

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: Variations to previously approved plans to demolish existing and erect replacement dwelling - Relocate flue, increase size of rooflights, install air source heat pump and fencing to south elevation and alterations to fenestration.

LOCATION: Brookfield, Rue Des Salines, St. Pierre Du Bois.

APPLICANT: Mr & Mrs Grant

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: 23/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture - 2543 SK-02B, SK-03D, SK-04D & SK-05D.
Air Source Heat Pump details

Application Ref: FULL/2023/0508

Property Ref: F011660000

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 on or before 25/02/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2020/2173.

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 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 5 dB(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 reasonable amenities of neighbouring residents.

5. Details of the replacement planting to the east of the air source heat pump, including the species, number and density of planting, shall be submitted to and approved in writing by the Authority prior to the installation of the air source heat pump. The replacement planting shall then be planted within six months of the installation of the air source heat pump or in the first planting season following the installation of the air source heat pump whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To screen the air source heat pump enclosure from public view in the interests of visual amenity.

6.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 25/02/2021, issued under planning application reference FULL/2020/2173, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 25/02/2024 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/2023/0508
Property Ref: F011660000
Valid date: 22/03/2023
Location: Brookfield Rue Des Salines St. Pierre Du Bois Guernsey GY7 9HL
Proposal: Variations to previously approved plans to demolish existing and erect replacement dwelling - Relocate flue, increase size of rooflights, install air source heat pump and fencing to south elevation and alterations to fenestration.

Applicant: Mr & Mrs Grant

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 on or before 25/02/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2020/2173.

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 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 5 dB(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 reasonable amenities of neighbouring residents.

5. Details of the replacement planting to the east of the air source heat pump, including the species, number and density of planting, shall be submitted to and approved in writing by the Authority prior to the installation of the air source heat pump. The replacement planting shall then be planted within six months of the installation of the air source heat pump or in the first planting season following the installation of the air source heat pump whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To screen the air source heat pump enclosure from public view in the interests of visual amenity.

6. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 25/02/2021, issued under planning application reference FULL/2020/2173, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to previously approved plans to demolish existing and erect replacement dwelling (FULL/2020/2173). The variations involve relocate flue in north roofslope, increase size of rooflights in south roofslope, install air source heat pump and fencing to south boundary and alterations to fenestration including install additional high level window in north elevation and alter arrangement of fenestration in the east elevation.

The application site, known as 'Brookfield', comprises a detached early-mid 20th century bungalow. Similar to other properties along Rue Des Salines, the façade of the property faces towards the coast road (Route Du Grand Port) with the rear of the

property accessed off Rue Des Salines. The property is served by a detached garage. Permission was granted in February 2021 to demolish and rebuild the dwelling.

The application site is elongated in shape and is located Outside of the Centres as defined in the Island Development Plan. Part of the site is also located within a Site of Special Significance and an Area of Biodiversity Importance.

The site falls within a 1:10 year flood risk area as set out in the Royal Haskoning coastal flooding studies report, 2012.

Relevant History:

25/02/2021 – FULL/2020/2173 – Permission granted to demolish existing and erect replacement dwelling.

Existing Use(s):

Residential use class 1: dwelling house

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:

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Consultations:

The Office of Environmental Health and Pollution Regulation, 14/04/2023

“Despite the client screening and selecting a ASHP with quieter credentials. Calculations have been made to assess the noise level from the AS03 ASHP Unit and it is believed that the noise level at a local property could be up to 28dB. As such I would recommend the following condition.

- 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 5 dB(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.”

Conclusion/Brief comment:

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 23/05/2023