

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 outbuilding/carport to north (front) of property.

LOCATION: Flat 2, Rosehaven, Les Osmonds Lane, La Route Des Capelles, St. Sampson.

APPLICANT: Mr J Grainger

I refer to the application referred to below received as valid on 06/11/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 15/12/2025

Drawing Nos: A7 Architecture: 25-1615-P2 PD/01

Application Ref: FULL/2025/1766

Property Ref: B01167A002

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 location of the outbuilding within the front garden, immediately adjacent to the road in front of the building line would mean that the outbuilding would be prominent and intrusive in the street scene. This would have a harmful impact on the character and visual amenity of the area.

The proposal is considered to have a significant detrimental effect on the character of the area, and visual amenity which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13), and also would be contrary to Island Development Plan Policy GP8.

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/2025/1766
Property Ref: B01167A002
Valid date: 06/11/2025
Location: Flat 2 Rosehaven Les Osmonds Lane La Route Des Capelles La Route Des Capelles St. Sampson Guernsey GY2 4GG
Proposal: Erect single storey outbuilding/carport to north (front) of property.
Applicant: Mr J Grainger

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed location of the outbuilding within the front garden, immediately adjacent to the road in front of the building line would mean that the outbuilding would be prominent and intrusive in the street scene. This would have a harmful impact on the character and visual amenity of the area.

The proposal is considered to have a significant detrimental effect on the character of the area, and visual amenity which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13), and also would be contrary to Island Development Plan Policy GP8.

OFFICER'S REPORT

Site Description:

Flat 2, Rose Haven, is a ground floor flat which is part of a larger residential unit, located near the end of Les Osmonds Lane.

The site is located Outside of the Centres and is within an Agriculture Priority Area as designated in the Island Development Plan. The property is a pre-1900 building.

Relevant History:

FULL/2014/3379- Erect an oak framed carport next to road. - Refused 09/01/15

FULL/2025/0810- Erect single storey extension to north-east (side) elevations
- Granted 07/07/25

Existing Use(s):

02 Flat

Brief Description of Development:

The application proposes the erection of a single storey outbuilding/car port to the north (front) boundary of the property.

The timber outbuilding has a pitched roof and measures 6m by 5m and is 3.8m in height. The design features an open front elevation, while the rear and sides are fully enclosed.

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

GP8 -Design

GP9- Sustainable Development

GP13- Householder Development

Representations:

N/A

Consultations:

N/A

Summary of Issues:

The main consideration is the visual impact of the outbuilding on the character of the area.

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).**

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Areas, Areas of Biodiversity Importance, Protected buildings or Protected monuments.

Policy GP8 (Design) is also relevant. The preceding text to Policy GP8 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

The proposed development is located immediately adjacent to the road. This results in a prominent form of development which will be visible from the road on the approach from either direction. The lane has a rural feel by virtue of the spacious plot sizes with agricultural land visible between and behind dwellings. The building line is rarely broken, Outbuildings are generally sited beside dwellings, such as that adjacent to Tuska House to the south. Although the outbuilding of Talacre to the northwest is located forward of the dwelling, in that case Talacre is set well back from the road, and the outbuilding is also historic, set behind a boundary hedge/earthbank.

The proposed position of the carport, forward of the building line and adjacent to the road will therefore have a significant and intrusive impact on the character and visual amenity of the area.

A previous application for a carport in this location was refused (FULL/2014/3379) and the officer report considered that:

The new building would occupy a prominent position. The siting, design and materials of construction of the car port have no regard for those of the existing dwelling. The car port would form a dominant and incongruous feature which would intrude into the openness of the area and seriously detract from the rural character and appearance of the area.

Despite consideration under different Plan policies, the conclusion now remains the same, that the location of the carport results in harm to the character of the area.

The position of the outbuilding relative to neighbours is such that it would have no impact on the amenity of nearby dwellings.

In summary, the open setting and building line are important elements of the character and appearance of the area and street scene along Les Osmonds Lane. Although the proposed car port is not of substantial scale and proportions, in the location proposed, immediately adjacent to the road, the structure would be prominent and intrusive. This would impact unacceptably on the character and visual amenity of the area.

The proposal is considered to have a significant detrimental effect on the character of the area, and visual amenity which is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13) and would be contrary to Island Development Plan Policy GP8. It is recommended that the application be refused.

Date: 15/12/2025

