

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 and alter wall to create vehicle access and parking area to east (roadside) boundary.

LOCATION: Woodbury, Fosse Andre, St. Peter Port.

APPLICANT: D Le Marquand

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

Date of refusal of permission: 27/06/2025

Drawing Nos: Chateaux Architectural Design - 24/039/01A

Application Ref: FULL/2025/0511

Property Ref: A211090000

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 demolition of a section of a traditional roadside wall to create a vehicular access and parking area to the rear (south) of the property results in significant road safety and traffic management concerns by virtue of a combination of factors including; the lack of a turning point, restricted sightlines towards oncoming traffic, the close proximity to the junction between Fosse Andre and Coronation Road, and likelihood of multiple manoeuvres to enter or egress from the site.

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/2025/0511
Property Ref: A211090000
Valid date: 04/04/2025
Location: Woodbury Fosse Andre St. Peter Port Guernsey GY1 1XB
Proposal: Demolish and alter wall to create vehicle access and parking area to east (roadside) boundary.
Applicant: D Le Marquand

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The demolition of a section of a traditional roadside wall to create a vehicular access and parking area to the rear (south) of the property results in significant road safety and traffic management concerns by virtue of a combination of factors including; the lack of a turning point, restricted sightlines towards oncoming traffic, the close proximity to the junction between Fosse Andre and Coronation Road, and likelihood of multiple manoeuvres to enter or egress from the site.

OFFICER'S REPORT

Site Description:

The application site consists of a two storey end of terrace property located on the junction between Coronation Road and Fosse Andre. The property does not feature any parking provision on site, and therefore relies on on-street parking.

The property is bounded by a traditional roadside wall which wraps around the front, side and rear of the property. Part of the wall has been rendered over towards the side and rear of the property, whilst the wall at the front of the site is lower, features roadside railings and is of a different finish and appearance.

The site lies within a Conservation Area as designated in the Island Development Plan.

Relevant History:

None germane to this application.

Existing Use(s):

Residential – Use Class 1.

Brief Description of Development:

Planning permission is sought to demolish and alter the existing (east) roadside boundary wall in order to create a vehicle access point and parking area to the rear of the property.

The proposed access point will be 4m in width. A 2.5m section of the roadside wall, adjoining the proposed access point, will be lowered to 900mm high to increase the visibility splay.

The drawings show the parking area to be approximately 9m in length and 3m wide. The parking area will be able to facilitate 1 standard size car (4.8m length), however it would not be able to facilitate two standard size car parking spaces as this would equate to the parking space needing to be 9.6m in length.

The drawings show the creation of a concrete kerb edge to demarcate between the parking space and the rear garden.

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

GP4 Conservation Areas
GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Representations:

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Pedestrian access.
- Congestion along Coronation Road.
- Increase to congestion and traffic.
- Impact on safety of pedestrians as a result of proposed car parking space.

Consultations:

Traffic and Highway Services' comments:

A site visit has been carried out by the Traffic and Highways Services Officer, and the following observations made.

The site is located on Fosse Andre with the proposed access to the east side of the property in Coronation Road (which runs one-way from north to south) and is currently bounded by a 2.1m high wall (which falls to 1.65m as it reaches the front of the property). The proposal is to remove a section of this side wall to create a 4m wide access. The Plan & Elevation document provided with this application is without a scale

but the proposed parking area is estimated to be 9m deep. The remaining wall to the left (north) of the access would also be lowered to 900mm but only for the first 2.5m, after which it will increase to the existing 2.1m in height.

Directly opposite the proposed access is a yellow line to allow vehicle access/egress to an existing private garage. There is on-street parking for cars and motorcycles along the majority of the road on the opposite side to Woodbury, resulting in oncoming traffic (from the left) being positioned next to the nearside kerb.

Using a datum of 2m from the carriageway edge, the achievable sightline for oncoming vehicles (southbound) from the proposed access would be approximately 8m, well below the required standard of 33m. Additionally the access would be an estimated 18m from the Fosse Andre/Coronation Road junction which is less than the 20m required minimum distance from a junction.

It is also 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.

Therefore, should the driver approach the property from the north and pull up adjacent to the access, they would need to swing out in order to reverse into the access. Due to the geometry of the road and the on-street parking, this would likely lead to a representative vehicle having to 'tack' forward and back in the road in order to enter the access. 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 a) the minimum standard sightline for oncoming traffic would not be achievable and b) the lack of a turning point within the site, requiring vehicles to reverse in or out which would stop the flow of traffic and c) the access would be situated less than 20m from a junction. On that basis, THS would oppose this application on road safety and traffic management grounds.

Summary of Issues:

- Whether the functional design is acceptable.
- Whether the proposal would affect the character and appearance of the Conservation Area.
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety.
- 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).**

Conservation Area:

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay “special attention to the desirability of preserving and enhancing the character and appearance” of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which states that “proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”

As set out above, the application site does not benefit from off-street parking provision, therefore the creation of parking provision on site is considered to be a reasonable aspiration of the property owner (Policy GP13), provided there would be no overriding concerns raised with regards to the functional design of the development and its impact on highway safety and traffic management, or the impact on the character and appearance of the Conservation Area.

The proposed access width is limited to 4m, and will reduce a section of the boundary wall to 900mm high, extending 2.5m in length from the proposed access point.

This is considered to have a limited adverse effect on the Conservation Area, when taking into account the design (i.e. a 4m wide opening) and the altered appearance of the granite roadside wall. The lowering of a 2.5m section of the wall to 900mm high is considered reasonable and for the purposes of Policy GP4, the proposal would ‘conserve’ the Conservation Area.

Functional design, highway safety and traffic management:

As set out in Traffic and Highway Services’ comments, the combination of factors including; the lack of a turning point, restricted sightlines towards oncoming traffic when egressing from the site in forward gear, the close proximity to the junction between Fosse Andre and Coronation Road, and the likelihood of multiple manoeuvres to enter or egress from the site (including potentially having to reverse out onto the highway and relationship to parked cars along Coronation Road), would cumulatively give rise to significant highway safety and traffic management concerns (Policy IP9) as a result of the proposed development.

Based on the above, it is recommended that planning permission be refused.

Neighbour amenity and representation:

By virtue of the nature of the works proposed, the proposal will not have a significant impact on the amenities of neighbouring residents for the purposes of Policy given that

the proposal will not result in issues such as overlooking, overshadowing, overbearingness, substantial noise or disturbance to neighbours. Furthermore, the existing pathway that serves the neighbouring properties to the west of the application site is to remain unchanged.

The representation has noted issues such as congestion along Coronation Road at certain times and this has been taken into account as set out above.

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.

Date: 27/06/2025

