

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: Realignment of security fencing around site perimeter.

LOCATION: Mont Cuet Landfill Site, Mont Cuet Road, 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: 15/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 98 J2/01022 & 9017_2024_2B

Application Ref: FULL/2024/1851

Property Ref: C017530000+C01753A000

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.

Expiry Date: This permission will cease to have effect on 15/01/2028 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/2024/1851
Property Ref: C017530000+C01753A000
Valid date: 28/11/2024
Location: Mont Cuet Landfill Site Mont Cuet Road Vale Guernsey
GY3 5AT
Proposal: Realignment of security fencing around site perimeter.
Applicant: Guernsey Waste

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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises the Mont Cuet landfill site, green waste site and associated facilities located on the Chouet headland.

The application site is located Outside of the Centres in the Island Development Plan. The western part of the headland is safeguarded for mineral extraction, and permission has been granted and is in the process of being implemented, to establish a new quarry on that land, with reception facilities to be provided within the existing Mont Cuet reception area. As part of the implementation of that permission, Rue des Grands Camps has been closed to public access.

Relevant History:

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 Cuet 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

FULL/2023/1851 Erect substation to north of Rue des Grands Camps. Approved 02/05/2024

Existing Use(s):

Landfill site, green waste site and associated facilities

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

Policies considered most relevant:

IP2 Solid Waste Management Facilities
GP1 Landscape Character and Open Land
GP8 Design

Conclusion/Brief comment:

This application proposes the replacement of the existing perimeter fencing around the landfill site on a similar basis, and replacement on the same alignment would have negligible additional impacts. The application also includes realignment of the fence line in three locations, as follows:

- To the north-east of the new green waste site;
- At the entrance to the Mont Cuét reception area;
- To include the track along the north boundary of the landfill site.

The re-positioning of the fencing at the entrance to the reception area would have no significant impacts. The re-positioning of the fencing along the north boundary would initially appear more prominent, due mainly to the weathered nature of the existing fencing and the vegetation which has grown up. Over time this impact would be softened. Fencing around the green waste site was approved under FULL/2022/2390 and the realignment to the north-east of that site would be of less impact, set below the crest of the hill and amidst existing vegetation.

The proposed replacement and realignment of the existing perimeter fencing is required to maintain the security of the site and would not give rise to significant impacts on the character of the area.

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: 13/01/2024

