

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 previously approved plans to relocate and erect new substation with GRP enclosure with associated works - reduce substation to ground level, alter landscaping and remove a section of wall, rebuild wall to widen vehicle access to south boundary.

LOCATION: Blanchelande College, Les Vauxbelets College Complex, Le Bouillon, St. Andrew.

APPLICANT: Guernsey Electricity 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: 26/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Electricity: P02-01-12-0118/D04D.

Application Ref: FULL/2024/0645

Property Ref: K004840000

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 20/09/2026.

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. Within four weeks of the existing access being extended, the end of the extended opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

5. Prior to planting of the hedging hereby approved, a planting schedule, noting the species, sizes, numbers and densities of plants to be used, shall be submitted to and approved by the Authority. That hedging shall then be planted in the first planting season following the completion of the development, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones.? Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

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 20/09/2026 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/2024/0645
Property Ref: K004840000
Valid date: 15/05/2024
Location: Blanchelande College Les Vauxbelets College Complex Le Bouillon St. Andrew Guernsey
Proposal: Variation to previously approved plans to relocate and erect new substation with GRP enclosure with associated works - reduce substation to ground level, alter landscaping and remove a section of wall, rebuild wall to widen vehicle access to south boundary.
Applicant: Guernsey Electricity 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 20/09/2026.

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. Within four weeks of the existing access being extended, the end of the extended opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

5. Prior to planting of the hedging hereby approved, a planting schedule, noting the species, sizes, numbers and densities of plants to be used, shall be submitted to and approved by the Authority. That hedging shall then be planted in the first planting season following the completion of the development, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

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 site is located Outside of the Centres and within an Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/1362 Demolish existing sub-station, relocate and erect new substation with GRP enclosure with associated works. Approved 21/09/2023

Existing Use(s):

School grounds

Brief Description of Development:

Permission has previously been granted for the demolition of the existing substation adjacent to the school building and the erection of a new substation to the north of Route de St Andre.

The current application proposes to vary the works previously approved, increasing the width of the adjacent access point, reducing the ground level of the proposed substation site to match that of the adjacent driveway and removing the section of wall between the substation and the driveway. Retaining walls will be constructed in gabion cages and the area will be surfaced in gridforce. The school sign is to re-positioned.

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

GP8: Design
GP9: Sustainable development
IP9: Highway Safety, Accessibility and Capacity
IP11: Small-scale Infrastructure Provision

Representations:

None received.

Consultations:

The Office for Environmental Health and Pollution Regulation comment as follows:

This department is concerned with the potential for noise nuisance caused by low frequency tones that can be associated with plant machinery. I would therefore recommend that the following condition is attached to any consent granted for this application:

- Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Summary of Issues:

Impacts on the character of the area;

Impact on road safety;
Impact 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 relocation of the substation has been previously approved. The current proposal, reducing the ground levels, would minimise the visual impacts of the substation and, following deferral, hedging is to be retained along the north, east and south sides of the substation area, in a species to match that previously approved. Whilst not previously required, it is considered necessary that details of the proposed planting are required to ensure a robust screen is formed.

The proposed alterations to the access point would result in a 11m wide access point at the roadside, however this would narrow to 6.5m within the site. The access serves a school, with the associated levels of traffic, and, in the context of the extensive length of granite wall along the site boundary and subject to being appropriately finished within a reasonable timeframe, would not have any significant impacts on the character of the area.

There is residential property in the vicinity and it is recommended that the noise limitation condition requested by the Office for Environmental Health and Pollution Regulation is attached to the decision, in the interests of neighbour amenity.

The proposal accords with the purpose of the Law, material planning considerations and relevant policies and approval is recommended.

Date: 21/06/2024

