

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 single storey extension to west (front) elevation.

LOCATION: Firkin, La Maison Au Compte Road, Vale.

APPLICANT: Mr A & Mrs N Glass

I refer to the application referred to below received as valid on 15/08/2022 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: mat drawing no's: 22-236-03 & 04

Application Ref: FULL/2022/1515

Property Ref: C010800000

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. IDP Policy OC1: Housing Outside of the Centres, states that proposals for the creation of new dwellings will only be supported where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. Schemes to subdivide dwellings or to convert redundant buildings may be accompanied by a modest extension provided that the extension is not of such scale or significance that it forms a significant part of a new unit, in effect creating a new build dwelling contrary to this policy. Therefore, the building will need to be capable of subdivision or conversion without the need for significant extension.

In this case, the application proposes a large extension which would form a significant part of the proposed new unit. The proposal is therefore not compliant with IDP Policy OC1.

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/2022/1515
Property Ref: C010800000
Valid date: 15/08/2022
Location: Firkin La Maison Au Compte Road Vale Guernsey GY3 5HE
Proposal: Erect single storey extension to west (front) elevation.
Applicant: Mr A & Mrs N Glass

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. IDP Policy OC1: Housing Outside of the Centres, states that proposals for the creation of new dwellings will only be supported where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. Schemes to subdivide dwellings or to convert redundant buildings may be accompanied by a modest extension provided that the extension is not of such scale or significance that it forms a significant part of a new unit, in effect creating a new build dwelling contrary to this policy. Therefore, the building will need to be capable of subdivision or conversion without the need for significant extension.

In this case, the application proposes a large extension which would form a significant part of the proposed new unit. The proposal is therefore not compliant with IDP Policy OC1.

OFFICER'S REPORT

Site Description:

The property known as 'Firkin' is a mid-20th century bungalow which has been extended over the years. The dwelling is set back from and faces south onto La Maison au Compte and Maison de Bas Road runs diagonally along the northwest boundary. There are close neighbours to the northeast and east. There are also neighbours across the road to the south and one to the northwest. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/0366 – Erect lean-to covered gazebo and alterations to fenestration to west front elevation of outbuilding – Approved June 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is for a single storey extension to the west elevation.

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

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

GP16(A): Conversion of Redundant Buildings

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.

The proposals are to extend the existing one bed dower unit to provide two bedrooms and open plan living kitchen area.

IDP Policy OC1: Housing Outside of the Centres, states that proposals for the creation of new dwellings will only be supported where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. Schemes to subdivide dwellings or to convert redundant buildings may be accompanied by a modest extension provided that the extension is not of such scale or significance that it forms a significant part of a new unit, in effect creating a new build dwelling contrary to this policy. Therefore, the building will need to be capable of subdivision or conversion without the need for significant extension.

At present the dower unit is too small to become an independent unit of living accommodation (GTS Section G, minimum room sizes).

In this case, the application proposes a large extension which would form a significant part of the proposed new unit, forming approximately 50% of the proposed unit.

Therefore the house cannot be sub-divided in its existing layout, and the proposed new extension is too large to comply with the policies. The proposal is therefore not compliant with IDP Policy OC1.

Therefore, in this instance, 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: 07/11/2022