

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 chimney, enclose existing porch to north (front) elevation, remove earthbank, excavate, erect retaining wall and external steps to create a vehicle access and parking to north (roadside) boundary (Part Retrospective).

LOCATION: Amethyst, Guelles Lane, St. Peter Port.

APPLICANT: Mr S Prince & Ms S Domaille

I refer to the application referred to below received as valid on 30/11/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 25/01/2023

Drawing Nos: Mark Frampton & Company Ltd: 2022 / 641 / 02

Application Ref: FULL/2022/2309

Property Ref: A102790000

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 formation of a wide, open parking area across the site frontage as proposed in this application would result in parked cars being prominent in the street scene and does not reflect the character of the locality where boundaries to the narrow road are composed of earthbanks and walls, contributing to a sense of enclosure. In addition, the proposed 3m high blank rendered wall, although softened to a limited extent by proposed planting behind, would appear oppressive due to the scale and height.

The proposal would therefore not represent a good standard of design, would be out of character in this area and have a detrimental impact on the character of the area, contrary to Policies GP8 a. (design), c. (respect local built environment) and d. (hard landscaping that reinforces local character and distinctiveness) and Policy GP13 (Householder Development) 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/2022/2309
Property Ref: A102790000
Valid date: 30/11/2022
Location: Amethyst Guelles Lane St. Peter Port Guernsey GY1 2PU
Proposal: Demolish chimney, enclose existing porch to north (front) elevation, remove earthbank, excavate, erect retaining wall and external steps to create a vehicle access and parking to north (roadside) boundary (Part Retrospective).
Applicant: Mr S Prince & Ms S Domaille

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The formation of a wide, open parking area across the site frontage as proposed in this application would result in parked cars being prominent in the street scene and does not reflect the character of the locality where boundaries to the narrow road are composed of earthbanks and walls, contributing to a sense of enclosure. In addition, the proposed 3m high blank rendered wall, although softened to a limited extent by proposed planting behind, would appear oppressive due to the scale and height.

The proposal would therefore not represent a good standard of design, would be out of character in this area and have a detrimental impact on the character of the area, contrary to Policies GP8 a. (design), c. (respect local built environment) and d. (hard landscaping that reinforces local character and distinctiveness) and Policy GP13 (Householder Development) of the Island Development Plan.

OFFICER'S REPORT

Site Description:

The property comprises of a detached single storey dwelling located to the south of and elevated above, Guelles Lane. The site is bounded by residential properties to the east, south and west, with commercial premises opposite to the north.

There is no vehicular access or parking associated with the property, and the site visit revealed that the application was partially retrospective, with works to the porch in progress.

The site is located within a Main Centre Outer Area as designated in the Island Development Plan (IDP).

Relevant History:

Neighbouring site – Parkway

FULL/2022/0972 – Erect garage with raised terrace at first floor level to north boundary (revised scheme) - Application Refused -23/06/2022

This was refused due to the harmful impact of the open carport across the entire frontage on the character and appearance of the area.

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

Permission is sought for the demolition of a chimney, enclosing the existing porch to the front (north) elevation and changes to fenestration. The proposal also includes the removal of the existing roadside boundary earthbank to create vehicle access and car parking and the erection of a retaining wall and external steps to the north boundary.

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

GP8 Design

GP9 Sustainable Development

GP13 Householder Development

IP7 Private and Communal Car Parking

IP9 Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

- Impact on character of the area
- Impact on 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.

Design and impact on the character of the area

The existing roadside boundary at the application site consists of an approx. 1.8m high earthbank with mature boundary hedge of approx. 2.5m in height above. The boundary to the dwelling to the east, Joyspring, is composed mainly of a 1.6m high grassed earthbank and a small section of rendered wall which is approx. 1.7m in height. The dwelling to the west, Parkway currently has an open frontage with approx. 2m high boundary wall recessed behind the parking, however there is an extant permission (2022/1670) which is currently under construction which will create an enclosed garage within this frontage with a terrace over and 1.1m high glazed balustrade above.

Opposite the site and within the vicinity, front boundaries are generally composed of a mixture of granite and rendered walls of between 1-1.5m in height.

The proposal involves the removal of the earthbank and hedge, and excavation of the property frontage to form a 9.5m by 2.5m block paved parking area. The new boundary is composed of a 3m high rendered wall, set back 2.5m from the road with new hedge planting shown behind the wall.

The previously refused scheme for parking at Parkway (the neighbour directly to the west) FULL/2022/0972, proposed a 17m wide opening across the entire site frontage and this was considered visually harmful as it offered no screening of the hardstanding and parked vehicles, contrary to the more enclosed character of the area.

Although the current proposal is for a narrower opening (9.5m) it covers the entire site frontage except for the access steps and a small 1m section of existing earthbank retained to the side (eastern) boundary which means that the hardstanding and parked cars would be highly visible in the street scene, and does not reflect the character of the area where roadside boundaries are demarked by banks and walls providing a sense of enclosure. In addition, the proposed 3m high blank rendered wall would appear oppressive due to the scale. The neighbouring development at Parkway also has an approx. 3m high boundary although this is broken up visually by timber garage doors in the front elevation and a change in materials, with the lower 2.3m being render wall with 1.1m high lightweight glass balustrades above and so is less harmful visually.

Highway considerations:

Although illustrated in use by 2 cars on the plans, the proposed parking area of 9m by 2.5m may not be sufficient for two cars allowing for manoeuvring space, although small car spaces are 3.7m in length and so two small cars may be able to utilise the space, this however cannot be controlled.

There is an approximate sightline of 22m to the east which meets the standard required. Given the spaces are drive in/out parking spaces and there is no requirement for turning as the road is one-way, there are not anticipated to be any significant highway concerns.

Impact on neighbour amenity

The proposed alterations to the porch and changes to the fenestration are considered acceptable and unlikely to impact on neighbouring amenity due to the single storey nature of the dwelling. The demolition of the chimney is acceptable and will not have an adverse impact.

The scheme therefore accords in this respect with Policies GP8, GP9 and GP13 of the Island Development Plan.

Conclusion:

The formation of a wide, open parking area across the site frontage as proposed in this application would result in parked cars being prominent in the street scene and does not reflect the character of the locality where boundaries to the narrow road are composed of earthbanks and walls, contributing to a sense of enclosure. In addition, the proposed 3m high blank rendered wall, although softened to a limited extent by proposed planting behind, would appear oppressive due to the scale and height. The proposal would therefore not represent a good standard of design, would be out of character in this area and have a detrimental impact on the character of the area, contrary to Policies GP8 a. (design), c. (respect local built environment) and d. (hard landscaping that reinforces local character and distinctiveness) and Policy GP13 (Householder Development).

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: 17/01/2023

