

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Install double sided sign to north elevation and A-frame to alfresco area (retrospective).

LOCATION: The Cornerstone, 2 La Tour Beauregard, Cornet Street, St. Peter Port.

APPLICANT: Corner Group Limited

I refer to the application referred to below received as valid on 05/12/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 09/02/2023

Drawing Nos: DLM Architects - 1138_03_3, _4, _5, _6 & _7.

Application Ref: FULL/2022/2255

Property Ref: A401500000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The proposals represent an undesirable and prominent proliferation of signage leading to visual clutter which detracts from the character and appearance of the Conservation Area, contrary to Island Development Plan Policy GP4: Conservation Areas.
2. The height and permanent nature of the sign to the north boundary of the approved alfresco area impacts on highway safety because the sightlines of drivers approaching along Cornet Street are impeded by the sign. The proposals therefore are contrary to Policy IP9: Highway safety, accessibility and capacity.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/2255
Property Ref: A401500000
Valid date: 05/12/2022
Location: The Cornerstone 2 La Tour Beauregard Cornet Street St. Peter Port Guernsey GY1 1LF
Proposal: Install double sided sign to north elevation and A-frame to alfresco area (retrospective).
Applicant: Corner Group Limited

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposals represent an undesirable and prominent proliferation of signage leading to visual clutter which detracts from the character and appearance of the Conservation Area, contrary to Island Development Plan Policy GP4: Conservation Areas.
 2. The height and permanent nature of the sign to the north boundary of the approved alfresco area impacts on highway safety because the sightlines of drivers approaching along Cornet Street are impeded by the sign. The proposals therefore are contrary to Policy IP9: Highway safety, accessibility and capacity.
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OFFICER'S REPORT

Site Description:

The property known as 'Cornerstones' or '14 Cliff Street' is a two and a half storey granite building which has a wine bar/restaurant on the ground floor. A new pavement has been added outside the front façade and the bar/restaurant has recently had an alfresco licence approved. The property is located within the St Peter Port Main Centre and is within the Conservation Area as defined in the Island Development Plan. The property is a Protected Building.

Relevant History:

FULL/2021/1821 - Erect signage to alfresco area. (Protected Building) – Approved October 2021.

Existing Use(s):

Retail use class 11: Food.

Brief Description of Development:

This application is to install a double-sided sign to the north elevation of the al fresco area and an 'A frame' chalk board for advertising, both aspects are retrospective.

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

GP4: Conservation Areas
GP5: Protected Buildings (setting)
GP8: Design
MC6: Retail in Main Centres
IP9: Highway Safety, Accessibility and Capacity.

Representations:

There have been two letters of representation received and the issues are:

- The terms of the al fresco Licence have been disregarded in respect of the perimeter screens, they are not being used to delineate the al fresco area. Sometimes there are tables and chairs right up to the pavement hindering pedestrians passing by.
- The A frame is also located outside of the al fresco area.
- The one screen which now seems to be a permanent feature is too high, which impacts on road safety, as it impedes sightlines.

Consultations:

Traffic and Highway Services were consulted on the 21st December 2022, but no response has been received.

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

The 2021 application approved six small and one large canvas screens which were to delineate the al fresco area. All the al fresco furniture and screens should be removed from the public highway at the end of each day. However, a large sign has been erected

where the large canvas screen was originally approved which appears to be in situ 24 hours a day.

Whilst carrying out a site visit it was noted that the sign on the north elevation is too high, impeding sightlines for cars coming up Cornet Street, as drivers cannot see whether any vehicles are coming out from Cliff Street. The location of this sign due to its height and proposed permanence would therefore impact significantly on road safety.

The addition of an 'A' frame is considered unnecessary advertising in addition to the screens (with the establishment's logo on them) erected as part of the al fresco Licence requirements, thus adding to the proliferation of clutter in the small area. As such the erection of additional signage, would impact on and detract from the character and appearance of the surrounding Conservation Area.

For the above reasons the application is recommended for refusal.

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

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. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 08/02/2023