

This version incorporates in track changes the amendments proposed by the Building and Development Control (Exemptions) (Alderney) (Amendment) Ordinance, 2018

The Building and Development Control (Exemptions) (Alderney) Ordinance, 2007

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The Building and Development Control (Exemptions) (Alderney) Ordinance, 2007

THE STATES OF ALDERNEY, in pursuance of their Resolution of the 19th December 2007 and in exercise of the powers conferred on them by section 4(2) of the Building and Development Control (Alderney) Law, 2002^a hereby order:-

Exempt development.

1. (1) Subject to subsections (3) and (4), development permission is not required to carry out any regulated development specified in the Schedule in the circumstances, and subject to the proviso if any, specified in relation to that development in the Schedule and in subsection (2).

(2) The proviso referred to in subsection (1), is that the total area of ground within the curtilage of any dwelling-house, covered by regulated development falling within any one or more of paragraphs 12, 13 and 15 (erection of shed, erection of glasshouse or hard-surfaced area) of category 1 to the Schedule (regulated development within the curtilage of a dwelling-house), including that to be constructed, does not exceed 50% of the total area of the curtilage (excluding the ground area of the dwelling-house as it was originally constructed).

(3) Subsection (1) does not apply in relation to the carrying out of any regulated development -

(a) in relation to, or

(b) within the curtilage of,

^a Order in Council No. XII of 2003.

a historic building, except where there is a specific reference in the Schedule to such development.

(4) For the avoidance of doubt, subsection (1) does not operate to exclude the regulated development specified in the Schedule from requirements imposed under any building regulations.

(5) Where under any provision of the Schedule more than one proviso is attached to an exemption, the exemption applies only if all of those provisos are fulfilled.

Interpretation and construction.

2. (1) In this Ordinance, unless the context requires otherwise-

"agricultural purposes" includes all purposes directly connected with the use of land as arable, meadow or pasture land,

"Alderney Electricity Limited" means Alderney Electricity Limited, a company referred to in the Alderney Electricity Concession Law, 1953 and registered in Alderney under company number C/7 and whose registered office is situated at Maison des Venelles, Venelles des Gaudion, Alderney GY9 3TW,

"Alderney Miniature Railway" means the miniature railway on the Island operating at the Mannez Quarry,

"Alderney Railway" means the railway on the Island operating between Braye Road Station and Mannez Station together with the disused railway track running between Braye Road Station and the breakwater in Braye Harbour,

"building regulations" means regulations made by the Committee under section 39 of the Law^b,

"development permission" means the permission which is required under section 4(1) of the Law to carry out any regulated development,

"dormer" means a projecting upright window in a sloping roof, the height of which is lower than the apex of the roof from which it projects,

"drain" has the meaning in section 29(1) of the Sewerage (Guernsey) Law, 1974^c,

"dwelling-house" does not include-

- (a) a flat or a maisonette or a building containing one or more flats or maisonettes, or
- (b) any building which was originally constructed, adapted for use or is used, as self-contained self-catering holiday accommodation,

"enactment" includes a Law, an Ordinance and any subordinate legislation and any provision or portion of a Law, an Ordinance or any subordinate legislation,

"glasshouse" means a structure made predominantly of glass or

^b Building and Development Control (Alderney) Law, 2002

^c Ordres en Conseil Vol. XXIV, p. 372.

other transparent or translucent material, which is not attached to a dwelling-house, and which is designed and used for growing plants,

Guernsey Airtel Limited" means Guernsey Airtel Limited, a company registered in Guernsey under company number 45232, whose registered office is situated at 45 High Street, St. Peter Port, Guernsey, GY1 2JT,

"Guernsey Post Limited" means Guernsey Post Limited, a company registered in Guernsey under company number 38693 and whose registered office is situated at Envoy House, La Vrangué, St Peter Port, Guernsey GY1 1AA,

