

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 signage to south-east, north-east and north-west elevations.

LOCATION: Vale Garage Complex, La Route Du Braye, Vale.

APPLICANT: Ms Sharon Gurren

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: 19/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A - 7622-02 B1; Rev:2 Page 2; Rev:2 Page 3. Project Main Façade, Revised Feb 2024; Project Return Elevation, Revised Feb 2024; Directed façade logo (MF11_014, Toyota) x2; Fascia Sign (Lexus); Dealer Name (MF11_006).

Application Ref: FULL/2024/0112

Property Ref: C007360000

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 illuminated signage hereby approved shall not be illuminated by any means at any time other than between 07:30 hours to 20:30 hours on any day.

Reason - The premises are close to residential property and a limit on the use of the illuminated signage is needed to prevent a nuisance or annoyance to nearby residents.

5.For the avoidance of doubt, the hereby approved replacement Dacia fascia boards (excluding the individual lettering) shall not be illuminated at any time.

Reason - in the interests of respecting the character and appearance of the area when taking into account the size of the fascia boards and the prominence of these two elevations (north-west and north-east elevations) when viewed in the street scene.

Expiry Date: This permission will cease to have effect on 19/06/2027 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/2024/0112
Property Ref: C007360000
Valid date: 22/02/2024
Location: Vale Garage Complex La Route Du Braye Vale Guernsey GY3 5PA
Proposal: Install illuminated signage to south-east, north-east and north-west elevations.

Applicant: Ms Sharon Gurren

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 illuminated signage hereby approved shall not be illuminated by any means at

any time other than between 07:30 hours to 20:30 hours on any day.

Reason - The premises are close to residential property and a limit on the use of the illuminated signage is needed to prevent a nuisance or annoyance to nearby residents.

5. For the avoidance of doubt, the hereby approved replacement Dacia fascia boards (excluding the individual lettering) shall not be illuminated at any time.

Reason - in the interests of respecting the character and appearance of the area when taking into account the size of the fascia boards and the prominence of these two elevations (north-west and north-east elevations) when viewed in the street scene.

OFFICER'S REPORT

Brief Description of the site:

The site, known as Vale Garage Complex, consists of a petrol filling station and both indoor and outdoor car display, sales and repair. The site is accessed by La Route Du Braye to the north and Vale Avenue to the east.

The site is located in the Main Centre as designated in the Island Development Plan.

Planning permission was granted in 2019 to erect illuminated signage to the front of the building (FULL/2019/0806), and in 2021 (FULL/2020/2418) to remove existing and erect new fascia signage to side of building.

Planning permission is now sought to install illuminated signage to south-east (side), north-east (side) and north-west (front) elevations. The planning application form states that the proposal seeks to update and renew illuminated signage. A letter accompanying the application (no date) states that the applicant wishes to illuminate the signs from 15:50 until 23:00.

The changes to the decisions granted under FULL/2019/0806 and FULL/2020/2418 for illuminated signage mainly involves:

Front (north-west) elevation:

- Renault logo increasing in height to 900 from 670.
- Dacia signage extending across the full width of the Dacia showroom

Side (north-east) elevation.

- Dacia signage extending across the full width of the Dacia showroom

Side (south-east) elevation

- Installation of new Freelance sign, Lexus sign and logo, and Toyota logo.

All signage is to be illuminated.

The application was deferred as additional information was requested in respect of the proposed lighting and concerns were raised over the timing of illumination. The applicant has agreed to reduce the timeframe to 07:30 and 20:30, as per planning decision (FULL/2019/0806).

Relevant History:

PREA/2023/1264	Replace existing signage	Pre-application enquiry
FULL/2021/1482	Install 2 no. electric vehicle charge points, install signs and lighting.	Granted
FULL/2020/2418	Remove existing and erect new fascia signage to side of building.	Granted
FULL/2019/0806	Erect illuminated signage	Granted
FULL/2019/0399	Erect store and install air compressor on west elevation (Retrospective).	Granted
FULL/2017/3116	Replace existing windows and install new signage	Granted
FULL/2017/1077	Change of use of unit 4 from storage/distribution to car dealership	Granted
FULL/2012/3033	Alter openings/fenestration at front of showroom and install fascia signage	Granted

Existing Use(s):

Sui generis - Petrol filling station, car sales and car repair.

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:

MC5(B): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – outside of the Key Industrial Areas and Key Industrial Expansion Areas
MC7: Retail in Main Centre Outer Areas

GP8: Design

Consultations:

Office of Environmental Health and Pollution Regulation.

Original comments:

I have reviewed the proposed plans for illuminated signage to be erected at the above mentioned address which were received by email on 22nd February 2024 and there is insufficient information for me to comment.

I would welcome the following:

- Lux level of the proposed signage;
- Proposed daily times of illumination.

Once this information is received I would be happy to review the application again.

Revised comments:

I have reviewed the additional information supplied for the proposed plans for replacement illuminated signage to be placed at the above mentioned address, which were received by email on 25th April 2024. As there are properties in close proximity there is potential for light pollution from the illuminated signage to cause a statutory nuisance. As such, I recommend the following conditions:

- The hours of operation for the exterior illuminated signage shall be limited to 07:30 to 20:30 each day.
- The exterior illuminated signage shall be operated by an automatic timer which is set to illuminate and extinguish lighting at the above mentioned times. The timer shall be changed to reflect when British Summer Time begins and ends.

Conclusion/Brief comment:

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.

Given that the precedent for illuminated signage has already been established on the building, in particular to the front and side elevations as described above, it would be unreasonable to further restrict the hours of illumination, as conditioned as part of

FULL/2019/0806 and FULL/2020/2418, unless such additional illumination would cause a substantial adverse effect.

In light of the changes proposed as part of this application, the increase in the size of the Dacia signage will be noticeable from public vantage points, although the drawings submitted only note that the new fascia sign will be 'built up 297mm high Dacia illuminated letters'. It does not state that the fascia board itself will be illuminated, and therefore on that basis, the degree of harm as a result of the illuminated lettering when compared to the existing illuminated lettering is likely to be similar.

It is however considered necessary and reasonable to attach a condition to ensure that the fascia boards to the front and side elevations are not illuminated to avoid any ambiguity as this is likely to result in substantial harm to the character and amenity of the area, rather than just individual illuminated lettering. The hours of illumination shall be conditioned on the same basis as per the previous decision in order to limit the harm to neighbour amenity as well as the character and appearance of the locality.

It is acknowledged that The Office of Environmental Pollution and Regulation have requested that the illuminated signage be operated automatically by a timer, and for the hours of illumination to reflect British Summer Time. However, it is not considered necessary nor reasonable to require the installation of a timer by condition as this is likely to result in unnecessary additional cost to the applicant, nor to reflect British Summer Time, as the proposed condition will be precise enough to ensure the Authority can take enforcement action (at any time of the year) should the hereby approved illuminated sign not be operated correctly.

Whilst it is acknowledged that 4 additional illuminated advertisements, comprising a new Freelance sign, Lexus sign and logo, and Toyota logo are to be installed on the side (south-east) elevation, these advertisements are located on a non-prominent elevation of the building that does not directly face towards a main road and therefore the need to restrict additional illuminated signage, including a Lexus' illuminated fascia panel, is not considered necessary nor reasonable given that the additional adverse impact is likely to be limited.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 17/06/24

