

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: Infill existing pedestrian access and demolish section of wall to create vehicle access and parking area

LOCATION: Rivia, Victoria Avenue, St. Sampson.

APPLICANT: Mr W Elliott & Miss E Luxton

I refer to the application referred to below received as valid on 28/10/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 17/12/2025

Drawing Nos: A7 Architecture Limited - 25-1666 P1/01, 02

Application Ref: FULL/2025/1683

Property Ref: B013020000

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 front (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, limited parking depth, the design of the pillars, restricted sightlines towards oncoming traffic, and the lack of ability to condition how a vehicle accesses the property. Consequently, the proposal would result in substandard functional design and would lead to unacceptable road safety and traffic management issues, contrary to Policy GP8 and IP9 of the adopted 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/2025/1683
Property Ref: B013020000
Valid date: 28/10/2025
Location: Rivia Victoria Avenue St. Sampson Guernsey GY2 4BD
Proposal: Infill existing pedestrian access and demolish section of wall to create vehicle access and parking area
Applicant: Mr W Elliott & Miss E Luxton

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 front (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, limited parking depth, the design of the pillars, restricted sightlines towards oncoming traffic, and the lack of ability to condition how a vehicle accesses the property. Consequently, the proposal would result in substandard functional design and would lead to unacceptable road safety and traffic management issues, contrary to Policy GP8 and IP9 of the adopted Island Development Plan.

OFFICER'S REPORT

Site Description:

The application site, known as Rivia, comprises a detached, traditional two-storey dwelling located to the north of Victoria Avenue. The building is bounded by a traditional stone wall to the front of the property, which features two pedestrian access points which lead onto a footpath. The property does not feature onsite parking provision, similar to a number of properties along Victoria Avenue. A small number of properties along Victoria Avenue are served by onsite parking, some of which do not appear to have benefited from planning permission, including the neighbouring property to the west of the application site.

The application site, together with neighbouring properties to the east, west and opposite (south) of the application site, are generally characterised by shallow front gardens, bounded by roadside walls which lead directly onto Victoria Avenue. To the west of this group of predominantly terrace properties, the character changes with larger plot sizes to the north of the road, each with onsite parking provision, with the properties to the south of the road featuring soft-landscape boundaries, again with no onsite parking provision to the front of these houses. Much of this feature has

remained unchanged, with the roadside walls forming an important part of the character of the area.

The property is located Outside of the Centres as designated in the Island Development Plan. The property is not a protected building, nor is it sited within a Conservation Area.

Pre-application advice was sought in relation to demolishing a section of the roadside wall to create a vehicular access and parking area to the front of the dwelling (PREA/2024/1959).

Relevant History:

Reference No	Description	Decision	Date
PREA/2024/1959 B013020000 Rivia	Remove front wall to create parking for 2 vehicles	Pre-application enquiry	2024
PAPP/2001/0128 B013020000 Rivia	Create vehicular access and car parking area	Refused	2001
FULL/2009/4040 Sante Et Bonheur (No.1) B01241B001	Remove section of hedge and create vehicular access and car parking area.	Refused	2010
PAPP/2002/2192 B012380000 8 Connaught Terrace	Remove roadside wall and create parking area.	Refused	2002

Existing Use(s):

Residential.

Brief Description of Development:

Planning permission is sought to infill an existing pedestrian access and demolish a section of wall to create a vehicle access and parking area to the front of the property.

The proposed access width is 6m and the depth of the parking space is 2.4m, as shown on the drawings submitted. The car shown on the drawings measures approximately 4.2m (l) x 1.8m (w).

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' comments:

"A site visit has been carried out by the Traffic and Highways (THS) Services Officer, and the following observations were made.

Victoria Avenue is classified as a Neighbourhood Route within the island's road hierarchy. It has a posted speed limit of 25mph and terminates in a cul-de-sac. The road serves over 100 private dwellings and several businesses (including Anytime Fitness, Kingdom Hall, Karting Guernsey, and Guernsey FA), all of which contribute to regular traffic movements. The development of Victoria Park, the new Guernsey FC stadium opened in 2025, has resulted in a significant increase in traffic volumes on match days.

