

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 existing vehicle access, relocate access to north boundary, remove hedge and raise height of existing wall and erect fence to east boundary.

LOCATION: Rose Cottage, Collings Road, St. Peter Port.

APPLICANT: Mr & Mrs D Lloyd

I refer to the application referred to below received as valid on 23/06/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 19/10/2023

Drawing Nos: Chris Workman & Co - DL:23:01 01

Application Ref: FULL/2023/1011

Property Ref: A208300000

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. Relocation of the existing vehicular access as proposed, closer to a higher section of the front roadside boundary wall and compounded by the erection of a 1.2m high wall above an existing low wall, will restrict sightlines towards oncoming traffic travelling in an east-to-west direction to the detriment of highway safety.
2. The removal of the boundary hedge and its replacement with a high timber fence towards the entrance of Mandly Beech Estate would have a detrimental effect on the character and appearance of the locality. In addition, the combination of materials proposed, with a rendered boundary wall and a granite wall towards the front of the site coupled with the proposed high timber fence, does not achieve a good standard of design and would detract from the character and appearance of the surrounding area given its visibility from public vantage points. The proposal would therefore conflict with Policies GP8 (Design) and GP13 (Householder Development) 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/2023/1011
Property Ref: A208300000
Valid date: 23/06/2023
Location: Rose Cottage Collings Road St. Peter Port Guernsey GY1 1FP
Proposal: Infill existing vehicle access, relocate access to north boundary, remove hedge and raise height of existing wall and erect fence to east boundary.
Applicant: Mr & Mrs D Lloyd

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Relocation of the existing vehicular access as proposed, closer to a higher section of the front roadside boundary wall and compounded by the erection of a 1.2m high wall above an existing low wall, will restrict sightlines towards oncoming traffic travelling in an east-to-west direction to the detriment of highway safety.

2. The removal of the boundary hedge and its replacement with a high timber fence towards the entrance of Mandly Beech Estate would have a detrimental effect on the character and appearance of the locality. In addition, the combination of materials proposed, with a rendered boundary wall and a granite wall towards the front of the site coupled with the proposed high timber fence, does not achieve a good standard of design and would detract from the character and appearance of the surrounding area given its visibility from public vantage points. The proposal would therefore conflict with Policies GP8 (Design) and GP13 (Householder Development) of the adopted Island Development Plan.

OFFICER'S REPORT

Site Description:

The application site, known as Rose Cottage, contains a traditional detached dwelling-house located on a corner plot on the junction of Collings Road and Mandly Beech Estate.

The property is enclosed by a granite wall of varying heights to the front, which rises to approximately 2.7m high. The east boundary consists of a low wall towards the front of the site, with hedging surmounted on top. Large conifers exist towards the rear, approximately 4m in height.

The property is located within a Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2018/2694	Demolish existing garage and erect replacement two storey dower unit on west side of dwelling, demolish chimney and install rooflights. Erect garage to east of dwelling.	Granted
PAPP/2008/1996	Increase width of vehicular access (retrospective)	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to infill an existing vehicle access and relocate the access eastwards on the north boundary. The application also includes removing a hedge, raising the height of an existing wall and erecting a fence to the east boundary.

The proposed access width will be 4m wide. It is proposed to erect a 1.2m high wall above an existing low wall along part of the east boundary, towards the front of the site. Towards the side and rear of the property lies a conifer hedge which will be replaced by a timber fence with a trellis above, to a total height of 2.5m. The extent of the new fence will be approximately 19m in length.

The height of the new wall and existing wall towards the north and north-east boundary will be approximately 1.8m high.

The agent has noted in their letter of 16th May that the roadside access is adjacent to the west boundary wall which limits the visibility when exiting the property. The conifer hedge is to be removed due to maintenance issues.

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

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

Representations:

The Authority has received 5 letters of representation from several parties objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Loss of the hedge.
- Materials proposed for the wall.
- Parking.
- Highway safety.

Consultations:

None.

Summary of Issues:

- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety and traffic management.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour 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 material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Traffic:

The site borders onto Collings Road which is recognised as a Local Circulation Route. Moving the proposed vehicle access closer to a higher section of the boundary wall will restrict sightlines towards oncoming traffic travelling in an east-to-west direction.

The situation is made worse by erecting a 1.2m high wall above an existing low wall, which rises to a height of approximately 1.8m. When taking into account the potential visibility splays from the proposed access, measured at 2m back from the proposed access point, the sightlines towards oncoming traffic would be further restricted by the proposed section of wall.

Taking all the above into account, the application proposal is considered to lead to significant highway safety issues.

Other works:

The existing hedge to the side and rear of the property positively contributes to the character and appearance of the adjoining Estate road. Replacement of this conifer hedge could be supported, in principle, under the reasonable aspirations of the property owner to alter their property (Policy GP13), provided the replacement boundary treatment does not detract from the amenity of the surrounding area.

In this case, replacing the conifer hedge with a 2.5m high fence (including the trellis), over a distance of 19m, would introduce a discordant feature in the street scene that would not only be visible from Mandly Beech Estate, but also from Collings Road. On this basis, the proposal would not achieve a 'good' standard of design that respects the character and appearance of the Estate and the wider area.

In addition, the combination of materials proposed, with a rendered boundary wall and a granite wall towards the front of the site coupled with the proposed high timber fence, does not achieve a good standard of design and would detract from the character and appearance of the surrounding area given its visibility from public vantage points.

Conclusion:

Based on the factors set out above, the application is recommended for refusal.

Date: 19/10/2023

