

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: Erect substation building to north of Rue des Grands Camps

LOCATION: Mont Cuet, Mont Cuet Road, Vale.

APPLICANT: Ronez 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: 02/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects: 6303-01F

Application Ref: FULL/2023/1018

Property Ref: C017530000

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.No cladding shall be brought to the site until such time as a sample and details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

5.No development shall begin on site until details of the extent, laying and finish of any hardsurfacing have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed hardsurfacing. This condition is imposed to make sure that the hardsurfacing is limited to that necessary in association with the approved development and would not have any adverse impact on the character of the area.

6.Within six months of the date when the substation ceases to be required for use in association with the quarry operations approved under FULL/2022/0443, or such other period previously agreed in writing by the Authority, the building hereby permitted and any associated structures shall be removed from the site and the land shall be re-instated.

Reason - Permission for the building has been granted on the basis that it is required in association with the approved quarrying operation at the headland. There is no justification to retain the building once that use ceases.

Expiry Date: This permission will cease to have effect on 02/05/2027 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/2023/1018
Property Ref: C017530000
Valid date: 25/07/2023
Location: Mont Cuet Mont Cuet Road Vale Guernsey GY3 5AT
Proposal: Erect substation building to north of Rue des Grands Camps

Applicant: Ronez 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).

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. No cladding shall be brought to the site until such time as a sample and details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance

with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

5. No development shall begin on site until details of the extent, laying and finish of any hardsurfacing have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed hardsurfacing. This condition is imposed to make sure that the hardsurfacing is limited to that necessary in association with the approved development and would not have any adverse impact on the character of the area.

6. Within six months of the date when the substation ceases to be required for use in association with the quarry operations approved under FULL/2022/0443, or such other period previously agreed in writing by the Authority, the building hereby permitted and any associated structures shall be removed from the site and the land shall be re-instated.

Reason - Permission for the building has been granted on the basis that it is required in association with the approved quarrying operation at the headland. There is no justification to retain the building once that use ceases.

OFFICER'S REPORT

Brief Description of the site:

The application site is located on the Chouet headland, at the northern end of Rue des Grands Camps and to the east of the informal car park located to the north of the headland.

The application site is located Outside of the Centres in the Island Development Plan. The western part of the headland is safeguarded for mineral extraction, and permission has been granted to establish a new quarry on that land, with reception facilities to be provided within the existing Mont Cuet reception area and Rue des Grands Camps to be closed to public access.

Relevant History:

FULL/2022/0443 Development of land to establish a new quarry (Phases 1 & 2 of mineral extraction) including demolition of dwelling, closure of Rue des Grands Camps, installation of plant, perimeter fencing and gates and removal of existing and

installation of new facility buildings within the Mont Cuet reception area. Approved 17/10/2022

FULL/2022/2390 Excavate earthbanks, erect retaining wall, fencing and gates, erect outbuilding/reception for public green waste facility. Approved 13/04/2023

Existing Use(s):

Access track and land associated with existing landfill/proposed quarry operations

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:

IP11 Small-scale Infrastructure Provision
GP1 Landscape Character and Open Land
GP8 Design

Conclusion/Brief comment:

This application proposes the installation of a 9.5m x 4.4m x 3.5m (high) blockwork building, clad in Millboard in a dark timber finish, and housing a substation.

The proposed substation is required to support the approved quarrying operations at the headland. The weighbridge and workshop area will be served by the existing substation in that area, however that substation does not have sufficient capacity to support the additional operations associated with the approved quarrying.

Whilst the proposed location for the substation is set away from the existing and approved built development within the Mont Cuet reception area, it has been confirmed that there is not capacity to locate the structure within that area and the current proposal is the most effective solution.

The proposal would introduce a substantial structure in an open area and, as initially proposed, the substation was to be located immediately adjacent to the footpath running along the north coastline of the headland. Concerns were raised regarding the visual impacts of the structure. Following deferral, the substation has been repositioned to the south-east, behind an existing bank, and reoriented to minimise impacts in views from along the coastline. Whilst the structure will still be an obvious feature in this immediate area, the relocation is sufficient to mitigate impacts and the use of cladding could further reduce the visibility of the structure.

The proposal must also be considered in the context of the approved quarrying operation and would be viewed against the rising land of the landfill. Given that the proposal is to use Millboard rather than natural cladding, presumably for longevity and maintenance reasons, a sample of the proposed cladding should be submitted for approval prior to installation.

On balance, whilst the proposal would introduce new built form in the area and would have a visual impact, the structure comprises necessary infrastructure and attempts have been made to mitigate the impacts. Given that the substation is only required in association with the approved quarrying activities, it is recommended that the decision be conditioned to require removal once the structure is no longer required for its stated purpose.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 02/05/2024

