

**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:** Install 2 masts (4 antennas) and associated equipment to roof.

**LOCATION:** Co-Op Grande Marche, La Route Des Camps, St. Martin.

**APPLICANT:** Airtel-Vodafone

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:** 26/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Block plan 1:500 Co-op Grande Marche; GSY/## -052A, -053A, -054A, -055A, -056A, -057A, FCOA - Outdoor Cabinet details and Certificate for Electro Magnetic (EM) Level.

**Application Ref:** FULL/2022/0410

**Property Ref:** J000480000

**Conditions and reasons:-**

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

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

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

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

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

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

4.The equipment hereby permitted shall be removed from the site when no longer required for telecommunications purposes 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 - To secure the removal of the equipment when no longer needed, thereby safeguarding the character and appearance of the Conservation Area locality.

5.Within one year of the commissioning of the equipment hereby approved, a post-commissioning International Commission on Non-Ionizing Radiation Protection (ICNIRP) certification in respect of the proposed installation to demonstrate that they comply with the ICNIRP Public Exposure Guidelines shall be provided in writing to the Authority.

Reason - To ensure that the estimated level set out in the submitted commissioning certificate is achieved.

**Expiry Date: This permission will cease to have effect on 25/04/2025 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](http://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](mailto: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/2022/0410  
**Property Ref:** J000480000  
**Valid date:** 17/03/2022  
**Location:** Co-Op Grande Marche La Route Des Camps St. Martin  
Guernsey GY4 6AA  
**Proposal:** Install 2 masts (4 antennas) and associated equipment to roof.  
**Applicant:** Airtel-Vodafone

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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.

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

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

4. The equipment hereby permitted shall be removed from the site when no longer required for telecommunications purposes 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 - To secure the removal of the equipment when no longer needed, thereby safeguarding the character and appearance of the Conservation Area locality.

5. Within one year of the commissioning of the equipment hereby approved, a post-commissioning International Commission on Non-Ionizing Radiation Protection (ICNIRP) certification in respect of the proposed installation to demonstrate that they comply with the ICNIRP Public Exposure Guidelines shall be provided in writing to the Authority.

Reason - To ensure that the estimated level set out in the submitted commissioning certificate is achieved.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

Co-op Grand Marche is situated on Les Camps, St Martin. A petrol filling station is situated adjacent to the road and the main supermarket is situated to the rear of the site. Parking is situated to the north and west of the main building. Two covered trolley parks exist in the car park to the west of the building and a further area of covered trolley parking is provided to the north of the building, accommodated by the roof overhang of the store. Trolley parking exists immediately adjacent to the store entrance.

The application relates to the installation of two masts to hold a total of four antenna, a microwave dish and associated equipment to the roof of the supermarket.

A Certificate for Electro Magnetic (EM) Level has accompanied the submission where the pre-commissioning part of the document has been signed to confirm that the estimated EM level is consistent with the Manufacturer's Guidelines and EM level is below the ICNIRP reference level.

The site is located within a Local Centre and Conservation Area.

### **Relevant History:**

None.

**Existing Use(s):**

9 Convenience Retail

**Assessment:** *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

**Policies considered most relevant:**

Policy IP11: Small-Scale Infrastructure Provision

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP17: Public Safety and Hazardous Development

**Consultation:**

Office of Environmental Health and Pollution Regulation – have reviewed the proposed plans to install 2 masts (4 antennas) and associated equipment on the roof of Co-op Grande Marche, St Martin for which were received by post on 28th March 2022.

It is noted that the ICNIRP certification is included with the application, however this document has not been signed. OEHPR would recommend that this document is signed.

**Conclusion/Brief comment:**

Policy IP11 states that proposals for small scale infrastructure will be supported where this would contribute to the maintenance and support of efficient and sustainable infrastructure and accords with other relevant policies of the Plan.

The applicant has provided information regarding the proposal and that the location share will ensure customers continue to benefit from 3G and 4G technology. The information submitted is sufficient to demonstrate that the antenna would contribute to the maintenance and support of infrastructure, in accordance with Policy IP11.

The site is set well back from the road and the proposed poles and equipment will also be set well back from the edge of the roof of the building. As a result the design will not appear prominent when viewed from outside of the site. The proposal would have a neutral impact on the character and appearance of the Conservation Area, in accordance with Policy GP4.

An 'Emissions from Radio Masts' and with the 'pre-commissioning' estimated public ICNIRP levels have been provided. It is recommended however, that post-commissioning certification is requested by condition.

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.

It is recommended that the application is approved.

**Recommendation:**

Grant with Conditions



**Date:** 25 April 2022

