

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 section of south (roadside) wall to create vehicular access.

LOCATION: Venice, La Route Du Braye, Vale.

APPLICANT: Mr & Mrs D Marquand

I refer to the application referred to below received as valid on 01/08/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 07/11/2022

Drawing Nos: Block plan and drawing 2DM (both dated 01/08/22).

Application Ref: FULL/2022/1578

Property Ref: C00881A000

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 roadside boundary wall is an important feature contributing to the character of the area. The removal of a section of this wall would be detrimental to the character of the area and would not represent good design. The proposal does not comply with IDP Policy GP8 a) or c).
2. The road is classified as a traffic priority route and as such the creation of a parking space which does not provide sufficient maneuvering to allow a vehicle to turn around on-site, will result in cars having to reverse either in or out of the space, which would cause highway safety issues on the traffic priority route. Therefore the proposal does not comply with IDP Policy IP9.

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/2022/1578
Property Ref: C00881A000
Valid date: 01/08/2022
Location: Venice La Route Du Braye Vale Guernsey GY3 5PR
Proposal: Remove section of south (roadside) wall to create vehicular access.
Applicant: Mr & Mrs D Marquand

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The roadside boundary wall is an important feature contributing to the character of the area. The removal of a section of this wall would be detrimental to the character of the area and would not represent good design. The proposal does not comply with IDP Policy GP8 a) or c).
 2. The road is classified as a traffic priority route and as such the creation of a parking space which does not provide sufficient maneuvering to allow a vehicle to turn around on-site, will result in cars having to reverse either in or out of the space, which would cause highway safety issues on the traffic priority route. Therefore the proposal does not comply with IDP Policy IP9.
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OFFICER'S REPORT

Site Description:

The property known as 'Venice' is the end of a terrace of three two storey dwellings with a hipped roof. The dwellings are set back from and face south onto La Route du Braye. The attached dwelling is to the east and there is a pair of semi-detached dwellings to the west and other neighbours to the north along with a parking area serving these dwellings and the application site. Across the road to the south is an area of Important Open Land, which is also an Area of Biodiversity Importance. The property is located in the St Sampson Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/1570 – Extend and alter roof form from hipped to gable pitch to create accommodation at second floor level, and install an external insulating render system – Pending.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to remove a section of the south roadside boundary wall to create vehicular access.

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

GP8: Design

GP13: Householder Development

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity.

Representations:

None

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.

Much of Guernsey's local distinctiveness is formed by roadside walls, hedges and landscaping. Roadside walls contribute to the landscape character of the area and are considered important features. At present none of the front boundary walls have been removed and to allow a section to be removed would set a precedent. The removal of a section of roadside boundary wall in this location would be detrimental to the character of the area and would not be considered good design.

La Route du Braye is a Traffic Priority Route, which is considered to be a busy road. The space on site would not be enough for a vehicle to turn around, so a vehicle would

either have to reverse out onto the road or reverse into the space created which would cause highway safety issues. In addition, the property already has parking within the parking area to the rear of the property, this is served via a single access to the side of the last property to west. As such the degree of flexibility afforded to householders within GP13 is outweighed by the impacts on road safety to be considered within IP9.

For the reasons given above this application cannot be supported and therefore is recommended for 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 and Planning (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: 28/10/2022