"highway" means any -

- (a) vehicular or pedestrian road, street, lane or clos, track or path, however named, used by the public, and
- (b) any private vehicular road, street, lane or clos, however named,

"historic building" means a building which is registered in the Register of Historic Buildings,

"JT (Guernsey) Limited" means JT (Guernsey) Limited, a company registered in Guernsey under company number 39971, whose registered office is situated at PO Box 296, Sarnia House, Le Truchot, St. Peter Port, Guernsey GY1 4NA,

"Land Use Plan" means a plan prepared by the Committee under section 23(1) of the Law,

"the Law" means the Building and Development Control (Alderney) Law, 2002,

"natural stone" does not include reconstituted stone,

"non-domestic building" means a building which is not, and is not within the curtilage of, a dwelling-house,

"operational area" means, in relation to each place referred to in paragraphs 6 to 10 of Category 5 to the Schedule, that part of the place which is used for purposes connected with its operation as such a place,

"public" includes any section of the public,

"Ramsar site" means the area of designated wetlands of international importance as officially recognised by the United Nations, 25th August 2005, and identified by reference UK22002.

"regulated development" means development, or works of a class or description, described or referred to in subsection 4(1) of the Law,

"roof-light" means a window, in the same alignment as a roof slope, which does not project substantially from that roof slope,

"sewer" has the meaning in section 29(1) of the Sewerage (Guernsey) Law, 1974,

"subordinate legislation" means any ordinance, statutory instrument, regulation, rule, order, notice, rule of court, resolution, scheme, warrant, byelaw or other instrument made under any enactment and having legislative effect,

"Sure (Guernsey) Limited" means Sure (Guernsey) Limited, a company registered in Guernsey under company number 38694 and whose registered office is situated at Centenary House, La Vrangue, St. Peter Port, Guernsey GY1 2EY,

and other terms used in this Ordinance which are not defined in it but are defined in the Law shall have the same meaning as in the Law.

(2) For the purposes of construction of the Schedule to this Ordinance, unless the context requires otherwise -

- (a) a reference to an **"existing"** feature or use includes only a feature in place or use immediately before commencement of the new regulated development concerned, and not created or carried on in breach of the Law,
- (b) a proviso that there **"is only one"** of a specified structure or other feature refers to the circumstances on completion of the new regulated development concerned,
- (c) a proviso that something is **"not within"** a specified site, distance of any boundary or highway, or curtilage means that no part of it is within that site, distance or curtilage,

- (d) in a proviso limiting the floor or base area of any structure all necessary measurements are to be taken internally,
- (e) a maximum height or projection (however expressed) means that no part of the structure or feature concerned is to exceed that maximum in height or projection (however expressed) except where such a maximum is expressly required only in relation to a particular part of such a structure or feature, and
- (f) in a proviso that a structure or other feature is not within a specified distance of any boundary or highway all necessary measurements are to be taken from the outside face of that structure or other feature and not from any drain, pipes or other fittings to that structure or feature.

(3) Any reference in this Ordinance to an enactment or to any subordinate legislation is a reference thereto as from time to time amended, re-enacted (with or without modification), extended, or applied.

Citation.

3. This Ordinance may be cited as the Building and Development Control (Exemptions) (Alderney) Ordinance, 2007.

Commencement.

4. This Ordinance shall come into force on 1st January 2008.

SCHEDULE
EXEMPT REGULATED DEVELOPMENT

CATEGORY 1
REGULATED DEVELOPMENT WITHIN THE CURTILAGE OF
A DWELLING-HOUSE

Alterations to the external walls of a dwelling-house

1. Alterations to the external walls of a dwelling-house consisting of rendering, removing render or re-cladding in natural stone or wood provided that the regulated development is not carried out in relation to any building which was substantially constructed before 1900, or is in a conservation area or a designated Area.

