

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 cladding and signage, including illuminated signage. (Protected Building).

LOCATION: The Market Buildings, Market Street, St. Peter Port.

APPLICANT: Channel Island Co-Operative Society

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: 25/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Co-Op: The Market, Guernsey - Signage Scheme - Issue A - 09/12/22 (date stamped received 06/03/23). Axis Mason: 4432-AA/021 Rev P1.

Application Ref: FULL/2023/0487

Property Ref: A400020000

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 the exterior illuminated signage shall be limited to 07:00 to 21:00 each day.

Reason - To protect the amenities of neighbouring 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 - To protect the amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 24/05/2026 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/2023/0487
Property Ref: A400020000
Valid date: 06/03/2023
Location: The Market Buildings Market Street St. Peter Port Guernsey
Proposal: Install cladding and signage, including illuminated signage.
(Protected Building).

Applicant: Channel Island Co-Operative Society

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 the exterior illuminated signage shall be limited to 07:00 to 21:00 each day.

Reason - To protect the amenities of neighbouring 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 - To protect the amenities of neighbouring residents.

OFFICER'S REPORT

Site Description:

The site known as 'The Market Building' is located to the north of Fountain Street and southeast of Market Street, forming a circular end where the two roads meet. The building is located within the Main Centre of St Pater Port, it is within the Conservation Area and Core Retail Area as defined in the Island Development Plan. The building is also a Protected Building.

Relevant History:

FULL/2023/0747 – Internal alterations to create disabled toilet to inner market (Protected Building – Pending.

FULL/2021/1429 – Internal alterations (Protected Building) – Approved August 2021.

FULL/2021/0816 - Install secondary glazing to all windows on north-east, south-east and north-west elevations (Protected Building) – Approved July 2021.

FULL/2020/2009 - Internal alterations to Post Office counter including associated office space and parcel desk (protected building) – Approved January 2021.

Existing Use(s):

A mix of retail and office space.

Brief Description of Development:

This application is to the southwest part of the building which houses the Co-Op supermarket.

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

MC6: Retail in Main Centre
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design

Representations:

None

Consultations:

The Office for Environmental Health and Pollution Regulation.

22/03/23

"I have reviewed the proposed plans for Co-Operative Food Store Locale, The Market Buildings, Market Square, Market Street, St. Peter Port, Guernsey, GY1 1HE to Install cladding and signage, including illuminated signage (Protected Building) which were received on 17th March 2023. Insufficient information has been provided with regards to the illuminated signage. Therefore, I am unable to assess the impact the installation may have on your neighbours. As such, the signage may not be suitable in this location.

Please provide further information with regards to:

- *operating hours*
- *technical specifications of the LED lighting including lux/lumen*

Should further information be forthcoming I will reconsider my recommendation. I would be grateful if these issues are considered during the determination of this application."

25/05/23

"I have reviewed the plans regarding the proposed installation of illuminated signage to the east and south elevations of the above site. I am concerned that the illuminated signage may have an impact on residents' amenity for those living close to the site. I would therefore recommend the following conditions are attached to any granted consent:

- *The hours of operation for the exterior illuminated signage shall be limited to 07:00 to 21:00 each day.*
- *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.*

I would be grateful if the above is considered during the determination of this application. Please do not hesitate to contact me at the above address should you require any additional information regarding this matter."

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.

Policy MC6 states that proposals to extend, alter or redevelop existing retail premises will also be supported providing they accord with all other relevant policies of the Island Development Plan. In this instance the proposals are to re-brand the Co-Op's logo, with new signage to all of the entrances to the shop.

The proposals are to alter and change elements of the modern inserted parts of the building and will not impact the special interest of the Protected Building. The signage is not thought to have any adverse effects on the special character and appearance of the surrounding Conservation Area.

The signs are to be illuminated, but in consultation with Environmental Health, conditions will be attached to ensure that the illuminated signs are only switched on at specific times to ensure that the amenities of neighbouring properties are protected. With the conditions in place the proposals are not considered to have any detrimental impacts on any residential neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 25/05/2023

