ONLINE VERSION

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 1 metre mast and 700mm antenna on side of pumping station.

LOCATION: St Clair Park Pumping Station, St Clair Park, Route Militaire, St. Sampson.

APPLICANT: Guernsey Water

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: 24/04/2015

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/03/2015 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Water - SC1.1 & SC2.1

Application Ref: FULL/2015/0778

Property Ref: B01990W000

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 Environment Department 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 equipment hereby permitted shall be removed from the site when no longer required or should future developments allow for a reduction in the impact of the equipment or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner.

Reason - Should the equipment no longer be required, removal would result in an improvement to the appearance of the site and prevent the possibility of the equipment becoming an eyesore.

Expiry Date: This permission will cease to have effect on 23/04/2018 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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 Department made this decision. The official Appeal Notice Forms are available on the Department's website at www.gov.gg/planning-appeals 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 Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

You should note that any work which abuts or affects the public highway requires prior approval by the Public Services Department (PSD). You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with PSD 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

ENVIRONMENT
A STATES OF GUERNSEY GOVERNMENT DEPARTMENT

PLANNING APPLICATION REPORT

Application No:	FULL/2015/0778
Property Ref:	B01990W000
Valid date:	16/03/2015
Location:	St Clair Park Pumping Station St Clair Park Route Militaire St. Sampson Guernsey
Proposal:	Erect 1 metre mast and 700mm antenna on side of pumping station.
Applicant:	Guernsey Water

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 Environment Department 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 equipment hereby permitted shall be removed from the site when no longer required or should future developments allow for a reduction in the impact of the equipment or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner.

Reason - Should the equipment no longer be required, removal would result in an improvement to the appearance of the site and prevent the possibility of the equipment becoming an eyesore.

OFFICER'S REPORT

Brief Description:

Proposal involves erection of 1 metre mast with 0.7 metre antenna attached to the existing kiosk on the site. It would have a total height above ground of about 2.2 metres.

Kiosk is located next to an existing car parking area and backs onto an electricity sub-station which is itself enclosed by planting.

Relevant History:

None

Existing Use(s):
Pumping Station site

Assessment: *(Tick as appropriate)*

no representation	X	visual amenity acceptable	X
accords with policy	X	no material neighbour impact	X
within curtilage	X	traffic not affected	X
design acceptable	X		

Conclusion/Brief comment:

The nature and position of the mast and the presence of planting to the rear of the kiosk are such that it would have a negligible impact on the general appearance and character of the area. Its nature and position relative to the nearest houses are such that there would be a negligible neighbour impact, especially in view of the presence of the existing sub-station.

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

Recommendation:
Grant with Conditions ✓

Date: 24 April 2015