

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 extensions, erect single storey extension and install dormer window to south-west (rear) elevation, erect extension at 1st floor level to south-east (side) elevation, internal and fenestration alterations (Protected Building).

LOCATION: The Laurels, Candie Road, St. Peter Port.

APPLICANT: Yellow Bear Ltd

I refer to the application referred to below received as valid on 15/06/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 28/12/2022

Drawing Nos: Matt's Architectural Technology Ltd - 22-224-06, 07, 08, 09 & 10

Application Ref: FULL/2022/1282

Property Ref: A113930000

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, in its current form, does not comply with Island Development Plan Policies GP4, GP5 or GP8. It does not conserve or enhance the appearance of the surrounding Conservation Area (Policy GP4: Conservation Areas). The design has not demonstrated that the owner's aspirations outweigh the adverse effect on the special interest of the protected building (Policy GP5: Protected Buildings), nor is the submitted design of a high standard, which is required for proposals to Protected Buildings, therefore the scheme would not comply with Policy GP8: Design.

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/2022/1282
Property Ref: A113930000
Valid date: 15/06/2022
Location: The Laurels Candie Road St. Peter Port Guernsey GY1 1UP
Proposal: Demolish extensions, erect single storey extension and install dormer window to south-west (rear) elevation, erect extension at 1st floor level to south-east (side) elevation, internal and fenestration alterations (Protected Building).
Applicant: Yellow Bear Ltd

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The design, in its current form, does not comply with Island Development Plan Policies GP4, GP5 or GP8. It does not conserve or enhance the appearance of the surrounding Conservation Area (Policy GP4: Conservation Areas). The design has not demonstrated that the owner's aspirations outweigh the adverse effect on the special interest of the protected building (Policy GP5: Protected Buildings), nor is the submitted design of a high standard, which is required for proposals to Protected Buildings, therefore the scheme would not comply with Policy GP8: Design.

OFFICER'S REPORT

Site Description:

The property known as 'The Laurels' is a two-storey residential dwelling built in the 1880's. The property is set back from and faces northeast onto Candie Road. There are other detached Georgian style houses to the northwest, southeast and across the road to the northeast and the fire station is sited to the south/southwest. The property is located within the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

The proposals are to demolish the existing rear extensions, and erect a single storey extension to the rear, a first floor extension above the garage to the side elevation, installation of a dormer window to the rear roof slope and other alterations to the fenestration of this Protected Building.

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

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Representations:

None

Consultations:

None

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.

Initially the submitted application comprised a very brief Statement of Significance (SoS) and a set of drawings which showed a ground floor flat roof single storey extension to the rear and a flat roof first floor extension over the existing garage, and replacing two small rear dormers with a new larger dormer, the detailing and design of which were not considered to respect the Protected Building status of the property. The proposals therefore were considered to result in poor design.

The application was deferred to request that a detailed SoS was carried out, to help inform the design of the development. It was envisaged that this would result in plans

which better respected the special interest of the building and of a more appropriate design for this Protected Building.

However, although a more comprehensive SoS was submitted, this did not address all of the areas of special interest, and the design of the scheme has not been altered, thus the understanding of the building's special interest has not informed the design.

A comprehensive deferral letter was sent out noting all the areas which needed addressing; the rear single storey extension, the first-floor side extension, the front garden proposals, the rear dormer change, the replacement rear first floor window and internal alterations.

The rear single storey extension with uPVC detailing is not considered a high standard of design necessary to comply with Policy GP5. The overall form, detailing and proposed materials do not reflect the style and architecture of the protected building.

The first-floor side extension with uPVC window is not of a high standard of design necessary to comply with Policy GP5. The extension has not been set back as suggested. The architecture of the main dwelling has not been considered and there is no appropriate detailing, which means the extension is a negative addition to both the Conservation Area and the Protected Building.

The proposals to the front garden are to reduce the ground level, omitting the central path and steps, which are integral to the front façade of the protected building. There has been no demonstration of the special interest of the protected building and how the proposals would impact on the protected building. The proposals remove all potential for planting and what remains of the formal frontage; the appearance of the Protected Building would be harmed as would the Conservation Area.

The two existing small rear dormers have a degree of special interest, and some of the original roof structure may also hold special interest, but the SoS does not mention the roof structure. The proposed larger rear dormer does not relate to the architecture or design of the protected building and is of poor design.

In respect of changing a rear first floor window from timber to uPVC, the deferral letter suggested that the advice in CN11 – Windows and doors in protected buildings be referred to. This indicates that the first-floor window should be first considered for retention and repair before replacement and that if, after following this process, the window was found to need replacement it be replaced like for like in timber.

In conclusion, the initial application was deferred to allow for further work to be carried out. A more detailed Statement of Significance and a supporting letter was submitted, but none of the additional works informed any changes to the design, which was what was required for the application to be supported. Due to the proposals not complying with Policy GP5, with Policy GP4 or being of a high standard of design (Policy GP8), this application cannot be supported and the recommendation is therefore for refusal of permission.

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 Trees or Monuments or on SSS's.

Date: 22/12/2022