

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 substation and fence to north of site.

LOCATION: College Playing Field, Kings Road, St. Peter Port.

APPLICANT: Guernsey Electricity Ltd

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: 26/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Electricity: P02-01-01-73 D04A

Application Ref: FULL/2022/2045

Property Ref: A308620000

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 fencing hereby approved shall be dark stained within 28 days of its installation.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 25/01/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service during any excavation, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

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/2022/2045
Property Ref: A308620000
Valid date: 14/10/2022
Location: College Playing Field Kings Road St. Peter Port Guernsey GY1 1QF
Proposal: Install substation and fence to north of site.
Applicant: Guernsey Electricity Ltd

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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4. The fencing hereby approved shall be dark stained within 28 days of its installation.

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INFORMATIVES

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It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service during any excavation, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

OFFICER'S REPORT

Site Description:

The site known as 'The College Playing Fields' is located to the west of Kings Road behind the residential ribbon development that lines the road, to the north are some dwellings and then running around from the north to the west is Rue A L'Or, which turns into Richmond Avenue to the southwest. To the south are the rear gardens of dwellings which face onto Mount Row. The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Elizabeth College Playing Fields

Brief Description of Development:

This application is to install a primary substation and fence to the north of the site.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC9: Leisure and Recreation Outside of the Centres

GP4 Conservation Areas

GP8: Design

Representations:

There has been one letter of representation and the issues are:

- The probable noise the substation may emit and possible electrical interference
- The building would have a detrimental effect on the character and quality of the locality
- Green spaces close to St Peter Port are rare and the unnecessary addition of any building anywhere within the perimeter of this land is out of keeping
- There will be an impact on the reasonable enjoyment of the area
- Safety considerations of small children playing nearby
- Substation foundation level, the area where the substation is proposed is some 3 feet higher than the playing field, the neighbours garden and the road, will the ground level be reduced
- Lack of privacy screen. The one piece of fence proposed to the south only screens the substation from players on the field rather than screen the substation from the nearby neighbour.

Consultations:

Guernsey Museums & Galleries

(04/11/22)

'The site of the proposed electricity substation and the surrounding landscaping is in an archaeologically sensitive area, there are numerous prehistoric find spots and is within 50m of the site of a prehistoric Menhir and Dolmen, 90m of a group of megalithic stones and 200m of the Kings Road Iron Age site. As a consequence of this any proposed excavation should only be carried out under archaeological supervision. Therefore, I would request that if permission were granted, there should be a condition imposed that all of the excavation work is carried out with an archaeologist in attendance.'

The Office of Environmental Health and Pollution Regulation

(08/11/22)

'I have concerns relating to the close proximity of residential properties. The details of the specific proposed equipment are not included. There is no acoustic information provided as part of the application and no data relating to any acoustic properties of any proposed enclosure. Therefore, the replacement units may not be suitable in this location.'

Should further information be forthcoming I will reconsider my recommendation.

At a minimum the department requires the following information:

- *Manufacturers' specifications of the proposed unit*
- *Distance to the closest noise sensitive property (this includes domestic gardens)*
- *Evidence that the noise level the proposed units would operate at would be at least 5 dB(A) below the lowest background noise level at any time (this is generally at night)*
- *Details of any proposed attenuation measures to reduce the level of the units*

I would urge the applicant to contact an acoustic consultant.

Any measurements and assessment shall be made in accordance with British Standard 4142:2014. Please do not hesitate to contact me at the above address should you require any additional information regarding this matter.'

(03/01/23)

'I have reviewed the additional information for the proposed plans Kings Road, St. Peter Port, Guernsey supplied over the phone (by GEL) on 21st December & via email on 28th December and I do not wish to raise any objections to the application.'

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy IP11 states that the erection of small-scale buildings, electricity substations and other service apparatus will be supported where this would contribute to the maintenance and support of efficient and sustainable infrastructure, as long as the proposals accords with the other relevant policies of the Island Development Plan.

The additional information requested by Environmental Health included a break down of the type of substation and the equipment within it. The substation will be a Primary substation, which will be filled with four panels of switchgear, and is effectively a junction point in the electricity network for feeding different circuits in the same way that a domestic consumer unit has circuit breakers within a property.

Primary substations do not have any transformers in them, transformers are associated with Secondary substations and it is the electro-mechanical characteristics of transformers that lead to the audible signature of Secondary substations.

With the assurance that there will be no noise emitted from the substation, the other issue was the location. The application was deferred to request the substation was moved 5m to the north so it would be in line with the nearest neighbours garage, thus limiting the view of the substation from the neighbours garden and within the playing grounds.

The screen fence initially proposed along the south elevation has also been extended so that it now runs along the south elevation and the east elevation, screening the substation from the neighbours and the users of the playing fields. The fence in itself will however stand out amongst the surrounding vegetation and it is recommended that it be dark stained.

The substation is a utilitarian structure, and will be visible in views from the adjacent road. The structure is however set back from the roadside, behind the roadside wall and planting (which should not be significantly affected by the proposals) and will be screened by and viewed against the buildings to the east in longer views. Overall the proposal would not have a significant impact on the character of the Conservation Area.

The use of the playing fields will not be affected in anyway as the location of the substation is within a wooded area to the north of the playing fields which is unused. The substation has been located nearer to the residential properties so that it isn't so noticeable, on balance the substation is not considered to impact on the special quality of the character and appearance of the surrounding conservation area, nor will it impact on any neighbouring properties.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 25/01/2023

