

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 replacement windows and doors, replace roof coverings, dormer roof coverings. Erect bike store, install air conditioning units and 2 enclosures to east (rear) elevation. Install signage to south elevation, remove railings and install lighting and planters to west and south elevations, alterations to hardstanding (Protected Building).

LOCATION: Town Mills, Rue Du Pre, St. Peter Port.

APPLICANT: Kimmeridge Holdings Ltd

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: 07/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Axis Mason - 4774 010 P6, 200 P2, 210 P7 & 220 P4
Sam Ovens Landscapes: P0301-L(30)5-001 x 2.
A4 sash window profile drawings x 2
Aura Noise Impact Assessment N10.1 V2.
New Sheffield Cycle Shelter Specification Sheets BXMW/SEF.

Application Ref: FULL/2024/0538

Property Ref: A406440000

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 plant and machinery incorporated within 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. 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.

5.The hours of operation of the plant should be limited to between 07:00 hours and 23:00 hours on weekdays (Monday - Friday) and Saturday.

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.Prior to commencement of any work relating to the installation of the plant hereby approved, details of the acoustic enclosures and silencers recommended in Section 6.0 of the noise impact assessment report hereby approved, must be submitted to and agreed in writing by the Authority. The approved enclosures and silencers shall be fitted in accordance with the approved details prior to the associated plant being brought into use.

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 07/10/2027 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/2024/0538
Property Ref: A406440000
Valid date: 02/05/2024
Location: Town Mills Rue Du Pre St. Peter Port Guernsey GY1 1LT
Proposal: Install replacement windows and doors, replace roof coverings, dormer roof coverings. Erect bike store, install air conditioning units and 2 enclosures to east (rear) elevation. Install signage to south elevation, remove railings and install lighting and planters to west and south elevations, alterations to hardstanding (Protected Building).

Applicant: Kimmeridge Holdings Ltd

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 plant and machinery incorporated within 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. 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.

5. The hours of operation of the plant should be limited to between 07:00 hours and 23:00 hours on weekdays (Monday - Friday) and Saturday.

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. Prior to commencement of any work relating to the installation of the plant hereby approved, details of the acoustic enclosures and silencers recommended in Section 6.0 of the noise impact assessment report hereby approved, must be submitted to and agreed in writing by the Authority. The approved enclosures and silencers shall be fitted in accordance with the approved details prior to the associated plant being brought into use.

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

Brief Description of the site:

The building known as 'Town Mills' was initially built as a warehouse in the early 1800's, it has since been refurbished to become office development. The site lies to the east of Rue de Pre, just south of Trinity Square. The site is located within the St Peter Port Main Centre and Town Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/0079 - Install replacement windows (Protected Building) – Approved April 2022.

Existing Use(s):

Administrative, financial, and professional services use class 16: administrative office.

Assessment: (Tick as appropriate)

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

MC4(A): Office Development in Main Centres
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Consultations:

The Office of Environmental Health and Pollution Regulation.

'I have reviewed the noise impact assessment report supplied with this application and I am concerned of the significant noise output of the proposed plant. As such, I recommend a number of conditions, as stated below.

- 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.*

The acoustic consultant who provided the noise impact assessment report states that they understand that the proposed plant will only be operating during daytime hours, therefore I recommend that:

- The hours of operation of the plant should be limited to between 07:00 hours and 23:00 hours on weekdays (Monday – Friday) and Saturday.*

Within the noise impact assessment report, a number of recommendations are made to reduce the noise output of the plant. As such, I recommend that:

- The recommendations stated in section '6.0 Recommendations' of the noise impact assessment report ref 'N10.1 V2' must be completed to reduce the noise output of the proposed plant.'*

Conclusion/Brief comment:

This application is to replace the windows and doors, replace the roof coverings and dormer roof coverings. Erect a bike store, 2 external enclosures and air conditioning units to the east rear elevation. Install signage and lighting, remove railings and install planters to the west and south elevations and some alteration to the hardstanding of this protected building.

The majority of the proposals are considered acceptable and appropriate to bring this building back into full use, and they comply with policy GP5 which protects the special interest of the protected building.

Initially a number of lights were proposed across the whole of the front façade, which would have been out of character when considering the illumination in this part of St Peter Port. The application was therefore deferred and the majority of the lights have been omitted, retaining only two to provide lighting of entrances to the building. Given this reduction in the level of lighting proposed, it is not considered necessary to limit the hours of operation of the remaining lights.

The railings are to be removed from outside of the main part of the building, but to be retained outside of the northern part of the building complex and across the parking frontage. The existing mill wheel will remain in situ and is now noted on the drawings. These amendments address concerns initially raised regarding the impacts of the loss of these features on the character of the area and the setting of the protected building.

The proposed air conditioning units and enclosure to be mounted on the bridge to the rear of the building would be largely screened from Park Lane to the rear, glimpsed only through the pedestrian access gate, and would be visible only from a limited section of Rue du Pre. Whilst not achieving a particularly high standard of design, these elements are set back behind the building and, on balance, would not result in significant impacts on the character of the Conservation Area.

Overall the amended proposals achieve an acceptable level of design. The scale and massing of the revised proposals are not considered to have a detrimental effect on the character and amenity of the surrounding conservation area.

To ensure that the proposals would not have any adverse impacts on any of the immediate neighbours, it is recommended that the conditions put forward by the

Office for Environmental Health and Pollution Regulation are attached to any decision issued. In respect of the third condition, it is however noted that Section 6 of the noise impact assessment does not provide details solutions, and these details must therefore be provided for approval prior to any works commencing on the installation of the proposed plant.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 07/10/2024

