighbouring property to the north.

The distance and relationship between the proposed dwellings and neighbouring properties across the highway to the east is not uncommon within this urban setting and the proposal is unlikely to have any significant adverse effects on the amenities of neighbouring residents across the highway to the east.

A degree of disturbance is an inevitable but temporary consequence of most building operations and separate controls existing under Environmental Health legislation to deal with any statutory nuisance that may arise. Given the relatively small size of the site it would not normally be necessary to require details of a Construction Environmental Management Plan. However, given the close proximity of neighbouring properties, the not insignificant extent of excavation proposed, and the potential conflicts between construction vehicles and other road users, a condition requiring the submission of a proportionate Construction Environmental Management Plan is considered to be justified in this instance.

In summary, the proposal has the potential to have some effects on the amenities of neighbouring residents but the harm caused is unlikely to be to such a degree as to have a material adverse effect.

Road safety and traffic management issues

No on-site car parking is proposed and due to the proximity of the site to the centre of town and the shops and services of the St Peter Port Main Centre and the good access to public transport networks, the provision of on-site car parking is not required in this case. Secure covered storage for bicycles for residents and visitor

bicycle parking is provided in accordance with the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance.

The design of the proposed pedestrian access, including the height of the roadside walls, is similar to neighbouring properties and due to the nature of the highway, its urban setting and the likely low traffic speeds along this section of the highway, the proposal is unlikely to have any significant adverse effects on road safety or traffic management. The proposal accords with Policies IP6, IP7 and IP9.

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

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

The proposed dwellings all substantially exceed the Guernsey Technical Standards minimum internal space standards and they all exceed the best practice minimum internal space standards which are published on the Authority's website. Units 2 and 4 are single aspect and units 1, 2 and 4 would have limited daylight within kitchens which is unfortunate. All of the dwellings would have adequate privacy and 7 of the 8 dwellings would have access to some form of outdoor space, comprising of small courtyards or balconies of varying quality. The dwellings include a reasonable outlook over the public street and with the potential for a wider outlook for the upper floor dwellings, and the site has access to public open spaces in close proximity, such as Cambridge Park. Given the central town location of the site, the proposed provision of and access to outdoor space could be adequate in this instance. Overall, despite some deficiencies, the proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

Other matters

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. The application is supported by a sustainability statement which sets out how the development has been designed to take into account sustainable design principles including a fabric first approach with high U-values aiming towards a 35% betterment of the Guernsey Technical Standards and the installation of solar panels. Although the use of an air source heat pump is referred to no details have been provided and consequently no permission is granted as part of this application. A site waste management plan has been submitted and overall the layout and form of the development and the information submitted is sufficient

to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

The reduction in ground levels and the provision of lift access for upper floors is adequate to demonstrate accessibility for all people and is adequately flexible to be able to respond to peoples changing needs over time.

Concerns raised about the potential for the development to result in damage to neighbouring properties and comments about a right of way to the gable of the neighbours property are not a material planning consideration. All decisions made by the Authority are without prejudice to third party rights, and the Authority is not able to address civil matters such as boundary, third party disputes or other related matters of ownership. Where necessary such cases should be resolved by seeking legal advice.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 30/09/2026