

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 at basement and ground floor level, alteration to fenestration to east (front) elevation and create additional vehicle access.

LOCATION: Les Pies, Ville Es Pies, Vale.

APPLICANT: Mr R G Beardwell

I refer to the application referred to below received as valid on 05/04/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 23/12/2022

Drawing Nos: A7 Design: 07-170/P2 PD-01 & PD-02

Application Ref: FULL/2022/0857

Property Ref: C01115C000

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 design of the new vehicular opening would not conserve or enhance the special character of the conservation area in which this part of the development sits, therefore the proposals do not comply with Policy GP4 (Conservation Areas).
2. The proposals are considered to adversely affect the special interest of the Conservation Area, resulting in the loss of natural vegetation which adds to the character of the conservation area, as such the proposals would not comply with Policy GP13c (Householder Development).

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/2022/0857
Property Ref: C01115C000
Valid date: 05/04/2022
Location: Les Pies Ville Es Pies Vale Guernsey GY3 5NF
Proposal: Extend at basement and ground floor level, alteration to fenestration to east (front) elevation and create additional vehicle access.
Applicant: Mr R G Beardwell

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The design of the new vehicular opening would not conserve or enhance the special character of the conservation area in which this part of the development sits, therefore the proposals do not comply with Policy GP4 (Conservation Areas).
 2. The proposals are considered to adversely affect the special interest of the Conservation Area, resulting in the loss of natural vegetation which adds to the character of the conservation area, as such the proposals would not comply with Policy GP13c (Householder Development).
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OFFICER'S REPORT

Site Description:

The property known as 'Les Pies' is a one and a half storey detached dwelling which is set back from and faces east onto Ville es Pies. There are neighbouring detached dwellings to the north and south and across the road to the east and open land to the west. The existing vehicular access is to the north end of the east boundary, the land falls away from the north to the south. The property is located Outside of the Centres as defined in the Island Development Plan. The road on which the new access opens out onto is within the adjacent conservation area.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to extend at basement and ground floor level to provide a dower unit at the lower level with a two/three car garage above at ground floor level. Some alterations to the fenestration on the front east elevation are proposed and the creation of a new vehicular access towards the south end of the east boundary.

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

GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity.

Representations:

None

Consultations:

A response from Traffic and Highways Services has not been forthcoming.

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

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 as set out in 2 below.

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

The garage extension proposals achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

The dower would open out onto the lower hard landscaped area where a second vehicular opening is proposed. The dower would have an internal link to the main house and share main meals, amenities and utilities.

In respect to the creation of the new vehicle opening however, this would allow further views into the site and the extension would become more visually prominent within its setting. Notwithstanding this however, the creation of the new opening is considered to have a significant impact on the character and appearance of the conservation area.

Ville es Pies is a one-way road (northward), which has a very rural feel due to there being few exits/entrances along it. The boundaries being mostly made up of loose granite walls and established earth banks and hedges, adds to the character and appearance of this part of the conservation area providing a feeling of natural enclosure. The creation of a new access would result in the natural screening being removed to provide a 9.5m wide bellmouth access resulting in the domestication of the area, meaning the character of the area would be altered, impacting on visual amenity and the character and appearance of the conservation area. For this reason, the recommendation is for refusal.

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

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. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 22/12/2022