

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: Erect traffic mirror attached to wall opposite Mill Court.

LOCATION: Millmount, La Charroterie, St. Peter Port.

APPLICANT: Havers Investment Holdings Ltd

I refer to the application referred to below received as valid on 23/08/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 24/12/2024

Drawing Nos: Site Location Plan, Block Plan, Elevation Photograph & Details of Mirror 18056JP

Application Ref: FULL/2024/1243

Property Ref: A40588B000 & A405830000

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 proposal would create an unreasonable dependence on the mirror by traffic exiting the car park as well as a reduction in the ability to judge an oncoming vehicle's speed and distance. In addition, issues around the distortion or restriction of the view in adverse weather or when the mirror is dirty would only create a greater road safety risk as would any occasion when reflected light should interfere with a driver's vision. As a result, the proposed traffic mirror is likely to have an adverse effect on road safety.

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/2024/1243
Property Ref: A40588B000 & A405830000
Valid date: 23/08/2024
Location: Millmount La Charroterie St. Peter Port Guernsey GY1 1EL
Proposal: Erect traffic mirror attached to wall opposite Mill Court.
Applicant: Havers Investment Holdings Ltd

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposal would create an unreasonable dependence on the mirror by traffic exiting the car park as well as a reduction in the ability to judge an oncoming vehicle's speed and distance. In addition, issues around the distortion or restriction of the view in adverse weather or when the mirror is dirty would only create a greater road safety risk as would any occasion when reflected light should interfere with a driver's vision. As a result, the proposed traffic mirror is likely to have an adverse effect on road safety.

OFFICER'S REPORT

Site Description:

The traffic mirror would serve a modern office development to the north of La Charroterie known as Mill Court. The mirror would be attached to a wall forming part of the Millmount residential development which is situated to the south of La Charroterie. The site is within the St Peter Port Conservation Area and Main Centre Inner Boundary.

Relevant History:

A4 588

20/11/2001 – PTFR/2001/4155 – Permission granted to erect an office block (revised).

22/05/2001 – PAPP/2001/1318 – Permission granted to erect an office block (revised).

Existing Use(s):

Public footpath

Brief Description of Development:

Planning permission is requested to erect a traffic mirror attached to a wall opposite Mill Court.

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

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

IP6: Transport Infrastructure and Support Facilities

IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

Traffic and Highway Services, dated 28/11/2024

"I refer to the application received on 23rd August 2024 by Havers Investment Holdings Ltd for the above request.

Although this application has been made without a covering letter to explain the reasoning/justification for the requested mirror, it is understood to be in relation to a previous correspondence between the property management company and THS regarding the road safety concerns for vehicles egressing from Mill Court car park to which this mirror would service.

When THS investigated this previously in May 2018, it was found the car park access at Mill Court has been 'reversed' since the building was opened to tenants. This appears to have been done to accommodate the use of Co-Tag readers for the car park entry system, which are positioned on the right of the access when a driver enters the site. The result of this is that when vehicles egress, they are on the right-hand-side of the access when they enter the road.

In line with our recommended standards, a sightline datum of 2.4m has been used from the carriageway edge. Fundamentally, the visibility splay available when a vehicle is parked at the bottom of the existing unloading bay is reduced by the egress lane from the car park being on the right of the access as the carriageway as the driver egresses. Because of this, the sightline achieved is in the order of 16m, which we would determine as being substantially below the recommended standard, given the road's classification as a Traffic Priority Route under the Island's Traffic Management Hierarchy.

THS has reviewed the original planning application for the development of Mill Court, which clearly show the planned entry and exit lanes to the underground car park as following convention with vehicle movements being on the left on both entry and exit. From further THS records, the Unloading Bay at the end of the footway outside Mill Court, was requested by the developers, as a means to enable service vehicles to service clients within the Mill Court building. The positioning and geometry of the unloading bay was designed and engineered based on our standard engineering criteria, and in

particular relation to the impact on the sightline of a driver egressing Mill Court. Fundamentally, this design and sightline was calculated on vehicles egressing on the left-hand lane of Mill Court's access. At no point in our communications since Mill Court was at the planning stage, was reference made to the reversal of the access lanes. Had representation of this type been made at the planning stage, THS would have objected to the application on Road Safety grounds due to the effect that the reversal of lanes would have, as detailed above.

THS recommended firmly that consideration was made to reverse the access arrangements, and assuming that the reversal was to accommodate the Co-Tag reader, to investigate other forms of secure entry system, that are not dependent on drivers having to enter on the right-hand side of the access. By doing this, driver's egressing will benefit from the improved visibility splay on oncoming traffic and the resultant sightline meeting the recommended standard, irrespective of whether a vehicle is parked on the unloading bay.

In response to the THS findings, the property management company for Mill Court confirmed in 2 emails in June 2019 that a change to the in/out system was to be implemented 'in the next few weeks' but this did not happen. The application for a traffic mirror would appear to be their approach to mitigate the issue around insufficient sightlines, which is of their own making.

THS would have strong concerns to the suitability of the proposed mirror and is not a satisfactory solution in our view. This proposal would tend to create an unreasonable dependence on the mirror by traffic exiting the car park as well as reduction in the ability to judge an oncoming vehicle's speed and distance. Additionally, issues around the distortion or restriction of the view in adverse weather or when the mirror is dirty would only create a greater road safety risk as would any occasion when reflected light should interfere with driver's vision.

Therefore on that basis, THS does not support this application".

Summary of Issues:

The main issue in deciding this application is the impact of the mirror on 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).**

By virtue of its modest size and its siting, attached to a wall opposite Mill Court, the proposed mirror is unlikely to have an adverse effect on the character and appearance of the Conservation Area.

The comments of Traffic and Highway Services are set out in full above. Traffic and Highway Services note that existing sightline issues are a result of the access being reversed since planning permission was granted for the office building with vehicles egressing from the car park on the right-hand-side of the access.

Traffic and Highway Services raise strong concerns to the proposed mirror and consider it to be an unsatisfactory solution. Traffic and Highway Services advise that the proposal would tend to create an unreasonable dependence on the mirror by traffic exiting the car park as well as a reduction in the ability to judge an oncoming vehicle's speed and distance. In addition, it is advised that issues around the distortion or restriction of the view in adverse weather or when the mirror is dirty would only create a greater road safety risk as would any occasion when reflected light should interfere with a driver's vision. Traffic and Highway Services conclude that they do not support the application.

As a result, the proposed traffic mirror is likely to have an adverse effect on road safety and would not accord with General material consideration (e).

During a site visit it was observed that there is an existing traffic mirror to the east of the access which appears to have been installed without planning permission. This has been referred to the enforcement section of the Planning Service to investigate further.

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.

It is recommended that the application is refused.

Date: 24/12/2024

