

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 building, erect dwelling and associated works.
Demolish a section of the north (roadside) wall to create vehicle access.

LOCATION: Retot Lane, Castel.

APPLICANT: Mr P Crowson

I refer to the application referred to below received as valid on 23/05/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 06/08/2025

Drawing Nos: PF+A Ltd 7487-07 B1, 2, 3, 4, 6

Application Ref: FULL/2025/0793

Property Ref: D01093A000

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 traditional roadside wall to create a new vehicular access point would result in significant road safety concerns by virtue of restricted sightlines when egressing from the site, and that the proposed access point would be located in a hazardous position on a sharp bend, with poor visibility, along Retot Lane. The proposal fails to comply with Policy IP9 (Highway Safety, Accessibility and Capacity).

2. Demolition of a section of the traditional roadside wall to create a new vehicular access point would result in the unnecessary loss of a distinctive feature that positively contributes to the character and local distinctiveness of the area. The proposal fails to comply with Policy GP8 (Design).

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/2025/0793
Property Ref: D01093A000
Valid date: 23/05/2025
Location: Retot Lane Castel Guernsey GY5 7EG
Proposal: Demolish building, erect dwelling and associated works.
Demolish a section of the north (roadside) wall to create vehicle access.
Applicant: Mr P Crowson

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Demolition of a section of the traditional roadside wall to create a new vehicular access point would result in significant road safety concerns by virtue of restricted sightlines when egressing from the site, and that the proposed access point would be located in a hazardous position on a sharp bend, with poor visibility, along Retot Lane. The proposal fails to comply with Policy IP9 (Highway Safety, Accessibility and Capacity).
 2. Demolition of a section of the traditional roadside wall to create a new vehicular access point would result in the unnecessary loss of a distinctive feature that positively contributes to the character and local distinctiveness of the area. The proposal fails to comply with Policy GP8 (Design).
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OFFICER'S REPORT

Site Description:

The property, known as the former Army and Navy Stores, consists of a single storey flat roof building which forms the corner of Retot Lane. Whilst the building consists of a traditional, granite stone structure with a painted rendered appearance to the front, the building has little architectural merit. The building is located on the boundary with a neighbouring property known as La Chaumiere.

The building lies to the west of Albecq Farm, which itself is subject to various applications to extend and renovate the property. A right-of-way exists over Albecq Farm to access the rear of the building in question. Albecq Farm is a protected building.

The property is located Outside of the Centres as defined in the Island Development Plan.

Planning permission was granted in 2023 to convert and alter the former Army and Navy Stores building to a dwelling-house (application reference; FULL/2023/0265).

Planning permission was later refused in 2024 to demolish and rebuild the building south of the existing structure (FULL/2023/2199). The reason for refusal was based on the size of the floor area and volume of the proposed dwelling, when compared to the existing structure.

Planning permission was granted in 2024 (FULL/2024/0775) to demolish the building and erect a dwelling-house, south of the existing store. The dwelling was single storey towards the front (north) elevation and two storey to the rear, due to the change in ground levels.

Relevant History:

FULL/2024/0775	Demolish existing building and outbuilding, erect dwelling with associated works and erect shed to north boundary, (revised scheme).	Granted
FULL/2023/2199	Demolish existing building and section of outbuilding, erect dwelling with associated work and erect shed to north boundary.	Refused
FULL/2023/0265	Convert and alter building (Retail Use Class 10) to create dwelling (Residential Use Class 1).	Granted

Existing Use(s):

General retail (Army and Navy Stores).

Brief Description of Development:

Planning permission is sought to demolish the building (former Army and Navy Stores), and erect a new dwelling-house, south of the existing structure. It is also proposed to demolish a section of the roadside wall (north boundary) in order to create a new vehicular access point.

The proposed scheme is similar to that approved under application FULL/2024/0775. However, the scheme now includes the creation of a new vehicular access to the front (north) forming a walled boundary to the east of the new house to separate the proposed dwelling from Albecq Farm, and changes to the siting and design of the house which includes shifting the dwelling further east, reducing its scale, altering its roof form, and incorporating a solid wall to the front elevation to create a “*hidden dwelling, located behind an apparent garden wall*”. A section of the west boundary wall is also to be raised. The walls of the dwelling will comprise of dark vertical larch cladding, slate roof, aluminium doors and windows, with solar panels incorporated on the south elevation, and two roof lights on the north roof slope.

