

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 2 no. electric vehicle charge points, install signs and lighting.

LOCATION: Freelance Guernsey Ltd, Vale Garage Complex, La Route Du Braye, Vale.

APPLICANT: Falles Properties Ltd

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: 26/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site location plan and key (double sided), Ultracharge specification sheet 50KW (both date stamped received 10th August 2021), Lamp post specification, Location plan (Centre car parking lot), Annotated photographs of signage, charging points and lighting, Freelance signage sheets for sign 1, 2 and 3 (all not dated).

Application Ref: FULL/2021/1482

Property Ref: C007360000

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.Notwithstanding the information submitted, the hereby approved ground mounted signs shall not be illuminated internally or externally by any means, at any time.

Reason - The ground mounted signs add to the visual clutter of signage in and around the forecourt and due to their size, appearance and illuminated style of lettering, would cumulatively detract from the character and amenity of the area and could have a detrimental impact on the amenities of occupiers of nearby residential properties.

5.No development shall take place until full details of external lighting lamp posts, including their orientation and angle of lighting, has been submitted to and approved in writing by the Authority. The external lighting shall be installed in accordance with the approved details and thereafter retained as such unless a variation is subsequently submitted to and approved in writing by the Authority.

Reason - Additional information is needed to ensure that the brightness and angle of external lighting would not have any significant detrimental impacts to the occupiers of nearby residential properties.

Expiry Date: This permission will cease to have effect on 25/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, both the 22KW or 50KW charging points are approved and shall only be installed in the positions set out in the application.

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/2021/1482
Property Ref: C007360000
Valid date: 10/08/2021
Location: Freelance Guernsey Ltd Vale Garage Complex La Route Du
Braye Vale Guernsey GY3 5PA
Proposal: Install 2 no. electric vehicle charge points, install signs and
lighting.
Applicant: Falles Properties Ltd

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. Notwithstanding the information submitted, the hereby approved ground mounted signs shall not be illuminated internally or externally by any means, at any time.

Reason - The ground mounted signs add to the visual clutter of signage in and around the forecourt and due to their size, appearance and illuminated style of lettering, would cumulatively detract from the character and amenity of the area and could have a detrimental impact on the amenities of occupiers of nearby residential properties.

5. No development shall take place until full details of external lighting lamp posts, including their orientation and angle of lighting, has been submitted to and approved in writing by the Authority. The external lighting shall be installed in accordance with the approved details and thereafter retained as such unless a variation is subsequently submitted to and approved in writing by the Authority.

Reason - Additional information is needed to ensure that the brightness and angle of external lighting would not have any significant detrimental impacts to the occupiers of nearby residential properties.

INFORMATIVES

For the avoidance of doubt, both the 22KW or 50KW charging points are approved and shall only be installed in the positions set out in the application.

OFFICER'S REPORT

Brief Description of the site:

The site, known as Vale Garage Complex, mainly comprises of a petrol filling station and both indoor and outdoor car display, sales and repair. The site is accessed by La Route Du Braye to the north and Vale Avenue to the east.

The site is located in the Main Centre as designated in the Island Development Plan.

Planning permission is sought to install 2 electric charging points, install ground mounted signage and associated lighting.

Relevant History:

FULL/2019/806 Erect illuminated signage. Approved

FULL/2020/2418 Remove existing and erect new fascia signage to side of building. Approved

Existing Use(s):

Sui generis

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:

MC5(B): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – outside of the Key Industrial Areas and Key Industrial Expansion Areas
MC7: Retail in Main Centre Outer Areas
GP8: Design

Informal comments:**Office of Environmental Health and Pollution Regulation**

No development shall take place until details of external lighting have been submitted to and approved in writing by Planning Services. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by Planning Services.

Our concern would be the angles of the lighting to ensure that they were not directed towards residential properties.

Conclusion/Brief comment:

The installation of 2 charging points (either 22KW or 50KW) is supported under policy and due to their size, appearance and overall design would assimilate into the site.

Whilst it is acknowledged that illuminated signs have been approved on various parts of the site, these permissions generally relate to signage on the building, rather than ground mounted signs. Whilst the installation of the proposed ground mounted signs is likely to detract from the general character and appearance of the site by virtue of their size (2600mm x 800mm), the colour of which is corporate branding. As these signs are generally setback from Braye Road and seen in the context of the garage development the proposals would not result in unacceptable harm to the character and appearance of the locality and would not cause sufficient harm to justify refusal.

The incorporation of illuminated lettering would further exacerbate their prominence in the street scene and would highlight the visual clutter of signage in and around the forecourt. Consequently, the effect of illuminated ground mounted signage is likely to detract from the character and amenity of the area and result in light pollution which could be detrimental to the occupiers of nearby residential properties. It is for this reason that the illumination should be conditioned out of the scheme accordingly.

The position of the proposed lamp together with its appearance is supported under policy, although it is reasonable to attach a condition in light of the Office of Environmental Health and Pollution Regulation's comments to ensure that full details of the lamp are provided, including the angle of lighting, in order to protect the amenities of neighbouring residents.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 20/10/21