Satellite dish antennas

2. Installation of a satellite dish antenna on, or within the curtilage of, a dwelling-house provided that -

- (a) there is only one satellite dish antenna on or within the curtilage of the dwelling-house,
- (b) the size of the satellite dish antenna, including any means of fixing, measured in any dimension, does not exceed 90 centimetres,
- (c) the satellite dish antenna does not face the highway in any conservation area.

Solar panels

3. Installation of a solar panel on, or within the curtilage of, a dwelling-house provided that-

- (a) where the panel is mounted on a roof, it is installed parallel to the plane of the roof slope and it projects no more than 30 centimetres from that plane,
- (b) the panel is not installed on any roof slope facing a highway,
- (c) where the panel is mounted on the ground, no part of it is located forward of any elevation of the dwelling-house that faces a highway,
- (d) where the solar panel is mounted on the ground-
 - (i) it does not exceed 2 metres in height,
 - (ii) the total area of the panel to be installed, or of that panel together with any other panel mounted on the ground within the curtilage, does not exceed 10 square metres, and
 - (iii) it is not located more than 30 metres from the dwelling-house.

Replacement of a door or window in existing aperture

4. The replacement of a door or window within an existing aperture in a dwelling-house except where the dwelling-house is within a conservation area or a designated area, or was substantially constructed before 1900 provided that, the replacement is of the same design, means of opening and made of the same material as the one it replaces.

Installation of a door or window in new aperture

5. The installation of a door or window within a new aperture in a dwelling-house provided that -

- (a) the new door or window is not installed in any elevation of the dwelling-house that faces a highway, or is visible from a highway if the property is in a conservation area or a designated area,
- (b) where the new door or window is installed in any elevation of the dwelling-house that faces a boundary with a neighbouring dwelling-house, such door or window is not within 5 metres of that boundary unless that elevation already has a door or window,
- (c) the new door or window is not installed above ground floor level,

Re-roofing

6. The re-roofing of a dwelling-house or of an outbuilding within the curtilage of a dwelling-house provided that where the dwelling-house or outbuilding is within a conservation area or a designated area, or is substantially constructed before 1900, the material to be used is identical material to the one it replaces.

Installation of roof-light

7. The installation of a roof-light on the roof of a dwelling-house provided that -

- (a) the roof-light does not exceed 1 metre x 0.6 metre, measured in any dimension,
- (b) the roof-light is installed on a roof slope that does not face an adjacent highway,
- (c) there are no more than two roof-lights, including that to be installed, on the roof-slope in question,

Installation of dormer

8. The installation of a dormer within the roof-space of a dwelling-house provided that -

- (a) the maximum width of the dormer, measured across its outside face, does not exceed 0.90 metres,
- (b) the dormer is not installed in a roof slope that faces an adjacent highway,
- (c) any glazing on the dormer is not within 10 metres, measured horizontally, of a boundary with a neighbouring residential property,

(d) there are no more than two dormers, including that to be installed, on the roof-slope in question,

Replacement porch

9. The replacement of a porch on any elevation of a dwelling-house provided that -
(a) where the dwelling-house is within a conservation area or a designated area, or was substantially constructed before 1900 the material to be used is of the same material as the one it replaces.

(b) the porch is located on an elevation of the dwelling-house that does not face a highway,

(c) the porch is approximately the same size as the one it replaces.

New porch

10. The erection of a porch on any elevation of a dwelling-house provided that -

(a) it is located on an elevation of the dwelling-house that does not face a highway,
(b) the floor area of the porch does not exceed 3 square metres and the height of the porch does not exceed 3 metres,

(c) the porch is not within 2 metres of a highway,

(d) there is only one porch attached to the dwelling-house,

(e) the dwelling-house is not within a conservation area or a designated area,

Erection of garden structure

11. The erection of a structure designed and used for the support of plants within the curtilage of a dwelling-house provided that-

(a) no part of the structure extends forward of any elevation of the dwelling-house that faces a highway,

(b) the height of the structure does not exceed 3 metres,

(c) where any part of the structure is within 1 metre of the boundary of a neighbouring property the height of that part does not exceed 2 metres,

(d) no part of the structure is located more than 30 metres from the dwelling-house,

(e) neither the dwelling-house nor the structure is within a conservation area or a designated area, or was substantially built before 1900.

