

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 mast, install replacement mast and associated works (Site of a protected building and monument and Site of Special Significance).

LOCATION: Civil Defence Bunker, Jerbourg Road, St. Martin.

APPLICANT: Sure 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: 04/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SURE: 100A, 201B, 300A, 301A, 302A, 303A, 400A, 401A, 650A, Site and Block Plan (dated 15th April 2025).

Application Ref: FULL/2025/0666

Property Ref: J015740000

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. Within 2 months of the approved telecommunications mast being installed, the existing mast shall be taken down and removed from the site.

Reason - To secure the removal of the existing equipment within a reasonable timeframe in the interests of safeguarding the character and appearance of the locality.

5. Notwithstanding the details submitted on drawing 650(A), details of any external lighting required as part of the replacement mast shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To ensure that any external lighting would not cause unacceptable harm to the rural character and appearance of the surrounding area in the interests of visual amenity.

6. The mast and equipment hereby permitted shall be removed from the site when no longer required for telecommunications purposes, or should future developments allow for a reduction in the impact of the equipment, or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner. The land shall be reinstated to its former condition, in accordance with a scheme previously agreed in writing by the Authority.

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 03/07/2028 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/2025/0666
Property Ref: J015740000
Valid date: 15/05/2025
Location: Civil Defence Bunker Jerbourg Road St. Martin Guernsey
Proposal: Remove existing mast, install replacement mast and associated works (Site of a protected building and monument and Site of Special Significance).
Applicant: Sure 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. Within 2 months of the approved telecommunications mast being installed, the existing mast shall be taken down and removed from the site.

Reason - To secure the removal of the existing equipment within a reasonable timeframe in the interests of safeguarding the character and appearance of the locality.

5. Notwithstanding the details submitted on drawing 650(A), details of any external lighting required as part of the replacement mast shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To ensure that any external lighting would not cause unacceptable harm to the rural character and appearance of the surrounding area in the interests of visual amenity.

6. The mast and equipment hereby permitted shall be removed from the site when no longer required for telecommunications purposes, or should future developments allow for a reduction in the impact of the equipment, or should alternative provision be made on a more satisfactory site elsewhere, whichever is the sooner. The land shall be reinstated to its former condition, in accordance with a scheme previously agreed in writing by the Authority.

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

OFFICER'S REPORT

Site Description:

The application site comprises land associated with a bunker, known as the Civil Defence Bunker. The bunker is located below ground level and lies to the west of Ruelle Des Moies.

The bunker is located Outside of the Centres and falls within a Site of Special Significance as designated in the Island Development Plan.

The bunker is recognised as a protected building. The bunker is protected as part of a group listing forming part of the Jerbourg Peninsular. The reasoning for the protection is set out below:

The whole of the buildings or structures, as listed and set out on the plan below. Where buildings or structures have not been located or surveyed and there is potential to uncover them in the future, the area and the whole potential building or structure is included. This relates only to German World War 2 buildings structures and areas associated with Naval batterie Strassburg, everything else within the area described is excluded.

Relevant History:

FULL/2009/3161	Erect communications mast and two Directional tetra radio Panel Aerials	Granted
PAPP/2007/2592	Install antennas on existing mast	Granted

Existing Use(s):

Telecommunication mast/bunker.

Brief Description of Development:

Planning permission is sought to remove an existing mast and install replacement mast, antennas and associated equipment. The associated equipment will be housed internally, within the bunker itself.

The replacement mast will be 15m high and takes the form of a steel frame, lattice structure.

The application was deferred to require further justification for the proposed development in light of the relevant planning policies.

The agent's letter dated 12th June 2025 states (amongst other aspects) that:

- *The replacement mast primarily improve and provide all aspects of mobile telephony services, indoor and outdoor around Jerbourg and Calais areas, and improve the network and customer demand for future services, such as faster 4G, 5G, and mobile broadband services.*
- *There are no other structures, buildings, or masts nearby for alternative accommodation, which is why the site was chosen originally by Guernsey Telecoms back in 1995 and also Airtel Vodafone when building their mobile network.*
- *The slim line lattice design is totally sharable and is required to take a higher loading , with the afore mentioned; Sure antennas, Jersey Telecom antennas & Emergency Tertra antennas.*

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

GP1 Landscape Character and Open Land
GP2 Sites of Special Significance
GP5 Protected Buildings
GP8 Design
GP17 Public Safety and Hazardous Development
IP11 Small-scale Infrastructure Provision
S5 Development of Strategic Importance

Representations:

None received.

Consultations:

Guernsey Airport:

No comments.

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for the installation of a replacement mast and associated works at the above site.

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.

In addition, whilst no acoustic information has been submitted for the installation of the associated equipment at the site, I note that the equipment will be housed within the bunker situated below ground level. As such, I can confirm that I do not wish to raise any objections to the proposals.

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter."

Summary of Issues:

- Whether the development would have a detrimental effect on the fabric of the protected building, and its setting.
- Whether the development would have a detrimental effect on the Site of Special Significance.
- Whether the design of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development 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).**

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.

Policy context:

The Island Development Plan confirms that proposals for new telecommunication masts will be considered under Policy S5: Development of Strategic Importance which states that:

“Proposals for development that is of Strategic Importance and which may conflict with the Spatial Policy or other specific policies of the Island Development Plan but which is clearly demonstrated to be in the interest of the health, or well-being, or safety, or security of the community, or otherwise in the public interest may, exceptionally, be allowed where:

- a) there is no alternative site available that, based on evidence available to the Authority, is more suitable for the proposed development; and,*
- b) the proposals accord with the Principal Aim and relevant Plan Objectives”.*

Also of relevance is Policy IP11 (Small-scale infrastructure provision) which 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 the other relevant policies of the Plan. It is expected to demonstrate that the sharing or co-location of facilities, buildings, apparatus and support structures is not practically possible.

Principle of the development proposed

The proposal seeks to replace and upgrade existing infrastructure provision in an established location. Consequently, the proposal will positively contribute to the maintenance and support of efficient and sustainable infrastructure. The principle of the development is acceptable in accordance with planning policy.

Protected Buildings:

The proposed development is not considered to have an unacceptable effect on the special character and interest of the protected building, nor its setting, when viewed in context with the existing telecommunication equipment.

In this regard, the proposal is supported under Policy GP5.

Sites of Special Significance:

Due to the type of development, location and footprint of the mast, together with the existing equipment located on site, the proposal is not considered to have an unacceptable effect on its archaeological, historical, botanical, geological, scientific, cultural, zoological or other special significance.

In this regard, the proposal is supported under Policy GP2.

Design and Landscape Character and Open Land:

The general design, height and appearance of the structure will be similar to the existing monopole mast. The design proposed will be more visible than the existing monopole mast due to the different form and lattice design, although the change in design would not cause unacceptable harm to the landscape character or amenity of the area when viewed in context with the existing mast.

In this regard, the proposal is supported under Policy GP1 and GP8.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

It is reasonable to require details of any potential lighting for the mast.

Public Safety and neighbour amenity:

Guernsey Airport do not wish to make comment on the application. Located within 5km of the airfield, the proposal would not undermine public safety with regard to risk to the operation of the Airport.

The Office of Environmental Health and Pollution Regulation do not raise any objection regarding potential impact on the public. The application has been supported by a declaration that the installation will conform with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies and accords with the purposes of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 02/07/2025

