

**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:** Extend and alter at ground floor level and install balustrade to top terrace at first floor level to south elevation, install balustrade to upper garden level, lower existing pillar and remove section of roadside wall to create vehicle access to south boundary (Revised scheme).

**LOCATION:** Esperanza, Rue De La Porte, Castel.

**APPLICANT:** Mr & Mrs P Saunders

I refer to the application referred to below received as valid on 19/03/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

**Date of refusal of permission:** 03/06/2026

**Drawing Nos:** Torode Architects - 6342-01c

**Application Ref:** FULL/2026/0338

**Property Ref:** D010160000

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 and restricted sightlines towards both oncoming and approaching traffic. 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.
2. The proposed removal of a section of wall would have a significant detrimental effect on the character and appearance of the Conservation Area, contrary to Policy GP4 (Conservation Areas) of the adopted Island Development Plan and Section 38 of the Land Planning and Development (Guernsey) Law, 2005.

**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/2026/0338  
**Property Ref:** D010160000  
**Valid date:** 19/03/2026  
**Location:** Esperanza Rue De La Porte Castel Guernsey GY5 7AW  
**Proposal:** Extend and alter at ground floor level and install balustrade to top terrace at first floor level to south elevation, install balustrade to upper garden level, lower existing pillar and remove section of roadside wall to create vehicle access to south boundary (Revised scheme).  
**Applicant:** Mr & Mrs P Saunders

**RECOMMENDATION** - Refusal with Reasons:

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**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 and restricted sightlines towards both oncoming and approaching traffic. 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.
  2. The proposed removal of a section of wall would have a significant detrimental effect on the character and appearance of the Conservation Area, contrary to Policy GP4 (Conservation Areas) of the adopted Island Development Plan and Section 38 of the Land Planning and Development (Guernsey) Law, 2005.
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**OFFICER'S REPORT**

**Site Description:**

The application site, known as Esperanza, consists of a traditional semi-detached dwelling located to the east of Rue de la Porte, Castel. The property is in a Conservation Area and is Outside of the Centres as designated in the Island Development Plan. The property is not a protected building, although the site adjoins land to the east associated with a protected building.

The building has a painted rendered façade and uPVC windows. Directly in front of the building, the roadside boundary consists of a low painted granite wall. The boundary wall increases in height to the south, with the higher section of the granite wall unpainted. A pedestrian access point demarcates the change in the height and

appearance of the boundary wall. The wider character of the Conservation Area typically consists of granite stone walls to the front of properties.

Towards the rear, the land rises steeply, and features a two-tiered garden area which is visible from the road. The property does not feature parking provision, nor does the neighbouring semi to the north.

**Relevant History:**

| Reference No.  | Description                                                                                                                                                                                                                     | Decision                | Date |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------|
| FULL/2025/0949 | Extend and alter at ground floor level and create raised terrace at first floor level to south elevation, install balustrade to upper garden level, remove section of roadside wall to create vehicle access to south boundary. | Withdrawn               | 2025 |
| PREA/2014/2114 | Demolish lean-to extension to create parking area.                                                                                                                                                                              | Pre-application enquiry | 2014 |
| PREA/2014/1492 | Create parking to front of dwelling                                                                                                                                                                                             | Pre-application enquiry | 2014 |
| PAPP/1997/0642 | Demolish roadside wall and create parking area.                                                                                                                                                                                 | Refused                 | 1997 |

**Existing Use(s):**

Residential.

**Brief Description of Development:**

An application was submitted in 2025 to extend and alter the property at ground floor level, install glass balustrading at first floor level to serve a terrace and at the upper garden level. It was also proposed to lower an existing pillar and remove a section of the roadside wall to create a vehicle access. The application was withdrawn as concerns were raised in respect of the proposed access point in terms of highway safety and traffic management concerns, amongst other works, including balustrading and sliding door at first floor level.

This is a revised scheme for the same works proposed in 2025. However, the current proposal alters the balustrading from glazing to metal and has reduced the size of the sliding door at first floor level. A new 1.5m high fence along the south boundary of the upper garden area has also been incorporated as part of the development. It is also noted that the existing pillar to the front of the property which forms the pedestrian access point will be reduced to 900mm above ground level.

**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:**

None received.

