

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 radio equipment cabinets to north elevation.

LOCATION: Sure/Airtel Guernsey Ltd Les Caches Business Park, Les Caches Road, St. Martin.

APPLICANT: Sure/Airtel Guernsey 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: 13/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Sure - 100A, 201A, 300A, 301A, 302A,

Application Ref: FULL/2025/0154

Property Ref: J00206A001

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+A1:2019.

Reason - In the interests of amenity.

5.Within 3 months of the equipment hereby approved ceasing to be used or required, all equipment shall be removed and the land shall be restored to its condition before the development took place.

Reason: In the interests of protecting the visual amenity of the area.

Expiry Date: This permission will cease to have effect on 12/03/2028 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/2025/0154
Property Ref: J00206A001
Valid date: 29/01/2025
Location: Sure/Airtel Guernsey Ltd Les Caches Business Park Les Caches Road St. Martin Guernsey GY4 6PH
Proposal: Install radio equipment cabinets to north elevation.

Applicant: Sure/Airtel Guernsey 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+A1:2019.

Reason - In the interests of amenity.

5. Within 3 months of the equipment hereby approved ceasing to be used or required, all equipment shall be removed and the land shall be restored to its condition before the development took place.

Reason: In the interests of protecting the visual amenity of the area.

OFFICER'S REPORT

Brief Description of the site:

The site is located within the southern end of the Les Caches Business Park, which is located Outside the Centre as designated in the Island Development Plan.

This application is by Sure/Airtel Guernsey for installation of two outdoor radio cabinets on a new concrete base adjacent to the north (front) elevation of the building, and six remote radio units (RRUs) to be fixed to the radio tower legs at low level which is located adjacent to the proposed cabinets and north elevation of the building, along with associated works.

The application plans include the removal of 3 existing antennas and replacement with 3 new antennas. These are in the same position and height as the existing, and are therefore exempt works under Part 4, Class 7 of the Exemptions Ordinance.

The application has been accompanied by a signed International Commission on Non-Ionizing Radiation Protection (ICNIRP) certificate.

Relevant History:

FULL/2013/2808- Install electricity generator at rear (south elevation) of Unit 3.

Existing Use(s):

Workshop, data centre, disaster recovery and ancillary offices.

Consultations:

The Office of Environmental Health and Pollution Regulation:

I have reviewed the proposed plans for the installation of radio cabinets at the above site and there is an issue of concern that I must raise.

This department is concerned with the risk of public exposure from non-ionizing radiation from such installations and I note that the submitted plans include a declaration that the installation will conform with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines.

The submitted plans also include the installation of two cabinets. Whilst the planning application does not include the specifications of these cabinets, similar proposals from this applicant under FULL/2024/0670 and FULL/2024/1835 include a climate control system. Although no acoustic information has been provided for these cabinets, given the proximity to the nearest noise sensitive neighbours I do not believe that further information is required. However, in order 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+A1:2019.

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

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

- GP8 Design
- IP11 Small-scale Infrastructure Provision

Conclusion/Brief comment:

Policy IP11 (Small-Scale Infrastructure Provision) states that proposals for small scale infrastructure will be supported where this would contribute to the maintenance and support of efficient and sustainable infrastructure and accords with other relevant policies of the Plan.

In terms of Policy GP8 (Design), the cabinets and cable tray are not considered to have a significant adverse effect due to the location within the industrial estate where the provision of such utilitarian equipment would not be visually intrusive. It is considered reasonable to condition the removal of the equipment from the site if no longer needed, in the interests of visual amenity.

The application includes a declaration to satisfactorily demonstrate that the proposed mobile antennas will comply with the public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP). Due to this, the proposed equipment is not considered to adversely affect the amenities of neighbouring residents.

In light of the Office of Environmental Health and Pollution Regulation's comments a condition has been applied to protect the amenities of neighbouring residents in respect of a potential noise nuisance from the proposed development.

It is not considered necessary for the applicant to demonstrate that the proposal has been designed to take into account the criteria of Policy GP9 (Sustainable Development) due to the type and scale of development.

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: 11/03/2025