As set out in the agent’s letter dated 2nd May 2025, “*the proposal represents an increase in the dwelling size of 19.7% floor area and 5.8% volume. For comparison, the previously*

approved GP16B scheme had increases of 17.6% (floor area) and 19.8% volume.” The total floor area is 59.7sqm as noted in the application form.

The agent’s letter also sets out that:

“...the proposal has been designed to enhance the setting of the adjacent protected building and to reduce the impact on adjacent properties, by taking a more contemporary and stealthy approach... the proposal will not be visible from the street and is considered to be of less impact on the area and adjacent dwellings. The proposal seeks to enhance the setting of the neighbouring protected building, which includes provision for appropriate landscaping to assimilate the building into its surroundings. The proposed dwelling is within the existing domestic curtilage and retains an open aspect to the south... the roadside wall is a prominent feature and is to be retained.”

Other aspects of Policy GP16(B) have been addressed, including character of the area, sustainable design, landscape character and openness and neighbour amenity.

The application was deferred as concerns were raised over the proposed access point and the impact on highway safety based on Traffic and Highway Services’ comments. Other aspects, including design matters, were also raised with specific reference to the lack of fenestration on the front elevation of the dwelling, resulting in a single aspect property.

The agent’s letter of 15th July 2025 seeks to retain the design as submitted and provides additional information to seek to justify the proposed works.

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

OC1: Housing Outside of the Centres.
OC4: Retail Outside of the Centres
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP16(A): Conversion of Redundant Buildings
IP7: Private and communal parking
IP9: Highway Safety, Accessibility and Capacity

Representations:

None.

Consultations:

Traffic and Highway Services, original 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 Le Retot which is classified as a neighbourhood route. The existing building at the site borders the carriageway and was previously a retail unit. It currently has no access point for vehicles so this application would represent an intensification of use. The proposal is to remove a section of the existing front wall to create a 4.6m wide by 2.2m high access at the western boundary to the carriageway. The proposed access is to be located to the northwestern boundary on a right-angled bend meaning the oncoming traffic will come from the east and the approaching traffic will be from the north, directly towards the access.

Using a datum of 2m from the carriageway edge, the achievable sightlines have been calculated using the information from the provided drawings. The achievable oncoming sightline is calculated at 4m which would be well below the 33m minimum required by the technical standards.

THS would also comment that the proposed access would be in a hazardous position in relation to the 'blind' bend in which it would be situated. A representative vehicle turning into the access cannot do so without crossing into the path of approaching vehicles. For example, a vehicle approaching from the east to turn left into access would need to steer right, across the path of oncoming traffic on the blind bend with extremely poor visibility beyond that point.

THS would conclude there are significant concerns with this proposal, specifically a) the minimum standard sightlines for oncoming could not be achieved and b) The road geometry does not allow vehicles to access the site without steering across approaching traffic. On that basis, THS would oppose this application on road safety and traffic management grounds.

Traffic and Highway Services, revised comments:

Having read the (agent's) response to the THS comments and the looked at the additional drawing at a clearer scale provided, I can confirm that this will not change the THS response.

Using the provided drawing I've taken new measurements and the oncoming sightline is still well below the standard at 4.47m. The comments from PF +A regarding the paths of travel for approaching vehicles doesn't address the issue that vehicles from the east will have to position to the opposite side of the carriageway in order to turn left into the access and THS would not agree with their assertion that this is a safe design for inhabitants and other road users.

It is also PF + A's misunderstanding that this road 'falls within the 20-33m sightline guidance' depending on the 'likely speed of traffic' in a neighbourhood road. I've included Table 2 from the DPA Guernsey Technical Standards: Roads which confirms that this Neighbourhood Road requires a 33m oncoming sightline (Y) due to the speed limit being 25mph (confirmed in note 3, which I have highlighted below).

Summary of Issues:

- Whether the design of the proposed development is acceptable.
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.
- The impact on the setting of the adjacent protected building.

