

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 illuminated and non-illuminated signage to all elevations of building.

LOCATION: Good Rebel Restaurant, Admiral Park Plaza, Elizabeth Avenue, St. Peter Port.

APPLICANT: Good Rebel Restaurant

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: 26/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan; Exterior Signage: Proposed Signs Itemised, Sign A: Specifications, Sign B: Specifications, Sign C: Specifications, South Elevation Sign Locations, Sign D: Specifications, Sign E: Specifications, West Elevation Sign Locations, Sign F: Specifications, Sign G: Specifications, North Elevation Sign Locations, Sign H: Specifications, East Elevation Sign Locations (all dated 08/03/2022)

Application Ref: FULL/2022/0593

Property Ref: A10469F000

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.The hours of operation for all exterior illuminated signage shall be limited to between 07:30 to 22:00 hours.

Reason - The premises are close to residential properties and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5.The exterior illuminated signage shall be operated by a timer which is set to illuminate and extinguish lighting at the permitted times. The timer will be changed to reflect when British Summer Time begins and ends.

Reason - The premises are close to residential properties 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 25/05/2025 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/2022/0593
Property Ref: A10469F000
Valid date: 08/03/2022
Location: Good Rebel Restaurant Admiral Park Plaza Elizabeth Avenue
St. Peter Port Guernsey GY1 2HU
Proposal: Erect illuminated and non-illuminated signage to all elevations
of building.
Applicant: Good Rebel Restaurant

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. The hours of operation for all exterior illuminated signage shall be limited to between 07:30 to 22:00 hours.

Reason - The premises are close to residential properties and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5. The exterior illuminated signage shall be operated by a timer which is set to illuminate and extinguish lighting at the permitted times. The timer will be changed to reflect when British Summer Time begins and ends.

Reason - The premises are close to residential properties 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 application site comprises part of a larger mixed-use redevelopment site that is nearing completion. The site is located within the St Peter Port Main Centre Outer Area and is designated as an Office Expansion Area under the Island Development Plan.

The site is north of Elizabeth Avenue with existing large floorplate retail and office buildings to the north, south and east, and a newly completed hotel to the west.

Relevant History:

FULL/2022/0671 – Erect illuminated sign to south elevation – Pending

FULL/2020/0816 – Erect external signs both illuminated and non-illuminated to south and east elevations of hotel – Approved May 2020.

Existing Use(s):

Retail use class 11: food.

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:

MC7 – Retail in Main Centre Outer Areas
GP8 - Design

Consultations:

Environmental Health;

"I have reviewed the proposed plans to erect illuminated and non-illuminated signage to all elevations of the Good Rebel Restaurant building at Admiral Park Plaza.

This office is currently dealing with complaints about light disturbance emanating from a different part of the Admiral Park Plaza site. I am concerned about the cumulative impact that illuminated signage may have on nearby residents in this location. I would therefore like to recommend the following conditions:

- The hours of operation for all exterior illuminated signage shall be limited to between Monday - Thursday 07:30 to 20:00 hours, Friday 07:30am to 22:00 hours, Saturday 09:00 to 22:00 hours and Sunday 09:00 to 19:00 hours.*
- The exterior illuminated signage shall be operated by a timer which is set to illuminate and extinguish lighting at the permitted times. The timer will be changed to reflect when British Summer Time begins and ends."*

Conclusion/Brief comment:

Although illuminated signage is not generally encouraged on the Island, in this case the scale and nature of the development and the commercial character of Admiral Park are such that it is not considered there would be any adverse visual impact.

Environmental Health raised concerns about 'light creep' in the area and recommended conditions to control the amount of time the illuminated signs are lit. Following discussions with Environmental Health, it is recommended that the illuminated signs are switched off when the business is not operating, with a degree of flexibility provided to enable limited changes to the operating hours of the business in future.

Neighbouring residential properties to the north and west are largely shielded by the adjacent hotel and office development and together with the recommended conditions, it is unlikely that the illuminated signage would have a significant adverse effect on the amenities of neighbouring residents.

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 and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 25/05/2022