Erection of shed

12. The erection of a freestanding shed, within the curtilage of a dwelling-house, to be used solely for the non-commercial purposes of that dwelling-house provided that-

(a) no part of the shed extends forward of any elevation of the dwelling-house that faces a highway,

(b) the height of the shed does not exceed 2.3 metres,

(c) where any part of the shed is located within 1 metre of the boundary of a neighbouring property the height of that part does not exceed 1.5 metres,

(d) the base area of the shed does not exceed 6 square metres,

(e) no part of the shed is located more than 30 metres from the dwelling-house,

- (f) the walls of the shed, other than glazed areas, are constructed of timber, natural stone or rendered block work,
- (g) there is only one shed within the curtilage,
- (h) neither the dwelling-house nor the shed is within a conservation area or designated area.

Erection of glasshouse

13. The erection of a freestanding glasshouse, within the curtilage of a dwelling-house, to be used solely for the non-commercial purposes of that dwelling-house provided that-

- (a) no part of the glasshouse extends forward of any elevation of the dwelling-house that faces a highway,
- (b) the height of the glasshouse does not exceed 2.75 metres,
- (c) where any part of the glasshouse is located within 1 metre of the boundary of a neighbouring property the height of that part does not exceed 2 metres,
- (d) the base area of the glasshouse does not exceed 12 square metres,
- (e) no part of the glasshouse is located more than 30 metres from the dwelling-house,
- (f) there is only one glasshouse within the curtilage,
- (g) neither the dwelling-house nor the glasshouse is within a conservation area or designated area.

Hard-surfaced areas

15. The creation, extension or re-surfacing of a hard-surfaced area including timber decking, within the curtilage of a dwelling-house provided that -

- (a) where the dwelling-house or the hard-surfaced area is within a conservation area the material used is- ,
 - (i) loose laid natural stone gravel,
 - (ii) pavements or bricks made, in either case, from concrete or clay,
 - (iii) natural stone setts or natural paving slabs,
 - (iv) concrete with rolled-in aggregate, or
 - (v) timber boarding,or, in the case of an extension or resurfacing of an existing hard-surface, is the same as the existing material,
- (b) no part of any area created or extended is more than 30 metres from the dwelling-house,
- (c) the total area does not exceed 30 square metres,
- (d) the height of any timber decking or any other hard surface created is not more than 40 centimetres above ground level,
- (e) neither the dwelling-house nor the hard-surfaced area is within the a designated area,

Gates, fences, walls and earthbanks

16. The erection of a gate, fence, wall or earthbank within or along a boundary of the curtilage of a dwelling-house provided that-

- (a) the height of such a structure erected within or along a boundary of the curtilage of a dwelling-house does not exceed 2 metres in height above any land within 2 metres on either side,
- (b) the height of that part of a structure which is erected in front of any elevation of the dwelling-house that faces a highway does not exceed 90 centimetres in height above any land within 2 metres on either side,
- (c) any fence is of timber construction,
- (d) any gate is of timber or metal construction, and must open inwards,
- (e) any wall is of natural stone,
- (f) neither the dwelling-house nor the structure to be erected is within a conservation area or designated area, or was substantially constructed before 1900.

Domestic fuel containers

- 17.** The installation within the curtilage of a dwelling-house, of one container (including any associated catchpit) for any type of fuel and used exclusively for the domestic purposes of that dwelling-house, provided that-
- (a) where the container is sited forward of any elevation of the dwelling-house that faces a highway it is completely buried below the level of the ground surrounding it,
 - (b) no part of the container (disregarding pipes and fittings) is more than 2.5 metres above the ground surrounding it,
 - (c) the total volume of all containers does not exceed 1.50 cubic metres,
 - (d) the tank is bunded,
 - (e) neither the dwelling-house nor the container is within a conservation area or designated area, or was substantially constructed before 1900.

