

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 security camera and louvre to west (front) elevation and install security camera and air conditioning units to east (rear) elevation.

LOCATION: HSBC Guernsey St Martin, Galeries Du Manoir, St. Martin.

APPLICANT: HSBC

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: 22/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A&Q Partnership - 24 021 PA 22A & 23, Block Plan, Air conditioning Brochure MSZ-AY/MSZ-AP R32, MXZ-F R32, PEAD-M R32, SEZ-M R32, ME IR Dome
- CSE-ECB-001B

Application Ref: FULL/2025/0223

Property Ref: J01493B000

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+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.

5.The approved plant shall only operate between the hours of 08:30 and 17:30, Monday to Friday. There shall be no operation on Saturdays, Sundays, or public holidays.

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 21/07/2028 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/2025/0223
Property Ref: J01493B000
Valid date: 10/03/2025
Location: HSBC Guernsey St Martin Galleries Du Manoir St. Martin
Guernsey GY4 6DA
Proposal: Install security camera and louvre to west (front) elevation
and install security camera and air conditioning units to east
(rear) elevation.
Applicant: HSBC

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+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.

5. The approved plant shall only operate between the hours of 08:30 and 17:30, Monday to Friday. There shall be no operation on Saturdays, Sundays, or public holidays.

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 HSBC is located in the south wing of the Galleries du Manoir, it faces west, and is the central one of three single storey units. The other units are attached to the north and south and to the west is the entrance and car parking for the galleries and to the east is residential housing. The property is located in the St Martin Local Centre as defined in the Island Development Plan.

Relevant History:

FULL/2024/1855 - Alterations to shop front and install illuminated signage to east (front) elevation – Approved January 2025

FULL/2023/0918 - Remove existing and install replacement ATM machine and signage – Approved July 2025.

Existing Use(s):

Retail use class 10: general retail.

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:

LC5: Retail in Local Centres

GP8: Design

GP9: Sustainable Development

Consultations:

The Office of Environmental Health and Pollution Regulation.

19/03/25

'I have reviewed the proposed plans to install a security camera and louvre to the west

(front) elevation and a security camera and five air conditioning units to the east (rear)

elevation of the above property. There is currently insufficient information provided for

me to comment fully on this application.

Using the sound data provided for the five proposed air conditioning units, I have carried

out an approximate acoustic distance calculation, and I am concerned about the noise

impact that the units may have on neighbouring residential properties. I would therefore

request the following information is submitted to support the application:

- *Proposed times of operation of all air conditioning units*
- *Manufacturers' specifications of units proposed to be installed*
- *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 the time of the units being operated*
- *Details of any proposed attenuation measures to reduce the level of the units to reach at least 5 dB(A) below the lowest background noise level at the time of the units being operated.*

I would urge the applicant to contact an acoustic consultant I have attached 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.'

01/06/25

'I have reviewed the Noise Impact assessment Report prepared by NoiseAir Limited, ref. P8649-R1-V1, dated 3rd June 2025, in respect of the proposed plans to install air

conditioning units to the east (rear) elevation of the above property. There is currently insufficient information provided for me to comment fully on this application.

Having reviewed the report, I would like to raise several key points that require further clarification and consideration:

1. Compliance with Noise Criteria

It is this department's expectation that any new plant or equipment should be designed and installed to achieve a noise level of at least 5 dB below the established background sound level (LA₉₀) at the nearest noise-sensitive receptor. The submitted report indicates that the cumulative noise level from the proposed installation is only 1 dB below the background level. This margin is insufficient and may result in a perceptible increase in noise, particularly in quiet periods. We therefore request that the applicant reviews the acoustic design to ensure compliance with the -5dB target.

2. Background Noise Level (LA₉₀) Assessment

It is not clear from the report how the background noise level (LA₉₀) has been calculated or over what period. The use of the term "typical background sound level" introduces uncertainty as to whether the value has been measured specifically for the location or assumed based on generic data. This is particularly important given Guernsey's varied acoustic character, where background noise can vary significantly between locations and times. Unless 40 dB LA₉₀ has been both measured and deemed representative, we recommend that further site-specific background noise monitoring be conducted to ensure the data reflects actual conditions.

