

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: Variation to condition 7 of previously approved FULL/2023/1474-
Install air source heat pump to south boundary.

LOCATION: Waters Edge, La Rue Du Crocq, St. Saviour.

APPLICANT: Mr & Mrs Tolcher

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: 01/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates: 2313 03.101

Application Ref: FULL/2025/1357

Property Ref: E007080000

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 on or before the 21/11/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 22/11/2023, issued under planning application reference FULL/2023/1474, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5.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.

6.The dwelling shall not be occupied until the Air Source Heat Pump has been installed and made operational.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 30/09/2028 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/2025/1357
Property Ref: E007080000
Valid date: 21/08/2025
Location: Waters Edge La Rue Du Crocq St. Saviour Guernsey GY7 9XG
Proposal: Variation to condition 7 of previously approved
FULL/2023/1474- Install air source heat pump to south
boundary.

Applicant: Mr & Mrs Tolcher

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 on or before the 21/11/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the

permission dated 22/11/2023, issued under planning application reference FULL/2023/1474, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. 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.

6. The dwelling shall not be occupied until the Air Source Heat Pump has been installed and made operational.

Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Waters Edge' is an unfinished brand new two storey dwelling which is located to the west side of the end of La Rue du Crocq. The dwelling will be set back from the road and faces east looking over the beach. To the north is an old bunker, to the west an open field and to the south there is a small complex of flats and parking. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2023/1474 – Demolish the existing dwelling and erect replacement dwelling with associated works, relocate vehicle and pedestrian access – Approved November 2023.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy

✓
✓

visual amenity acceptable
no material neighbour impact

✓
✓

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Consultations:

The Office of Environmental Health and Pollution Regulation.

'I have reviewed the proposed plans for the installation of a PUZ-WM85VAA(-BS) air source heat pump to the southern boundary at the above site. There is an issue of concern regarding noise nuisance that I must raise.

I have carried out an approximate acoustic calculation based on the specifications provided which indicate that the unit is likely to operate below the current background noise level at the nearest noise sensitive receptor. In order to protect the amenity of those living close to the site, I would recommend that the following condition is attached to any consent granted for this application:

- *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.*

I would be grateful if these issues are considered during the determination of this application.'

Conclusion/Brief comment:

This application proposes the variation of condition 7 of the previous consent FULL/2023/1474 which approved the erection of a replacement dwelling with associated works. Condition 7 required the installation and operation of solar panels prior to occupation of the new dwelling, and was conditioned in the interest of sustainable development, this feature having been proposed to address the requirements of Island Development Plan Policy GP9.

This application proposes the removal of the solar panels from the scheme and instead proposes the installation of an air source heat pump (ASHP) to the south boundary of the site, adjacent to the southeast corner of the existing shed.

The size of the ASHP is 1.02 x 1.05 x 0.48, and is a Mitsubishi Ecodan R32. Environmental Health were consulted regarding the possibility of any noise pollution, however, they were happy with the noise levels and requested that the standard noise condition was added to the decision.

The size and location of the ASHP will be behind the new garage and so relatively out of sight. The proposal is considered to achieve a good standard of design, and the scale and massing of the new ASHP is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

The proposed ASHP replaces the proposed solar array in providing the sustainable enhancements required in order to justify the original development and accord with Policy GP9, and it is considered appropriate to condition its installation prior to occupation, as the solar panels were also conditioned in this way.

The proposal is considered to conform to the above policies of the Island Development Plan and a 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: 25/09/2025