

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 standby generator to north of building.

LOCATION: Guernsey Post Limited, Envoy House, La Vrangue, St. Peter Port.

APPLICANT: Meadowcroft Limited

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: 08/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Studio 040/ SK01 & 020/SK02 and Hodgson acoustics 700 1478 1/2 & 2/2.

Application Ref: FULL/2022/1185

Property Ref: A101930000

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. The generator hereby approved shall only be used as a standby generator only to operate in the event of an emergency.

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

5. The generator may only be tested on Monday to Friday between the hours of 9.00am and 5.00pm. No testing is to take place at weekends or on any Public Holiday. Testing is to be in accordance with the manufacturer's specification and limited to a maximum of 1 test every 14 days of up to one hour duration. If required by the manufacturer one annual test of up to 2 hours duration is permitted.

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

6. The hereby approved generator must be housed within an acoustic closed-top enclosure.

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

7. 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 10 dB(A) above 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 - The premises are close to residential property and a limit on the use is needed

to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 07/11/2025 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 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/2022/1185
Property Ref: A101930000
Valid date: 21/06/2022
Location: Guernsey Post Limited Envoy House La Vrangue St. Peter
Port Guernsey GY1 1AA
Proposal: Install standby generator to north of building.
Applicant: Meadowcroft Limited

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. The generator hereby approved shall only be used as a standby generator only to operate in the event of an emergency.

Reason - The premises are close to residential property and a limit on the use is needed

to prevent a nuisance or annoyance to nearby residents.

5. The generator may only be tested on Monday to Friday between the hours of 9.00am and 5.00pm. No testing is to take place at weekends or on any Public Holiday. Testing is to be in accordance with the manufacturer's specification and limited to a maximum of 1 test every 14 days of up to one hour duration. If required by the manufacturer one annual test of up to 2 hours duration is permitted.

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

6. The hereby approved generator must be housed within an acoustic closed-top enclosure.

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

7. 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 10 dB(A) above 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 - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Site Description:

The Guernsey Main Post Office is located on the south side of La Vrangue, it has residential dwellings neighbouring each side. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/1736 – Erect temporary scaffold structure to south elevation (retrospective) – Pending.

FULL/2022/2022 – Install cladding and fenestration to enclose section of covered area to south side elevation – Pending.

Existing Use(s):

Guernsey Post Office & sorting office.

Brief Description of Development:

This application is to install a standby generator to the north of the building.

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

MC5(B): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – outside of the Key Industrial Areas and Key Industrial Expansion Areas

GP8: Design

GP9: Sustainable Development

Representations:

There has been one letter of representation and the issues are;

- How loud this backup generator will be? Specifically the decibel reading. This is because the Centenary House backup generators make a lot of noise when they “kick in” and is loud enough to wake you from sleep. So if there was a power cut at 2am this generator will “kick in” and awaken half the people around the Envoy house area, in addition to the already noisy generators I previously mentioned at Centenary House.
- What the generator would be backing up? Because as far as I am aware Envoy House is shut in the evenings. I assume this by the gates being closed and locked around 8pm but are open again in the early morning. Could the generator be put on a restriction where it won’t turn on after closing until opening?

Consultations:

The Office of Environmental Health and Pollution Regulation.

14/07/22

‘I have reviewed the proposed plans for the installation of a generator at Envoy House, La Vrangue, St Peter Port, Guernsey GY1 1AA which were received via email on 1st July 2022. Having regards to the information provided the current proposal is not suitable in this location.

There is no acoustic information provided as part of the application. The applicant has not provided any sound pressure or sound power data for the generator. The generator would need to operate at least 5dB(A) below the lowest background noise level at any time (this is generally at night) and details of any proposed attenuation measures to reduce the level of the generator would need to be submitted.’

07/11/22

‘Having regards to the additional information provided I would recommend the following conditions to be attached to the consent:

- *The generator is used as a standby generator only to operate in the event of an emergency;*

- *The generator may only be tested on Monday to Friday between the hours of 9.00am and 5.00pm. No testing is to take place at weekends or on any Public Holiday. Testing is to be in accordance with the manufacturer's specification and limited to a maximum of 1 test every 14 days of up to one hour duration. If required by the manufacturer one annual test of up to 2 hours duration is permitted;*
- *The generator is to be housed within an acoustic closed-top enclosure; and*
- *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 10 dB(A) above 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.'*

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The generator is to be located adjacent to the north elevation on land over 35m away from the nearest residential property to the north and 48m away from residential properties to the east.

The application was initially deferred because there was not enough information for a comprehensive assessment to be made. An acoustic report and attenuation measures were then submitted and a further consultation with Environmental Health was carried out.

Initial concerns were the location and the amount of noise the generator could emit when running. The acoustic report and the attenuation measures have shown that the concerns have now been mitigated to acceptable levels and conditions have been added to the decision to ensure the acceptable levels are maintained.

The location of the generator is now considered to be acceptable. The development would not alter the character of the area or have any significant impacts on neighbour amenity.

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.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 08/11/2022