

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 first floor extension to create additional storey, alter balustrade to existing terrace to north (rear), re-clad existing property.

LOCATION: Vue De Lion, La Giffardiere, Castel.

APPLICANT: Mr & Mrs J Rouget

I refer to the application referred to below received as valid on 21/06/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 07/11/2022

Drawing Nos: A 7 Design - 21-1367-PD01 & 02

Application Ref: FULL/2022/1365

Property Ref: D01205A000

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. Due to the location of the site, being on the crest of a hill, and the scale and character of the surrounding properties the proposals are not considered to achieve a good standard of design or respect the character of the locality due to the massing and bulkiness of the roof. The proposals would also by virtue of their scale and massing be overbearing on the eastern neighbour. The proposals do not comply with IDP Policy GP8 (a) and (c).

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/2022/1365
Property Ref: D01205A000
Valid date: 21/06/2022
Location: Vue De Lion La Giffardiere Castel Guernsey GY5 7HN
Proposal: Erect first floor extension to create additional storey, alter balustrade to existing terrace to north (rear), re-clad existing property.
Applicant: Mr & Mrs J Rouget

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Due to the location of the site, being on the crest of a hill, and the scale and character of the surrounding properties the proposals are not considered to achieve a good standard of design or respect the character of the locality due to the massing and bulkiness of the roof. The proposals would also by virtue of their scale and massing be overbearing on the eastern neighbour. The proposals do not comply with IDP Policy GP8 (a) and (c).

OFFICER'S REPORT**Site Description:**

The property known as 'Vue de Lion' is a 1970's one and a half storey dwelling, which is set back from and faces south onto La Giffarderie. The detached neighbouring properties are very close to the east, a pre-1900's bungalow, and the west, an early 20th century dwelling which was extended in the early 21st century. To the north is open land which falls away to the coast road (there are good views of this row of housing from the coast road). The property is located Outside of the Centres as defined in the Island Development Plan.

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 erect a first floor extension to expand the existing first floor accommodation, alter balustrade to existing terrace to the rear (north) and re-clad existing property.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation received and the issues are:

- Given the elevated nature of the site, it is felt that the proposed frontage enabling the new first floor extension creates a bulky dominant frontage. On studying the south elevation it is clear that the original property would be hugely increased in overall size and height making the entire frontage appear excessively imposing and solid. The original subservient ridge (between the garage and front door) is now the highest part of the property (about 1.4m higher).
- The main ridge no longer runs from East to West. The effect of changing this ridge to North/South is clear from the east elevation. It is about 600mm higher and it would run completely across the property creating a solid 'wall' at a very high level – a totally different visual effect to the original property.
- From a personal perspective, a neighbour would be extremely disappointed that their views from their west facing windows would be obliterated.

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.

The traditional pre-1900's dwelling to the east initially owned Vue de Lion's site as part of the garden, it was sold off and the property in question built sometime in the 1970's.

The footprint of the house is quite large in comparison to the whole site area and covers approximately half of the site.

The photographs of the site show a row of detached houses, some one, some one and a half storey. The earliest houses are two traditional C19 cottages (one next door to the east) with stone facades, slate roofs; both are small in their proportions with low roofs. The pre 1938 house to the west has an orange plain tile hipped roof which has been extended to the north but its overriding characteristic is being low and unobtrusive in the landscape, the same is true of the other dwelling at the end of the row to the east which was built before 1963 in that it is a low hipped roof bungalow.

Vue de Lion reflects the characteristic nature of the row of housing (albeit the house two doors to the east was rebuilt in the 2010's under a previous Development Plan), the front façade is clean, with no dormers or rooflights and the building is considered to fit in well with its surroundings and is unobtrusive. The rear of the building is less restrained and is a mixture of large flat roofs which generally detract from the character of the building.

Importantly all of these houses are on the crest of a hill and make up the horizon as viewed from the coast. Therefore their impact on the area is higher than it would usually be because they are so conspicuous. Any new proposed scheme should take into account the surrounding built environment, and the fact the houses are viewed from the lower coast road to the north.

The Island Development Plan acknowledges that it is a reasonable aspiration of householders to improve their homes such as to provide additional accommodation, enhance the standard of living and the functionality of a building. Furthermore, outside designated areas the Plan seeks to offer property owners flexibility and personal choice in design matters with greater freedom of choice with regard to private property development and use. Notwithstanding the above however, a development must represent a good standard of design that respects the local built environment and open landscape concerned.

The proposed scheme has been designed to maximise the first floor accommodation. However, the resultant design is bulky, and because of this the building does not respect the character of the surrounding built environment. The result is that it appears as an overly large new roof sitting heavily on a smaller building. As the roof would no longer be a simple pitch, the apparent bulk would be much greater than it is now – whilst that is true of all sides it would be particularly evident when viewed from the road to the south west and in relation to the neighbour. The use of materials with the change to timber boarding on the first floor would only emphasise this effect.

The IDP does allow for an extension to the upper floor, and there are some aspects of the design that are understandable, in that the owners want to maximise their accommodation and views. However at present the proposed design is too complex, too heavy and architecturally unresolved. Thus it does not achieve the IDP requirement in Policy GP8 of good architectural design.

There are also concerns about the effect this massing at first floor level would have on the smaller bungalow to the east. The properties are very close together and the proposals would be overbearing on the neighbouring property.

In light of the reasons set out above the recommendation for this application is a 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: 02/11/2022