ONLINE VERSION

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: Erect an oak framed carport next to road

LOCATION: The Wing, Rosehaven, Les Osmonds Lane, La Route Des Capelles, St. Sampson.

APPLICANT: Mr J Grainger

I refer to the application referred to below received as valid on 01/12/2014 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 09/01/2015

Drawing Nos: PF+A Ltd Drawing Numbers: 6229-02/B1 & B/2

Application Ref: FULL/2014/3379

Property Ref: B01167A002

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:-

The application site is located outside the Settlement Area. The Urban Area Plan indicates that, outside the Settlement Areas the emphasis will be upon maintaining the openness of the countryside and safeguarding significant areas of agricultural land. The policies of the Plan make provision for some limited forms of development in these areas. Policy CO1 of the Plan indicates that the scale, location and design of any proposal outside the Settlement Areas must not detract from the openness of the countryside.

Policies GEN5 and DBE1 of the Urban Area Plan seek to ensure good design while policy GEN6 of the Plan seeks to ensure new development is in character with its surroundings.

The new building would occupy a prominent position. The siting, design and materials of construction of the car port have no regard for those of the existing dwelling. The car port would form a dominant and incongruous feature which would intrude into the openness of the area and seriously detract from its rural character and appearance.

The proposal would be contrary to the requirements of policies CO1, GEN5, GEN6 and DBE1 of the Urban Area Plan and their objectives.

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

ENVIRONMENT
A STATES OF GUERNSEY GOVERNMENT DEPARTMENT

PLANNING APPLICATION REPORT

Application No: FULL/2014/3379
Property Ref: B01167A002
Valid date: 01/12/2014
Location: The Wing Rosehaven Les Osmonds Lane La Route Des Capelles La Route Des Capelles St. Sampson Guernsey GY2 4GG
Proposal: Erect an oak framed carport next to road

Applicant: Mr J Grainger

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

The application site is located outside the Settlement Area. The Urban Area Plan indicates that, outside the Settlement Areas the emphasis will be upon maintaining the openness of the countryside and safeguarding significant areas of agricultural land. The policies of the Plan make provision for some limited forms of development in these areas. Policy CO1 of the Plan indicates that the scale, location and design of any proposal outside the Settlement Areas must not detract from the openness of the countryside.

Policies GEN5 and DBE1 of the Urban Area Plan seek to ensure good design while policy GEN6 of the Plan seeks to ensure new development is in character with its surroundings.

The new building would occupy a prominent position. The siting, design and materials of construction of the car port have no regard for those of the existing dwelling. The car port would form a dominant and incongruous feature which would intrude into the openness of the area and seriously detract from its rural character and appearance.

The proposal would be contrary to the requirements of policies CO1, GEN5, GEN6 and DBE1 of the Urban Area Plan and their objectives.

OFFICER'S REPORT

Site Description:

The Wing forms the eastern part of the building, which is divided into two dwellings. The property in located in a relatively isolated location with open land to the east.

The site is outside the Settlement Area.

Relevant History:

2014/1118	07/05/2014	Permission to Erect extension to side of property
1997/4787	16/12/1997	Construct an extension

Les Osmonds

2014/2915 04/12/2014 Permission to Demolish existing shed and erect a car port and garden store (south-west boundary)

Existing Use(s):

Residential

Brief Description of Development:

The application seeks planning permission to erect a car port. This would be located on the road frontage and formed in the area presently occupied by a parking area in the north-east corner of the site. It would be constructed with an oak frame and timber clad. It would incorporate a pitched roof clad in brown Dreadnought roof tiles.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Urban Area Plan
CO1 - New development outside the Settlement Areas
GEN5 – Design
GEN6 - Character and amenity
DBE1 – Design - General

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:
1. the impact of the development on the appearance and character of the area;
2. the impact of the development on the amenity of people living in the area; and
3. parking and access issues,

taking into account the policies set out above.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The UAP indicates that, outside the Settlement Areas the emphasis will be upon maintaining the openness of the countryside and safeguarding significant areas of agricultural land. The policies of the Plan make provision for some limited forms of development in these areas. CO1 indicates

that the scale, location and design of any proposal outside the Settlement Areas must not detract from the openness of the countryside.

Policies GEN5 and DBE1 seek to ensure good design while GEN6 seeks to ensure new development is in character with its surroundings.

The new building would occupy a prominent position. The siting, design and materials of construction of the car port have no regard for those of the existing dwelling. The car port would form a dominant and incongruous feature which would intrude into the openness of the area and seriously detract from the rural character and appearance of the area.

The position of the car port relative to neighbours is such that it would have no impact on the amenity of nearby dwellings. Similarly, the replacement of the existing parking area by a car port in the same position would have no impact on the existing access and parking arrangements.

3 - General material considerations set out in the General Provisions Ordinance.

The matters to be considered under Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007 have been assessed as part of the section dealing with policy issues set out in 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on protected trees, buildings or sites.

Date: 9 January 2015