

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: Internal alterations (Protected Building).

LOCATION: Flat 2, 24A Pedvin Street, St. Peter Port.

APPLICANT: Mr I Robinson

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: 09/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Artech Chartered Architectural Technologist: IR/25/2239/01A

Application Ref: FULL/2025/1616

Property Ref: A40302A002

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.

Expiry Date: This permission will cease to have effect on 08/12/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that the Office of Environmental Health and Pollution Regulation has previously been involved with this property and are aware that there is currently insufficient sound insulation. In addition, the proposals include a services cupboard which is located above the bedroom of the flat below. EH have concerns about noise transference and the potential for vibrations emanating from appliances to impact the amenity of occupants in the property below.

It is not best practice to have laundry facilities located above bedrooms. Whilst the document published by the Building Research Establishment entitled Sound Control for Homes has outdated aspects, EH would urge the applicant to have reference to the design elements of the document.

It is advised that the scheme should have regard to the principles contained within the World Health Organisation community noise guidelines / achieve the internal ambient standard within BS8233:2014 to minimise noise in residential dwellings.

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/2025/1616
Property Ref: A40302A002
Valid date: 17/10/2025
Location: Flat 2 24A Pedvin Street St. Peter Port Guernsey GY1 1LN
Proposal: Internal alterations (Protected Building).

Applicant: Mr I Robinson

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.

INFORMATIVES

The applicant is advised that the Office of Environmental Health and Pollution Regulation has previously been involved with this property and are aware that there is currently insufficient sound insulation. In addition, the proposals include a services cupboard which is located above the bedroom of the flat below. EH have concerns about noise transference and the potential for vibrations emanating from appliances to impact the amenity of occupants in the property below.

It is not best practice to have laundry facilities located above bedrooms. Whilst the document published by the Building Research Establishment entitled Sound Control for Homes has outdated aspects, EH would urge the applicant to have reference to the design elements of the document.

It is advised that the scheme should have regard to the principles contained within the World Health Organisation community noise guidelines / achieve the internal ambient standard within BS8233:2014 to minimise noise in residential dwellings.

OFFICER'S REPORT

Site Description:

24 Pedvin Street is a three-storey property with rendered exterior and sash windows to the street. The property has a pitched roof extension to the rear and is divided into flats. The rear extension has a flat on each floor with fenestration facing east.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. The entire building is a protected building.

Relevant History:

Pre-application advice was sought in this case.

A review of the planning history indicates that in 2002 permission was granted to "alter flats to create a total of three flats" and the existing layout appears to be broadly the same as that approved scheme

Existing Use(s):

02 flats

Brief Description of Development:

The application relates to internal alterations to the protected building in connection with the reconfiguration of the existing flat.

Although the description of development given to the scheme also referred to replacement fenestration to the east elevation the application form and letter dated 16/10/2025 confirm that no external alterations are proposed to the flat. The description of development has therefore been amended to relate only to the internal works to this protected building.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan policies:

GP5: Protected Buildings

Representations:

One letter of representation has been submitted objecting to the application and raising the following points:

- The proposed layout change will severely impact the flat below and may render it uninhabitable
- The proposals should be considered against the General Material Conservation of the likely effect of the development on the reasonable enjoyment of neighbouring properties
- When the flats were converted in the early 2000s they all had the same layout – two bedrooms at the north end, bathroom in the middle and kitchen and living room at the south end
- The kitchen is one of the loudest areas in a house so placing it in line with a sleeping area, especially in a building with poor historic design in terms of acoustics will increase the impact on the neighbouring flats
- The alterations to the interior will also mean that the main walkway in flat 2 will be over the bedrooms in the flat below so movements will be heard in those rooms as well as general sound from the living areas because no door to close this area off is proposed
- The acoustic boarding proposed is not sufficient to reduce the effects so that the sleeping areas in the other flats will not be significantly impacted by the changes
- The outer walls will still have the existing cavities so sound and vibrations will transfer through these spaces freely and easily
- Moving the service area which will likely be used for washing machines/tumble driers will also have an impact as some of the loudest appliances in the home and often used overnight and will be situated above a bedroom generating unacceptable issues relating to vibrations and noise transference
- Whilst sound testing may be carried out once the work is complete the appliances are not fixed and can be changed for others that do not meet the required sound levels

- A new water pipe will run through the ceiling of the flat below, below the acoustic boarding proposed so will not have sound insulation impacting on the amenities of occupiers
- The layout changes proposed is highly incompatible with the historic building and the reasonable enjoyment of neighbouring properties
- There is minimal gain to the developer through the changes proposed

Consultations:

Office of Environmental Health and Pollution Regulation – There are issues of concern regarding sound insulation that I must raise.

This office has previously been involved with this property and we are aware that there is currently insufficient sound insulation. In addition, the proposals include a services cupboard which I am aware is located above the bedroom of the flat below. I therefore have concerns about noise transference and the potential for vibrations emanating from appliances to impact the amenity of occupants in the property below.

It is not best practice to have laundry facilities located above bedrooms. Whilst the document published by the Building Research Establishment entitled Sound Control for Homes has outdated aspects, we would urge the applicant to have reference to the design elements of the document.

In order to protect the amenity of neighbouring properties, I would recommend that the following condition is imposed:

Construction work shall not commence until a scheme for protecting the residential units has been submitted and approved by the Authority. All works which form part of the scheme shall be completed in accordance with the approved details before any part of the residential units are occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines / achieve the internal ambient standard within BS8233:2014 to minimise noise in residential dwellings. Following approval and completion of the scheme, a competent person employed by the developer shall undertake a test to demonstrate that the attenuation measures proposed in the scheme meet the internal ambient noise standard within BS8233:2014 to protect the residential unit from noise, and the results of the test submitted to and approved by the Authority.

Summary of Issues:

The key issue in this case relates to the effect of the works on the fabric and special interest of the protected building.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

Section 34 of the Law explains the general functions of authorities in respect of protected buildings. This states that:

It is the duty of any department of the States when exercising its functions under this Law –

- (a) to secure so far as possible that the special historic, architectural, traditional or other special characteristics of buildings listed on the protected buildings list ("protected buildings") are preserved, and
- (b) in particular, in exercising its functions with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting.

Section 15 clarifies that the considerations referred to in paragraphs (b) and (c) of section 14 also apply to protected buildings.

The comments and concerns raised through the public consultation process and from the Office of Environmental Health and Pollution Regulation regarding the proposed internal works are noted. These works would not however, require permission if the building were not protected therefore the assessment of the works by the Planning Service can only be in relation to their effect on the fabric and special interest of the protected building. The recommended condition from Environmental Health would not therefore meet the tests for imposing a planning condition. It has instead been added as an informative note to ensure the applicant is aware of the concerns.

The internal works will not result in unacceptable harm to the protected building in compliance with Policy GP5. Matters relating to acoustic upgrade works etc. would be controlled through the current Building Regulations and, if necessary, by Environmental Health but the issues raised in this case cannot prevent the grant of planning permission for works to the protected building.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees or sites.

Date: 05/12/2025