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).**

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Considerations to the loss of the retail unit, the conversion of the building and the creation of curtilage have already been assessed and approved as part of the previous scheme, FULL/2024/0775.

The proposal does not fundamentally alter these aspects of the development, and therefore remain acceptable. In addition, the volume and floor area of the proposed dwelling is similar to the previous permission, albeit reducing the scale of the dwelling and lowering the roof pitch, making the house squatter than the approved scheme FULL/2024/0775.

Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.

The previously approved scheme (FULL/2024/0775), would be served by the existing vehicular access to the north of the site, and whilst a new access point, as now proposed, is typically supported under Policy, particularly if the new access point is a betterment to the current access arrangements and the original access point is closed off, the additional access as now proposed would cause concerns.

Following consultation with Traffic and Highway Services', the combination of restricted sightlines towards oncoming traffic from the east (measured 2m from the carriageway edge), and the location of the access in a hazardous position on a sharp bend of Retot Lane, would cumulatively give rise to significant highway safety concerns (Policy IP9),

and represents a poor standard of functional design (Policy GP8). Traffic and Highway Services' note that given this relationship, *"A representative vehicle turning into the access cannot do so without crossing into the path of approaching vehicles. For example, a vehicle approaching from the east to turn left into access would need to steer right, across the path of oncoming traffic on the blind bend with extremely poor visibility beyond that point."*

A similar dangerous manoeuvre may also occur should a vehicle seek to access the site from the north, and need to cross the road on the sharp bend. This would give very little reaction time and stopping distance for a vehicle approaching in the opposite direction from the east.

Although additional information has been submitted by the agent to justify the new access, it is not considered that this overcomes the significant concerns and that *"the oncoming sightline is still well below the standard at 4.47m. The comments from PF +A regarding the paths of travel for approaching vehicles doesn't address the issue that vehicles from the east will have to position to the opposite side of the carriageway in order to turn left into the access and THS would not agree with their assertion that this is a safe design for inhabitants and other road users."*

THS note the error by the applicant's agent in misunderstanding the classification of sightlines for the road which requires a 33m oncoming sightline (Y) due to the speed limit being 25mph and not 20m as the agent suggests.

Based on the above assessment therefore, it would be safer for the proposed dwelling to be served by the current access point in the interests of the future occupiers of the new dwelling and road users.

The application, as such, 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 (Policy IP9).

The safety concerns raised by THS are sufficient to justify refusal.

The impact of the development on the character and appearance of the area:

Whilst it is recognised that the extent of demolition is in line with the position of the existing window and door on the roadside boundary, the proposal would nonetheless have a negative impact on the character of the area and on visual amenity as a result of demolition of a section of the traditional roadside boundary wall.

Given that the proposal would result in harm to the character of the area, visual amenity and to a degree the setting of the protected building (Policy GP5), and that the existing vehicular access is not to be blocked up to seek to offset the harm, the proposal is considered to result in the unnecessary loss of a distinctive feature.

Consequently, the loss of a section of the roadside wall would give grounds for an additional reason for refusal.

Other matters:

For completeness, other aspects of the proposal are considered below.

Whether the design of the proposed development is acceptable:

The overall design of the replacement dwelling, including its siting, scale, form, mass, bulk, materials and general appearance, is acceptable.

Whilst it is considered that the creation of a dual aspect property, through the incorporation of windows on the façade of the proposed dwelling would have a beneficial effect on the amenity of future occupiers of the dwelling by providing additional light, ventilation and surveillance towards the front garden/parking area; the resultant effect of a single aspect property in this case would not of itself be sufficient to justify refusal.

The impact on the setting of the adjacent protected building:

Whilst the proposed scheme introduces new tall granite walls along the east boundary of the proposed dwelling, the overall effect on the setting of the protected building would be limited under Policy GP5, other than in respect of the proposed access as described above.

The impact of the development on neighbour amenity:

The proposal is not considered to significantly affect the amenities of neighbouring residents, with particular focus on overlooking, overshadowing or overbearingness.

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 taken into account in the assessment of this application.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Trees or on SSS's. The effect on the setting of the protected building is set out above.

For the reasons set out within this report, it is recommended that the application be refused planning permission.

Date: 04/08/2025