Domestic soakaways.

- 18.** The installation of a soakaway, wholly below ground, within the curtilage of the dwelling-house which it serves.

Installation of a traffic mirror

- 20.** The installation of a traffic mirror within the curtilage of a dwelling-house, except within a conservation area or designated area provided that -
- (a) there is only one within the curtilage, and
 - (b) the size of the mirror, including any means of fixing, measured in any dimension, does not exceed 90 centimetres.

Installation of a flag pole

- 21.** The installation of a free-standing flagpole within the curtilage of a dwelling-house provided that-
- (a) the height of the flagpole does not exceed 5 metres,
 - (b) no advertising material is flown from the flagpole,
 - (c) there is only one flagpole within the curtilage of the dwelling-house.



CATEGORY 2
REGULATED DEVELOPMENT WITHIN THE CURTILAGE OF
NON-DOMESTIC BUILDINGS

Replacement of a door or window in existing aperture
1. Replacement of any existing door or window of a non-domestic building provided that- (a) the building is not within a conservation area or designated area, or was substantially constructed before 1900, (a) the door or window is not part of a shop front, (b) the replacement is of the same design, means of opening and made of the same materials as the one it replaces.

Re-roofing
2. Re-cladding an existing felt-clad or corrugated-sheet-clad roof of a non-domestic building in natural slate or clay tiles, provided that the dwelling is not within a conservation area or designated area, or was substantially constructed before 1900.

Hard-surfaced areas
3. The creation, extension or resurfacing of a hard-surfaced area within the curtilage of a non-domestic building provided that- (a) where the non-domestic building or hard-surfaced area is within a conservation area the material used is- (i) loose laid natural stone gravel, (ii) pavements or bricks made, in either case, from concrete or clay, (iii) natural stone setts or natural paving slabs, or (iv) concrete with rolled-in aggregate, or, in the case of an extension or resurfacing of an existing hard-surface, is the same as the existing material, (b) no part of any area created or extended is more than 30 metres from the non-domestic building, (c) the height of any hard-surface created is not more than 40 centimetres above ground level, (d) neither the non-domestic building nor the hard-surfaced area is within the designated area,

Non-domestic soakaways
4. The installation of a soakaway, wholly below ground, within the curtilage of the non-domestic building which it serves.

CATEGORY 3
MAINTENANCE, MINOR ALTERATIONS AND TEMPORARY STRUCTURES
AND USES

Maintenance, and minor alterations

- 1.** The maintenance of, or the making of any minor alteration to, a dwelling-house or a non-domestic building or to a structure, or other feature within the curtilage of such a house or building, provided that-
- (a) the works are not exempt to the extent that they comprise regulated development of a description for which an exemption is provided under another paragraph of this Schedule subject to the meeting of any provisos specified in that paragraph,
 - (b) there is no material effect on the external appearance of any structure or other feature other than that arising from any repainting of the exterior of that structure or other feature.

Temporary regulated development required during approved operations

- 2(1).** Temporary use of land on a site where building operations are currently taking place for purposes connected with those operations, and erection, installation or siting temporarily on such land of buildings, structures, works, plant and machinery, provided that -
- (a) the building operations are taking place in accordance with the terms and conditions of –
 - (i) a development permission, and
 - (ii) any approval of plans and licence issued under the building regulations
 - (b) any such buildings, structures, works, plant and machinery are-
 - (i) necessary for the purpose of those operations,
 - (ii) not used for any other purpose,
 - (iii) without prejudice to subitem(ii) of this proviso not used for any residential purpose, and
 - (iv) permanently removed from the site upon completion of those operations, or within 12 months of their erection, installation or siting, whichever is sooner.
- (2) For the avoidance of doubt, this exemption applies where building operations are currently taking place so that it will not apply where, taking into account all the relevant circumstances, it reasonably appears that those operations have not commenced or have ceased on a site.

