

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 marquee and sign for temporary period.

LOCATION: Channel Island Ceramics, Forest Road, Forest.

APPLICANT: Channel Island Ceramics 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: 30/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:500 Scaled block plan (Date stamped received 22/10/2021);
elevation details drawing (date stamped received 22/10/2021);

Application Ref: FULL/2021/2212

Property Ref: J002300000

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 marquee and associated sign are approved for the period 02/01/22 until 27/01/22. The marquee and sign shall be removed from the site on or before 01/02/22, unless otherwise agreed in writing by the Authority.

Reason - The design and appearance of the building make it unsuitable for a permanent permission.

Expiry Date: This permission will cease to have effect on 29/11/2024 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/2021/2212
Property Ref: J002300000
Valid date: 22/10/2021
Location: Channel Island Ceramics Forest Road Forest Guernsey GY8 0AB
Proposal: Erect marquee and sign for temporary period.

Applicant: Channel Island Ceramics 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 marquee and associated sign are approved for the period 02/01/22 until 27/01/22. The marquee and sign shall be removed from the site on or before 01/02/22, unless otherwise agreed in writing by the Authority.

Reason - The design and appearance of the building make it unsuitable for a permanent permission.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a warehouse/showroom located on the north side of Forest Road. The site is located Outside of the Centres in the Island Development Plan.

Permission is sought to erect a 15m x 9m x 4.4m (to ridge) marquee to the front of the building at this site for the sale of reduced bulky goods that would not fit within the showroom. It is proposed to erect a 1.23m x 0.61m sign displaying the word SALE in white on a red background. The sign would be displayed adjacent to the site entrance.

The application initially sought to erect the marquee for the period October 25th to November 22nd 2021. However, as that period elapsed prior to the application being determined, the proposed dates have been revised to 02 January 2022 until 27th January 2022. As no representations have been received to the application, and the length of time proposed and other impacts would be unchanged as a result of the revision, the application was not re-advertised.

Relevant History:

FULL/2017/2407	Erect marquee with sign for temporary period to front of building	Granted 14/12/2017
FULL/2017/0636	Permit for change of use of showroom/warehouse to general retail (Use Class 10)(Rescind condition 1 of J.230/P6 restricting use of premises to retail sale of kitchens, bathrooms & ceramic tiles, ancillary storage and administrative activities); alterations to access	Granted 26/05/2017

Existing Use(s):

Retail

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:

OC4: Retail Outside of the Centres;
GP8: Design;
IP7: Private and Communal Parking;
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Policy OC4 (Retail Outside of the Centres) provides for proposals to extend existing retail premises where, inter alia, the development is of limited scale to provide for minor alterations to facilitate the continuation of the existing retail use at its current level of operation and there would not be an unacceptable impact on the visual character and amenity of the locality.

In this case, Policy GP8 (Design) and IP7 (Private and communal parking) would also be relevant.

The proposed marquee would comprise a large floor area, however it is proposed for a temporary period for purposes ancillary to the use of the premises, and would not comprise a permanent extension of the retail floor area.

The marquee would be located prominently forward of the building and would not make a positive contribution to the visual character or amenity of the locality. The marquee would however be set behind the building line of the garage buildings to the west and would be screened in longer views to the east by the angle of the road and boundary treatment. The impact of the structure would therefore be limited within the wider area and, on balance, given the temporary nature of the structure, would be acceptable. The associated sign would also be acceptable for this temporary period.

The marquee would prevent access to the existing parking at the front of the premises, however there are limited spaces in that area with the majority remaining accessible to the side of the premises.

Whilst the erection of a marquee is considered acceptable in this instance, it is advised that the regular erection of a marquee in this prominent location would not be encouraged. In similar circumstances on other premises it is noted that a part of the store area is used to display large sale items to the public for limited periods. Provided that this activity was for a limited timeframe, no permission would be required.

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.

For the reasons contained within this report it is considered that the proposal accords with the above mentioned Policies of the Island Development Plan

Recommendation:

Grant with Conditions



Date: 30/11/2021

