

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: Variation to plans previously approved to install replacement mast with 3 antennas - revised location within existing mast compound (adjacent to west boundary).

LOCATION: Centenary House, La Vrangue, St. Peter Port.

APPLICANT: Sure Guernsey Limited

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: 05/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Sure Guernsey Ltd: Drawing AB-1, AB-2 & AB-3 & Site Location Plan (1:1250) & Block Layout Plan (1:500) (date stamped received 01/11/23).

Application Ref: FULL/2023/2111

Property Ref: A11528Y000

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 on or before 28/08/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/08/2023, issued under planning application reference FULL/2023/1135, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 28/08/2026 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/2023/2111
Property Ref: A11528Y000
Valid date: 01/11/2023
Location: Centenary House La Vrangue St. Peter Port Guernsey
Proposal: Variation to plans previously approved to install replacement mast with 3 antennas - revised location within existing mast compound (adjacent to west boundary).

Applicant: Sure Guernsey Limited

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 on or before 28/08/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 29/08/2023, issued under planning application reference FULL/2023/1135, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

Centenary House is a large commercial style building with other commercial properties to the west and south of the site. The site is located between residential development to the west and east with views of the mast visible from the adjoining Millbrook Estate and La Vrangue to the north.

Planning permission has been granted to replace the existing 12.5m high monopole mast with a 15m high lattice mast incorporating three antenna with the existing cabinet and concrete plinth retained. As approved, the mast was to be repositioned on site, moved 24m away from the neighbouring boundary. This is a variation application that proposes to construct the replacement, taller mast but in a similar position to the existing monopole.

The application has been accompanied by an ICNIRP declaration.

The site is located in a Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/1135 - Install and relocate mast with 3 antennas to north of building – granted

PAPP/2007/0972 - Install three antennas and a base station – granted

Existing Use(s):

Mast site

Assessment: *(Tick as appropriate)*

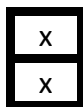
no representation
accords with policy

x
x

visual amenity acceptable
no material neighbour impact

x
x

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

S5 Development of Strategic Importance
GP8 Design
IP11 Small-scale infrastructure provision
GP9 Sustainable development

Consultation:

Office of Environmental Health and Pollution Regulation - is concerned about the risk of public exposure from non-ionizing radiation from such installations and recommend a condition relating to a post-commissioning International Commission on Non-Ionizing

Radiation Protection (ICNIRP) certification in respect of the installation to demonstrate that they comply with the ICNIRP Public Exposure Guidelines.

Conclusion/Brief comment:

The principle of erecting a replacement mast at Centenary House has previously been established having regard to its strategic importance (not of island-wide significance requiring an EIA), the aims of the SLUP and various parts of the IDP, including Plan Objective 6 and Policies S5 and IP11.

The submission sets out that this proposal is to replace an existing mast with the same type of radio equipment as the existing site deploys.

Based on evidence available to the Authority there is not a more suitable alternative site for the proposed development. The proposal accords with the Principal Aim of the Plan, Plan Objective 6 and S5, as described above.

Although the proposed mast will exceed the height of the adjacent industrial buildings, it remains set well back from the nearby roads, behind those buildings and the surrounding roadside development, with limited visual impact. The proposal would not therefore have a significant impact on the character and amenity of the locality.

A declaration of conformity has been provided in respect of Public RF Exposure Guidelines and the condition imposed to the original permission for the replacement mast regarding ICNIRP compliance will remain applicable.

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.

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

Recommendation:
Grant with Conditions



Date: 05/12/2023

