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 air conditioning unit with acoustic enclosure at 1st floor level to north elevation (Protected Building) (Revised Scheme).

LOCATION: Island Stores, 57 Le Pollet, St. Peter Port.

APPLICANT: Bailiwick Retail Limited

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: 01/09/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/07/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan - RZASG-MV1 specification pages - Air-Conditioning system Placement & Environ Specifications of Components.

Application Ref: FULL/2026/1125

Property Ref: A113310000

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.

Expiry Date: This permission will cease to have effect on 31/08/2029 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/1125
Property Ref:	A113310000
Valid date:	15/07/2026
Location:	Island Stores 57 Le Pollet St. Peter Port Guernsey GY1 1WL
Proposal:	Install air conditioning unit with acoustic enclosure at 1st floor level to north elevation (Protected Building) (Revised Scheme).
Applicant:	Bailiwick Retail Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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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.

OFFICER'S REPORT

Brief Description of the site:

The property known as '57 Lower Pollet' is an attached three storey building with its gable ends facing the Lower Pollet to the west and the North Esplanade to the east. There is a retail convenience store at ground floor level to the west and a hairdressers to the east with the entrance to a restaurant above at first floor level. The attached buildings are to the north and south. The property is located within the St Peter Port Main Centre, a Conservation Area, a Harbour Action Area and a Regeneration Area as defined in the Island Development Plan. The building is also a Protected Building.

Relevant History:

FULL/2025/1944 - Install air conditioning unit at 1st floor level to north elevation (Protected Building) (Revised Scheme) – Refused April 2025.

FULL/2024/1899 - Install air conditioning unit at 1st floor level to north elevation (Protected Building) – Refused April 2024.

Existing Use(s):

Mixed use building, including a convenience store, a hairdresser and a restaurant.

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

MC6: Retail in Main Centres
MC10: Harbour Action Areas
MC11: Regeneration Areas
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Consultation:

The Office of Environmental Health and Pollution Regulation.
"*I note that the acoustic report with reference PG011.1.V3 states that the unit will be operating at full duty during the day and in quiet mode at night. As with previous comments under application FULL/2025/1944, the use of quiet mode overnight would not be enforceable. However, given the conclusions in Table 5 do not reflect operation in quiet mode, I have made my comments on the assumption that the unit is operating at full duty during both the day and the night.*

The report concludes that the unit with the addition of the acoustic enclosure would be able to achieve the required level of 5 dB below the existing LA90 background noise level. I would therefore 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*."

Conclusion/Brief comment:

This application is to install an air conditioning unit with acoustic enclosure at 1st floor level to north elevation of this protected building.

The application site relates to the use for Convenience Retail at ground floor level as referred to in Policy MC6 of the IDP. The IDP makes provision for alterations to an existing facility such as this as long as the proposals accord with all other relevant policies of the IDP.

Planning permission has previously been refused on two occasions for similar development at this site, primarily because no acoustic enclosure was proposed and the air conditioning unit was considered likely to have an unacceptable impact on the amenities of nearby residential properties.

As part of the current application, an acoustic enclosure is proposed and an accompanying acoustic assessment has been submitted. The States Office of Environmental Health and Pollution Regulation (OEHPR) was consulted and raised no objections on noise and disturbance grounds, subject to the imposition of a planning condition. The recommended condition is considered acceptable from a planning perspective. In the absence of any objection from OEHPR, it is concluded that the proposed development would not give rise to such significant harm to residential amenity as would justify the refusal of planning permission.

Although first-floor air handling plant is not generally encouraged, particularly within Conservation Areas, in this instance the proposed air conditioning unit would be viewed in the context of other existing plant and equipment in the vicinity. As such, the proposal would not have a detrimental impact on the character or appearance of the locality, nor would it result in an unacceptable effect on the setting or special interest of the Protected Building.

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: 28/08/2026