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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: Re-position vehicular access.

LOCATION: Springhurst, Le Bourg, Forest.

APPLICANT: Blondel & Hamel Properties Ltd Blondel & Hamel Properties Ltd

I refer to the application referred to below received as valid on 06/06/2012 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 12/07/2012

Drawing Nos: Jason Hobbs Architectural Services Ltd: 5394/A/1

Application Ref: FULL/2012/1777

Property Ref: H00222B000

The Department has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reason:-

The proposed relocation of the access would result in the sightline in the direction of oncoming traffic being limited to 20m, which is significantly short of the 33m guideline. The road is designated as a Traffic Priority Route.

Given the nature of the road, and the proposed additional parking, this reduction in sightlines would raise road safety concerns and would result in an unsafe access, contrary to Rural Area Plan policy RGEN7.

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 Department made this decision.

Copy of representations made

In reaching this decision the Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES
Director of Planning Control Services

ENVIRONMENT
A STATES OF GUERNSEY GOVERNMENT DEPARTMENT

Application No: FULL/2012/1777
Property Ref: H00222B000
Valid date: 06/06/2012
Location: Springhurst Le Bourg Le Bourg Forest Guernsey
Proposal: Re-position vehicular access.

Applicant: Blondel & Hamel Properties Ltd

RECOMMENDATION - Refusal

REASONS FOR REFUSAL

The proposed relocation of the access would result in the sightline in the direction of oncoming traffic being limited to 20m, which is significantly short of the 33m guideline. The road is designated as a Traffic Priority Route.

Given the nature of the road, and the proposed additional parking, this reduction in sightlines would raise road safety concerns, and would result in an unsafe access, contrary to Rural Area Plan policy RGEN7.

OFFICER'S REPORT

Site Description:

On south side of road, opposite La Soucique, and a short distance east of the Deerhound Inn. The road is designated as a Traffic Priority Route.

The site comprises a long shed, with a parking area to the front, and the vehicle access is to the western side of the property.

Relevant History:

1992: Permission to construct replacement store/office, erect walls, gates and fencing, subject to conditions including the requirement that the office accommodation shall be ancillary to the principal use of the building as a store.

Existing Use(s):

Storage/distribution use class 32 - storage of solids fuels, building materials or non-hazardous materials.

Brief Description of Development:

This application is to relocate the vehicular access to the middle of the site. The application states that this is to allow for parking on both sides of the car park.

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

RGEN7

Representations:

None

Consultations:

Traffic Services

From a site visit it was established that the sightline in the direction of oncoming traffic is currently approximately 6m. The sightline is obstructed by 1.4m high planting on the roadside bank. It was noted that the planting is overgrown and if it was cut back then a sightline of approximately 30m could be achieved.

The sightline to the west is 30m with visibility obscured by a tree located on the neighbouring property.

If the access were to be repositioned to a central position to accommodate an increased level of parking, it would have a detrimental effect on the sightline in the direction of oncoming traffic. This is because the access would be closer to a 2.25m high granite boundary wall and as such, the sightline in the direction of oncoming traffic would be limited to approximately 20m.

Given the proposed additional parking, and the reduction in the sightline in the direction of oncoming traffic relocation of the access would create, there are road safety grounds to oppose the application.

Summary of Issues:

Road safety

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 traffic sightlines from the present access (particularly in the direction of oncoming traffic) are presently partly obscured by planting so that they are not fully up to the standard of 33m in each direction. If the planting were cut back a sightline of 30m in each direction could be achieved.

However, moving the position of the access would result in the sightline in the direction of oncoming traffic being limited to 20m.

Given the nature of the road, and the proposed additional parking, this reduction in sightlines would raise road safety concerns, and would result in an unsafe access, contrary to Rural Area Plan policy RGEN7.

Recommend that this application be refused for the above reasons.

Date: 10/07/2012