

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: Infill pedestrian access, demolish section of wall to create vehicle access and parking.

LOCATION: Hope Cottage, Le Grand Bouet, St. Peter Port.

APPLICANT: Mr & Mrs M Grogan

I refer to the application referred to below received as valid on 30/12/2021 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 29/03/2022

Drawing Nos: g2a Architecture Ltd 2807-01 B1a.

Application Ref: FULL/2021/2642

Property Ref: A100530000

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. Demolition of a section of the roadside wall to create a vehicular access and parking area to the front (east) of the property would result in significant road safety and traffic management concerns by virtue of a combination of factors including, restricted sightlines, lack of a turning point, and being in close proximity to a 'blind bend' on a heavily trafficked route south of the site along Le Grand Bouet. The proposal would therefore conflict with Policies GP8 (Design) and IP9 (Highway Safety, Accessibility and Capacity) of the adopted 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/2021/2642
Property Ref: A100530000
Valid date: 30/12/2021
Location: Hope Cottage Le Grand Bouet St. Peter Port Guernsey GY1 2RP
Proposal: Infill pedestrian access, demolish section of wall to create vehicle access and parking.
Applicant: Mr & Mrs M Grogan

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Demolition of a section of the roadside wall to create a vehicular access and parking area to the front (east) of the property would result in significant road safety and traffic management concerns by virtue of a combination of factors including, restricted sightlines, lack of a turning point, and being in close proximity to a 'blind bend' on a heavily trafficked route south of the site along Le Grand Bouet. The proposal would therefore conflict with Policies GP8 (Design) and IP9 (Highway Safety, Accessibility and Capacity) of the adopted Island Development Plan.

OFFICER'S REPORT

Site Description:

The application site, known as Hope Cottage, comprises a two storey, end of terrace dwelling-house located to the west of Le Grand Bouet, St. Peter Port.

The front garden of the property is enclosed by a mix of granite walls and fencing.

The property is located within a Main Centre Outer Area as defined in the Island Development Plan. The property is not protected, nor is it situated within a Conservation Area. Le Grand Bouet is recognised as a Traffic Priority Route.

Relevant History:

PAPP/2002/0319	Remove section of roadside wall and create car parking area	Refused
PAPP/1993/0578	Create car parking area	Refused
PAPP/1992/3066	Create car parking area	Refused
FULL/2013/0554 - Cara Mira	Demolish section of roadside wall to create wider vehicular access	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to infill a pedestrian access and demolish a section of the roadside wall to create a vehicular access and parking area to the front of the property. The proposed access will be 3500mm wide.

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

GP8	Design
GP13	Householder Development
IP9	Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:**Traffic and Highway Service's comments:**

"A site visit has been carried out by the Traffic and Highways Services Officer, and the following observations made.

The site is situated on the western side of Le Grand Bouet, south of the turning to the GHA housing site and in close proximity to the left hand bend near the pet shop. The proposed access is onto the main road which is a Traffic Priority Route as defined in the Road Hierarchy. This road has a 25mph speed limit past the site, therefore, a recommended sightline of 20m would apply.

Using a datum of 2m from the carriage way, the 3.5m access enables sightlines of 8m in the direction of oncoming traffic (Bouet Traffic Lights) and 10m in the direction of approaching traffic (the seafront). The drawings submitted detail a gate pillar to the south of the proposed access similar to the existing pillar which is 1.10m in height from the pavement surface and the existing boundary wall which appears unchanged is 1m in height. The boundary wall to the north of the proposed access rises immediately from the proposed pillar to 1.26m in height from the pavement surface.

The proposed plans indicate the creation of 1 parking space which is 90 degree angle from the road with no room for manoeuvre within the parking area.

The proposed driveway is approx. 20m from a bend and a reversing manoeuvre would need to be undertaken to the access or egress from the parking space. The gate pillar, roadside wall and neighbouring wall obstruct the sightline in both directions from the

proposed access and are significantly below the minimum recommended standard of 20m as prescribed under the Guernsey Engineering Guidelines.

In summary, the proposed access does not meet sightline standards and the manoeuvre required to access or egress the space would require the vehicle to be reversed in close proximity to a blind bend on a heavily trafficked route.

In light of the above THS cannot support the application on both traffic management and road safety grounds”.

Summary of Issues:

Impact on highway safety and traffic management.

Impact on the character of the area and visual amenity.

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).**

All relevant material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

In light of Traffic and Highway Services' comments, the combination of substandard sightlines from the proposed vehicular access, lack of a turning point, and the close proximity to a 'blind bend' that is heavily trafficked to the south of the application site, would cumulatively give rise to significant highway safety and traffic management concerns (Policy IP9).

When taking into account the factors set out above, substantiated by Traffic and Highway Service's consultation, the application is not considered to achieve a 'good' standard of design for the purposes of Policy GP8 and therefore it is not supported under policy.

The roadside granite wall to the east of the property is considered to make a positive contribution to the character and appearance of the area. Whilst it is acknowledged that the demolition of a section of the boundary wall would have a negative effect on the character and appearance of the surrounding area, the extent of demolition is limited and would not warrant further grounds to refuse the application. This decision has been reached when taking into account the wider context of vehicular access points in the area and the significant degree of flexibility afforded to householder development to ensure that reasonable development aspirations are met (Policy IP9 and GP13). In addition, the application site is not located within a sensitive location, such as a Conservation Area.

It is also important to note that consideration has been afforded to the creation of a vehicular access associated with the neighbouring property to the north of the application site known as Cara Mira, under planning application reference FULL/2013/0554. However, there are material differences between the proposed accesses and the former application was determined under different planning policies as part of a former Development Plan.

Overall, the application is recommended for refusal by virtue of the substandard level of design of the proposed vehicular access, which is highly likely to result in significant highway safety and traffic management issues.

Date: 28/03/2022