

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 4 condenser units to flat roof over main entrance.

LOCATION: Existing Building at L'Aumone Medical Centre, Route de Cobo, Castel.

APPLICANT: St Damian 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: 22/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3805 CD09C, & 16B.

Application Ref: FULL/2024/1609

Property Ref: D01347B001

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 acoustic louvre panel and fencing (at least 10kg/m² surface density and 1200mm high) must be installed before the units are switched on and must remain in place for as long as the units are in 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.

5.The hours of operation of the plant and machinery incorporated within the development are limited each day to between 07:00 and 23:00 hours Monday to Saturday only.

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.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+A1:2019.

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 21/04/2028 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/2024/1609
Property Ref: D01347B001
Valid date: 23/09/2024
Location: Existing Building at L'Aumone Medical Centre Route de Cobo
Castel Guernsey GY5 7RU
Proposal: Install 4 condenser units to flat roof over main entrance.

Applicant: St Damian 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. The acoustic louvre panel and fencing (at least 10kg/m² surface density and 1200mm high) must be installed before the units are switched on and must remain in

place for as long as the units are in 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.

5. The hours of operation of the plant and machinery incorporated within the development are limited each day to between 07:00 and 23:00 hours Monday to Saturday only.

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. 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+A1:2019.

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 site is occupied by a two-storey doctors surgery with consulting rooms and an ancillary pharmacy to the southeast. Vehicular access is provided on the south boundary from Route de Cobo. Parking is provided across the site frontage, behind a roadside earth bank. The site is within the L'Aumone Local Centre as defined in the Island Development Plan.

Relevant History:

FULL/2024/1938 – Install 6 air-conditioning units and VAM (air to air heat exchanger) unit to flat roof to east of site – Pending.

FULL/2024/1611 – Install 4 air-conditioning units to east (side) elevation – Pending.

FULL/2024/1392 – Install illuminated sign to west elevation, illuminated sign and double sided illuminated sign to south elevation – Approved October 2024.

FULL/2022/1560 - Install signage including illuminated signage around site – Approved November 2022.

Existing Use(s):

Public amenity use class 18: non-residential health/welfare services.

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:

LC3(A): Social and Community Facilities in Local Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP8: Design

GP9: Sustainable Development

Consultations:

The Office for Environmental Health and Pollution Regulation.

02/10/24

'I have reviewed the proposed plans for the installation of four external air conditioning units to the north rear elevation of L'Aumone Surgery. There is currently insufficient information provided for me to comment fully on this application.

I have concerns about the proximity of the nearest noise sensitive residential property to the proposed location of the four air conditioning units and the potential adverse noise impact that they could cause.

The cover letter for the application dated 19th September 2024, ref. 3805-IE-11, from CCD Limited, confirms the air conditioning unit models proposed to be installed, however I note that these do not correspond exactly with the models stated in the submitted technical data brochures. Using the sound data specifications provided in the brochures I have carried out an approximate acoustic distance calculation, using the following brochure data:

No of units	Cover letter model	Brochure model used
2	Daikin 4MXM80A9	Daikin 4MXM80A
1	Daikin 5MXM80A9	Daikin 5MXM90A9
1	Daikin RZAG34A	Daikin RZAG35A

The calculation result shows that the units are likely to operate above the existing background noise level and could cause an adverse impact to the amenity of the nearest noise sensitive residential property. This department would expect the units to always operate at least 5 dB below the existing background level.

I note that the cover letter states that an existing concrete wall and timber fence will help shield the neighbouring property from the noise emitted from the air conditioning units. It is doubtful that these will provide enough acoustic attenuation to reduce noise to the expected noise level and I therefore recommend that further information should be submitted to support the proposal. At a minimum this department requires the following information:

- *Manufacturers' specifications of the proposed units*
- *Proposed times of operation of each unit*
- *Distance to the closest noise sensitive property (this includes domestic gardens)*
- *Evidence that the noise level the proposed units would operate at would be at least 5 dB(A) below the lowest background noise level at any time (this is generally at night)*
- *Details of any proposed attenuation measures to reduce the level of the units.*

I would urge the applicant to contact an acoustic consultant I enclose a list of consultants who are prepared to operate on the island. Please note that inclusion on the list does not infer any kind of recommendation by the department.'

28/01/25

'I have reviewed the additional information submitted in relation to the application initially made to install four external air conditioning units (ACUs) to the north rear elevation of L'Aumone Surgery.

