

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: Convert 2 flats (Use Class 2) to dwelling (Use Class 1), raise roof ridge height, demolish conservatory and erect single storey extension to south-east (front) elevation. Create flat within main dwelling at ground floor level (Use Class 2).

LOCATION: La Fosse Farm, Rue Des Pres, St. Pierre Du Bois.

APPLICANT: Ms P Burbridge

I refer to the application referred to below received as valid on 28/07/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 25/08/2023

Drawing Nos: JG Architecture Ltd - 2216 02.01 & 02.02

Application Ref: FULL/2023/1228

Property Ref: F012150000

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 roof extension and large dormer windows to the proposed western dwelling at Fosse Farm are not well designed. By virtue of the height of the proposed roof extension, this part of the building would dominate the original, main farmhouse, and due to its height and relationship with the main farmhouse the extension would appear unduly obtrusive and incongruous, architecturally unrelated to the scale of the existing building and severely detrimental to the visual amenities of this rural location. The scheme is therefore contrary to Policies GP8 a. and c. and GP13 b. of the Island Development Plan.

2. The application submission does not give adequate consideration to the site layout in order to provide access to external open space, proportionate to the size of residential unit it serves. As proposed the four-bedroom family, western unit would not be provided with an adequate amount of private external amenity space to the detriment of the amenities that could reasonably be expected to be enjoyed by the

occupiers thereof. The eastern unit has been provided with no external amenity space whatsoever for occupiers to enjoy.

The submission does not provide sufficient detail in order for the Authority to fully assess the impact of the development in terms of overlooking and loss of privacy between the three residential units as proposed. Access from the communal parking area to the eastern unit would result in overlooking and loss of privacy to the occupiers of remaining residential units in this terrace.

The scheme does not therefore, represent a good standard of design that considers the amenity, health and well-being of all occupiers and fails to comply with Policies GP8 a. and d., GP13 a. and Annex I of the Island Development Plan.

3. The proposed 1.8m high timber fence to the front of Fosse Farm, between the front elevation of the building and the highway, would, by virtue of its height and design, form a prominent, obtrusive, incongruous and disruptive, urbanising feature unrelated to and out of keeping with the rural character of this lane. The proposal therefore fails to comply with Policies GP8a. and c. and GP13 b. 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/2023/1228
Property Ref: F012150000
Valid date: 28/07/2023
Location: La Fosse Farm Rue Des Pres St. Pierre Du Bois Guernsey GY7 9AH
Proposal: Convert 2 flats (Use Class 2) to dwelling (Use Class 1), raise roof ridge height, demolish conservatory and erect single storey extension to south-east (front) elevation. Create flat within main dwelling at ground floor level (Use Class 2).
Applicant: Ms P Burbridge

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

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The submission does not provide sufficient detail in order for the Authority to fully assess the impact of the development in terms of overlooking and loss of privacy between the three residential units as proposed. Access from the communal parking area to the eastern unit would result in overlooking and loss of privacy to the occupiers of remaining residential units in this terrace.

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elevation of the building and the highway, would, by virtue of its height and design, form a prominent, obtrusive, incongruous and disruptive, urbanising feature unrelated to and out of keeping with the rural character of this lane. The proposal therefore fails to comply with Policies GP8a. and c. and GP13 b. of the Island Development Plan.

OFFICER'S REPORT

Site Description:

La Fosse Farm, Rue Des Pres is a two-storey dwelling with granite front and slate roof. A two-storey pitched roof with clad exterior along with a two and single-storey extension with render exterior are situated to the rear of the main house.

A subservient extension/former barn exists to the northwest of the main house containing two flats, with external staircase to the rear and vinehouse to the front. This also has a granite exterior and slate roof.

The eastern wing is subservient with accommodation over two floors. The main part of the east wing has a granite exterior (front and side elevations) and pantile roof, incorporating rooflight. A single-storey render extension with slate roof exists to the rear. The front facing room within this accommodation was in use as an office at the time of the officer site visit.

