

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: Remove existing substation, relocate and install replacement substation with enclosure and relocate existing bicycle sheds to north of substation.

LOCATION: Electricity House, North side, Vale.

APPLICANT: Guernsey Electricity 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: 16/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Electricity Ltd - P02-01-12-0146 D04 A

Application Ref: FULL/2024/1154

Property Ref: C026570000

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. 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 - A limit on the use is needed to prevent a nuisance or annoyance and to protect the amenities of surrounding uses in accordance with Policy GP8.

5. Within two months of the substation hereby approved being installed, (or in an alternative timeframe previously agreed in writing by the Authority) the bike shelters shall be installed in the positions shown on the approved drawing.

Reason - To define the permission for the avoidance of any doubt and to ensure that provision to support sustainable transport means are maintained in accordance with Policy IP7 of the IDP.

Expiry Date: This permission will cease to have effect on 16/08/2027 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/2024/1154
Property Ref: C026570000
Valid date: 10/07/2024
Location: Electricity House North side Vale Guernsey GY1 3AD
Proposal: Remove existing substation, relocate and install replacement substation with enclosure and relocate existing bicycle sheds to north of substation.

Applicant: Guernsey Electricity 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. 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 - A limit on the use is needed to prevent a nuisance or annoyance and to protect the amenities of surrounding uses in accordance with Policy GP8.

5. Within two months of the substation hereby approved being installed, (or in an alternative timeframe previously agreed in writing by the Authority) the bike shelters shall be installed in the positions shown on the approved drawing.

Reason - To define the permission for the avoidance of any doubt and to ensure that provision to support sustainable transport means are maintained in accordance with Policy IP7 of the IDP.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises Guernsey Electricity power station site, situated on Northside on the Bridge. The site is situated in a Main Centre Outer Area, a Key Industrial Area and part of the site is situated within the Harbour Action Area. Due to the proximity of the fuel storage depot further east, part of the site (the east section) is also within the Outer Zone for the Major Hazard Public Safety Zone.

Relevant History:

FULL/2024/1083	Erect security gates	Granted 12/08/2024
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Existing Use(s):

Guernsey Electricity Power Station

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

☒
☒
☒
☒

visual amenity acceptable
no material neighbour impact
traffic not affected

☒
☒
☒

Consultations

Office of Environmental Health and Pollution Regulation

By letter dated 26th July 2024 stated the following:

"I have reviewed the proposed plans for the installation of a replacement substation with enclosure at the above site and there is an issue of concern that I must raise.

I note that no acoustic information has been submitted with the application. Without this we are unable to carry out an approximate acoustic distance calculation to assess the potential noise impact on the nearest noise sensitive receptor. Having regard to the distance from the proposed installation site to the nearest noise sensitive receptor, I do not believe that further information is required, however to protect the amenity of the nearest residents, I would 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.*

I would be grateful if these issues are considered during the determination of this application."

Policies considered most relevant:

Island Development Plan Policies:

- MC5(A) Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas
- IP11 Small Scale Infrastructure Provision
- GP8: Design
- IP7 Private and Communal Car Parking
- IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Planning permission is sought to remove an existing electricity substation and to replace it with a new substation in a new position. The existing covered bicycle storage to the front of the site will be moved to a new position slightly further north, to accommodate this.

Proposals for new or alteration, extension or redevelopment of existing industrial or storage and distribution premises within Key Industrial Areas (such as the application site) are supported by policy MC5(A). Although part of the site is situated within a Harbour Action Area, the proposal is of minor and inconsequential nature and in the absence of an approved Local Planning Brief for this area would not prejudice the long-term development or aspirations for the site in accordance with Policy MC10.

The proposal will replace existing infrastructure and a need for the equipment has been demonstrated and therefore complies with Policy IP11.

The proposed substation is of an appropriate design and scale, situated in an industrial location and surrounded by large scale industrial buildings and structures. It is also worth noting that Hougue Jehannet is owned by the applicant and planning permission has recently been granted to install barriers across sections of the road to restrict public access for security reasons (ref: FULL/2024/1083). The proposal would therefore only be glimpsed in public vantage points at distance from Northside. The scheme would therefore not harm the visual amenity of the surrounding area.

The bike shelters in their new position are also deemed to be acceptable and would not harm the visual character of the area. It is recommended to ensure that these continue to provide covered cycle storage that a condition is included for these to be installed within 2 months of the installation of the substation or in an alternative timeframe previously agreed in writing by the Authority.

The proposal would not harm residential amenity or the amenity of any neighbouring uses or highway safety and complies with policies GP8 and IP9.

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: 15/08/2024