CATEGORY 4
AGRICULTURAL REGULATED DEVELOPMENT

Fencing of agricultural land

1. Erection of a post and wire fence for agricultural purposes provided that - (a) the fence does not exceed 1.2 metres in height.
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Farm gates

2. Installation of an inward opening gate across an existing opening (and not involving the creation or widening of any opening) anywhere on land used for agricultural purposes.
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CATEGORY 5

REGULATED DEVELOPMENT BY THE STATES AND OTHER PUBLIC UTILITY
UNDERTAKINGS

Installation etc. of mains, drains, sewers, lines, pipes and cables
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1. (1) Any regulated development referred to in subparagraph (2) which is carried out by or on behalf of a person listed in subparagraph (3) for the corresponding purpose specified in relation to that person in subparagraph (3).

(2) The regulated development referred to in subparagraph (1) is any development, not falling within paragraphs 4 to 7 or 13, which is necessary for the –
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(a) inspection, maintenance or renewal of mains, drains, sewers, pipes, cables or lines, or

(b) making of connections to anything referred to in item (a) other than in a designated area,
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provided that the provisos in subparagraph (2) are met.

(2) The provisos referred to in subparagraph (1) are that any hard surface which is disturbed by the regulated development is-
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(a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,

(b) in all other cases, restored with a finish which is not significantly different from the existing finish, and

(c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).
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(3) The persons and corresponding purposes referred to in subparagraph (1) are –
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(a) the States for the purpose of the supply of services to the public,

(b) Alderney Electricity Limited for the purpose of the supply of electricity to the public or the delivery of heat to more than one premises through pipes or conduits,
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- (c) Guernsey Post Limited for the purpose of the provision of postal services to the public,
- (d) JT (Guernsey) Limited, Sure (Guernsey) Limited or Guernsey Airtel Limited for the purpose of the supply of telecommunications services to the public, and
- (e) such other person prescribed by Ordinance under paragraph 15 (definition of "**public utility undertaking**") of Schedule 1 to the Law for the purposes of paragraph 11 of that Schedule.

Maintenance and the prevention of the obstruction of highways

2. (1) Any regulated development by or on behalf of the States which is necessary –
- (a) for the maintenance of any highway or any private pedestrian road, street, track or path, however named, provided that such maintenance does not involve-
 - (i) the hard surfacing of any lane, track or path that was not previously hard-surfaced, or
 - (ii) the creation, laying out or material widening of a means of access to that highway or pedestrian road, street, clos, track or path, or
 - (b) to avoid the obstruction of any highway or any private pedestrian road, street, clos, track or path, however named, by any tree or other vegetation,

provided that the provisos in subparagraph (2) are met.

- (2) The provisos referred to in subparagraph (1) are that any hard surface which is disturbed by the regulated development is-
- (a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,
 - (b) in all other cases, restored with a finish which is not significantly different from the existing finish, and
 - (c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).

Maintenance of water courses, outfalls or carrying out of land drainage works

3. Any regulated development by or on behalf of the States which is necessary for the maintenance of water courses or outfalls or for the carrying out of land drainage.

Regulated development in relation to minor equipment by suppliers of electricity and telecommunications services

4. (1) Any regulated development which –
- (a) is necessary for the purpose of the supply of -

- (i) electricity to the public and is carried out by or on behalf of Alderney Electricity Limited, or
- (ii) telecommunications services to the public and is carried out by or on behalf of Sure (Guernsey) Limited, JT (Guernsey) Limited or Guernsey Airtel Limited, and
- (b) is necessary for the maintenance or replacement of overhead lines, cables, surface wiring, block terminals or dish or multiple rod aerials,

provided that the provisos in subparagraph (2) are met.

