

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: Variation to works previously approved - alter roof form and install a flue.

LOCATION: La Lande No.2, La Lande Vinery, La Route De La Lande, Vale.

APPLICANT: Mr & Mrs P Le Lievre

I refer to the application referred to below received as valid on 16/05/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 11/10/2022

Drawing Nos: PF+A Ltd - 7491-02/B1, B2A & 3A

Application Ref: FULL/2022/1077

Property Ref: C000490000

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. By virtue of the increase in the volume of the proposal, the revised redeveloped scheme is not of broadly the same floor space and volume as the approved conversion scheme and the proposal does not accord with part (b) of Policy GP16(B).

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/2022/1077
Property Ref: C000490000
Valid date: 16/05/2022
Location: La Lande No.2 La Lande Vinery La Route De La Lande La Route De La Lande Vale Guernsey GY3 5BG
Proposal: Variation to works previously approved - alter roof form and install a flue.

Applicant: Mr & Mrs P Le Lievre

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. By virtue of the increase in the volume of the proposal, the revised redeveloped scheme is not of broadly the same floor space and volume as the approved conversion scheme and the proposal does not accord with part (b) of Policy GP16(B).

OFFICER'S REPORT

Site Description:

The site contains a metal clad packing shed along the south boundary in the south-west corner and it previously contained a large metal framed glasshouse of approximately 8,000sqm, which has recently been cleared. The site is located close to Beaucette Marina and is Outside of the Centres.

The area is predominantly rural in character, comprising a network of small lanes, open fields and horticultural sites in various states of repair, interspersed with small groups of residential properties.

Relevant History:

07/04/2022 – FULL/2021/2225 – Permission granted to demolish existing, erect two dwellings, create vehicular access and change of use of agricultural land to domestic garden (429 sqm).

16/12/2020 – FULL/2019/1772 – Permission granted for the sub-division and conversion of vinery building to create 2 dwellings and create additional vehicular access (revised).

Existing Use(s):

Agricultural use class 28 – horticultural site

Brief Description of Development:

Planning permission was granted to sub-divide and convert the vinery building to create 2, two bedroom dwellings and to create an additional vehicular access in December 2020 (FULL/2019/1772). Planning permission was subsequently granted to demolish the existing packing shed and to erect 2 dwellings in April 2022 (FULL/2021/2225). Permission is now sought for variations to the previously approved plans involving altering the roof form of the single storey elements from flat roofs to pitched roofs and to install a flue.

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

Policy OC1: Housing Outside of the Centres
Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
Policy OC7: Redundant Glasshouse Sites Outside of the Centres
Policy GP1: Landscape Character and Open Land
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP15: Creation and Extension of Curtilage
Policy GP16(B): Conversion of Redundant Buildings – Demolition and Redevelopment
Policy IP6: Transport infrastructure and support facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Whether the floor space and volume is broadly the same as the approved conversion scheme.
2. Design and impact of the development on the character and openness of the landscape.
3. The impact of the development on the amenity of people living in the area.

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).

Planning permission was granted to sub-divide and convert the vinery building to create 2 dwellings and to create an additional vehicular access in December 2020 (FULL/2019/1772). As a result of this previous permission, Policy GP16(B) makes provision for the demolition and redevelopment of the previously approved dwellings to be considered. Planning permission was subsequently granted to demolish the existing packing shed and to erect 2 dwellings in April 2022 (FULL/2021/2225).

The revised proposal would include an increase in the floor area and volume compared to the originally approved conversion scheme and it would include an increase in the volume from the approved redevelopment scheme. The approved redevelopment scheme (FULL/2021/2225) included an increase in the floor area from 203sqm to 244sqm, or by 20%, and an increase in the volume by 23%.

The revised proposal would involve an increase in the floor area from 203sqm to 244sqm, or by 20%, and an increase in the volume by approximately 45%. In addition, together with the layout of the first floor, the void spaces in the proposed pitched roof wings would easily enable the creation of additional first floor space. This could enable an increase in the floor area of approximately 40% from the original conversion scheme and the creation of a 4 bedroom dwelling and a 3 bedroom dwelling, as opposed to the original conversion scheme which was for two, 2 bedroom dwellings. As a result, the revised proposal is not of broadly the same floor space and volume as the approved conversion scheme and the proposal does not accord with part (b) of Policy GP16(B).

The revised proposal achieves a satisfactory standard of design and would have no significant adverse effects on the landscape character or openness of the area, in accordance with Policy GP8. By virtue of its siting to the north of the adjacent residential property, the revised proposal would have no significant adverse effects on the amenities of neighbouring residents.

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 revised proposal does not accord with Policy GP16(B) and it is recommended that the application is refused.

Date: 11/10/2022