

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 illuminated sign and double sided projecting sign to east elevation (Protected Building).

LOCATION: Grange Road House, La Grange, St. Peter Port.

APPLICANT: New Vision Limited

I refer to the application referred to below received as valid on 22/01/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 11/03/2024

Drawing Nos: Tyrrell Dowinton - 2068 03.37
Anderson Retail Consultants - 545-06a

Application Ref: FULL/2024/0072

Property Ref: A306970000

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 illumination proposed associated with the proposed fascia sign does not represent a high standard of design. The illumination will neither preserve nor enhance the character and appearance of the Conservation Area and the scheme is therefore contrary to Policies GP4, GP8a., GP9 b. and MC6 of the Island Development Plan.

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/2024/0072
Property Ref: A306970000
Valid date: 22/01/2024
Location: Grange Road House La Grange St. Peter Port Guernsey GY1 1RQ
Proposal: Install illuminated sign and double sided projecting sign to east elevation (Protected Building).
Applicant: New Vision Limited

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The illumination proposed associated with the proposed fascia sign does not represent a high standard of design. The illumination will neither preserve nor enhance the character and appearance of the Conservation Area and the scheme is therefore contrary to Policies GP4, GP8a., GP9 b. and MC6 of the Island Development Plan.

OFFICER'S REPORT

Site Description:

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. The property is a Protected Building.

Relevant History:

FULL/2022/1268 – Extend and alter former office building to create 6 flats (residential use class 2) and Medical Centre with ancillary pharmacy (Public Amenity Use Class 18), erect bin/bike and plant store and create petanque pitch and parking area (Protected Building and Protected Trees). Granted 30/08/2022.

There have been various subsequent variation applications on the site however none of which are relevant to the signage now proposed.

Existing Use(s):

Approved and currently being redeveloped for:

- 19 Non-residential health establishment
- 02 Flats

Brief Description of Development:

The application relates to the installation of external signage to the pharmacy of the approved development at Grange Road House. A fascia sign is proposed with LED back lighting along with a projecting green 'plus', a universal symbol for pharmacy, also to be illuminated (internally). The signs are to be installed to the east elevation, the front of the pharmacy.

The proposed hours of operation for the signage is set out in the submission as 8am – 6pm Monday to Friday and 8am – 12 noon on Saturdays with varying degrees of brightness depending on whether it is light or dark.

The application was deferred to raise concerns regarding the illumination of the proposed fascia sign. However, no response has been received and no amended proposals submitted, and the Authority therefore has no alternative but to determine the application as originally submitted.

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

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas In Main Centres and Main Centre

MC6: Retail in Main Centres

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Representations:

None.

Consultations:

Office of Environmental Health and Pollution Regulation – express concerns relating to the illuminated signage and its impact on the amenity of residents living close to the site. Conditions are recommended in relation to the hours of illumination and the use of a timer.

Summary of Issues:

The key issues in this case relate to the impact of the proposed signage and illumination on the character and appearance of the Conservation Area and on residential amenity.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

Section 34 of the Law explains the general functions of authorities in respect of protected buildings. This states that:

It is the duty of any department of the States when exercising its functions under this Law –

- (a) to secure so far as possible that the special historic, architectural, traditional or other special characteristics of buildings listed on the protected buildings list ("protected buildings") are preserved, and
- (b) in particular, in exercising its functions with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics **and setting** [emphasis added].

Section 38 of the Law explains the general functions of authorities in respect of conservation areas. This states that:

In the exercise, with respect to any building or other land in a conservation area, of any powers under this Law or any other enactment, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that area.

In respect of these statutory duties, the word 'preserve' is taken in its ordinary meaning as set out in Chamber's dictionary, which is 'to keep safe from harm or loss'.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

- (b) the character and quality of the natural and built environment which is likely to be created by the development,
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,

(d) the likely effect of the development on the character and amenity of the locality in question,

Section 15 clarifies that the considerations referred to in paragraphs (b) and (c) of section 14 also apply to protected buildings.

Signage is important in commercial areas, being informative and contributing to interest and vitality in the street scene however, in this case the signage would be within the site and, with the exception of the projecting green pharmacy symbol which will be visible when entering the site, the signage will not be highly visible in the wider area.

Nonetheless, inappropriately situated signage, signs that are poorly designed or a proliferation of signs can have a detrimental impact on the locality. The application primarily falls to be considered against IDP Policy GP4: Conservation Areas, GP8: Design and GP9: Sustainable Development (including impacts on Conservation Areas). Policy GP5 is also relevant in relation to the effect of the development on the setting of the protected building.

The illuminated green pharmacy sign will provide a useful function and assist with directing visitors to the site. Although the illuminated fascia sign would not be highly visible from outside the site the introduction of the daytime illuminated fascia sign as proposed would neither conserve nor enhance the character and appearance of the Conservation Area. The daytime nature of the facility, with likely retail style illumination inside the large glazed windows, would, in addition to the green pharmacy symbol, provide a clear steer as to the location of the pharmacy, adjacent to the doctors' surgery.

Although the application was deferred no revised plans have been received that omit the proposed illumination associated with the fascia sign and as originally submitted the scheme fails to comply with Policy GP8 a. design, GP4, GP9 b. and by extension MC6 of the Island Development Plan. Revised proposals which address the reasons for refusal would be considered, without prejudice.

With regard to residential amenity, the OEHPR have commented on the proposals. Subject to the recommended conditions being imposed and adhered to the illuminated signage will not result in undue harm to the amenities of occupiers of surrounding dwellings.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees or sites.

Date: 11/03/2024