I note the letter that covers the additional information, from CCD Limited, dated 14th November 2024, ref. 3805-IE-18, confirms that the proposal has now changed, and that the four ACUs are to be installed to the rooftop over the draft lobby. The letter also confirms the make and model of the equipment to be installed as 2 no. Daikin 4MXM80A, 1 no. Daikin 5MXM90A9 and 1 no. Daikin RZAG35A.

I have read the Acoustics Report, prepared by Environoise Consulting Limited, dated 11 November 2024, ref. 22085R02bEBSW, and note that the calculations include barrier attenuation, to represent a proposed 1200mm high solid timber fence which would border the ACUs to the south and the west and an acoustic louvre panel which would border the ACUs to the north. The covering letter also confirms these will be installed for sound attenuation.

The report shows that at the nearest noise sensitive receptor to the north-east of the site, it is predicted that a 1dB reduction is required at 125Hz, to ensure the equipment does not exceed 5dB below the existing background noise level at the nearest noise sensitive receptors. The report recommendation is that an acoustic louvre panel, such as the Caice SS300 Acoustic Louvre, is installed to the north border of the ACUs.

As it is confirmed that attenuation of the proposed ACUs can be achieved by installing barriers at the border of the installation site, to protect the amenity of

nearby residents, I would recommend that the following conditions are attached to any granted consent for this application:

- The recommendations made in relation to the installation of an acoustic louvre panel at the 'rooftop plant position' within the Acoustics Report produced by Environoise Consulting Limited, dated 11 November 2024, ref. 22085R02bEBSW, must be implemented.*
- A timber fence must be installed, as shown on Drawing no. 3805-CD16, which must be solid and imperforate and at least 10kg/m² surface density and 1200mm high.*
- The hours of operation of the plant and machinery incorporated within the development are limited each day to between 07:00 and 21:00 hours only.*
- 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.*

I would be grateful if my comments are considered during the determination of this application.'

18/03/25

'I have reviewed the revised Acoustic Report prepared by Environoise Consulting Limited,

dated 19th February 2025, ref. 22085R02cEBPK, in relation to the proposed installation of

air handling plant at L' Aumone Surgery and L' Aumone Pharmacy. The Acoustics Report

supersedes all previously submitted reports and provides two options for the installation

of equipment submitted over three separate planning applications as follows:

- Option 1 covers: **FULL/2024/1938** and **FULL/2024/1609***
- Option 2 covers: **FULL/2024/1938** and **FULL/2024/1611***

*Confirmation has been received from CCD Limited that applications **FULL/2024/1609** and*

***FULL/2024/1611** are submitted as an either/or option for installation.*

*The Acoustics Report shows that **Option 1** includes:*

- **FULL/2024/1938** - six condensers are proposed to be installed on a flat rooftop between the consulting rooms building and the pharmacy. Additionally, a VAM unit is proposed to be installed on a rooftop adjacent to the pharmacy building.
- **FULL/2024/1609** - four condensers are proposed to be installed on a flat rooftop between the main health centre building and the smaller consulting rooms building.
- Acoustic calculations take into account the eleven pieces of plant being operated in the daytime period between 07:00 and 23:00 and a separate calculation has been carried out for four of the condensers included in **FULL/2024/1938** which may need to be used at night-time between the hours 23:00 and 07:00.
- A plant noise limit of SdB below the existing LA90 background noise level has been used in the assessment.
- For **FULL/2024/1938** the acoustic calculations do not take into account any acoustic attenuation measures. The condenser models are confirmed in the report and plans are included showing the proposed positioning.
- For **FULL/2024/1609** the acoustic calculations take into account that the proposed plant is to be enclosed to the south and west by a 1200mm solid timber fence and to the north by a Caice SHISO Acoustic Louvre panel. The condenser models are confirmed in the report and plans are included showing the proposed positioning.
- For the daytime period (07:00 - 23:00), the calculations predict no excess of the plant noise limit in the daytime.
- At night-time, the use of four condensers covered by **FULL/2024/1938** is predicted to result in an excess of 10 dB above the plant noise limit at one noise sensitive premises. Mitigation is recommended that a 2.1m tall homogenous acoustic screen (10kg/m², e.g. a close-boarded timber fence) is installed, extending ~0.5m above the plant. A plan is included in the report indicating where this should be installed.

