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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: Extend dwelling (east elevation), alter dwelling including installing new windows and doors, demolish existing garden wall and install gate and fence.

LOCATION: Konoha, 21 Jardin de Haut, Petit Bouet Estate, Mont Arrive, St. Peter Port.

APPLICANT: Mr J P F Bourgaize & Miss F A Ogier

I refer to the application referred to below received as valid on 11/02/2010 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 30/03/2010

Drawing Nos: ORB 3341 & ORB 3342. Rev 1

Application Ref: FULL/2010/0471

Property Ref: A105500021-P01

The Department 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 proposed extension by virtue of its flat roofed design, size and appearance would detract from the character and amenity of the locality and conflicts with the intentions of Policy DBE1 of the adopted Urban Area Plan which, inter alia, requires new development to achieve a good standard of architectural design.

2. The proposals would reduce the size of the existing car parking space to a degree whereby the remaining space would be seriously substandard in length. The proposals would prejudice the retention of adequate car parking provision to serve the property in the longer term and would be likely to result in increased pressure on existing limited on-street parking.

In addition, as the proposed car parking space would be substandard in size, its use is likely to adversely impact on the usability of the car parking space belonging to no. 22 Jardin de Haut.

The proposal is therefore considered to conflict with Policy GEN9 and Annex 2 of the Urban Area Plan which require proposals to provide adequate levels of car parking, as well as criterion f) of Policy DBE1 which requires proposals to achieve a satisfactory relationship with adjacent properties. The proposal also conflicts with Policy CEN6 which states that proposals which would lead to a reduction in the overall level of car parking will not normally be permitted.

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 Department made this decision.

Copy of representations made

In reaching this decision the Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES
Director of Planning Control Services