

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 roadside wall to create vehicle access.

LOCATION: Flat 1, Llangroyd, Fort Road, St. Peter Port.

APPLICANT: Mr J Tugby

I refer to the application referred to below received as valid on 16/01/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 28/03/2023

Drawing Nos: Block plan & three annotated photographs (all dated 16/01/23)

Application Ref: FULL/2023/0174

Property Ref: A409790000

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 on site parking area is of inadequate size to accommodate an average sized car. In addition, the on site turning space is of insufficient size to allow vehicles to satisfactorily manoeuvre and leave the site in a forward gear onto Fort Road, which would be detrimental to road safety. Vehicles reversing into the site from Fort Road would obstruct the free flow of traffic on this Traffic Priority Route.

2. The removal of the roadside boundary wall to create a vehicular access as proposed would result in an open roadside boundary which does not respect the character and appearance of the area contrary to Policy GP8 of the 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/2023/0174
Property Ref: A409790000
Valid date: 16/01/2023
Location: Flat 1 Llangroyd Fort Road St. Peter Port Guernsey GY1 1ZU
Proposal: Remove section of roadside wall to create vehicle access.
Applicant: Mr J Tugby

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed on site parking area is of inadequate size to accommodate an average sized car. In addition, the on site turning space is of insufficient size to allow vehicles to satisfactorily manoeuvre and leave the site in a forward gear onto Fort Road, which would be detrimental to road safety. Vehicles reversing into the site from Fort Road would obstruct the free flow of traffic on this Traffic Priority Route.
 2. The removal of the roadside boundary wall to create a vehicular access as proposed would result in an open roadside boundary which does not respect the character and appearance of the area contrary to Policy GP8 of the Island Development Plan.
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OFFICER'S REPORT

Site Description:

The property known as 'Llangroyd' is a semi-detached Victorian property which was extended and converted into flats in the early 2000's. The property is set back from and faces east onto Fort Road. The attached semi is to the south and there are other detached neighbours to the north and south and to the west beyond the shared garden and large parking area. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 2: flats.

Brief Description of Development:

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

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

GP8: Design

IP9: Highway Safety, Accessibility and Capacity.

Representations:

There have been two letters of representation and the issues raised are:

- It is thought that removing the wall and pillar will lose the roadside appeal of the property, especially if big vans etc are parked there.
- It will cause extra noise parking on the gravel and car doors closing, also the gravel will end up in the road.
- There are 3 manhole covers in the garden situated by the front right pillar, these are for services from all the apartments and currently don't look like they should be driven over.
- The houses used as examples along Fort road for parking in the front of the properties do not have parking at the rear of the properties unlike flat 1 Llangroyd.
- It will be a huge shame to lose another front garden along Fort Road to parking
- The recently approved sand school and stables will increase traffic on this road, which is already busy enough, additional traffic should be kept to a minimum.

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.

Although not in a Conservation Area, the property known as Llangroyd and its semi-detached neighbour Windyridge, are typical examples of two and a half storey Victorian

dwellings, complete with their original front roadside boundary walls and pedestrian gates.

Fort Road is classified as a Traffic Priority Route, which must be able to accommodate high traffic flows but also significant frontage activity. It is known to be a very busy road. The depth of the parking space would only be 3.8m, which is not long enough for an average car, plus it would not be enough space to easily turn a vehicle around on site, so a vehicle would either have to reverse out onto the road or reverse onto site, which is not considered acceptable on a Traffic Priority Route.

The properties both have ample parking to the rear via an access road off Croutes Havilland.

The examples given of other properties along Fort Road that have parking at the front, do not have rear parking. The majority of the properties that have front parking have had the openings in the front roadside boundaries since at least the 1970's.

The roadside boundaries contribute to the character and appearance of the surrounding area, and their removal would not only unbalance the front façade of the two properties but would be detrimental to the visual amenity of the area.

In light of the above assessment the recommendation for this application is 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 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: 27/03/2023