

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: Remove existing fencing and gates, erect fencing and install storage/treatment container.

LOCATION: Creve Coeur/Mont Cuét Landfill sites, Les Hures, Vale.

APPLICANT: Guernsey Waste

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: 07/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Waste drawing no's: 9002/7/9 Rev B & 12A, Appendix 4 Standard ISO 20' Shipping Container drawing and Jacksons Fine Fencing drawing no: 98 J2/01022

Application Ref: FULL/2021/2664

Property Ref: C017530000,C1759A&C1759B

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.

Expiry Date: This permission will cease to have effect on 06/03/2025 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 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/2021/2664
Property Ref: C017530000,C1759A&C1759B
Valid date: 10/12/2021
Location: Creve Coeur/Mont Cuët Landfill sites Les Hures Vale Guernsey
Proposal: Remove existing fencing and gates, erect fencing and install storage/treatment container.

Applicant: Guernsey Waste

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).

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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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises the Mont Cuét/Creve Coeur Landfill sites situated to the east of Rue des Grandes Camps and to the north of Les Hures.

Surrounding the site the area comprises the coast to the north, agriculture to the south, east and west. Situated beyond the fields to the west is Mont Cuét green waste site and beyond the fields to the south and southwest are residential properties.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2017/0527	Install replacement gas flare and associated plant.	Granted 25/04/2017
FULL/2016/2861	Install replacement gas flare and associated plant.	Withdrawn 14/02/2017

Existing Use(s):

Former landfill waste disposal site

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

☒
☒
☒
☒

visual amenity acceptable
no material neighbour impact
traffic not affected

☒
☒
☒

Policies considered most relevant:

IP2: Solid Waste Management Facilities
GP1: Landscape Character and Open Land
GP8: Design

Consultation Responses:

The Office of Environmental Health and Pollution Regulation by letter dated 19th January 2022 raised no objections to the proposal.

Conclusion/Brief comment:

The National Trust of Guernsey has taken over the responsibility for the former Creve Coeur Landfill Site and to enable this, changes to land parcel boundaries have been completed with some parts of the site being open to the general public in the future. As a result to maintain security a new boundary fence between the Mont Cuet landfill site and the adjacent former Creve Coeur landfill is to be installed for which planning permission is sought. The new boundary fence will include a pedestrian gate at the ridge of the landfilled area to enable access to gas monitoring manifold chambers along the ridge of the former Creve Coeur landfill site. In addition to the boundary fence an additional small compound will be created on the southern boundary of the former landfill site adjacent to les Hures Road. The application also proposes the installation of a new ISO container at the Mont Cuet leachate treatment plant and the removal of perimeter fencing around the remainder of the former Creve Coeur Landfill site

The proposed fencing and compounds will comprise 1.8m high hot dipped galvanised steel, green PVC coated with galvanised steel posts set in concrete at pre-determined positions. The fencing is of an appropriate colour and type and given the topography of the site parts will be largely unseen from the roadside and from the immediate surrounding area. The proposed shipping container will be 6.0m in length, by 2.4m in width by 2.5m in height and will be positioned and seen in context with an existing portacabin style building which is situated in this part of the site.

The existing fence surrounding the Creve Coeur site is currently in poor condition and its removal will improve the physical access and openness of the site and the overall visual character of the surrounding area.

A need has been provided for the proposed works and any harm to the visual character or appearance or on the landscape character and openness of the surrounding area, would not be so substantial to warrant the refusal of planning permission. The proposal therefore accords with the provisions of Policies GP1 and GP8 of the IDP.

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: 03/03/2022