

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 single storey extension to south (side) elevation.

LOCATION: Patris, Route De La Marette, St. Saviour.

APPLICANT: Mr & Mrs M Payne

I refer to the application referred to below received as valid on 22/12/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 09/02/2024

Drawing Nos: PF+A Ltd - 7438-05 B1, B2A & B3.

Application Ref: FULL/2024/0013

Property Ref: E005380000

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 scale of accommodation contained within the proposed extension, in combination with the limited internal links between accommodation, would be tantamount to the formation of a new dwelling Outside of the Centres contrary to the aims of Policy OC1 c. 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/2024/0013
Property Ref: E005380000
Valid date: 22/12/2023
Location: Patris Route De La Marette St. Saviour Guernsey GY7 9XB
Proposal: Erect single storey extension to south (side) elevation.
Applicant: Mr & Mrs M Payne

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The scale of accommodation contained within the proposed extension, in combination with the limited internal links between accommodation, would be tantamount to the formation of a new dwelling Outside of the Centres contrary to the aims of Policy OC1 c. of the Island Development Plan.

OFFICER'S REPORT

Site Description:

Patris is a detached bungalow accessed via a private drive, to the west of Route De La Marette. The driveway is shared with the converted bunker and former military barracks, both to the southwest. The property has two vehicular accesses and an area of hardstanding to the front and side/south of the property. An attached, flat roof garage is situated adjacent to the north site boundary. There are three entrance doors in the front façade of the building, one adjacent to the garage, one in the centre and one in the projecting front gable to the south of the property. To the rear the garden/land is open and not subdivided either to the west or towards the south and the adjoining bunker site where a slope up exists to the garden of this neighbouring property.

At present it would appear that the dwelling contains at least four bedrooms.

The site is located outside of the Centres as designated in the Island Development Plan. The adjoining bunker is a Protected Building and the former barracks, Fort Richmond, a Protected Monument and Building.

Relevant History:

FULL/2021/0622 - Change of use of agricultural land to domestic garden (1,200sqm) – granted

FULL/2021/1659 - Remove sheds and erect timber outbuilding to south (side) boundary – granted

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the erection of a single-storey flat roof extension to the side/south of the dwelling. Infilling an existing front door and providing a new entrance porch, living, utility and shower room and with other internal reconfiguration works to offer a kitchen and pantry. As originally submitted no internal links were proposed throughout the accommodation effectively subdividing the property following its extension. The application was deferred in order to provide the agent with the opportunity to address this matter. As amended the scheme is shown to include an internal link, through a bedroom.

As proposed the property would contain two kitchens, two dining areas, two living rooms/lounges, two utility rooms, four bathrooms and four bedrooms.

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

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

OC1: Housing Outside of the Centres

Representations:

None.

Consultations:

None.

Summary of Issues:

Whether the proposal relates to the extension and alteration of a dwellinghouse or the extension and subdivision of a dwellinghouse into two dwellings. The design and appearance of the extension, its impact on the character of 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.

Although the proposal does now incorporate an internal link between the proposed extension and the original house, this would be via a bedroom which could be inconvenient and is likely to be infrequently used, the effect of this arrangement is in effect two dwellings under the guise of extending an existing dwelling currently in multi-generational occupation.

The Island Development Plan only makes provision for new dwellings through the subdivision of an existing dwelling (or the conversion of an existing redundant building, which is not applicable here).

Although acknowledged that the development would be compatible with the character and amenities of the surrounding area and could offer a satisfactory living environment and amenities for the occupiers of both units, the proposal would incorporate more than a modest extension and is of such a scale that it would form a significant part of one of the units created. As a result the scheme would not accord with the requirements of Policy OC1 c. of the Island Development Plan as it would in effect be creating a new unit outside the centres.

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: 09/02/2024

