

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: Create a temporary green waste recycling site.

LOCATION: Le Courtil Du Grand Camp &, La Croute Du Grand Camp, Rue Des Grands Camp, Vale.

APPLICANT: Guernsey Waste

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: 12/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Waste Covering Letter and Plans - 9017_2023_1 & _2A; Heras Mobile Fencing;

Application Ref: FULL/2023/1748

Property Ref: C017480000

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 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.

3.The use hereby permitted shall cease on or before 31 March 2024, and all associated structures and hardsurfacing shall be removed from the site by 30 April 2024. Unless works are continuing at the site in accordance with the permission granted for quarrying activities under application reference FULL/2022/0443, the land shall be reinstated to its former condition by 30 April 2024.

Reason - The permission is granted to meet a temporary operational need associated with waste operations. A permanent permission could result in additional impacts which may alter the assesment of the application against the relevant planning policies.

4.No operations shall occur at the site before 0800 hours on any day or after 1600 hours Mondays to Saturdays, or after 1200 hours on Sundays, and there shall be no operations on Public Holidays.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 31/03/2024 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/2023/1748
Property Ref: C017480000
Valid date: 05/10/2023
Location: Le Courtil Du Grand Camp & La Croute Du Grand Camp Rue
Des Grands Camp Vale Guernsey GY3 5AT
Proposal: Create a temporary green waste recycling site.

Applicant: Guernsey Waste

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 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.

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Reason - The permission is granted to meet a temporary operational need associated with waste operations. A permanent permission could result in additional impacts which may alter the assessment of the application against the relevant planning policies.

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Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Site Description:

The application site is located on the Chouet headland, and comprises an agricultural field located to the west of Rue des Grands Camps. The land is bounded by further fields to the north and south.

The application site is located Outside of the Centres in the Island Development Plan and forms part of an area safeguarded for mineral extraction. Permission has recently been granted to establish a new quarry within the safeguarded area, in two phases, and the application site forms part of the Phase 1 development area. Works have commenced on the implementation of that permission.

The existing green waste site is located to the north-west of the application site, however is to form the processing area associated with the initial phases of the quarry development and permission has therefore been sought and granted to relocate that site to within the Mont Cuét reception area, to the south-east.

Relevant History:

The existing green waste operation was established prior to the Land Planning and Development (Guernsey) Law, 2005 and was not therefore subject to formal planning permission.

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 Cuét 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):

Agricultural Use Class 28 – with consent for quarrying activities.

Brief Description of Development:

Permission is sought for the temporary relocation of the green waste reception site to the application site, for a temporary period of 3 months from 1 January 2024, during the preparation of the new green waste site to the south-east. The area will be approximately 25m by 40m, excavated into the field, and the existing facilities will be relocated to the site, including the site Reception hut, port-a-loo, storage unit, Euro bin and the generator/lighting set. A retaining wall of megablocks will be formed around the drop off area, whilst the whole site will be enclosed with Heras fencing.

The operating hours will be:

Monday-Saturday 08:00-16:00

Sunday 08:00-12:00

Closed on Bank Holidays

In support of the application it is noted that the current green waste site is required by the quarry operator and the green waste site therefore needs to relocate prior to completion of the new site.

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

OC5(B) Agriculture Outside of the Centres – Outside of the Agriculture Priority Areas

GP1 Landscape Character and Open Land

GP8 Design

GP9 Sustainable Development

IP2 Solid Waste Management Facilities

IP9 Highway Safety, Accessibility and Capacity

Representations:

None received.

Consultations:

The Office for Environmental Health and Pollution Regulation raise no objections.

Summary of Issues:

Principle of development;

Impacts on agriculture;

Impacts on openness, landscape character and visual amenity;

Impacts on road safety and traffic management;

Impacts on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The proposal is for the temporary relocation of a small scale facility for the disposal of waste, and does not comprise Schedule 1 or 2 development for the purposes of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007.

Policy IP2 states that development required to implement the States' Waste Strategy will be supported, providing it accords with all other relevant planning policies. The recent approval for the permanent relocation of the green waste drop off is in line with strategic direction, whilst enabling the release of the adjacent mineral extraction area. Works have commenced on the implementation of the approved green waste site, however those works will not be complete in sufficient time to release the existing green waste site for quarrying activities.

The current application will be for a temporary period only, on land which is designated and authorised for quarrying activity. The works are justified to enable the quarrying activity to come forward in a timely manner and would not result in any long term impacts on agriculture, openness or landscape character. The decision can be conditioned to ensure that all structures proposed as part of the application are removed from the site by 31st March 2024, and either the land is reinstated to its former condition, or works are implemented in accordance with the approved quarrying operations.

Hours of operation and lighting can be controlled by condition to ensure no adverse impacts on the amenity of nearby residential property.

Matters relating to contamination of and potential ordnance on the land have been addressed as part of the quarrying application (ref FULL/2022/0443), and there are therefore no concerns in respect of these matters.

As noted for the new green waste site, the proposal would not result in an increase in traffic movements along the road. The proposal includes a traffic management scheme, and would move any queuing vehicles away from the junction of Les Hures/Rue des Grands Camps, and would therefore result in a lower level of traffic management impacts in comparison with the approved scheme.

Subject to the conditions set out above, the proposal would accord with the purpose of the Law, material considerations and relevant planning policies.

Date: 11/12/2023

