

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: Rescind Condition 4 of FULL/2020/0156 to retain refillable water station.

LOCATION: Liberation Monument, St Julians Emplacement, St. Peter Port.

APPLICANT: Guernsey Water

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: 28/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Liberation Monument - Water Refill Station Location Plan, ELKAY specifications and product images received 17/02/2023)

Application Ref: FULL/2023/0391

Property Ref: A411190014

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 water refill unit hereby permitted shall be removed from the site when no longer required and the hardsurface below shall be restored to its former condition within one month of the date of its removal.

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

Expiry Date: This permission will cease to have effect on 27/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the water refill unit to which this permission relates is non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

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/2023/0391
Property Ref: A411190014
Valid date: 17/02/2023
Location: Liberation Monument St Julians Emplacement St. Peter Port
Guernsey
Proposal: Rescind Condition 4 of FULL/2020/0156 to retain refillable
water station.
Applicant: Guernsey Water

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 water refill unit hereby permitted shall be removed from the site when no longer required and the hardsurface below shall be restored to its former condition within one month of the date of its removal.

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

INFORMATIVES

For the avoidance of doubt, the water refill unit to which this permission relates is non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description:

The application site comprises a public space located adjacent to the Liberation Monument and south of the Clocktower (St. Julian's Weighbridge). The Clocktower

is a protected building and the site is situated within a Conservation Area as defined in the Island Development Plan.

The application proposes to rescind condition 4:

The permission for this development shall cease, the water refill unit shall be removed, and the hard surface below shall be restored to its former condition within 2 years of the water refill unit being installed.

Of planning permission FULL/2020/0156 to allow for the permanent retention of the freestanding water refill unit.

Relevant History:

FULL/2020/0156 - Install freestanding water refill unit - granted

Existing Use(s):

Open space

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
IP11 Small-scale Infrastructure Provision

Conclusion/Brief comment:

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions

Date: 28/03/2023