A multi-level, landscaped garden area and patio has been created to the rear of the main farmhouse and east wing with hedge and gate separating the garden from the stable yard and from the rear of the two flats. Parking for the site is to the northwest of the two flats, southwest of the stables. An area of overflow parking, using gridforce, has been created on the land to the northeast of the existing parking area although there is no record of permission having been sought or granted for this surfacing material.

An 'L' shaped outbuilding/stable block is situated to the rear/north of the property and was required, by planning condition, not to be used in connection with any trade or business.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case regarding the subdivision but not relating to the design/appearance of extensions and alterations proposed.

June 2008 – application to demolish existing glazed porch and replace with conservatory. Granted November 2008.

June 2008 – application for the demolition of lean-to vinehouse and change of use of ground floor self-catering holiday until to a residential unit. Granted November 2008

September 2007 – application to demolish lean-to greenhouse to front of the dwelling, pig sties, a garage and stable block and to erect a new conservatory to the rear of the dwelling (main house) and erect detached garage and stable block and additional hardstanding. Refused March 2008

July 2000 – retrospective permission sought to extend outbuilding (within curtilage) (immediate rear of former barn). Granted September 2000

September 1990 – revised application for a timber conservatory. Granted September 1990

September 1989 – application to convert part of guesthouse (first floor) to one self-catering holiday unit. Granted November 1989

September 1989 – application to construct a porch and stairway, replacement windows and doors and convert outbuilding to a residential unit (ground floor containing two bedrooms, lounge, bathroom and utility. Lounge and bedrooms facing out into vinehouse and with access from lounge to vinehouse). Granted November 1989

June 1989 – variation sought to permission for two self-catering units. Granted June 1989

November 1988 – permission sought to change the use of the barn (ground and first floors but excluding conservatory/vinehouse) to self-catering accommodation and for the main house to revert to a dwellinghouse. Granted February 1989

November 2022 – FULL/2022/1531 - Conversion of 2 flats (Use Class 2) to dwelling (Use Class 1), demolish conservatory and erect 2 storey extension to south-east (front) elevation – refused as

1. Contrary to Policy GP12 due to the loss of a unit of residential accommodation where it has not been demonstrated that the accommodation is substandard
2. Contrary to Policies GP8 a. and c. and GP13 due to the location, size, scale, proximity and relationship of the two-storey extension to Rue Des Pres.

Existing Use(s):

01 dwellinghouse
02 flats
28 agriculture

The barn is recognised as containing two units of residential accommodation, each falling under Use Class 2 of the 2017 Use Classes Ordinance.

Brief Description of Development:

The application relates to the amalgamation of two flats (Use Class 2) at La Fosse Farm into a single dwelling (Use Class 1) and to raise the ridge height of this part of the

building to provide roofspace accommodation served by dormers to the front and rooflights to the rear along with the demolition of the vinehouse/conservatory and its replacement with a flat roof link extension and a single-storey pitched roof sunroom extension. This unit of accommodation would create a four-bedroom dwelling with accommodation across three floors and also proposes the installation of replacement windows and alterations to fenestration to the rear of the property where the existing external staircase is shown to be removed, and the first-floor access door altered to a window.

The scheme also relates to the change of use of the extension to the opposite end of La Fosse Farm, which at the time of the site visit appeared to be used as office accommodation, to a one-bedroom residential unit, described as a bedsit, in order to retain three units of residential accommodation on the site. This would not require any external alterations to be carried out but would see a single internal doorway infilled.

The application as submitted does not show how the external amenity space and parking provision would be accommodated for all three units as now proposed. The scheme does not make any provision for external amenity space or access to/from the proposed eastern unit.

The red line site boundary shown on the application drawings does not represent the domestic curtilage of La Fosse Farm given that there are various fields/paddocks used for grazing around the house. There are views of the rear of the property across the fields from the adjoining lane to the northeast.

The application has been accompanied by information in support of the proposals, in order to retain three units of residential accommodation on the site. Reference is made to the use of obscure glazing, 1.8m high timber fencing and 1.8m high hedging for privacy purposes.

The earlier application highlighted that the flats are now in a poor condition and both would require substantial expenditure to achieve a suitable standard.

