

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: Erect single storey flat roof extension and install rooflight to east (rear) elevation, install canopy to west (front) elevation, widen access and alterations to fenestration and install air source heat pump to south (side) elevation.

LOCATION: Akaroa, Rue Des Corneilles, Castel.

APPLICANT: Mr & Mrs Mitchinson

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: 08/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+: 192-4-400A, 401A, 402A, 403A, 404A, 405A, 406A, 407A, 408A, 409A
Samsung heat pump installation manual

Application Ref: FULL/2025/0372

Property Ref: D01295C000

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: In the interests of neighbouring amenity and to prevent disturbance/nuisance

5.Within four weeks of the new access being enlarged, the existing northern most access shall be closed permanently and the existing boundary wall extended to close the access. The new wall shall be constructed using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To minimise the number of points of access, in the interests of highway safety and visual amenity.

6.The new hard surfacing hereby approved within the front garden shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason - To prevent surface water issues and in accordance with Policy GP9.

Expiry Date: This permission will cease to have effect on 07/05/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that this decision notice approves the use of a Samsung 16kW EHS Mono Outdoor Heating System AE160JXYDEH/EU', which is the make and model of the air source heat pump proposed in the application. Should the air source heat pump make and model change, an application for the variation of this proposal would be required to allow for the appropriate noise calculations to be undertaken by the Office of Environmental Health and Pollution Regulation.

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/2025/0372
Property Ref: D01295C000
Valid date: 31/03/2025
Location: Akaroa Rue Des Corneilles Castel Guernsey GY5 7BP
Proposal: Erect single storey flat roof extension and install rooflight to east (rear) elevation, install canopy to west (front) elevation, widen access and alterations to fenestration and install air source heat pump to south (side) elevation.

Applicant: Mr & Mrs Mitchinson

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: In the interests of neighbouring amenity and to prevent disturbance/nuisance

5. Within four weeks of the new access being enlarged, the existing northern most access shall be closed permanently and the existing boundary wall extended to close the access. The new wall shall be constructed using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To minimise the number of points of access, in the interests of highway safety and visual amenity.

6. The new hard surfacing hereby approved within the front garden shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason - To prevent surface water issues and in accordance with Policy GP9.

INFORMATIVES

The applicant is advised that this decision notice approves the use of a Samsung 16kW EHS Mono Outdoor Heating System AE160JXYDEH/EU', which is the make and model of the air source heat pump proposed in the application. Should the air source heat pump make a make and model change, an application for the variation of this proposal would be required to allow for the appropriate noise calculations to be undertaken by the Office of Environmental Health and Pollution Regulation.

OFFICER'S REPORT

Brief Description of the site:

The site is occupied by an existing bungalow, located in a corner plot at the junction of Rue des Corneilles and Ruelle des Cherfs. The site is relatively flat with dense tree/hedging to the rear.

There is an extant permission to raise and alter the roof height to create accommodation at first floor, along with extensions to the rear and other alterations.

A separate extant permission also permits an alternative scheme to raise the roof and create first floor accommodation with ground floor extensions.

This application was deferred in order to remove the proposed plant room/pump house and equipment, following concerns raised by Environmental Health.

Relevant History:

FULL/2023/1386 – Raise ridge to create accommodation at first floor, erect single storey extension to east (Rear) elevation, install external insulating render and alterations to fenestration. Replace hedge and planter to front of property.

FULL/2024/1079- Demolish extensions, raise and alter roof ridge height to create accommodation at 1st floor level, extend and alter at ground floor.....

Existing Use(s):

01 Dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

✓
✓
✓
✓

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

✓
✓
✓

Consultations:

The Office for Environmental Health and Pollution Regulation raised concern regarding the potential for the plant and pool equipment to result in disturbance to neighbours due to the proximity of the structure to neighbouring residential properties. Additional information was therefore requested including the specification of the proposed units,

Policies considered most relevant:

GP1 – Landscape Character

GP13- Householder Development

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

The application proposes another revised scheme to the earlier approvals, with no first floor accommodation proposed. The proposal retains the existing rear extensions, and introduces a single storey flat roof rear extension. The application also includes a front porch canopy, alterations to fenestration and the installation of an air source heat pump.

The existing access to the west boundary is to be closed and the south-western access widened by approx. 1.5m.

The proposed flat roof extension is considered acceptable, and the scale and location ensures there is no visual harm or additional impact on neighbours. The alterations to fenestration include the blocking up of a window to the south elevation, removal of the front bay window, installation of a door to south elevation and new rooflights to the existing rear roofslope. No harm to neighbour amenity is anticipated as a result of these works.

The alterations to the front boundary are acceptable, closing northern access by extending the low dry-stone wall will allow for the additional planting behind. This will be secured by condition. The widening of the existing south-western access by 1.5 creates a fairly wide (6.5m) access, but its position on the corner of the site ensures it is relatively discreet and the benefit gained by removing the additional access balances against the increased width.

The front garden slopes steeply down towards the house, and it is necessary to ensure that the paving used is permeable to prevent any issues with surface water drainage and comply with Policy GP9.

The proposed air source heat pump has been assessed by Environmental Health who have considered that the specified Samsung pump is acceptable in relation to the impact on neighbours. They had advised that should the make and model of the pump change a further noise calculation will be required to be undertaken and so a condition has been used to ensure that the approval relates only to the specified make and model. Should any change to this be required an application to vary the consent is likely to be necessary to allow for the AHSP to be assessed by environmental health due to proximity to residential dwellings.

The proposal includes the re-roofing of the existing building which constitutes exempt works for which no permission is required, similarly the proposed external insulation, the rooflights proposed to the north elevation and works to the porch also do not require permission.

In summary, the application is considered to accord with all relevant policies of the IDP and approval is recommended, subject to relevant 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: 08/05/2025

