

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: Internal works to install additional electrical equipment. (Protected Monument).

LOCATION: Victoria Tower Monument, Arsenal Road, St. Peter Port.

APPLICANT: Committee For Home Affairs

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: 10/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: States Property Unit: 6284-035.

Application Ref: FULL/2022/1829

Property Ref: A114980000

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 or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner. The area of the equipment shall be reinstated to its former condition within two months of the removal of the equipment.

Reason - To secure the removal of the equipment when no longer needed, thereby safeguarding the fabric and special interest of the Protected Monument.

Expiry Date: This permission will cease to have effect on 09/11/2025 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/2022/1829
Property Ref: A114980000
Valid date: 07/09/2022
Location: Victoria Tower Monument Arsenal Road St. Peter Port
Guernsey
Proposal: Internal works to install additional electrical equipment.
(Protected Monument).

Applicant: Committee For Home Affairs

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.

4. The equipment hereby permitted shall be removed from the site when no longer required or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner. The area of the equipment shall be reinstated to its former condition within two months of the removal of the equipment.

Reason - To secure the removal of the equipment when no longer needed, thereby safeguarding the fabric and special interest of the Protected Monument.

OFFICER'S REPORT

Brief Description:

The application relates to internal works to install additional electrical equipment (DC cabinet to be sat on a plinth but without any fixings to the existing masonry) on the ground floor within Victoria Tower, a Protected Monument. Any cabling etc. would feed into existing conduits. The additional electrical equipment would support the operation of the radio network used by emergency service agencies.

The site is located in a Main Centre, Archaeological Area and Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2014/3277 - Grouting of wall cores, masonry repairs and re-pointing of the Tower (protected monument). Approved 08-01-2015

FULL/2014/2374 - Carry out works involving the re-pointing of the bottom section of the tower, grouting of walls and masonry repairs. Approved 03-10-2014

FULL/2014/2125 - Install antenna support structure with UHF receiver and install receiver/transmitter electronics on roof of tower (protected monument). Approved 08-09-2014

FULL/2013/1355 - Erect two antennas within turret and install receiver/transmitter (Protected Monument). Approved 09-07-2013

HAPP/2003/4551 - Install 2 antennas on top of tower. Approved 26-02-2004

PAPP/2003/4550 - Install 2 antennas on top of tower. Approved 26-02-2004

HAPP/2002/2859 - Mount antenna on existing flagpole. No objection raised 30-08-2002

HAPP/2001/3449 - Erect IT communications antenna. No objection raised 11-10-2001

Existing Use(s):

Historic building and gardens accessible by and open to the public.

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:

Island Development Plan policies:

GP6: Protected Monuments

IP11: Small-scale Infrastructure Provision

Conclusion/Brief comment:

The works are internal to the building and will not impact on the locality or on residential amenity in any way.

The equipment will be free standing within the ground floor area of the building and do not require fixings to be made to the masonry. The works will be easily reversible when no longer required (a matter that can be controlled by condition) and will not result in harm to the Protected Monument. The scheme therefore complies with the relevant policies in 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.

In view of the above it is recommended permission is granted for the proposed development.

Recommendation:

Grant with Conditions

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Date: 07 November 2022

