

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 source heat pump to east (side) elevation.

LOCATION: Southlands, Les Hurettes, St. Martin.

APPLICANT: Mr & Mrs A Pikett

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: 24/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chris Workman & Co Ltd: AP:21:14A 01 & 02 and Grant Aeron 3 R32 Range HPID13R32 details

Application Ref: FULL/2023/0319

Property Ref: J008050000

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 air source heat pump, the Rating Level, measured or calculated at 1m 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 prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 23/03/2026 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/2023/0319
Property Ref: J008050000
Valid date: 22/02/2023
Location: Southlands Les Hurettes St. Martin Guernsey GY4 6QS
Proposal: Install air source heat pump to east (side) elevation.

Applicant: Mr & Mrs A Pikett

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - To prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Site Description:

Southlands is a detached two-storey dwelling set back from the road and with the roadside boundary marked by a bank and hedge. The garden to the adjoining dwellings is marked by trees, hedges and fencing. The south boundary with the field in the same ownership is open. A greenhouse is situated to the southeast of the dwelling, on agricultural land but aerial photographs of the site show that this has been in situ for many years.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2015/0841 - Remove fenestration and roof from conservatory and replace with timber fenestration, solid roof and roof lantern to form sunlounge – granted

FULL/2021/1966 - Demolish shed and erect 1.5 storey detached garage/studio to east boundary - granted

FULL/2021/1966 - Extend and alter roof form at 2nd floor level, erect single storey extension with 1st floor terrace and install dormer window at 1st floor level to south (rear) elevation, erect porch to north (front) elevation, install external insulating render system and alterations to fenestration – granted

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the installation of an air source heat pump.

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

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

One letter of representation has been submitted expressing concern regarding the position of the site notice and sound levels from the large, double stacked ASHP.

Consultations:

Office of Environmental Health and Pollution Regulation – have carried out a distance calculation and found that the air source heat pump would operate at approximately 30dB at the closest noise sensitive property (approximately 12m to the east). To ensure that the air source heat pump does not adversely affect the surrounding area it is recommended that a condition is attached to the permission.

Summary of Issues:

The key issue in this case relates to the impact of the air source heat pump on the amenities of surrounding residents when it is operational.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

The ASHP is to be situated to the side of the dwelling and given the position of the dwelling in its plot and the established roadside boundary treatment mean that it will not be highly visible from outside the site.

Subject to the condition recommended by the OEHPR the ASHP will not result in undue harm to the amenities of the occupiers of surrounding dwellings through noise generation

The comments regarding the position of the notice are noted. The Land Planning and Development (General Provisions) Ordinance, 2007 which states that the notice

must be “visible and legible from a place to which the public have access” and as displayed accords with this requirement of the Ordinance.

In view of the above it is recommended permission is granted for the proposed development.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations. These issues where relevant have been considered in the assessment of this application.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 22 March 2023