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

Island Development Plan policies:

OC1: Housing Outside of the Centres
GP12: Protection of Housing Stock
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP6: Transport infrastructure and support facilities
IP7: Private and Communal Car Parking

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the proposal to reconfigure the three units of accommodation on the site. Furthermore, the design and appearance of extensions and alterations and the effect of the development on the character of the locality and having regard to residential amenity, including for occupiers of the development.

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.

Reconfiguration of buildings to retain three units of residential accommodation (GP12)

There are already three units of residential accommodation on this site however, the application would see the arrangement of this provided in a different way.

Policy GP12 outlines that there is support for proposals to upgrade and improve substandard residential accommodation.

The proposal is for the reorganisation of the accommodation provided within an extended building in residential use and would therefore fall to be considered primarily under Policy GP13 (Householder Development). The reorganisation would not result in any change to the number of residential units at the site. Policy OC1 is not considered to be directly relevant in this case however, if the application were approved but only partially implemented there could be a change to the number of units at the site, which would require assessment against the criteria of Policies OC1 and GP12. It should also be noted that should permission be granted for the reconfiguration of residential units on this site it would be reasonable and appropriate to impose planning conditions to ensure that all units are provided. The four-bedroom dwelling could not be occupied until the one-bedroom unit has been completed ready for occupation and visa-versa. This is necessary in order to ensure that there is no loss of existing housing stock to ensure compliance with Policy GP12.

Western four-bedroom unit

Policy GP13 indicates that alterations and extensions to residential properties will be supported where there is no significant adverse impact on the amenities of adjoining

properties; the design, scale, mass and form of development does not detract from the character of an open area; and there is no adverse effect on the special interest of a Conservation Area, Area of Biodiversity Importance, Protected Building or Protected Monument.

As outlined above, the proposed extensions to this residential accommodation would be considered against Policy GP13.

The existing lean-to vinehouse to the front of the property is not original but, as the planning history indicates, is a modern replacement. The lightweight glazed nature of the existing structure ensures that it does not appear as a dominant and obtrusive feature in the street scene. The proposed sunroom extension will not project further towards the road than the existing glasshouse but is taller as it does not reflect the asymmetrical roof pitch of the existing vinehouse. The design and appearance of the proposed extension would, however, represent a good standard of design that draws from the existing structure. Although more 'solid' given the proposed materials and gable end walls this would not appear unduly obtrusive in the rural lane.

The proposed roof extension would see the existing subservient western wing/former barn become the dominant part of the farmhouse complex. This increase in roof height combined with the large, pitched roof dormers proposed in the front roofslope does not represent a good standard of architectural design that respects the local built environment within this rural setting and would not accord with Policy GP13 and GP8 of the IDP.

Neither the sunroom or the roof extension would result in overshadowing and loss of light to the other properties at La Fosse Farm. Although the flats do not appear to have access to the external amenity space to the rear of La Fosse Farm there would already be an element of overlooking from this accommodation to the amenity space to the rear of the site and the reconfiguration of accommodation as proposed would not represent a significant change given the limited number and modest size of ground and first floor windows and high-level nature of rooflights.

The application drawings do not include a survey/internal layout of the main farmhouse in the middle of the east and west units of residential accommodation in order to fully assess the interrelationship between property, which may require windows/doors to be altered/obscure glazed in order to protect the privacy of future occupiers. Although the applicant proposes multi-generational living on the site, planning controls could not prevent the two units being let or sold separately in the future and therefore the normal amenity standards for dwellings must be applied having regard to both GP8 and Annex I.

Ground floor doors and a first-floor window in the northwest elevation of the main La Fosse Farm house will overlook the entrance area to the immediate rear of the proposed western unit and the scheme does not clarify how, if any private amenity space will be provided to the rear of this large dwelling now proposed. As submitted therefore, it cannot be established that the proposed scheme would not result in unacceptable overlooking or loss of privacy between units contrary to Policies GP8, GP9 and GP13 of the IDP.

