

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: Proposed illumination of existing signage to fascia on north (front) elevation.

LOCATION: 1 Westerbrook, South Side, St. Sampson.

APPLICANT: Mr & Mrs S Bacon

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: 08/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan and Site Location Plan (both date stamped received 25th July 2024). Annotated photograph of illuminated signage (date stamped received 25th July 2024). Smith Signs - Fascia Lettering and illumination details (date stamped received 18th September 2024).

Application Ref: FULL/2024/1314

Property Ref: B003160001

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. Notwithstanding the information submitted, the illuminated signage hereby approved shall be limited to the hours of 09:00 to 17:00, Monday to Friday only, and there shall be no illumination on Saturdays, Sundays or Public Holidays, unless otherwise agreed in writing by the Authority.

Reason - to clearly define the permission, to correspond to the operational hours of the business, to limit the harm to the character and appearance of the Conservation Area, and to not set an undesirable precedent for the wider area for this type of 'Administrative, financial and professional service' use.

4. The lighting shall be carried out in strict accordance with the details noted under the 'Illumination Section' of the submitted and approved Smith Sign document dated 18th September 2024.

Reason - To make sure that the scheme takes the form agreed by the Authority and thus results in a satisfactory form of development.

Expiry Date: This permission will cease to have effect on 08/10/2027 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/2024/1314
Property Ref: B003160001
Valid date: 25/07/2024
Location: 1 Westerbrook South Side St. Sampson Guernsey GY2 4QQ
Proposal: Proposed illumination of existing signage to fascia on north (front) elevation.

Applicant: Mr & Mrs S Bacon

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.

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4. The lighting shall be carried out in strict accordance with the details noted under the 'Illumination Section' of the submitted and approved Smith Sign document dated 18th September 2024.

Reason - To make sure that the scheme takes the form agreed by the Authority and thus results in a satisfactory form of development.

OFFICER'S REPORT

Brief Description of the site:

The site is located in the Bridge Conservation Area, Main Centre Inner Boundary and Harbour Action Area as designated in the Island Development Plan.

Planning permission was granted in 2024 to retrospectively install a fascia sign and a projecting sign to the north (front) elevation. An informative was attached to the permission advising that illuminated signage would require a separate grant of planning permission.

The application seeks to incorporate an illuminated fascia sign.

The application was deferred in order to seek clarification over the proposed illumination.

The applicant has confirmed the hours of illumination and lux levels.

Relevant History:

FULL/2024/0477	Install fascia sign and projecting sign to north (front) elevation (Retrospective)	Granted
PREA/2024/0320	Pre-application advice regarding install signage (retrospective).	Pre-application enquiry
FULL/2023/0135	Change of use from general retail (Use Class 10) to Estate Agent (Use Class 15).	Granted

Existing Use(s):

Cranfords Estate Agents - Administrative, financial and professional services use class 15

Assessment: *(Tick as appropriate)*

no representation	x
accords with policy	x
within curtilage	x
design acceptable	x

visual amenity acceptable	x
no material neighbour impact	x
traffic not affected	x

Policies considered most relevant:

MC4(A): Office Development in Main Centres
MC10: Harbour Action Areas
GP4: Conservation Areas
GP8: Design
GP9: Sustainable development

Consultation:

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for the installation of illumination on existing signage to the fascia on the north (front) elevation of the above building.

I have concerns regarding the potential for the illuminated signage to adversely impact residents living in the first floor flat at the property if the lit signage is not suitably controlled. I would therefore recommend that the following conditions are attached to any granted consent given for this application:

- The hours of operation for the exterior illuminated signage shall be limited to 07:30 hours to 21:00 each day.*
- The exterior illuminated signage shall be operated by a timer which is set to illuminate and extinguish lighting at the permitted times.*

I would be grateful if these issues are considered during the determination of this application."

Conclusion/Brief comment:

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.

Policy context:

Policy GP4 (Conservation Areas) states that proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

Policy MC4(A): states that proposals for new office development or the refurbishment, redevelopment, or extension of existing office stock within the Main Centres and the development of office accommodation above ground floor level within the Core Retail Areas will be supported.

Analysis:

As illumination has the potential to cause unacceptable harm both in terms of visual amenity and within its surroundings, care has to be taken when considering applications for lit signage. As the application site also sits within a conservation area, this adds a further constraint and need to ensure appropriate illumination.

Whilst illuminated signage does exist within the Bridge Conservation Area, it is typically associated with premises that open during the evening hours. However in this instance lighting is proposed for a business primarily operating during day light hours and the extent of halo illumination (edge lighting) is fairly limited in terms of its design, with the contrasting colours drawing particular attention to the 'd' of Cranfords and the pitched roof above, both illuminated in yellow.

Although the application proposes illumination between the hours of 06:00 – 21:00, 7 days a week, this, given the nature of the business, is not considered to be appropriate, reasonable nor justified given the opening hours of the business which is understood to operate between 09:00-17:00 Monday to Friday. By allowing illumination between 06:00 – 21:00, 7 days a week, has the potential to set an undesirable precedent for similar businesses seeking to install illuminated signage on the exterior of properties and could be unduly harmful to the Conservation Area. This could result in cumulative unacceptable harm and ultimately change the character and appearance of the Bridge Conservation Area.

On this basis, it is considered necessary and reasonable to amend the operational hours to 09:00 – 17:00 to reflect the opening hours of the business, to reduce the harm to the character and appearance of the Conservation Area, reduce any harm to neighbour amenity (taking into account Environmental Health's comments), and so as not to set an undesirable precedent for similar 'daytime' uses seeking to install external illumination outside of their core opening hours.

On this basis, a degree of illumination, limited to day-time trade, which is likely to be beneficial to the business during the winter months of the year, is considered to achieve a reasonable balance between conserving the character and appearance of the Conservation Area whilst respecting the applicant's reasonable aspirations to support office development in the Main Centres. Consequently, subject to conditions, including the limitation of the lux level, the proposal would 'conserve' the Conservation Area.

Given the proposed amendment of the hours of illumination, which coincides with the business opening times, it is not considered necessary nor reasonable to require the applicant, by a planning condition, to install a timer to control the illumination as this may incur unnecessary cost to the applicant when it is not necessary in this case.

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: 01/10/24

