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 replacement canopy/overhang and signage to east (front) elevation.

LOCATION: Sawatdi Restaurant, 7 Le Pollet, St. Peter Port.

APPLICANT: Mr E Chi Hin Lee

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: 06/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Proposed Elevation Entrance Drawings (date stamped 30.04.25), Proposed Elevation Entrance Drawing, with lighting (date stamped 30.06.25), block layout plan (date stamped 28th March 2025).

Application Ref: FULL/2025/0577

Property Ref: A112860000

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.Prior to installation of the external illumination hereby approved, full details of the method of illumination shall be submitted to and agreed in writing by the Authority. The works shall be completed only in accordance with the agreed details.

Reason - The information submitted is ambiguous and therefore further details are required to ensure that the specification of illumination is satisfactory to conserve the character and appearance of the Conservation Area.

5.The illuminated signage hereby approved shall not be illuminated by any means at any time other than between the hours of 12:00 -14:00, and 17:00-22:00, on any day.

Reason - Uncontrolled illuminated signage could detract from character and appearance of the Conservation Area, and could cause a nuisance to neighbouring residents.

Expiry Date: This permission will cease to have effect on 05/08/2028 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0577
Property Ref:	A112860000
Valid date:	30/04/2025
Location:	Sawatdi Restaurant 7 Le Pollet St. Peter Port Guernsey GY1 2LH
Proposal:	Install replacement canopy/overhang and signage to east (front) elevation.
Applicant:	Mr E Chi Hin Lee

RECOMMENDATION - Grant: Planning Permission with Conditions:

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1. All development authorised by this permission must be carried out and must be

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OFFICER'S REPORT

Brief Description of the site:

The application site consists of a 4 storey mid-terrace building which is located to the east of North Plantation. The building fronts onto both North Plantation and Le Pollet. Part of the building that fronts onto North Plantation is not protected, whilst the remaining part of the building that fronts onto Le Pollet is protected.

Planning permission is sought to install a replacement canopy and signage to the east elevation facing onto North Plantation.

The application was deferred to clarify the extent of illumination given the limited information provided.

The applicant has confirmed that the proposed signage (ZEN) is not to be illuminated internally, nor by halo illumination, although the bottom edge of the canopy is to incorporate a discreet LED strip to provide up lighting, similar to the existing signage. The applicant has confirmed that the hours of illumination will be between 12:00 - 14:00, and 17:00-22:00 on any day.

Relevant History:

FULL/2025/0086	Erect covered and enclosed Alfresco area to east of building.	Granted
HAPP/2001/3803	Alter windows and signage (alternative)	Granted

Existing Use(s):

Retail use class 11: food

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:

MC6 Retail in Main Centres
GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable development

Consultation:

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

I have reviewed the proposed plans for illuminated signage to be placed at the above mentioned address at ground floor level which were received by email on 12th May 2025 and I do not wish to raise any objections to the proposals.

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter.

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.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *"special attention to the desirability of preserving and*

enhancing the character and appearance" of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which 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*."

The Hillside Town as referred to in the Character Appraisal is sensitive to illuminated signage, and thus careful consideration must be afforded to such development that could harm the special character and appearance of the Conservation Area.

In light of the relevant policies, the proposed development is generally minor in nature and is not considered to affect the setting of the protected building, or the adjoining protected building to the north. The design of the replacement canopy and sign is considered to achieve a high enough standard of design for the purposes of Policy GP8 and GP4. The structure will be comprised of timber '*designed to resemble traditional Asian tiles'*.

The proposed development will not have a substantial detrimental effect on the character or appearance of the Conservation Area to reasonably justify refusal. The visual effect would be negligible when compared to the existing signage.

Whilst not best practice to overhang onto the pavement, the projecting base of the sign is to remain unchanged when compared to the existing sign, and therefore will not materially affect pedestrian movements in this area when taking into account the size of the pavement and the existing arrangement. The signage will ensure that there is a ground clearance of approximately 2100mm, to reflect the existing signage.

The internal illuminated sign has been omitted from the scheme therefore the proposal is not considered to adversely affect the character or appearance of the Conservation Area. The applicant has shown on the revised drawing, and set out in their supporting information, that the signage will be externally lit by a discreet LED strip which will provide a degree of up-lighting so that the advertisement is sympathetically illuminated.

It is necessary and reasonable to attach a planning condition to ensure that full details of the method of external illumination is agreed by the Authority to avoid any ambiguity. Furthermore, the proposed hours of illumination will also help to minimise the effect on the character and appearance of the Conservation Area, as well as not causing a nuisance for neighbouring residents.

For the purposes of Policy GP4, the proposal is considered to conserve the character and appearance of the Conservation Area, subject to conditions.

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: 31/07/25