

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 conditioning/chiller units to west elevation of Club House and install roof cowls/vents to Club House and Changing Rooms

LOCATION: St Sampsons Sports Ground, Victoria Avenue, St. Sampson.

APPLICANT: JW Rihoy & Son 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: 29/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - U86-10671-S1-99/A; H8-10671-S1-102K, 104K, 105L, 106Q, 109M

Application Ref: FULL/2024/1155

Property Ref: B012770000

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 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 - 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 29/08/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this permission grants consent for the works identified in the application description and identified in red on the approved plans only.

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/2024/1155
Property Ref: B012770000
Valid date: 09/07/2024
Location: St Sampsons Sports Ground Victoria Avenue St. Sampson
Guernsey GY2 4BD
Proposal: Install air conditioning/chiller units to west elevation of Club
House and install roof cowls/vents to Club House and
Changing Rooms
Applicant: JW Rihoy & Son 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. 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.

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.

INFORMATIVES

For the avoidance of doubt, this permission grants consent for the works identified in the application description and identified in red on the approved plans only.

OFFICER'S REPORT

Brief Description of the site:

The site known as the 'Guernsey Football Association Victoria Avenue football pitch' is located on the north side of Victoria Avenue. Development is well advanced and both the Changing and Club House buildings are in place on site.

To the southeast are residential dwellings, to the east and north-east is open agricultural land falling within an Agriculture Priority Area, to the north, northwest and across the road to the south is open land designated as Sites of Special Significance and to the southwest is the Go Cart track and a further football field. The site extends to some 2.2 Ha in area, the northern half of which is located within a flood risk area. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2018/0711 Construct football club facilities buildings, spectator stands and associated structures, construct 3G football pitch, install floodlights, erect fencing and create new vehicular and pedestrian accesses. Approved 04/04/2019

FULL/2021/2430 Variation of condition 4 to FULL/2018/0711 to enable more intensive usage of the main football pitch. Approved 04/01/2022

FULL/2022/1087 Erection of 4 illuminated score boards and illuminated pitch side advertising boards. Approved 06/09/2022

FULL/2024/1277 Erect illuminated score board screen to west of site. Pending

FULL/2024/1429 Install pumping station kiosk to south of site. Pending

FULL/2024/1432 Install external illuminated welcome/advertising screen to south elevation of changing room block. Pending

FULL/2024/1434 Pruning of trees, remove existing and erect replacement fence to west boundary (border to Site of Special Significance). Pending

Existing Use(s):

Public amenity use class 21: sport or fitness.

Consultation:

The Office for Environmental Health and Pollution Regulation comments as follows:

I have reviewed the proposed plans for the installation of air conditioning and chiller units to the west elevation of the Club House and the installation of roof cowls / vents to the Club House and Changing Rooms at the new sports facilities at the above site.

I understand from the covering letter, dated 25th June 2024 from Andy Merrett at Lovell Ozanne, ref. AME/akdw/10671, that four chiller units are to be located at low level on the western elevation of the Clubhouse, with a further two smaller chiller units to be located above the four units. These are shown on Lovell Ozanne's proposed plan for the 'Club House block Elevations', drawing no. H8-10671-S1-106, rev. P, dated 22nd April 2022.

Further to the initial submission, the agent has confirmed that the following equipment is to be installed:

- 4 x Sky Air Advance RZASG100MV1
- 1 x Marstair 17 Series CXEA R410A Cellar Cooling unit – model CKA 50
- 1 x Multiplex Heat Dump Advanced unit

Due to having concerns about the noise impact that these units may have on nearby residential properties, I have used the sound specification data supplied for the above units to carry out an approximate acoustic distance calculation.

I confirm that I do not object to the installation of the units in the proposed location, however, to protect residents' amenity, I recommend that the following condition is attached to any granted planning consent:

- 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 L_{A90} 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.

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:

OC9 – Leisure and Recreation Outside of the Centres

GP2 – Sites of Special Significance

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

This application is to install air conditioning/chiller units (4x Sky Air Advance RZASG100MV1, 1 x Marstair 17 Series CXEA R410A Cellar Cooling unit – model ref :CKA 50,

1 x Multiplex Heat Dump Advanced unit) to the west elevation of the approved Club House (western of the approved buildings) and to install roof cowls/vents to both the approved Club House and Changing Rooms.

The proposed air conditioning/chiller units would be set against the side elevation of the approved Club House and the roof cowls/vents would not significantly alter the appearance of the buildings. There would therefore be no adverse impacts on the character of the area.

The units would be set adjacent to the recreational site to the west, and away from the designated SSS and the proposal would not therefore result in any detrimental impacts on the SSS.

The units would also be set away from nearby residential properties, and the Office for Environmental Health and Pollution Regulation raise no concerns in respect of residential amenity, subject to a condition limiting noise emissions from the units.

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: 28/08/2024