

**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 an air source heat pump.

**LOCATION:** Seacroft, Rue De La Haute Banque, St. Saviour.

**APPLICANT:** Mr & Mrs A Reed

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:** 20/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Jason Hobbs Architectural Services Ltd: 5988/S/1a & 3

**Application Ref:** FULL/2021/2303

**Property Ref:** E010560000

**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 the equipment hereby approved 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. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - To protect the amenities of neighbouring residents.

**Expiry Date: This permission will cease to have effect on 19/05/2025 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](http://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](mailto: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/2021/2303  
**Property Ref:** E010560000  
**Valid date:** 14/10/2021  
**Location:** Seacroft Rue De La Haute Banque St. Saviour Guernsey GY7 9LT  
**Proposal:** Install an air source heat pump.  
**Applicant:** Mr & Mrs A Reed

**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 the equipment hereby approved 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. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - To protect the amenities of neighbouring residents.

---

## **OFFICER'S REPORT**

### **Brief Description of the site:**

The property known as 'Seacroft' is a one and a half storey 1970's dwelling, which is set back from and faces north onto Rue de la Haute Banque. The drive come from the northeast and the front area is now a large parking area. There are neighbours to the northwest, east and southeast, and to the west is a Site of Special Significance. The property is located Outside of the Centres as defined in the Island Development Plan.

### **Relevant History:**

FULL/2021/1670 - Variations to plans previously approved to erect single storey extension to south-east (rear), flat roof link extension and porch to north-west (front) elevation, install flue and alterations to fenestration. - Erect parapets, alterations to porch, install external insulating render system, cladding, additional roof lanterns and alteration to fenestration – Approved October 2021.

FULL/2020/2553 - Install rooflights to south east (rear) elevation and alterations to fenestration of dwelling. Erect flagpole to north west gable of detached garage – Approved February 2021.

FULL/2019/2520 - Erect detached garage to south-west boundary – Approved January 2020.

FULL/2019/2519 - Erect single storey extension to south-east (rear), flat roof link extension and porch to north-west (front) elevation, install flue and alterations to fenestration – Approved January 2020.

### **Existing Use(s):**

Residential use class 1: dwelling house.

**Assessment:** *(Tick as appropriate)*

no representation  
accords with policy  
within curtilage  
design acceptable

|   |
|---|
| X |
| X |
| X |
| X |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|   |
|---|
| X |
| X |
| X |

**Policies considered most relevant:**

GP2: Sites of Special Significance  
GP8: Design  
GP9: Sustainable Development  
GP13: Householder Development

**Consultations:**

Environmental Health - 21/12/21

"I have reviewed the proposed plans for an air source heat pump to be installed at the above-mentioned property which were received by email on 2nd December 2021.

I have concerns relating to the close proximity of residential properties and the proposal for the use of an air source heat pump. The details of the specific proposed pump are not included. The link provided on the plans does not appear to work.

At a minimum the department requires the following information:

- Manufacturers' specifications of the proposed unit
- Distance to the closest noise sensitive property (this includes domestic gardens)
- Evidence that the noise level the proposed pump would operate at would be at least 5 dB(A) below the lowest background noise level at any time (this is generally at night)
- Details of any proposed attenuation measures to reduce the noise level of the air source heat pump

I would urge the applicant to contact an acoustic consultant. I have attached a list of consultants who are prepared to operate on the island. Please note that inclusion on the list does not infer any kind of recommendation by the department.

Any measurements and assessment shall be made in accordance with British Standard 4142:2014. Please do not hesitate to contact me at the above address should you require any additional information regarding this matter.”

Environmental Health - 08/02/22

“I have reviewed additional information supplied for the proposed plans for a pool pump to be installed at the above address which were received by email on 1<sup>st</sup> February 2022. Having regard to the information provided the current proposal is not suitable in this location. I have carried out calculations of the approximate location of the pool pump to the nearest properties and whilst the predicted levels of around 37 dB are not significantly concerning, I do not feel that the pump would be able to achieve a noise level rating of at least 5dB below background level.

Should further information be forthcoming, as previously requested, I will reconsider my recommendation.

At a minimum the department requires the following information:

- Evidence that the noise level the proposed pump would operate at would be at least 5 dB(A) below the lowest background noise level at any time (this is generally at night)
- Details of any proposed attenuation measures to reduce the level of the air source heat pump

I would urge the applicant to contact an acoustic consultant I have attached a list of consultants who are prepared to operate on the island. Please note that inclusion on the list does not infer any kind of recommendation by the department.

Any measurements and assessment shall be made in accordance with British Standard 4142:2014. Please do not hesitate to contact me at the above address should you require any additional information regarding this matter.”

**Conclusion/Brief comment:**

As initially proposed, this application sought to install an air source heat pump (ASHP), to service the swimming pool, to the southeast corner of the existing shed on the west boundary. This is where Environmental Health did their calculations from during their consult.

Since then the applicant has decided to move the ASHP west of the existing detached garage, and the plans have been revised accordingly.

The proposal will have no significant visual impacts.

Environmental Health were consulted on the plans as initially submitted, and they requested an acoustic assessment before giving a detailed consult reply. However, the applicant/agent has decided not to submit one.

The revised position of the pump will now be on the elevation furthest from the ribbon development along Rue des Blanches Terres to the east and is approximately 25m away from the neighbour to the north. The pump is located away from the neighbours, and is unlikely to cause significant noise pollution.

In the absence of an acoustic report, a condition regarding the noise levels from the pump will however be added to ensure the unit does not emit noise over the accepted noise levels.

The ASHP will now be located on the elevation of the garage which faces La Rousse Mare Site of Special Significance. This area covers a west coast headland of the Island with large areas of natural and semi-natural habitat.

The area includes a wide range of habitats, including important wet meadows at La Claire

Mare, Guernsey's largest shingle bank at L'Erée and the largest area of salt marsh locally at

La Rousse Mare. It is also recognised as an important roosting and feeding area for birds.

This area is designated as a Site of Special Significance for its importance for a wide range of wildlife including rare and threatened species of insects, plants and birds.

The limitation on noise levels will however limit any impact on that land.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

**Recommendation:**

Grant with Conditions



**Date:** 10/05/2022

