

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 replacement mast.

LOCATION: The Track, Victoria Avenue, St. Sampson.

APPLICANT: Sure Guernsey Limited

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: 07/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Site Location Plan; Application Block Layout Plan; Sure Guernsey Ltd - Plan & Drawing AB-2 & AB-3.

Application Ref: FULL/2022/0985

Property Ref: B012740000

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 existing mast shall be removed from the site within 28 days of the erection of the mast hereby approved.

Reason - To secure the removal of equipment which is no longer needed, thereby safeguarding the character and appearance of the locality.

5.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 locality.

6.The mast hereby permitted shall be made available for mast sharing in the event of other telecommunications operators requiring similar facilities in the future.

Reason - To prevent an unnecessary proliferation of masts in this area, which would adversely affect the character and appearance of the locality.

Expiry Date: This permission will cease to have effect on 06/07/2025 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/2022/0985
Property Ref: B012740000
Valid date: 27/05/2022
Location: The Track Victoria Avenue St. Sampson Guernsey GY2 4BB
Proposal: Install replacement mast.
Applicant: Sure Guernsey Limited

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. The existing mast shall be removed from the site within 28 days of the erection of the mast hereby approved.

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safeguarding the character and appearance of the locality.

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Reason - To secure the removal of the equipment when no longer needed, thereby safeguarding the character and appearance of the locality.

6. The mast hereby permitted shall be made available for mast sharing in the event of other telecommunications operators requiring similar facilities in the future.

Reason - To prevent an unnecessary proliferation of masts in this area, which would adversely affect the character and appearance of the locality.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a sports ground located Outside of the Centres in the Island Development Plan.

Relevant History:

13/01/10 FULL/2009/2597 Permission to install 12m monopole GSM mast and equipment cabin.

Existing Use(s):

Sports track/field

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:

IP11 Small-scale infrastructure provision
GP8 Design
GP9 Sustainable development

Consultation:

The Office of Environmental Health and Pollution Regulation do not wish to raise any objections to the proposals, noting that a declaration of conformity with ICNIRP guidelines has been provided.

Conclusion/Brief comment:

Permission is sought to replace an existing 12m mast with a 15m high 500mm wide slimline lattice supporting 3no antenna on an existing concrete pad and utilising an existing cabinet, located adjacent to a storage building to the east of the sports ground. The application material confirms the lattice could be used for mounting security cameras or lighting if required.

Policy IP11 (Small-scale infrastructure provision) 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 the other relevant policies of the Plan. In all cases the applicant will first be required to demonstrate that the sharing or co-location of facilities, buildings, apparatus and support structures is not practically possible.

The current proposal is for the replacement of an existing mast, to improve services in the area.

The lattice will be visible at points from the adjacent road, however it will be read amongst the existing infrastructure at the recreation grounds, in particular the pitch lighting, and any visual impact will be limited.

A declaration of conformity has been provided in respect of Public RF Exposure Guidelines and the Office of Environmental Health & Pollution Regulation raise no objections.

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: 05/07/22