

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 air handling equipment and construct louvred enclosure to north elevation.

LOCATION: The Ladies College, Les Gravees, St. Peter Port.

APPLICANT: The Ladies College

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: 15/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - 10542-S1-02, 03A & 04.
Hendersongreen - SK11.8.21 R P1
Swegon - AHU Design Sketch: Inspection side and AHU Design:
Technical Specification, general survey

Application Ref: FULL/2021/1903

Property Ref: A204050000

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. No development shall begin on site until details of a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and agreed in writing by the Authority. The measures shall be implemented in strict accordance with the approved details prior to the first use of the equipment hereby approved and shall thereafter be retained in perpetuity.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the equipment does not result in undue noise and nuisance to the occupiers of surrounding properties.

5. Noise associated with the plant and machinery incorporated into the development shall be controlled such that the Rating Level, measured or calculated at 1 metre from the facade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level, including low frequency tones.

Reason - The premises are close to residential property and a limit on the noise generated by the equipment is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 14/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In relation to condition 5, Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

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/2021/1903
Property Ref: A204050000
Valid date: 14/09/2021
Location: The Ladies College Les Gravees St. Peter Port Guernsey GY1 1RW
Proposal: Install air handling equipment and construct louvred enclosure to north elevation.
Applicant: The Ladies College

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).

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measures shall be implemented in strict accordance with the approved details prior to the first use of the equipment hereby approved and shall thereafter be retained in perpetuity.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the equipment does not result in undue noise and nuisance to the occupiers of surrounding properties.

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Reason - The premises are close to residential property and a limit on the noise generated by the equipment is needed to prevent a nuisance or annoyance to nearby residents.

INFORMATIVES

In relation to condition 5, Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

OFFICER'S REPORT

Brief Description of the site:

The application site, Ladies College, is situated to the north of La Grange/Les Gravees. The part of the site that is the subject of this application is situated well within the site with residential development to the west. Access to the site is possible from Rocquettes Lane to the west and front this entrance, between terrace houses, existing rooftop equipment and structures are visible. The site is not visible from La Gibauderie to the north.

The application relates to the installation of new air handling equipment and a louvred enclosure to the roof of part of the building.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. Buildings at Ladies College are on the Protected Buildings register.

Relevant History:

None.

Existing Use(s):

School

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:

Island Development Plan policies:

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

Consultation:

Office of Environmental Health and Pollution Regulation – express concerns regarding the potential for noise nuisance, note that the agent is aware that attenuation measures will be required, and that additional acoustic information will be provided. As such OEHPR would recommend a number of planning conditions.

Conclusion/Brief comment:

The proposed plantroom enclosure is to be constructed on one of the larger, modern buildings within the site, and is considered to represent an appropriately high standard of design that will not have a detrimental impact on the character and appearance of the Conservation Area. Being situated away from the site boundaries the works will not result in overshadowing or loss of light to adjoining occupiers.

The proposed air handling equipment has been identified as having the potential to generate noise and nuisance to occupiers in the locality and therefore a number of planning conditions are considered necessary to ensure that the impact of the development is kept within acceptable limits.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

In view of the above it is concluded the scheme accords with the aims of the relevant policies in the Island Development Plan and it is recommended that planning permission is granted for the proposal.

Recommendation:

Grant with Conditions



Date: 15 October 2021

