

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: Demolish extension, erect 1.5 storey and single storey extension with balconies and external staircase at first floor level.

LOCATION: Highfield, Rue De Rougeval, Torteval.

APPLICANT: Mrs Z Collenette

I refer to the application referred to below received as valid on 04/03/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 15/09/2022

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6200/A/1a, 2a & 3a

Application Ref: FULL/2022/0368

Property Ref: G003740000

The Development & Planning Authority 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 development is overbearing and disproportionate to the size and proportion of this property by virtue of its scale, bulk and mass and therefore does not represent 'good' design for the purposes of Policy GP8. In addition, the introduction of an extension of this size would be at odds with the surrounding built environment along Rue De Rougeval, to the detriment of the character and appearance of the surrounding area.

Consequently, the proposal is considered to have a significant detrimental effect on the character and appearance of the property and locality, by virtue of its size, form and mass, which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

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 Authority made this decision.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/0368
Property Ref: G003740000
Valid date: 04/03/2022
Location: Highfield Rue De Rougeval Torteval Guernsey GY8 OPE
Proposal: Demolish extension, erect 1.5 storey and single storey extension with balconies and external staircase at first floor level.
Applicant: Mrs Z Collenette

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed development is overbearing and disproportionate to the size and proportion of this property by virtue of its scale, bulk and mass and therefore does not represent 'good' design for the purposes of Policy GP8. In addition, the introduction of an extension of this size would be at odds with the surrounding built environment along Rue De Rougeval, to the detriment of the character and appearance of the surrounding area.

Consequently, the proposal is considered to have a significant detrimental effect on the character and appearance of the property and locality, by virtue of its size, form and mass, which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

OFFICER'S REPORT

Site Description:

The application site is located Outside of the Centres as designated in the Island Development Plan.

The property is located north of Rue De Rougeval. The property has been extended over the years, particularly to the side and rear of the property, and features an attractive façade which is highly visible in the street scene.

Large areas of glass once stood to the side and rear of the property, although have since been cleared from the site. The whole site is recognised as domestic curtilage.

The surrounding area is predominantly residential in character, with a mix of building types and styles. The application property and neighbouring property to the east known as Rougeval Laitte Revel appear to have been built at the end of the 19th Century and

the early part of the 20th Century, with the properties to the south of the road being built around the mid-20th century.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

Brief Description of Development:

The original application sought to demolish an extension and erect a 1.5 storey pitched roof extension to the rear (west) of the property. The application also included installing two balconies serving the main house and proposed extension, an external stair, and a Captain's dormer window at second floor level to the rear elevation of the main house.

The ground floor extension will serve as a kitchen, dining room, lounge and entertaining room. The first floor extension will serve two bedrooms and two en-suites.

The roof will be finished in zinc cladding and the walls finished in a mix of render and cladding.

The application was deferred over concerns regarding the mass and bulk of the proposed extension, together with its general disproportionate relationship and limited detail with the main house. Other concerns such as overlooking, detailing of the single storey extension to the side of the dwelling, together with additional information to be shown on the drawings including the east boundary were also raised.

The agent has subsequently omitted the proposed single storey extension to the west of the property and the 2nd floor Captain's dormer window, in attempt to overcome the concerns raised. The applicant has also provided additional information (dated 6th July 2022) in attempt to justify the proposed extension and the design choice as submitted.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

The Authority has received 5 representations from two parties objecting to the original proposal and the additional information. Grounds for objection principally relate to the following issues:-

- Loss/impact on private views.
- Devaluation of property.
- Pollution from chimney.
- Size of extension compared to floor area of property.
- Overshadowing.
- Inaccuracies in the agent's letter.
- Design, industrial appearance.
- Boundary issue regarding structure to be demolished.
- Revised plans have not taken into account original concerns raised.
- Clarity over height of proposed chimney with Building Control.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

The application site comprises a late 19th Century/early 20th century building, based on a 19th century inspired villa which features classical architecture principles, where aspects such as balance/symmetry and proportionality are visible. Therefore the age of this building can be sensitive to certain types of development, despite not comprising a protected building, nor being sited within a Conservation Area.

The demolition of the structures to be removed is supported under Policy.

The proposed extension is inappropriately designed by virtue of its mass and bulk, which is exacerbated by its disproportionately sized roof. Consequently, the proposal is considered to adversely affect the balance and proportionality of the building to such an extent that it achieves a substandard level of design (Policy GP8), and rebuts the

flexibility afforded to householder development with regards to design matters (Policy GP13).

To elaborate on this point further, the length and width of the original house is approximately 10.5m and 5.5m respectively, with the combined width of the house and extension being 7.5m. In comparison, the width of the (1.5 storey) projecting part of the extension is 8m, and the projection of the ground floor of the extension would be 14m in length, with the length of the new roof exceeding 16m. Consequently, the projecting part of the extension achieves a disproportionate relationship and is overbearing to the mass of the dwelling.

In addition, the introduction of an extension of this size would be at odds with the surrounding built environment along Rue De Rougeval, to the detriment of the character and appearance of the surrounding area.

Consequently, the proposal is considered to have a significant detrimental effect on the character and appearance of the property and locality, by virtue of its size, form and mass, which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

For the reasons set out above, it is recommended that planning permission is refused.

Other matters:

For completeness, the proposal is not considered to cause significant harm to the amenities of neighbouring residents when taking into account the scale of the extension, the distance between the apex of the extension and the boundary (approx. 6m), and the total distance between the apex and the neighbouring property (west elevation) to the east (approx. 9m). Whilst it is recognised that the development would result in overshadowing and have an overbearing effect, the degree of harm would not be so substantial to justify additional reasons for refusal.

Whilst large, the height and design of the chimney would not cause additional reasons for refusal as it is sufficiently set back from any neighbouring property to not cause any material effect, despite the representation made regarding emissions.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

It is also noted that the loss or impact on private views, the devaluation of property, and boundary issues, are not a material planning consideration as defined in Part IV, 13.1 of The Land Planning and Development (General Provisions) Ordinance, 2007.

Date: 14/09/2022

