

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 signage at high-level to east wall of building (revised scheme).

LOCATION: Mill House, St. George's Esplanade, St. Peter Port.

APPLICANT: Mr D Overbury

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: 04/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mill House Block Plan and annotated photograph both date stamped 02/09/2024.

Application Ref: FULL/2024/1105

Property Ref: A107270000

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. No development shall begin on site until the precise position of the sign in relation to the front elevation of Mill House and the height above ground level has been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the precise position of the sign. This condition is imposed to make sure that the sign is positioned in accordance with the approved photomontage so it does not have any adverse impact on the character of the Conservation Area.

Expiry Date: This permission will cease to have effect on 04/09/2027 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/2024/1105
Property Ref: A107270000
Valid date: 04/07/2024
Location: Mill House St. George's Esplanade St. Peter Port Guernsey
GY1 2BG
Proposal: Erect signage at high-level to east wall of building (revised scheme).

Applicant: Mr D Overbury

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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OFFICER'S REPORT

Brief Description of the site:

The site is occupied by a large industrial style building situated to the west of St George's Esplanade. The property is set back from the highway with an area of parking provided to the front, set behind a high roadside wall and gates.

The site is currently occupied by YESSS and approved signage associated with this building (see history below) is situated above the roller shutter door and first floor windows of the building, set back from the road.

The properties to either side of the gated access are domestic in appearance, although Arndale House was last known to be in office use. Nonetheless, neither property has any form of signage installed. A restaurant is situated beyond the site to the north and has signage installed on the shopfront fascia lit from above by swan neck lamps. Illuminated signage has been installed to a building south of Arndale House between the ground and upper floor fenestration to both the front and side elevations.

The site is located in the Main Centre Outer Area and Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/1987 - Install water pump station control panel kiosk to north-east boundary wall – granted

FULL/2023/1533 - Change of use from Storage and Distribution (Use Class 22) to Storage and Distribution, showroom and offices – granted

FULL/2023/0851 - Erect signage to north (front) elevation – granted

Planning permission was granted under application reference FULL/2023/0851 for the erection of a sign to the roadside wall at the site however, planning permission has been granted for a water pump station control panel kiosk adjacent to this boundary wall which would obscure/not permit the installation of the approved sign.

FULL/2024/0375 - Variation to previously approved plans to erect signage to north (front) elevation - relocate sign to top of wall – refused

FULL/2024/0427 - Erect signage at high-level to east wall of building – refused

Pre-application advice was sought in this case.

Existing Use(s):

Mixed use of storage and distribution, retail trade counter/show room areas with ancillary offices (YESSS Electrical)

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

- GP4: Conservation Areas
- GP8: Design
- GP9: Sustainable development
- MC4(B): Office Development in Main Centre Outer Areas
- 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

Conclusion/Brief comment:

The relevant Main Centre policies set out above provide a gateway for the proposed development. The application must however also be considered against IDP Policy GP4: Conservation Areas, GP8: Design and GP9: Sustainable Development and the proposals must meet the statutory duties with regard to conservation areas set out within Section 38 of the Law.

Signage is important in commercial areas, being informative and contributing to interest and vitality in the street scene. Nonetheless, inappropriately situated signage, signs that are poorly designed or a proliferation of signs can have a detrimental impact on the locality.

As originally submitted the application proposed to erect five signs on the side/southeast gable elevation of the adjoining building, within the same ownership. A larger board would contain the main YESSS Electrical signage whilst the lower/small signs below would contain four further YESSS signs, for Industrial, Lighting, Renewable and Security. The application was deferred however, due to concerns relating to the proliferation of signage which would not address the previously refused application and inviting amendments for a single sign on the gable wall.

The submission incorporates information that seeks to highlight other signage in the locality considered to be relevant to the assessment of the application. A general review of the locality, including properties referred to above, indicates that, although permission has been granted for some new/replacement signage, not all the signage in this area benefits from the grant of planning permission but some may now be immune from enforcement action due to the passage of time. In addition, no two sites or application proposals are identical, each application must be considered on its own merits and against the planning policies in place at that time. The Planning Tribunal have previously highlighted, in relation to another commercial premises along the town sea frontage, that where signage is unauthorised it would not set a precedent for other proposals.

The single high level sign now proposed would represent a high standard of design that would not appear unduly obtrusive in this Conservation Area location and the amended plans address the previous concerns relation to proliferation and visual clutter. As amended the scheme would not be harmful to the visual amenities of the locality and the character and appearance of the Conservation Area.

As originally submitted the signage was shown to be situated 1m above the height of the c. 2m high gate posts however, the height of the sign above the gate or ground level has not been clearly specified as part of the amended plans which shows a single sign (1000mm x 2000mm situated at first floor level (no higher than the head of the first-floor windows). The location of the sign indicated on the photomontage submitted with this application is considered acceptable and to ensure that the permission is precise it would be reasonable to impose a condition requiring the precise location (measured from the front elevation and from ground level/gate height) of the approved sign, as shown, to be confirmed in writing by the Authority.

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.

In view of the above it is recommended permission is granted for the single sign proposed.

Recommendation:

Grant with Conditions

Date: 03/09/2024



