

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 extension at first floor level to south (rear) elevation, install dormer windows and rooflight to north (front) elevation.

LOCATION: Le Petit Menage, Les Grandes Mielles Lane, Vale.

APPLICANT: Mrs E Le Roi

I refer to the application referred to below received as valid on 27/09/2022 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: Martel Design Ltd: 20-0988/02A.

Application Ref: FULL/2022/1922

Property Ref: C022920000

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 flat roof design of the proposed first floor rear extension together with the irregularly shaped side elevations would not be well designed or in sympathy with its setting, it would be incongruous, architecturally unrelated to and out of keeping with the established character of development in the locality. The first floor extension would constitute an undesirable feature severely detrimental to the visual amenities of the locality contrary to Policy GP8 a) of the Island Development Plan.

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/2022/1922
Property Ref: C022920000
Valid date: 27/09/2022
Location: Le Petit Menage Les Grandes Mielles Lane Vale Guernsey GY6 8ES
Proposal: Erect extension at first floor level to south (rear) elevation, install dormer windows and rooflight to north (front) elevation.
Applicant: Mrs E Le Roi

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The flat roof design of the proposed first floor rear extension together with the irregularly shaped side elevations would not be well designed or in sympathy with its setting, it would be incongruous, architecturally unrelated to and out of keeping with the established character of development in the locality. The first floor extension would constitute an undesirable feature severely detrimental to the visual amenities of the locality contrary to Policy GP8 a) of the Island Development Plan.

OFFICER'S REPORT

Site Description:

Le Petit Menage, Les Grandes Mielles Lane is a detached pitched roof cottage with flat roof extension to the rear. Vehicular access is along the east site boundary and leads to an area of hardstanding to the south of the dwelling along with a number of timber outbuildings. The land/garden to the south and southeast of the dwelling is currently open with walls, fences, hedges and earthbanks to the outer site boundaries.

Historically the land to the southeast of the dwelling was covered in glasshouses however these were cleared between 1979 and 1990.

Properties in the locality do benefit from accommodation in the roofspace served by catslide, pitched roof and flat roof dormers which are proportionate to the roofslope.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2019/0625 - Change of use of agricultural land to domestic garden - granted

Existing Use(s):

01 dwellingouse

Brief Description of Development:

The application relates to the installation of two catslide dormers and a rooflight to the front roofslope of the dwelling and the erection of a first floor extension with mansard roof to the east and west and flat roof in between to the rear over the existing flat roof extension incorporating two windows and a Juliet balcony facing south.

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

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issue in this case relates to the design and appearance of the proposed first floor rear extension.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

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 installation of catslide dormers and a rooflight in the front roofslope of the dwelling represent a good standard of architectural design that respects the local built environment. With regard to the rear extension it is noted that this has been designed so as not to exceed the ridge of the existing dwelling. Although the rear extension would not be highly publicly visible due to surrounding built development the flat roof extension to the rear with sloping side elevations does not represent a good standard of architectural design and would not contribute in a positive way to the Island's built environment nor respect the established character of the surrounding built development. The scheme is therefore contrary to Policy GP8 a): Design of the Island Development Plan.

The position of the rear extension is such that the private area to the immediate rear of Chanson Des Arbres to the west will be protected. It is noted that some views would be gained across the wider adjoining garden area however this is not considered so significant as to warrant the refusal of permission.

Other matters

The provision of further first floor accommodation at the property offers both efficient and effective use of land and flexible and adaptable accommodation that can respond to the needs of occupiers over time. The windows proposed in both the front and rear of the first floor accommodation as extended will offer adequate sunlight and daylight to the occupiers in accordance with Policy GP8.

The dwelling is set away from both the east and west site boundaries and although the height and bulk of the rear of the dwelling will increase given the driveway to the east and separation to the west the proposed rear extension will not result in unacceptable overshadowing to the occupiers of adjoining dwellings. The single rooflight proposed in the east roofslope facing Mangy Cours will serve a bathroom and will not result in unacceptable overlooking or loss of privacy.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

Conclusions

Notwithstanding the above, the scheme does not comply with Policies GP8 a), GP9 b) and GP13 a) of the Island Development Plan and is recommended for refusal.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning

considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 01 November 2022

