

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: Remove window and install garage doors to create vehicle access to north-east (front) elevation.

LOCATION: 6B, Lower Vauvert, St. Peter Port.

APPLICANT: Mr I Correia Da Silva

I refer to the application referred to below received as valid on 14/02/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 01/07/2024

Drawing Nos: MAT Limited 210-199-05

Application Ref: FULL/2024/0247

Property Ref: A305300000

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 replacement of the existing window with bi-fold doors would have a harmful impact on the Conservation Area as a result of the loss of the lower section of wall which alters the solid-void ratio and detracts from the classical proportions of the buildings, sense of enclosure and special character of the Conservation Area. As a result, the development does not enhance or conserve the Conservation Area and fails to comply with the requirements of Policy GP4.

2. The development proposed raises road safety and traffic management concerns by virtue of a combination of factors including, restricted sightlines, limited parking depth, lack of a turning/manoeuvring point, and being in close proximity to two junctions. The proposal would therefore conflict with Policy IP9 (Highway Safety, Accessibility and Capacity) of the adopted Island Development Plan, and with regards to the general material considerations, the proposal is considered likely to have a harmful impact on roads and traffic.

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/2024/0247
Property Ref: A305300000
Valid date: 14/02/2024
Location: 6B Lower Vauvert St. Peter Port Guernsey GY1 1LZ
Proposal: Remove window and install garage doors to create vehicle access to north-east (front) elevation.
Applicant: Mr I Correia Da Silva

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The replacement of the existing window with bi-fold doors would have a harmful impact on the Conservation Area as a result of the loss of the lower section of wall which alters the solid-void ratio and detracts from the classical proportions of the buildings, sense of enclosure and special character of the Conservation Area. As a result, the development does not enhance or conserve the Conservation Area and fails to comply with the requirements of Policy GP4.
 2. The development proposed raises road safety and traffic management concerns by virtue of a combination of factors including, restricted sightlines, limited parking depth, lack of a turning/manoeuvring point, and being in close proximity to two junctions. The proposal would therefore conflict with Policy IP9 (Highway Safety, Accessibility and Capacity) of the adopted Island Development Plan, and with regards to the general material considerations, the proposal is considered likely to have a harmful impact on roads and traffic.
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OFFICER'S REPORT

Site Description:

The site is located to the western side of Lower Vauvert, within the Main Centre Inner Boundary and Conservation Area. The building is pre-1900, and is 3.5 storeys.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The proposal is for the creation of a ground floor garage area within the existing lounge of the dwelling, requiring the removal of the existing 3 bay window and section of wall below, and replacement with electronically operated white uPVC bifold doors. The opening would be approx. 2.65m and with a parking depth of approx. 3.95m. The lounge would then be incorporated into the existing living accommodation at first floor level.

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

GP4 – Conservation Areas
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development
IP9 – Highway Safety, Accessibility and Capacity

Representations:

n/a

Consultations:

Traffic and Highways were consulted but no response was received.

Summary of Issues:

The main issues are whether the proposal is appropriate in relation to the design and Conservation Area setting, and also the impact on traffic management and highway safety. The impact on the amenity of the occupants must also be considered.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The principle of the development is acceptable under Policy GP13 which allows householder developments, subject to compliance with all other relevant policies.

Policy GP4 of the IDP supports development which conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the Conservation Area.

The proposal introduces a new full length opening to the front elevation of the building by replacing the existing window with a bi-fold door. The existing frontage of the building matches the adjacent terraces to the north and south, and together with the

other existing developments in this small group between Bouillion Steps and Trinity Square/Upper Mansell Street, the buildings make a positive contribution to the character of the Conservation Area. The tall buildings and terraced pattern create a sense of enclosure with no gaps between buildings and regular classical proportions, window arrangements and solid-void ratio.

The existing central doorway opening within the frontage of the nearby building, Bramcote, appears to have been present from at least 1979, although it appears to have been converted to residential from a former shop use where the larger doorway opening within the frontage may have previously existed. This is not considered to set a precedent as it pre-dates the Conservation Area designation, and each application is considered on its own merits.

A characteristic of this small group of terraced properties is the horizontal lines seen at eaves, window heads, window bases and pavement level. Although the proposal does not widen the existing opening and nor does it harm the existing symmetry, the replacement of the existing window with a door would break out the lower part and disrupt these lines, altering the solid-void ratio and detracting from the sense of enclosure and special character of the Conservation Area. This may be particularly harmful if the doors were left open and it would not be considered reasonable or enforceable to apply a condition to ensure the doors are closed following every use. As a result, the development does not enhance or conserve the Conservation Area and fails to comply with the requirements of Policy GP4.

In relation to highway safety, the site is located on a Local Circulation Road, as identified in the States of Guernsey Traffic Engineering Guidelines (TEG). This means that developments should not adversely affect traffic management and minimum design standards should be achieved. In accordance with the TEG the parking space should be 5m in length, and the submitted plans show the visibility splays are measured from the back of the pavement, rather than using the appropriate X distance of 4.5m for a Local Circulation Road, which means that the plans are not considered to accurately represent the achievable visibility splays. While it is acknowledged that the access is small scale development, some road safety and traffic management concerns are raised by virtue of a combination of factors including, restricted sightlines, limited parking depth, lack of a turning point, and being near junctions. The proposal would therefore conflict with Policy IP9 (Highway Safety, Accessibility and Capacity) of the adopted Island Development Plan, and with regards to the general material considerations, the proposal is considered likely to have a harmful impact on roads and traffic as a result of the above.

In addition to the above, the impact of the proposal on the living standards of the occupant has also been considered as the proposal removes the existing lounge from living accommodation. The remaining kitchen/dining/lounge area at first floor, along with bathroom and storeroom in combination total approx. 22sqm which just meets the minimum space standard for a two-person unit (as both bedrooms are only large enough for single occupancy). The impact of the development is therefore acceptable in relation to the levels of amenity for occupants.

In summary, the proposal fails to enhance or conserve the Conservation Area and detracts from the existing solid-void ratio, classical proportions and general character of the building and its neighbours, which is contrary to Policy GP4. In addition, the size of the car parking space, lack of on-site turning and failure to demonstrate acceptable visibility splays gives rise to highway safety concerns, which is a material consideration for the application and conflicts with Policy IP9 of the IDP.

Date: 01/07/2024