(2) The provisos referred to in subparagraph (1) are that –

- (a) any replacement is not significantly different in terms of its siting to the equipment that it replaced, and
- (b) any hard surface which is disturbed by the regulated development is-
 - (i) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,
 - (ii) in all other cases, restored with a finish which is not significantly different from the existing finish, and
 - (iii) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).

Regulated development in relation to the supply of electricity

5. (1) Any regulated development which –

- (a) is carried out by or on behalf of Alderney Electricity Limited, and
- (b) is necessary –
 - (i) for the replacement of roadside distribution pillars, poles and street cabinets for the purpose of supplying electricity to the public, provided that any replacement is not significantly different in terms of its siting to the equipment that it replaced, or
 - (ii) to avoid contact between any tree or other vegetation and over head power lines,

provided that the provisos in subparagraph (2) are met.

(2) The provisos referred to in subparagraph (1) are that any hard surface which is disturbed by the regulated development is-

- (a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,
- (b) in all other cases, restored with a finish which is not significantly different from the existing finish, and
- (c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).

Regulated development within the operational areas of water treatment works, foul water treatment works, pumping stations and reservoirs etc.

6. Any regulated development by or on behalf of the States which is carried out within the operational areas of water treatment works, foul water treatment works, pumping stations, reservoirs or other places where water is stored and which is necessary for -

- (a) the purpose of the supply of water or the supply of sewerage services to the public, or
- (b) the maintenance or security of any such place, provided that such regulated development is not carried out in relation to any land or structure forming any part of the perimeter of any such a place.

Regulated development within the operational area of a power station

7. Any regulated development by or on behalf of Alderney Electricity Limited within the curtilage of a power station which is necessary for –

- (a) the relocation of pumping equipment and over ground piping within the operational area of a power station provided that there is no significant change to –
 - (i) the siting, and
 - (ii) the visibility from a highway, of such piping or equipment, or
- (b) the security of the power station,

provided that such regulated development is not carried out in relation to any land or structure forming any part of the perimeter of the power station.

Regulated development within the operational area of an airport

8. Any regulated development by or on behalf of the States or the States of Guernsey within the operational area of an airport which is necessary for –

- (a) the provision of air traffic control services,
- (b) the safe navigation of aircraft,
- (c) the security of the airport, or
- (d) the maintenance or resurfacing of an airport runway or to make minor alterations to the camber of such a runway,

provided that such regulated development is not carried out in relation to any land or structure forming any part of the perimeter of the airport and that, where carried out in relation to an airport runway, it does not extend that runway.

Regulated development within the operational area of a harbour

9. Any regulated development by or on behalf of the States within the operational area of a harbour which is necessary for –

- (a) the provision of harbour control or safe navigation of ships, or
- (b) the security of the harbour,

provided that such regulated development is not carried out in relation to any land or structure forming any part of the perimeter of the harbour.

Minor works for navigational purposes

10. (1) Any regulated development by or on behalf of the States or the States of Guernsey outside the operational area of a harbour or an airport (except in either case where the area is within the Ramsar Site) which is necessary to –

- (a) carry out any minor works for the purpose of –
 - (i) the safe navigation of ships or aircraft, or
 - (ii) the safe operation of the port or airport in question, or
- (b) avoid the obstruction of navigation points or navigation lights by any tree or other vegetation,

provided that the provisos in subparagraph (2) are met.

(2) The provisos referred to in subparagraph (1) are that any hard surface which is disturbed by the regulated development is–

- (a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,
- (b) in all other cases, restored with a finish which is not significantly different from the existing finish, and
- (c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).

(3) In this paragraph "**minor works**" means –

- (a) minor maintenance work, or
- (b) replacement of fixed plant, which does not involve any work to buildings, walls or fences.

Coastal defences

11. Any regulated development by or on behalf of the States or the States of Guernsey which is necessary for the maintenance of existing coastal defences provided that such regulated development –

- (a) does not include regulated development consisting of land reclamation and does not affect any shingle bank, sand bank or other natural feature forming part of such coastal defences, and
- (b) is not within the Ramsar Site.