3. Discrepancy in Equipment Quantities

We note that the originally submitted plans show the installation of five air conditioning units, whereas the acoustic report references six units. This discrepancy requires clarification to confirm what will actually be installed. It is essential that the acoustic assessment reflects the full and final specification of the plant to be installed.

4. Hours and Days of Operation

The report states that the plant will operate between 08:30 and 17:30, but it is unclear which days of the week this applies to, and whether this represents typical or maximum hours of use. We request that the applicant confirm the proposed operating schedule, including weekends and public holidays. We are likely to recommend a planning condition restricting the hours of operation to

mitigate potential noise impacts during more sensitive periods and this information is essential when making this assessment.

Summary of Recommendations:

- The noise level from the proposed plant should be re-evaluated to achieve at least 5dB below the background LA₉₀.*
- Clarification is required on how the LA₉₀ background noise level has been derived, including monitoring methodology and justification for its representativeness.*
- The applicant should confirm the number and model of units to be installed, ensuring they are consistent with the acoustic report.*
- Provide full details of the proposed hours and days of operation, including whether use will occur on weekends or public holidays.*

We would be happy to review any further information submitted which addresses the above issues.'

01/07/25

'I acknowledge receipt of the letter from NoiseAir Ltd., dated 3rd July 2025, ref: P8649-L1, submitted in response to comments made by this department regarding the Noise Impact Assessment (NIA, ref: P8649-R1-V1), submitted for the proposed installation of air conditioning units at the above property.

I am grateful for the additional clarifications and technical information provided and have reviewed both the letter and the original NIA in detail. I offer the following comments and recommendations for your consideration:

Background Noise Assessment and Residual Levels

It is noted that NoiseAir carried out unattended monitoring between 29th and 31st May 2025 and selected a background sound level of 40 dB LA₉₀ based on data recorded between 08:00 and 18:00. This selection is based on a distribution of measured 1-hour LA₉₀ values, with 40 dB representing the modal value within the recorded range of 39–43 dB.

I also note the consultant's reference to residual LAeq levels (lowest measured at 51 dB(A) vs a calculated specific sound level of 34 dB(A)). While this suggests that the plant would be inaudible compared to ambient noise levels during the day, I remain concerned about background noise creep and controlling cumulative plant noise over time, especially as background conditions can vary significantly across Guernsey.

To protect residential amenity and to ensure background noise creep does not occur it is maintained that the noise level from all plant should achieve at least 5 dB below the representative LA₉₀ background level during actual hours of operation.

Considering the above, I recommend that the following planning conditions be included on the consent, should the application be approved:

Recommended Planning Conditions

- **Noise Limit 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+A1:2019.

- **Operating Hours Restriction**

The approved plant shall only operate between the hours of 08:30 and 17:30, Monday to Friday. There shall be no operation on Saturdays, Sundays, or public holidays.'

Conclusion/Brief comment:

This application is to install a security camera and louvre to the west (front) elevation and install a security camera and air conditioning units to the east (rear) elevation.

The security camera is within the exempt size and is set higher than 2m on the front elevation, but the submission does not clarify whether are other cameras on the front elevation of the run of shops. Nonetheless, a security camera, as proposed, on the front of the bank is considered to be acceptable and appropriate, as is the louvre when considering the aims and requirements of the IDP.

To the rear of the property a security camera is proposed, three air conditioning units will be replaced and two more air conditioning units are proposed to be added. Initially there was not enough information for Environmental Health to make a comprehensive assessment and so the application was deferred to allow the information to be submitted.

The main reason for the concerns is the proximity of the air-con units to the Le Menage Housing estate and the possibility of noise nuisance. Since the additional information has been made available, Environmental Health have requested

planning conditions be imposed, which will help to control any noise pollution from the units.

The proposals are now considered to achieve a good standard of design, they are not considered to have any detrimental 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: 21/07/2025

