

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: Raise roof ridge height to create accommodation at first floor level. Alter/replace roofs at ground floor level, install rooflights to south (rear) elevation, demolish and rebuild wall to north (front) elevation and alterations to fenestration.

LOCATION: La Rocquette, La Rocquette, Vazon, Castel.

APPLICANT: Mr J Robilliard

I refer to the application referred to below received as valid on 14/11/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 23/12/2022

Drawing Nos: JG Architecture Ltd: 2229/02.01 & 02.02.

Application Ref: FULL/2022/2105

Property Ref: D008180000

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 proposed catslide dormer in the south roofslope of La Rocquette would, by virtue of its proximity to and relationship with adjoining properties be likely to result in an unacceptable degree of overlooking and consequent loss of privacy to those properties, detrimental to the amenities enjoyed by the occupiers thereof and contrary to Policies GP8 a., GP9 b and GP13 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/2022/2105
Property Ref: D008180000
Valid date: 14/11/2022
Location: La Rocquette La Rocquette Vazon Vazon Castel Guernsey GY5 7AU
Proposal: Raise roof ridge height to create accommodation at first floor level. Alter/replace roofs at ground floor level, install rooflights to south (rear) elevation, demolish and rebuild wall to north (front) elevation and alterations to fenestration.
Applicant: Mr J Robilliard

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed catslide dormer in the south roofslope of La Rocquette would, by virtue of its proximity to and relationship with adjoining properties be likely to result in an unacceptable degree of overlooking and consequent loss of privacy to those properties, detrimental to the amenities enjoyed by the occupiers thereof and contrary to Policies GP8 a., GP9 b and GP13 a. of the Island Development Plan.

OFFICER'S REPORT

Site Description:

La Rocquette is a detached bungalow with single-storey flat roof extensions to both sides and to the rear. The neighbouring properties to the immediate northwest and east are one and a half-storey dwellings with dormers in the front roofslopes.

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

Relevant History:

None.

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The application proposes to raise the roof ridge of the existing dwelling to provide first floor accommodation served by pitched roof dormers and rooflights to the front roofslope and a large catslide dormer to the rear. The front wall of the northern extension is shown to be demolished and replaced. The existing flat roofs are shown to be replaced, including the provision of roof lanterns to the rear extension and alterations to fenestration are also proposed.

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 issues in this case relate to the design and appearance of the proposed extensions and alterations and the effect of the development on the locality and on residential amenity.

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.

As proposed there would be multiple windows in the rear dormer of the development proposed which would face the two-storey development and northeast facing amenity space associated with properties in La Mare Estate. It is noted that an element of mutual overlooking currently exists between properties in this adjoining estate however this would introduce first floor windows where none currently exist. Given the proximity between the proposed dormer window and the existing first floor windows of the properties at La Mare Estate overlooking of these adjoining properties would occur from the multiple windows. An element of overlooking and loss of privacy to the proposed

first floor accommodation would also occur from the existing first floor accommodation in La Mare Estate.

It is noted that dormers are proposed in the front roofslope to provide outlook however, given that two windows per bedroom are proposed in the rear dormer this would become the principal elevation and outlook to serve the accommodation. It would be unreasonable therefore, to require all the windows in this rear dormer to be obscure glazed in the interests of privacy. As submitted therefore, the scheme does not represent a good standard of design and would be harmful to the amenities enjoyed by the occupiers of the adjoining properties in La Mare Estate and contrary to Policies GP8, GP9 and GP13 of the Island Development Plan. To introduce obscure glazing to address this overlooking would represent a contrived form of development that would not represent a good standard of design having regard to the health and well-being of occupiers of the development.

The design and appearance of the proposed increase in ridge height, pitched roof dormers, alterations to fenestration and rebuilding of part of the front wall of the dwellinghouse represent a good standard of design that respects the local built environment and which will not result in harm to the amenities of the occupiers of adjoining dwellings with regard to overshadowing and overlooking.

The catslide dormer to the rear is a dominant feature across the entire rear roofslope of the dwelling and although glimpsed views will be possible from Rue de la Rocquette to the south the bulk of the dormer would not be highly publicly visible. The dormer would sit well below the roof ridge and away from the eaves and verges of the property and would make more efficient and effective use of the site by offering multi-storey development and more flexible and adaptable accommodation that can respond to the needs of occupiers over time. Notwithstanding this however, given the issues relating to the rear dormer the application 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: 19 December 2022

