

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 1st floor level to east (rear) elevation.

LOCATION: L'Etacq, 8 Sandy Lane, St. Sampson.

APPLICANT: Ms K Bishop

I refer to the application referred to below received as valid on 31/08/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 30/10/2023

Drawing Nos: Jason Hobbs - 6391/A/3

Application Ref: FULL/2023/1504

Property Ref: B01690G000

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 proposal does not achieve a good standard of design because of the bulk, scale and massing of the extension which fails to respect the character of the local built environment. Therefore the proposals do not comply with Policy GP8(a) & GP13(b).
2. The proposal does not comply with Policy GP8(d) or Annex I: Amenities of the Island Development Plan. The design does not adequately consider the health and wellbeing of the occupiers as it would result in two rooms, one noted on the submitted plan as a bedroom and the other as a 'boxroom', becoming internal rooms proposed only to be lit with roof lanterns. No outlook or natural ventilation to these rooms would be provided. In addition, the boxroom would fall below minimum room size standards for a single bedroom whilst the bedroom would only just be of adequate size for a single person, adding to the inadequacies of the scheme and impacts on the occupiers of the dwelling.

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/2023/1504
Property Ref: B01690G000
Valid date: 31/08/2023
Location: L'Etacq 8 Sandy Lane St. Sampson Guernsey GY2 4RT
Proposal: Erect extension at 1st floor level to east (rear) elevation.
Applicant: Ms K Bishop

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposals do not achieve a good standard of design because of the bulk, scale and massing of the extension; which fails to respect the character of the local built environment. Therefore the proposals do not comply with Policy GP8(a) & GP13(b).
 2. The proposal does not comply with Policy GP8(d) or Annex I: Amenities of the Island Development Plan. The design does not adequately consider the health and wellbeing of the occupiers as it would result in two rooms, one noted on the submitted plan as a bedroom and the other as a 'boxroom', becoming internal rooms proposed only to be lit with roof lanterns. No outlook or natural ventilation to these rooms would be provided. In addition, the boxroom would fall below minimum room size standards for a single bedroom whilst the bedroom would only just be of adequate size for a single person, adding to the inadequacies of the scheme and impacts on the occupiers of the dwelling.
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OFFICER'S REPORT

Site Description:

The property known as 'L'Etacq' is a mid-terrace pre-1900 one and a half storey dwelling which is set back from and faces west onto Sandy Lane. The attached neighbours are to the north and south and there are detached neighbours to the east beyond the garden and west across the road. The property is located in the L'Islet Local Centre as defined in the Island Development Plan.

Relevant History:

Pre-application discussion regarding extension of property

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to erect a first-floor extension to the rear east elevation.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation and the issues are:

- concern that their property may be compromised due to the roofs of the cottages being linked.

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.

Any proposed development is expected to respect the amenities of neighbouring properties, take account of the surrounding character and provide satisfactory living environments for the occupiers of the site.

The proposal does not achieve a good standard of design because of the bulk, scale and massing of the extension which fails to respect the character of the local built environment. The design and form of the extension is overly large and incongruous within its setting and would not comply with Policy GP8(a) or GP13(b).

The aspect or outlook from a building and/or its associated external open space can greatly affect the health and well-being of the occupants. Potential outlooks include views over rural fields, views of the coastline, open spaces, public parks or simply outlook onto landscape features and planting. The ability to look out of a building and

have a wider outlook or aspect is important to health and well-being and the Authority will ensure that this is taken into account when considering development proposals.

Guernsey Technical Standard G7, setting out practical guidance on requirements of the Building (Guernsey) Regulations, 2012, sets out minimum standards for accommodation with regards to the layout, size and arrangement of habitable rooms in certain types of development. The intention of the habitable room technical standard is not to encourage smaller dwellings but to set minimum standards and the Authority would normally expect new development to demonstrate that those minimum space standards are substantially exceeded to provide adequate amenities.

The design does not adequately consider the health and wellbeing of the occupiers as it would result in two rooms, one noted on the submitted plan as a bedroom and the other as a 'boxroom', becoming internal rooms proposed only to be lit with roof lanterns. No outlook or natural ventilation to these rooms would be provided. In addition, the boxroom would fall below minimum room size standards for a single bedroom whilst the bedroom would only just be of adequate size for a single person, adding to the inadequacies of the scheme and impacts on the occupiers of the dwelling.

Due to no external outlook to two of the rooms, less than and minimal room sizes in those rooms and the incongruous bulk and mass of the extension, the recommendation is one of a refusal.

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 and Planning (General Provisions) Ordinance 2007 have been taken into account 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 Buildings, Trees or Monuments or on SSS's.

Date: 27/10/2023