

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 sign to north-east boundary (retrospective).

LOCATION: Sandpiper Vinery, Rue Des Heches, St. Pierre Du Bois.

APPLICANT: Osprey Investments Limited

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: 28/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site plan (dated 08/08/23) and new sign mock up (dated 21/11/23).

Application Ref: FULL/2023/1403

Property Ref: F000140000

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 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.

3. Within 3 weeks of the date of this approval, the existing sign at the site shall be removed and the approved sign the subject of this application erected in its place.

Reason - To secure the satisfactory appearance of the completed development.

4. Should the businesses to which the directional sign hereby approved relates cease to operate/relocate from the vinery then the sign shall be removed in its entirety.

Reason - Permission for the sign has been granted only on the basis that it is required to direct vehicles to the vinery. There is no justification to retain the sign should the businesses relocate or cease to trade from the site.

Expiry Date: This permission will cease to have effect on 27/11/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the advertisement(s) to which this permission relates is non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

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/2023/1403
Property Ref: F000140000
Valid date: 08/08/2023
Location: Sandpiper Vinery Rue Des Heches St. Pierre Du Bois
Guernsey GY7 9AB
Proposal: Erect sign to north-east boundary (retrospective).
Applicant: Osprey Investments Limited

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 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.

3. Within 3 weeks of the date of this approval, the existing sign at the site shall be removed and the approved sign the subject of this application erected in its place.

Reason - To secure the satisfactory appearance of the completed development.

4. Should the businesses to which the directional sign hereby approved relates cease to operate/relocate from the vinery then the sign shall be removed in its entirety.

Reason - Permission for the sign has been granted only on the basis that it is required to direct vehicles to the vinery. There is no justification to retain the sign should the businesses relocate or cease to trade from the site.

INFORMATIVES

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OFFICER'S REPORT

Brief Description of the site:

The site known as 'Sandpiper Vinery' is a large site to the south of Route de Plaisance and west of Rue des Heches. The south end of the site is covered with glasshouses, with the vehicular access above. The middle section of the site is now used as a bird farm and the north end of the site is covered with derelict glasshouses. The property is located Outside of the Centres and within the Agricultural Priority Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Agricultural use class 28: Agriculture/Sui Generis (community workshop/meeting place).

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:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP8: Design

Conclusion/Brief comment:

This is a retrospective application for a sign which has been erected on the northeast corner at the junction of Route de Plaisance and Rue des Heches. The sign for which this application seeks to retain is 1000mm wide by 925mm high and comprises four different name plates, a large red arrow and the words 'the playground' with a rainbow above, all on a white background.

The sign as erected was installed over the existing road sign for Res des Heches (1000mm wide by 100mm high). Compared to the road sign the sign appears overly large and excessively bright because the name plates are mostly white and they are set on a white background, which does not relate to the rural nature of the surrounding landscape character and impacts on the visual amenity of the area.

The application was deferred and discussions had with the agent to reduce the size and brightness of the sign. Following deferral the agent was happy to reduce the size of the sign and has sent a revised image of the new sign.

The new sign has been reduced in size significantly and is now 1000mm wide by 275mm, it now only shows two name plates, which remain white with writing, but they are now set on a white background framed in green, which has reduced the brightness significantly.

The newly sized sign will now blend in better with the rural surrounding and is now not considered to impact on the visual amenity of the area, whilst still advertising the two main businesses which use the vinery. However, given the retrospective nature of this application and that the sign for which this permission originally sought to retain has changed, it is recommended that a condition is included for the existing sign to be removed and replaced within a timely manner. It is also recommended that a condition is included for removal of the sign in the event that the business relocates from the premises to avoid the display of unnecessary signage.

Policy OC5(A) states that proposals for development which is not related to a farmstead or existing agricultural holding will be supported provided that they accord with all the relevant policies of the Island Development Plan. The proposals are now 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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 28/11/2023