**Consultations:**

**Traffic and Highway Services' comments:**

*Traffic & Highways Services (THS) have reviewed the revised plans and covering letter submitted on 2 April 2026 by Mr and Mrs Saunders. These comments should be read alongside the previous THS response to application FULL/2025/0949, submitted on 16 July 2025, which THS did not support on road safety and traffic management grounds. A site visit has been undertaken and the following observations are made.*

*The site is located on Rue de la Porte, which is classified as a Local Circulation Route (LCR) within the Road Hierarchy and has a posted speed limit of 25 mph. The previous THS response incorrectly stated that the site was on a Traffic Priority Route (TPR). The road slopes downhill from north to south, and traffic speeds for oncoming vehicles in this section were observed to be in the region of 20–25 mph. The site frontage directly abuts the carriageway and comprises a 2.7m-high granite wall to the south and a low wall at the front of the house—1.1m high with a 1.5m pillar—extending to the northern boundary, with a pedestrian access between. The house is positioned at the northern end of the site, set back 1.2m from the carriageway. The southern boundary is formed by the neighbouring granite cottage, which also directly abuts the carriageway.*

*The proposal is to remove a 2.8m section of the tall granite wall to create a 3.9m-wide access with a depth of 4.8m within the site. The revised application includes a reduction in the height of the pillar and adjoining wall to 900mm, which would remove the small blind spot previously identified. However, the significant concerns previously raised by THS regarding achievable sightlines for both oncoming and approaching traffic remain unchanged. The oncoming sightline for a vehicle egressing the site would continue to be completely obstructed by the house frontage.*

*Although the proposed access width is 3.9m, the parking area narrows to 2.7m within the site due to the proposed hallway (drawing no. 6342-01). The 2m datum point from the carriageway edge is therefore based on the position of a representative vehicle shown in the drawings, allowing the vehicle to be square to the carriageway when egressing. The achievable oncoming sightline (southbound traffic) would be approximately 12.5m—well below the minimum required 33m. The sightline for approaching vehicles (northbound traffic) would also be obstructed by the remaining 2m-plus granite wall, leaving only 8.5m of visibility.*

*In the covering letter, the applicant states that the neighbouring property—where they currently park—has an access with worse sightlines than those proposed at Esperanza. THS notes that this private access, like others on Rue de la Porte, was installed several decades ago and would not have been subject to current planning policies or design standards. The existence of a long-standing substandard access does not justify the creation of a new access that would introduce an avoidable road safety risk.*

*THS also notes that the proposed use of mirrors or cameras should not be considered an alternative to achieving the minimum required sightlines at a new access. Lateral visibility mirrors may be installed only as a traffic aid to improve safety at existing accesses or junctions. A driver emerging from a private access should not be required to look left when oncoming traffic is approaching from the right. Reliance on mirrors would create an unreasonable dependence on an artificial aid and reduce a driver's ability to judge the speed and distance of oncoming vehicles.*

*As previously noted by THS, there is no provision for a turning area within the site. Vehicles would therefore either need to reverse into the parking area—creating traffic management concerns—or reverse out onto the highway, which is contrary to Highway Code advice and would present both road safety and traffic management risks. The applicant references other properties in Guernsey with similar arrangements, but again, these are long-standing accesses that pre-date current planning policies.*

*THS concludes that there remain significant concerns with this proposal, specifically: a) the minimum standard sightlines for both oncoming and approaching traffic cannot be achieved; and b) the lack of a turning point within the site, requiring vehicles to reverse in or out.*

*The proposed reduction in the height of the roadside wall and pillar to the north of the access makes only a marginal difference to the achievable sightlines. On this basis, THS would oppose the application on 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 Conservation Area:

The proposal seeks to remove a 2.8m section of the high granite wall in order to create a vehicular access point. The total width of the access point will 3.9m, including the existing the pedestrian access.

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.”*

The Kings Mills Conservation Area, as set out in Annex VII of the IDP (and within the ‘Designating Conservation Areas – March 2015 document), states that the Area has *“an outstanding traditional environment which has been little altered with a character derived from the traditional buildings, prominent roadside walls and the relationship of the buildings to the roads and to one another.”* Consequently, roadside walls are an important element of the Kings Mills Conservation Area.

The character to the front of properties in the surrounding area is well defined by traditional roadside stone walls and is consistent and cohesive within the street scene. Consequently, the roadside wall positively contributes to the character and appearance of the Conservation Area, and the loss of such feature would have an adverse effect on the Conservation Area and would conflict with Policy GP4 and the Law. In addition, the loss of such wall could set an undesirable precedent for similar types of development elsewhere within the wider area of the Kings Mills Conservation Area. The degree of this impact is considered to represent unacceptable harm and therefore justify refusal.

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 and restricted sightlines towards both oncoming and approaching traffic 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 in relation to the creation of the proposed access, it is recommended that planning permission be refused.

Neighbour amenity:

In light of the amendments in the revised plans, coupled with the existing level of overlooking from the upper garden areas, the proposal will be a betterment to the existing relationship towards the neighbouring property to the south, and therefore is not considered to have a significant impact on the amenities of neighbouring residents.

**Date:** 29/05/2026