

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: Demolish roadside wall, erect replacement roadside wall and infill pedestrian access, alter existing access and create additional parking and access point to south of front garden.

LOCATION: Olveston, Ville Au Roi, St. Peter Port.

APPLICANT: Mr R Browne

I refer to the application referred to below received as valid on 04/02/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 19/03/2025

Drawing Nos: PF+A Ltd: 7896-01 B1 & B2

Application Ref: FULL/2025/0199

Property Ref: A404170000

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. Demolition of a section of the wall to create an additional vehicular access point, with parking provision parallel to the road (Ville Au Roi) (as shown on drawing 7896-01 B2), would result in significant road safety and traffic management concerns on a Traffic Priority Route, by virtue of a combination of factors including, the functional design and layout of the proposed parking area, the lack of a turning point, the stopping of traffic to reverse onto the proposed driveway, and the restricted sightlines when egressing from the site in forward gear when parked parallel to the road.

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/2025/0199
Property Ref: A404170000
Valid date: 04/02/2025
Location: Olveston Ville Au Roi St. Peter Port Guernsey GY1 1NZ
Proposal: Demolish roadside wall, erect replacement roadside wall and infill pedestrian access, alter existing access and create additional parking and access point to south of front garden.
Applicant: Mr R Browne

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Demolition of a section of the wall to create an additional vehicular access point, with parking provision parallel to the road (Ville Au Roi) (as shown on drawing 7896-01 B2), would result in significant road safety and traffic management concerns on a Traffic Priority Route, by virtue of a combination of factors including, the functional design and layout of the proposed parking area, the lack of a turning point, the stopping of traffic to reverse onto the proposed driveway, and the restricted sightlines when egressing from the site in forward gear when parked parallel to the road.

OFFICER'S REPORT

Site Description:

The application site consists of a traditional, 1.5 storey, semi-detached dwelling-house located to the west of Ville Au Roi.

The property is served by a vehicular access to the north-east of the site, with the driveway perpendicular to the highway. An attached garage is located north of the dwelling.

The front garden is parallel to the road and features a pedestrian access located to the south-east corner of the site. The roadside boundary appears traditional, likely built at the same time as the dwelling.

The property is located in a Main Centre Outer Area as designated in the Island Development Plan. The dwelling is not protected, nor is it situated within a Conservation Area.

Relevant History:

None germane to this application.

Existing Use(s):

Residential.

Brief Description of Development:

Planning permission is sought to demolish the roadside wall and erect a replacement roadside wall to the front (east) boundary.

As part of the works, it is proposed to infill the pedestrian access, alter the existing access, and create an additional vehicular access and extend the parking provision towards the south of the front garden.

The drawings submitted have not added the measurements to the proposed vehicular access and boundary treatments. The existing wall is approximately 1050mm above the pavement as shown on the drawings submitted, whilst the proposed wall will be approximately 1200mm high.

In essence, the application will increase car parking provision on site, by enabling two independent car parking spaces with separate access points.

No pre-application enquiry has been submitted in respect of the proposed development.

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 received.

Consultations:

Traffic & Highway Services' comments:

"The site is located on Ville au Roi and the proposed access is currently bordered to the front by a 900mm brick wall. The visibility splay of a driver is bounded to the south (towards roundabout) by the boundary wall and to the north (towards traffic lights) by a 900mm wall with the neighbouring property's tall front hedge 15m from the proposed access. There is an existing driveway access at the northern side of the property that

provides a parking space in front of a garage. The proposal is to remove the existing front wall and to replace it with a new wall with a new access point directly onto the footway with a depth of 4.4m to the front of the property. The area in front of house is approximately half a metre above the road level but the elevation plans provided show that will be sloped down to the footway level under the proposed plans.

Unfortunately, there are no measurements provided within any of the plans supplied for this application, so there are some measurements that are approximations. This is the case for the proposed new wall which is shown to be higher than the existing wall in the elevation plan at approximately 1.2m height. Although this is above the maximum height allowed for roadside obstructions, THS would have no concerns due to the elevated height of the driveway providing good visibility of the road.

The Ville au Roi's 85th percentile speed as seen on previous observations is dependent on the overall traffic volumes at different times of the day. The site visit for this response was undertaken in the afternoon during light conditions and the 85th percentile speeds of oncoming vehicles was seen to be in the region of 30mph.

It should be noted that THS would have no concerns over the achievable sightlines, based on using a datum of 2m from the carriageway edge for the proposed access and should the egressing vehicle be square to the carriageway. The achievable sightline of oncoming vehicles (southbound) is seen to be well in excess of 33m and above the minimum standard required. The sightline for approaching vehicles (northbound) would be approximately 30m.

However, 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 south, pull up adjacent to the access and then reverse (against the flow of traffic) into the access, they would subsequently need to enter the carriageway turning left towards the north (traffic signals). In this event, the visibility splay and resultant sightline of oncoming vehicles (from the south) is only achievable by the driver turning and looking over their right shoulder to obtain a view of oncoming traffic which would raise significant concerns for road safety.

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, specifically the lack of a turning point within the site, requiring vehicles to reverse in or out which would stop the flow of traffic and a representative vehicle would not be square to the carriageway

when egressing. On that basis, THS would oppose this application on road safety and traffic management grounds.”

Summary of Issues:

- Impact on highway safety and traffic management.
- Impact on the character of the area and visual 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).**

Impact on highway safety and traffic management:

It is acknowledged that the dwelling is currently served by car parking provision, its design and layout is perpendicular to the road, and achieves good sightlines.

However in light of Traffic and Highway Services' comments the combination of; the functional design and layout of the proposed parking area, the lack of a turning point, the stopping of traffic to reverse onto the proposed driveway, and the restricted sightlines when egressing from the site in forward gear when parked parallel to the road, on a Traffic Priority Route, would cumulatively give rise to significant highway safety and traffic management concerns (Policy IP9) as a result of the proposed development.

Consequently, on the grounds raised by Traffic and Highway Services, the application should not be supported. The application fails to satisfy the provisions of Policy GP8 as the development is not considered to achieve a 'good' standard of (functional) design, and the resultant significant adverse impact on highway safety and traffic management (Policy IP9).

Impact on the character of the area and visual amenity:

Although the proposal would have some negative impact on the character of the area and on visual amenity as a result of the creation of a further opening in the roadside boundary, given the existing character of the area, which is not a Conservation Area or close to any Protected Building, the effect of this alteration would not be so great in visual terms that refusal of permission would be justified on this basis.

Date: 19/03/2025