The carriageway outside Rivia measures 6m in width, with the nearside footway at 1.5m and the opposite footway at 1.8m. There is also on-street parking along the opposite side of the road in this section.

THS notes that the presence of yellow lines outside Rivia and neighbouring properties means no existing on-street parking would be lost because of this proposal. This is advantageous in terms of maintaining visibility of approaching and oncoming traffic from the site. THS also observes that while on-street parking exists along the length of Victoria Avenue, availability in this section is limited.

The property to the east has a long driveway extending to the rear, while the property to the west has an area of land approximately 3m deep in front of a private garage. This area was observed to be used for parking, but due to insufficient depth, vehicles were encroaching beyond the property boundary and across the footway. Neither arrangement is recent, and both are likely to predate the current planning application process.

The application proposes the removal of a 6m section of the existing wall along the front (south) boundary to create an access to a newly laid parking area measuring 2.8m in depth by 8.7m in length, narrowing to 7.8m. The remainder of the front wall would be retained, with new pillars installed to match the existing design. The current wall measures 900mm in height, while the pillars measure 1300mm, exceeding the maximum permissible height for roadside obstructions. As a result, the proposed design would restrict the achievable visibility splay to the oncoming sightline between 12m and 18m.

THS notes that no provision has been made for a turning area within the site. Vehicles would therefore either need to reverse into the parking area, which raises traffic management concerns, or reverse out onto the highway, which is contrary to Highway Code guidance and presents both road safety and traffic management risks.

Furthermore, the limited depth of the parking area means a representative vehicle would not be positioned square to the carriageway when exiting.

If a driver approaches from the west, stops adjacent to the access, and reverses into the site, they will subsequently need to exit by turning left towards the east. In this scenario, the visibility splay and sightline of oncoming vehicles from the west could only be achieved by the driver turning and looking over their right shoulder. Additionally, the necessary vehicle position means the sightline datum is not taken from 2m back from the edge of the carriageway, as required.

THS further notes that, as with previous applications of this type, it is not possible to impose a planning condition restricting how an access is used (e.g. stipulating that it may only be used by vehicles reversing in). THS also comments on the proposal to incorporate pillars to the west of the new access, which would further restrict visibility.

Investigations carried out along Victoria Avenue confirm that no other parking arrangements of this nature exist. Only one previous application for a similar arrangement was identified, submitted in 2009, which was refused.

On the basis that the required technical standards cannot be achieved, THS objects to this proposal on both road safety and traffic management grounds.”

Summary of Issues:

- Whether the functional design is acceptable.
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.
- Whether the proposal would affect the character and appearance of the surrounding area.
- 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).**

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.

Impact on the character and appearance of the surrounding area

The proposed access width is 6m wide. The closure of the existing pedestrian access would equate to approximately 1.4m. Consequently, the net loss of the roadside wall would be 4.6m. The wall is traditional and positively contributes to the application site

and wider area, as it provides a sense of enclosure and cohesiveness when viewed in context with other properties along Victoria Avenue. However, the application site is not a protected building, nor does it stand within a Conservation Area. Given these factors, the impact of the development on the character and visual amenity of the area is not considered to be so substantial to reasonably justify refusal on these grounds.

Neighbour amenity

By virtue of the nature of the works proposed, the proposal will not have a significant impact on the amenities of neighbouring residents.

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, limited parking depth, the design of the pillars, restricted sightlines towards oncoming traffic from the west (when egressing from the site in forward gear), and the lack of ability to condition how the property is accessed would cumulatively give rise to significant highway safety concerns and some traffic management concerns (Policy IP9) as a result of the proposed development.

Due to the significance of the concerns raised, it is recommended that planning permission be refused on this basis.

Date: 17/12/2025