

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 with balcony at first floor level to south-west (side) elevation.

LOCATION: Le Bas Marais, Route De La Perelle, St. Saviour.

APPLICANT: Mr J Razzak

I refer to the application referred to below received as valid on 11/04/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 27/06/2025

Drawing Nos: G.E Le Friec - J. R. / G1., G2.

Application Ref: FULL/2025/0475

Property Ref: E011300000

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 proposals by virtue of the scale, mass and form of the stepped parapet walls and balustrade to the first floor terrace, would not constitute good design and would detract from the character and visual amenity of the locality contrary to Island Development Plan Policies GP8(a) and GP13(b).

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/2025/0475
Property Ref: E011300000
Valid date: 11/04/2025
Location: Le Bas Marais Route De La Perelle St. Saviour Guernsey GY7 9NA
Proposal: Erect single storey extension with balcony at first floor level to south-west (side) elevation.
Applicant: Mr J Razzak

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposals by virtue of the scale, mass and form of the stepped parapet walls and balustrade to the first floor terrace, would not constitute good design and would detract from the character and visual amenity of the locality contrary to Island Development Plan Policies GP8(a) and GP13(b).

OFFICER'S REPORT

Site Description:

The property known as 'Le Bas Marais' is a modern one and a half storey dwelling which is a replacement dwelling constructed in 2013. The dwelling is set back from and faces northwest onto Route de la Perelle, there are neighbouring properties to the northeast, southwest and south, with open fields to the southeast and the coast to the northwest across the road. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

A pre-application enquiry in relation to this scheme was previously submitted.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to erect a single storey garage onto the southwest elevation of the dwelling with a first floor balcony. The balcony will have a 1.1m high glass balustrade

along the front northwest edge and raising up to a 1.8m high privacy screen for the rest of the southwest and to the southeast.

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 by the one owner of the two neighbouring properties and the issues are:

'They feel the balcony would encroach on the privacy of the two properties as it would overlook the private garden of Vue du Galet especially and look straight into the east lounge window of L'Ocean.'

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 part of the southwest and southeast elevation comprised of the external wall being built up and a 1.1m high balustrade fixed on the top. However, the application was deferred as it was considered that this was too bulky looking and it was suggested that a 1.8m high opaque glass balustrade, without the wall, would be more appropriate.

The applicant requested if the screens could be lowered to 1.6m high following the deferral, but this would have resulted in people easily looking over the screens when standing up. After stating that the privacy screens must remain at 1.8m the applicant requested that the application be assessed as it was first submitted.

When viewed from the southwest, driving north along the coast road, the southern gable end of the building would be apparent and the design of the extension, with the staggered parapet wall to incorporate the balcony would appear bulky and unbalanced, with what would appear as a stepped level balcony with clear glass balustrading.

There are serious concerns about the impacts on visual amenity from this design. The design could easily be altered to encompass a lighter balcony balustrade which would alleviate the concerns over bulk and mass yet retain the privacy screens to mitigate any overlooking. At present the impacts on the visual amenity and the character of the area are considered such that the proposal cannot be supported.

The addition of a single storey garage with balcony above is in principle an acceptable addition to the property, but the balustrading around the balcony should have a lighter appearance than what has been submitted. The proposals as they stand are not considered to represent good design and therefore cannot be supported.

For the reasons given above the recommendation for this application 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 Planning and Development (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: 27/06/2025