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Street furniture

12. (1) Any regulated development by or on behalf of the States which is necessary for –

(a) the replacement or maintenance of any fixed street furniture provided that any replacement is not installed within a conservation area or designated area, or adjacent to any historic building, or

(b) the installation of a temporary sign or of a sign required to be installed as a result of an emergency provided that the sign is in place for no longer than 28 days.

(2) In this paragraph -

(a) "**street furniture**" includes lamp standards and other street lighting, public seating, cycle racks, signposts, closed circuit television, signs (including traffic signs), refuse bins, bollards, rails, fences and barriers for safeguarding persons using the public highway, and

(b) "**public highway**" means any vehicular or pedestrian road, street, lane or track or path, however named, used by the public.

Regulated development in relation to the provision of a system for delivery of heat

13. Any regulated development by or on behalf of Alderney Electricity Limited or the States which is necessary for the replacement or maintenance of any pipes or conduits or other parts of a system for the delivery of heat to more than one premises provided that any hard surface which is disturbed by the regulated development is -

(a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,

(b) in all other cases, restored with a finish which is not significantly different from the existing finish, and

(c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee)."

CATEGORY 6

SIGNS AND ADVERTISEMENTS

Contractors' signs

- 1.** Temporary display of a contractor's signboard on a building or site where the contractor is currently engaged in building or other works provided that -
- (a) any development permission required under the Law for those works has been granted,
 - (b) there is only one such signboard on the building or site,
 - (c) the signboard is not illuminated,
 - (d) the signboard is removed upon completion of the works.

Nameplates

- 2.** Display on a building of a nameplate identifying any individual, company or firm carrying on a trade, business or profession in or from that building provided that-
- (a) the trade, profession or business concerned is not being carried on in contravention of the Law,
 - (b) the nameplate is not internally illuminated,
 - (c) the size of the nameplate, measured in any dimension, does not exceed 60 centimetres,
 - (d) it is not installed within a conservation area or designated area, or adjacent to any historic building.

Signs for charity and public events

- 3.** Temporary display of a sign advertising, or giving directions to the location of, a charity or public event provided that -
- (a) the sign is not illuminated, either internally or by external illumination,
 - (b) the sign is not displayed for more than 2 weeks prior to the date of the event,
 - (c) the sign is removed immediately after the event has ended,
 - (d) in the case of any banner displayed across Victoria Street, the sign does not include any commercial advertising material.

Election signs

- 4.** Temporary display, including on, or within the curtilage of, a historic building, during the period immediately preceding an election for any States Members, of a sign promoting a candidate at, or otherwise in connection with, that election.

Signs advertising garden produce

- 5.** Display within the curtilage of a dwelling-house of one sign advertising the sale of produce grown, otherwise than on a commercial basis, provided that -
- (a) there is only one such sign within the curtilage,
 - (b) the size of the sign does not exceed 60 centimetres measured in any dimension.

Repainting or replacement of existing signs

- 6.** Repainting or replacement of an existing sign provided that -
- (a) the sign, as repainted or replaced, is not internally illuminated,

(b) the overall size and location of the sign is not altered as a result of the repainting or replacement.

CATEGORY 7

ALDERNEY RAILWAYS

Regulated development in relation to Alderney Railways

1. Any regulated development which is necessary for the maintenance or replacement of railway track, track equipment (including signal boxes, signaling equipment and other appliances), railway stations, level crossings, railway bridges, embankments, sidings, engine sheds or other structures, infrastructure or equipment forming part of or used principally for the purposes of the Alderney Railway or the Alderney Miniature Railway provided that any hard surface which is disturbed by the regulated development is-

- (a) in the case of a hard surface consisting of granite flags or cobbles, restored with the same materials,
- (b) in all other cases, restored with a finish which is not significantly different from the existing finish, and
- (c) otherwise restored to its former condition (or such condition as is agreed in writing with the Committee).