

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 illuminated sign to west elevation.

LOCATION: Guernsey Pearl, 37 High Street, St. Peter Port.

APPLICANT: Guernsey Pearl

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: 11/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan; Sign Details; Sign Location

Application Ref: FULL/2024/0058

Property Ref: A200100000

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 signage hereby approved shall only be illuminated during the opening hours of the associated shop, operating within the building known as 37 High Street. The signage shall not be illuminated outside of those hours.

Reason - In the interest of visual and residential amenity.

Expiry Date: This permission will cease to have effect on 11/03/2027 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/2024/0058
Property Ref: A200100000
Valid date: 09/01/2024
Location: Guernsey Pearl 37 High Street St. Peter Port Guernsey GY1 2JT
Proposal: Install illuminated sign to west elevation.

Applicant: Guernsey Pearl

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).

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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 signage hereby approved shall only be illuminated during the opening hours of the associated shop, operating within the building known as 37 High Street. The signage shall not be illuminated outside of those hours.

Reason - In the interest of visual and residential amenity.

OFFICER'S REPORT

Brief Description:

The application relates to the installation of a 584mm x 821mm illuminated poster frame/display case within the inset doorway in the shop frontage to the west of the building.

The site is located within the St Peter Port Main Centre Inner Area, Core Retail Area, Conservation Area and Harbour Action Area as designated in the Island Development Plan.

Relevant History:

None.

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:

MC6: Retail in Main Centres

GP8: Design

GP9: Sustainable development

Consultation response:

The Office for Environmental Health and Pollution Regulation comments as follows:

I have reviewed the proposed plans for the installation of an illuminated display case at the above site. I am concerned that the illuminated signage may have an impact on resident's 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 illuminating signage shall be limited to 07:00 to 19:00 Monday to Sunday.
- 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:

Due to the visual impacts arising from a proliferation of signage, and the illumination of that signage, the display of advertising material, going beyond the identification of the building/business, and the use of illumination, is not generally encouraged. In this instance however the display case is located discretely at ground floor level within the inset entrance and is of limited size.

The OEHPR recommend conditions limiting the hours of illumination. Both in respect of visual amenity and that of any residents in the area, it is agreed that the hours of illumination should be restricted. It is however considered reasonable, and more practical, to limit the hours of illumination to the opening hours of the associated shop, which would allow for illumination during events such as late night shopping.

Provided that the illumination is restricted to the times at which the shop is open, there would not be any significant impacts on visual amenity or the character of the area. It is not considered necessary or reasonable to condition the means by which the illumination is controlled.

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 07/03/2024