The Acoustics Report shows that for **Option 2**:

- **FULL/2024/1938** - No change to Option 1.
- **FULL/2024/1611** - two condensers are proposed to be installed adjacent to the east facade of the pharmacy building and two condensers are proposed to be installed under a set of stairs adjacent to the east facade of the main health centre building.
- Acoustic calculations take into account the eleven pieces of plant being operated in the daytime period between 07:00 and 23:00 and a separate calculation has been carried out for four of the condensers included in **FULL/2024/1938** which may need to be used at night-time between the hours 23:00 and 07:00.
- A plant noise limit of SdB below the existing LA90 background noise level has been used in the assessment.
- For **FULL/2024/1938** the acoustic calculations do not take into account any

acoustic attenuation measures. The condenser models are confirmed in the report and plans are included showing the proposed positioning.

- For **FULL/2024/1611** the acoustic calculations take into account that at both locations the proposed plant is to be enclosed by a Caice SHISO Acoustic Louvre system. The condenser models are confirmed in the report and plans are included showing the proposed positioning.
- For the daytime period {07:00 - 23:00}, the calculations predict an excess of 1 dB above the plant noise limit at 125Hz at one noise sensitive premises in the daytime. No mitigation has been recommended.
- At night-time, the use of four condensers covered by **FULL/2024/1938** is predicted to result in an excess of 10 dB above the plant noise limit at one noise sensitive premises. Mitigation is recommended that a ~1m tall homogenous acoustic screen {10kg/m², e.g. a close-boarded timber fence) is installed, extending ~0.5m above the plant. A plan is included in the report indicating where this should be installed.

In response to each separate planning application:

FULL/2024/1938:

There is currently insufficient information submitted for me to fully comment, and further information is needed regarding the recommended mitigation measure to reduce nighttime noise by 10 dB.

I would ask that the applicant seeks further assistance from the author of the report (or another consultant of their choosing) to provide details of specific acoustic fencing/attenuation hardware. The applicant should make their consultant aware of the Acoustics Report findings.

At a minimum I would expect the following information:

- *Details of the specific proposed noise control hardware to be installed*
- *Acoustic specifications and reduction calculations of the proposed noise control hardware*
- *Evidence that the proposed noise control hardware will attenuate the installation to at least 5 dB(A) below the existing LA90 background noise level*

FULL/2024/1609:

I recommend that the following conditions are attached to any granted consent:

- *The plant and machinery incorporated within this application shall only be installed in the event that the plant and machinery incorporated within application FULL/2024/1611 is not installed.*
- *Acoustic attenuation taken into account when calculating noise levels as detailed in the Acoustics Report prepared by Environoise Consulting Limited, dated 19th February 2025, ref. 22085R02cEBPK, must be implemented.*
- *The hours of operation of the plant and machinery incorporated within the*

development shall be limited to between 07:00 hours and 23:00 hours Monday - Saturday.

- *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 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+A1:2019.*

FULL/2024/1611:

I recognise that an excess of 1 dB at 125Hz is predicted in the daytime and it is evident from the Acoustics Report that this would be created by plant included in this application.

However, as this is a marginal excess and it does not result in an excess of the overall plant noise limit, I recommend that the following conditions are attached to any granted consent:

- *The plant and machinery incorporated within this application shall only be installed in the event that the plant and machinery incorporated within application FULL/2024/1609 is not installed.*
- *Acoustic attenuation taken into account when calculating noise levels as detailed in the Acoustics Report prepared by Environoise Consulting Limited, dated 19th February 2025, ref. 22085R02cEBPK, must be implemented.*
- *The hours of operation of the plant and machinery incorporated within the development should be limited to between 07:00 hours and 23:00 hours Monday - Saturday.*
- *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 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+A1:2019.'*

Conclusion/Brief comment:

This application is to install four condenser units on the flat roof which creates the link between the surgery and the consulting rooms.

Initially the units were to be located against the rear north elevation of the consulting rooms which were extremely close to the nearest residential neighbour. The application was deferred once the first environmental health consult had been received.

Once the additional information had been submitted the 4 units had been moved to the flat roof between the two main buildings, and some attenuating mitigation in the

form of fencing and acoustic louvres around the units had been proposed. This along with an acoustic report were sent to Environmental Health for further comment.

Now the units have some attenuation proposed it is considered that the units will be within the noise limits set by Environmental Health and the proposals are now considered to comply with policy.

The siting of the units is not considered to have any impacts on the character and appearance of the surrounding area, nor will they have any adverse effects 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.

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: 16/04/2025

