

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: Install mast and triangulation pillar to bunker roof.

LOCATION: Casemate Bunker, Chouet Et Mont Couet, Vale.

APPLICANT: Guernsey Digimap Services

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: 06/12/2024

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

Drawing Nos: States of Guernsey - GDS/2024/0012- Block, -TopoP; Elevation 1 - proposed; Front & Flank Elevation

Application Ref: FULL/2024/1696

Property Ref: C01744E000

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. Certification that the installation hereby approved conforms with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines shall be submitted to the Authority within 8 weeks of the date on which the installation is brought into operation.

Reason - In the interests of public health and safety.

5. The equipment hereby permitted shall be removed from the site when no longer required for the authorised purpose. The bunker shall be reinstated to its former condition, including the filling of any holes formed.

Reason - To secure the removal of the equipment when no longer needed, thereby safeguarding the character and appearance of the locality.

Expiry Date: This permission will cease to have effect on 06/12/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the purposes of Condition 4, certification can comprise written confirmation from the applicant on the basis of evidence provided to them by the manufacturer/provider in relation to the proposed installation.

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/2024/1696
Property Ref: C01744E000
Valid date: 07/10/2024
Location: Casemate Bunker Chouet Et Mont Couet Chouet
Et Mont Couet Vale Guernsey
Proposal: Install mast and triangulation pillar to bunker roof.

Applicant: Guernsey Digimap Services

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. Certification that the installation hereby approved conforms with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines shall be submitted to the Authority within 8 weeks of the date on which the installation is brought into operation.

Reason - In the interests of public health and safety.

5. The equipment hereby permitted shall be removed from the site when no longer required for the authorised purpose. The bunker shall be reinstated to its former condition, including the filling of any holes formed.

Reason - To secure the removal of the equipment when no longer needed, thereby safeguarding the character and appearance of the locality.

INFORMATIVES

For the purposes of Condition 4, certification can comprise written confirmation from the applicant on the basis of evidence provided to them by the manufacturer/provider in relation to the proposed installation.

OFFICER'S REPORT

Brief Description of the site:

Ammunition bunker at Chouet Headland.

The bunker is within a Safeguarded area for possible mineral extraction.

Relevant History:

FULL/2015/0412 Permit to retain automatic weather station tower and mast (permanent installation). 09/02/2015

FULL/2017/1257 Permit for temporary installation of a remote wind sensing monitor and supporting power unit for 2 years. 18/07/2017

Existing Use(s):

Bunker

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Consultation:

The Office for Environmental Health and Pollution Regulation initially commented as follows:

There is currently insufficient information for me to comment fully on the application.

This department is concerned about the risk of public exposure from non-ionizing radiation from such installations. I note that the specifications of the Differential Global Positioning Systems (DGPS) base station, including any data radio transmitters, have not been included within the submitted plans. Should further information be forthcoming, I would be able to provide further comment on this planning application.

The Office for Environmental Health and Pollution Regulation commented following the submission of additional information as follows:

I understand from information submitted by email on 6th November 2024 that the proposed plans include one data radio transmitter that operates at 10W. This department is concerned about the risk of public exposure from non-ionising radiation from such installations and I would therefore recommend that the following condition is attached to any consent granted for this application:

- The applicant must certify that the proposed installation conforms with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines.

Policies considered most relevant:

IP5: Safeguarded Areas
IP11: Small-scale Infrastructure Provision
GP7: Archaeological remains
GP8: Design

Conclusion/Brief comment:

Permission is sought to install a Differential Global Positioning System base station on the roof of the bunker, including reinstatement of the former 10m lattice mast and c1.8m high triangulation pillar. The submitted information explains the need for a secondary location to ensure resilience within the system and provides justification for the selected location.

Permission has previously been granted for the erection and permanent retention of the lattice mast at this site, however it was dismantled once the associated use ceased. The re-erection of the lattice tower would remain acceptable in terms of visual impacts and the installation of the triangulation pillar would result in little additional visual impact, being located within the fenced area and amongst the existing equipment located on the bunker roof. It is however recommended that the decision be conditioned to ensure removal if the proposed use ceases.

There are no residential properties in the immediate area however, to avoid any adverse impacts on users of the area, it is recommended that a condition be attached to the decision in relation to radiation protection as recommended by the Office for Environmental Health and Pollution Regulation.

The site is located within the safe guarded area for mineral extraction. Approval has recently been granted for the development of part of that area, in two separate phases over a period of over 10 years. The application site would fall outside of those areas and the proposal would not prejudice the implementation of that permission.

The proposal would not have any significant effect on the archaeological importance of the area, consistent with policy GP7. Previous approvals have included a requirement that any drilled holes be made good when the equipment is removed, and this can be re-stated as part of the condition recommended above.

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: 05/12/2024