As submitted the proposed four-bedroom dwelling would be served by a limited area of external open space to the front of the building adjacent to the road, proposed to be enclosed by a high timber fence and hedge. The level of external space and its provision to the front of the property, which is naturally less private, would not satisfactorily address the external space provision and so the health and well-being of future occupiers of this dwelling contrary to Policy GP8 and Annex I of the IDP.

The erection of a 1.8m high fence forward of the front elevation of La Fosse Farm, between the main house and western dwelling, would appear as a prominent and disruptive feature which would have an urbanising effect harmful to the character and rural appearance of the lane, where the roadside boundary is marked by a low granite wall, contrary to the aims of the IDP (GP8 and GP13). This arrangement of frontage external amenity space appears to demonstrate a lack of consideration as to how the revised site layout would operate for three residential units, to give all occupiers reasonable access to external open space. The high fence to the front of the properties does not represent a good standard of design when considered alone or in combination with the proposed roof extension to the dwelling. If the scheme were acceptable in all other respects however, the application could have been deferred to address this or a planning condition imposed to manage this boundary treatment.

Eastern one-bedroom unit

The eastern wing is a two-storey pitched roof granite extension with pantile roof with a lean-to extension with render exterior and slate roof to the rear. The application seeks to convert only the ground floor of this into a one-bedroom unit. It does not represent a bedsit when considering the requirements of the Building Regulations as the floor area and layout of accommodation is sufficient to meet the requirements of a three-person dwelling/flat although given that there is only one bedroom it would be likely occupied as a two-person dwelling. The unit would however, fall short of the minimum gross internal floor areas of a one bedroom, two-person unit as recommended in the best practice DCLG guidance on internal space provision.

The eastern wing unit of accommodation would provide satisfactory living accommodation having regard to the health and well-being of occupiers (GP8 and Annex I of the Island Development Plan). This unit would also offer flexible accommodation and being on a single level is accessible. An adjustment may be required to one of the doorways to ensure a level threshold to meet the Building Regulations but the eastern wing unit addresses the aims of Policy GP8 in this respect.

As submitted however, the application does not identify any access to external open space for this dwelling nor the right of access arrangements for the side and rear doors serving this unit. Whilst it is noted that there is a front garden area separated from the main farmhouse by a low boundary wall, this is not shown to serve the eastern unit as external amenity space as part of this scheme and nor does the application indicate that a patio or garden would be provided to the rear which would, in turn, need to be appropriately divided from the existing main garden.

Although there is no designated parking within the curtilage of this particular unit there is a communal parking area to the northwest of La Fosse Farm, adjacent to the stables, which can accommodate parking for this and the other dwellings on the site which would remain unchanged from the existing arrangement on site. It is still necessary however, for the scheme to show rights of access between the detached parking and proposed eastern unit. As currently shown, there is no clear access to the eastern unit and any access would require occupiers to cross directly across front or rear windows of the adjoining dwellings at Fosse Farm which would have a detrimental impact on privacy and amenities. In order to manage the potential for overlooking through the front or rear windows of one or two other units on the site it may be appropriate to introduce a pedestrian access in the roadside boundary wall.

Given that parking provision Outside of the Centres is considered on a case-by-case basis the detached provision would not be unacceptable when considering Policy IP7. It would however, limit how accessible the single-storey accommodation would be for people of all ages and abilities when considering Policy GP8.

As outlined elsewhere, should the scheme be considered acceptable in all other respects it would be appropriate to control the formation of this unit to ensure that, through the reconfiguration of the buildings, all three residential units are retained. This is likely to require that both the east and west wings are completed before the other is occupied.

Parking provision and cycle parking

There is ample parking on the site to accommodate the reconfiguration of accommodation and the increase in bedrooms that would result. The scheme does not however, propose any secure and covered cycle parking for the dwelling that would be generated in the western building (currently two flats) nor to serve the eastern one-bedroom dwelling.

Conclusions

The cumulative effect of failing to address the matter of external amenity space, cycle parking, appropriate means to divide the space in addition to the issues raised above regarding the roof extension represents a scheme that does not represent a good standard of architectural design.

In view of the matters raised in this report therefore, 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: 24/08/2023

