

**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 wall and hedge to create vehicle access.

**LOCATION:** The Willows, Collings Road, St. Peter Port.

**APPLICANT:** Miss S Norman & Mr E Beacom

I refer to the application referred to below received as valid on 19/09/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

**Date of refusal of permission:** 12/12/2024

**Drawing Nos:** Block plan (10/09/24) and annotated photo (19/09/24).

**Application Ref:** FULL/2024/1566

**Property Ref:** A208620000

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 vehicular access and parking area would provide inadequate visibility splays and a sub-standard parking area which would not allow sufficient manoeuvring space within the site for vehicles to enter and exit in a forward gear and would therefore be of detriment to road safety and traffic management. For these reasons the proposals do not accord with Policies IP9 and GP8a 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/2024/1566  
**Property Ref:** A208620000  
**Valid date:** 19/09/2024  
**Location:** The Willows Collings Road St. Peter Port Guernsey GY1 1GF  
**Proposal:** Remove section of wall and hedge to create vehicle access.  
**Applicant:** Miss S Norman & Mr E Beacom

**RECOMMENDATION** - Refusal with Reasons:

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**REASONS FOR REFUSAL**

1. The proposed vehicular access and parking area would provide inadequate visibility splays and a sub-standard parking area which would not allow sufficient manoeuvring space within the site for vehicles to enter and exit in a forward gear and would therefore be of detriment to road safety and traffic management. For these reasons the proposals do not accord with Policies IP9 and GP8a of the Island Development Plan.

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**OFFICER'S REPORT**

**Site Description:**

The property known as 'The Willows' is an early 20<sup>th</sup> century detached two storey dwelling which is slightly set back from and faces south onto Collings Road. There are neighbouring properties to the north east and across the road to the south and to the west is a dog training centre and car park. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

**Relevant History:**

PREA/2019/0211 - Create vehicular access and parking area to front of property – Advised against, closed 21/02/19.

PREA/2013/2512 - Demolish section of roadside wall to create parking area– Advised against, closed 16/09/13.

PREA/2013/2380 - Remove section of boundary wall to create vehicular access and parking area – Advised against, closed 30/08/13.

PREA/2012/1032 - Create parking area to front of property – Advised against, closed 29/03/12.

FULL/2010/2909 - Remove section of boundary wall and railing, create vehicular access and parking area to front of property (retrospective) and reduce height of boundary wall to side (part retrospective) – Withdrawn 23/02/11.

FULL/2009/0662 - Remove section of boundary wall and railing, create vehicular access and parking area and reduce height of boundary wall – Refused 03/07/09.

**Existing Use(s):**

Residential use class 1: dwelling house.

**Brief Description of Development:**

This application is to remove a section of roadside boundary wall and hedge to create off road parking.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway safety, Accessibility and capacity.

**Representations:**

None

**Consultations:**

**Traffic and Highway Services (THS)**

Access considerations

- a) The maximum height of road side obstructions is 900mm or 750mm if in close proximity to a school;
- b) Have sufficient width to enable cars and light vans to exit and enter the drive without crossing into the path of approaching traffic;
- c) Be sited at a distance not less than 20m from a junction;
- d) Be square to the carriageway.

The site is located on Collings Road and the proposed access is currently bordered to the front by a 600mm brick wall with high hedging (approx. 3m height) above it. The visibility splay of a driver is bounded to the west (towards filter) by a boundary wall with a tall pillar and to the east (towards traffic lights) by a low boundary wall. The proposal is to remove the front wall and hedging to create a 5m wide access point directly onto the carriageway with a depth of 4.6m to the front of the property.

It should be noted that THS have strong concerns regarding the oncoming sightline, in that the existing boundary wall to the right (which has shared ownership with neighbouring property) has a pillar that measures at 1500mm which is well above the

maximum permitted height of 900mm. Using a datum of 2m from the carriageway edge for the proposed access, the achievable sightline of oncoming vehicles (eastbound) is calculated to be approximately 5.5m, well below the minimum standard required. The sightline for approaching vehicles (westbound) would be approximately 20m which would achieve the minimum standard.

The site for the proposed access within the boundary is approximately 700mm below road level and the application proposes a 'slight slope towards the house to be added' from the carriageway. This incline to the carriageway would further reduce the achievable approaching and oncoming sightlines to well below the minimum standard.

It is noted by THS that there is no provision for a turning point within the site and therefore vehicles would either reverse into the parking area, which would cause some traffic management concerns, or reverse out onto the highway which is against the advice found in the Highway Code and would cause road safety and traffic management concerns. Additionally, due to the parking area not being deep enough, a representative vehicle would not be square to the carriageway when egressing.

Therefore, should the driver approach the property from the west, pull up adjacent to the access and then reverse into the access, they would subsequently need to enter the carriageway turning left towards the east (traffic signals). In this event, the visibility splay and resultant sightline of oncoming vehicles (from the west) is only achievable by the driver turning and looking over their right shoulder to obtain a view of oncoming traffic. Additionally, because of the necessary position of the vehicle, the sightline datum is not 2m from the edge of the carriageway.

THS would also note that as in previous applications of this type, it is not possible to 'condition' any planning permission relating to an access, e.g. that it can only be used by a vehicle being reversed into the access.

THS would conclude there are significant concerns with this proposal and on that basis, THS would oppose this application on road safety and traffic management grounds.

### **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.**

The proposed parking area would be located within the frontage of the site, which is approx. 700mm below road level and would result in the removal of a section of roadside wall and railings (southern boundary). The southern boundary wall is parallel to that of the busy public highway of Collings Road, which the Traffic and Highways Services (THS) classifies as an urban Traffic Priority Route.

The Traffic Engineering Guidelines state that Traffic Priority Routes have high traffic flows and comprise the busiest of the Island's main roads, are key routes whose primary function is to distribute traffic throughout the Island and the functional emphasis is on mobility and free traffic flow. Furthermore, it states that generally minimum design parameters should be achieved, with relaxation of the standard design parameters only permissible in exceptional circumstances.

It is noted that a number of properties in the vicinity have existing frontal parking which results in vehicles reversing onto/off of the public highway. However, the majority of these developments have never been given permission. Furthermore, several properties located in this area have been consistently refused frontal parking due to the impact on the character of the area, resulting from the removal of roadside boundaries, and the adverse effect on road safety and traffic management.

If only the section of wall and hedge proposed under this current application were removed, it is considered that there would be no significant adverse effects on the character of the area. However, if approved, the application would set an undesirable precedent which could lead to the further loss of roadside boundaries, which cumulatively would have a significant adverse effect on the character of the area.

The advice of the THS in respect of this proposal is set out in full above. In light of the inadequate visibility splays, sub-standard parking area and difficulties with manoeuvring into and out of the site, including the fact that cars would need to reverse onto or off of the public highway, it is concluded that there are significant concerns with the proposal and on that basis, the conclusion is to oppose this application on road safety and traffic management grounds. The proposal is contrary to Policies IP9 and GP8 (a) of the IDP. It is therefore recommended that the application be refused.

## **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 Planning and Development (General Provisions) Ordinance, 2007 have been considered 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:** 09/12/2024