

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 existing shed, erect shed to west boundary.

LOCATION: Kimura, Braye Road, Vale.

APPLICANT: Mr J Hooper

I refer to the application referred to below received as valid on 18/07/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 09/11/2023

Drawing Nos: Block Plan, Woodland Brochure & Stan Brouard Details

Application Ref: FULL/2023/1184

Property Ref: C008220000

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. Along this section of La Route du Braye there is a distinctive front building line, where the dwellings are set back from the road on both sides. This arrangement of buildings and their relationship to the street, with generally open space uncluttered with ancillary buildings to the fronts of properties, is an important element of the character and appearance of the area and street scene along La Route du Braye.

In this case, the proposed shed/log cabin is of substantial scale and proportions, being 17.2sqm in floor area and measuring 4.8m x 4.3m externally. In the location proposed, in front of the established front building line, the shed/log cabin would be prominent and intrusive in the street scene and would impact unacceptably on the character and visual amenity of the area.

2. In addition, the proposed shed/log cabin would be located close to the property boundary with the two semi-detached Protected Buildings to the west. In the position proposed, to the front of the building line and close to the boundary, the shed/log cabin would have an adverse impact on the setting of the adjacent Protected Buildings contrary to Policy GP5 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/2023/1184
Property Ref: C008220000
Valid date: 18/07/2023
Location: Kimura Braye Road Vale Guernsey GY3 5PE
Proposal: Demolish existing shed, erect shed to west boundary.
Applicant: Mr J Hooper

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Along this section of La Route du Braye there is a distinctive front building line, where the dwellings are set back from the road on both sides. This arrangement of buildings and their relationship to the street, with generally open space uncluttered with ancillary buildings to the fronts of properties, is an important element of the character and appearance of the area and street scene along La Route du Braye.

In this case, the proposed shed/log cabin is of substantial scale and proportions, being 17.2sqm in floor area and measuring 4.8m x 4.3m externally. In the location proposed, in front of the established front building line, the shed/log cabin would be prominent and intrusive in the street scene and would impact unacceptably on the character and visual amenity of the area.

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OFFICER'S REPORT

Site Description:

The property known as 'Kimura' is a detached pre-1900 two storey dwelling which is set back from and faces north onto La Route du Braye. To the east boundary is Braye Clos and the vehicular entrance onto Kimura is off the Clos in the northeast corner. To the south and west are pairs of semi-detached dwellings and across the road to the north are other detached dwellings. The two semi's to the west are Protected Buildings. The property is located in the St Sampson Main Centre Outer Area 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 demolish an existing shed and erect a 4.8m x 4.3m timber shed forward of the building line adjacent to the west boundary.

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

GP5: Protected Buildings (Setting)
GP8: Design
GP13: Householder Development

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.

Initially the application was deferred to allow the applicant an opportunity to significantly reduce the size of the proposed shed, relocate it or provide some evidence as to why it should be permitted in its current proposed location. The applicant decided not to provide any further information and therefore the application has been assessed as originally submitted.

Along this section of La Route du Braye there is a distinctive front building line, where the dwellings are set back from the road on both sides. This arrangement of buildings and their relationship to the street, with generally open space uncluttered with ancillary buildings to the fronts of properties, is an important element of the character and appearance of the area and street scene along La Route du Braye.

In this case, the proposed shed/log cabin is of substantial scale and proportions, being 17.2sqm in floor area and measuring 4.8m x 4.3m externally. In the location proposed, in front of the established front building line, the shed/log cabin would be prominent and intrusive in the street scene and would impact unacceptably on the character and visual amenity of the area.

In addition, the proposed shed/log cabin would be located close to the property boundary with the two semi-detached Protected Buildings to the west. In the position proposed, to the front of the building line and close to the boundary, the shed/log cabin would have an adverse impact on the setting of the adjacent Protected Buildings contrary to Policy GP5 of the Island Development Plan.

Consequently, it is recommended that the application be refused.

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 Planning and Development (General Provisions) Ordinance, 2007 have been considered 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 Trees or Monuments or on SSS's.

Date: 09/11/2023