

Planning Committee

(4th Meeting)

10th November 2022

**Part A (Non-Exempt)**

All members were present, with the exception of Connétable D. W. Mezbourian of St. Lawrence and Deputy A. F. Curtis of St. Clement, from whom apologies had been received.

Connétable P. B. Le Sueur of Trinity  
 Connétable M. O'D. Troy of St. Clement  
 Connétable K.C. Lewis of St. Saviour  
 Deputy S.G. Luce of Grouville and St. Martin, Vice Chair  
 Deputy M. R. Le Hegarat of St. Helier North  
 Deputy T.A. Coles of St. Helier South  
 Deputy A. Howell of St. John, St. Lawrence and Trinity

In attendance -

G. Duffel, Principal Planner  
 A. Coates, Principal Planner, Strategic Policy, Planning and Performance  
 Department  
 L. Davies, Planner  
 S. de Gouveia, Trainee Planner  
 G. Vasselin, Planner  
 B. James , Planner  
 K. Ambrassa, Trainee Planner  
 J. Gibbins, Trainee Planner  
 K. M. Larbalestier, Principal Secretariat Officer, Specialist Secretariat,  
 States Greffe

Note: The Minutes of this meeting comprise Part A only

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| Minutes.  | A1. The Minutes of the Meeting held on 27th October 2022, were taken as read and were confirmed.  |
| Le Havre du Boulay, Les Charrières de Boulay, Trinity:<br>proposed construction of temporary dive centre. | A2. The Committee, with reference to its Minute No. A3 of 27th October 2022, received a report in connexion with an application which proposed the construction of a temporary dive centre on a small public car park on the area of land known as Le Havre du Boulay, Les Charrières du Boulay. The Committee had visited the application site on 25th October 2022.<br><br>Connétable P.B. Le Sueur of Trinity and Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application. |
| P/2021/1195   | The Committee recalled that it had been minded to refuse permission for the above application, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the specific reasons for refusal.   |

The Committee confirmed refusal of the application for the reason set out in the Department report and on the basis that the application was contrary to Policies SP4, PL5, GD9 and NE3 of the 2022 Bridging Island Plan.

No. 1 Romney Villas, La Route de St. Aubin, St. Helier:  
proposed replacement of window (RFR).  
RW/2022/0270

A3. The Committee, with reference to its Minute No. A8 of 27th October 2022, received a report in connexion with a request for the reconsideration of an application which proposed the replacement of an existing ground floor window with a door to the south elevation of No. 1 Romney Villas, La Route de St. Aubin, St. Helier. The Committee had visited the application site on 25th October 2022.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the reasons for approval.

The Committee confirmed approval of the application for the reason set out in the Department report.

La Mervelle, La Rue de Guillaume et d'Anneville St. Martin:  
proposed extension of roof terrace and privacy screen (RFR).  
P/2022/0510

A4. The Committee, with reference to its Minute No. A10 of 27th October 2022, received a report in connexion with a request for the reconsideration of an application which proposed the extension of a roof terrace and the erection of a privacy screen at the property known as La Mervelle, La Rue de Guillaume et d'Anneville St. Martin. The Committee had visited the application site on 25th October 2022.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the reasons for approval.

The Committee confirmed approval of the application for the reason set out in the Department report.

Seaside Café (aka Romany Café), Le Mont de St. Marie, Grève de Lecq, St. Mary:  
proposed demolition and redevelopment.  
P/2021/0861

A5. The Committee, with reference to Minute No. A5 of 13th January 2022, of the Committee as previously constituted, considered a report in connexion with an application which proposed revisions to the approved scheme for the premises known as Seaside Café (aka Romany Café), Le Mont de St. Marie, Grève de Lecq, St. Mary. The Committee had visited the application site on 8th November 2022.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Coastal National Park and the Protected Coastal Area. Policies SP2, 3, 5, PL5, NE3, H9, WER2 and 7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the site comprised a café/restaurant and associated beach shop at ground level, with a large covered outdoor seating area alongside; 2 first floor flats; a Grade 3 Listed German Occupation structure; a large surface level car park (comprising approximately 74 parking spaces) with an informal bus stop at the southern end; a sloping bank on the east side and dune land to the west. There was a total site area of 0.74 hectares. (1.82 acres), of which 53 per cent was currently developed (with buildings and hard-surfaced areas). At the heart of the site was a former 1930s dwelling, which has been enveloped over the decades (particularly in the post-war era) by the expanding commercial site. The structural and thermal condition of the existing buildings was poor. The surrounding area was characterised by public open spaces (the beach and neighbouring dune area), a public car park,

significant Listed Buildings (the 18th century Conway Tower, and 19th century military barracks) and privately-owned residential developments (including those at the Fisherman's Wharf site directly opposite the application site).

Permission had been granted for the comprehensive redevelopment of the site, involving the demolition of all existing buildings (with the exception of the Listed Occupation structure) and the removal of the surface level car park. The new development would comprise a detached 4 bedroom family dwelling and a new café/restaurant. A smaller car park (16 spaces), directly associated with the new café, would be created and the remaining area returned to dune land. The scheme also included a series of sustainable transport measures (a new on-site bus turning circle, a bus shelter, bicycle parking and pedestrian footpaths) as well as the restoration of the Occupation structure.

The revised scheme sought permission for the extension of the dwelling at ground floor level to provide additional, ancillary accommodation, to include a home gym and a cinema room. The proposed new extension would effectively sit beneath the dune landscape and would have no additional landscape impact over and above that of the approved scheme. The floor area of the proposed extension was 96 square metres, which represented a 21 per cent increase in the floor area of the dwelling, compared to the approved scheme, or a 17 per cent increase in floor area across the entire site, taking into account the new café/restaurant. In addition, a pool and hot tub were proposed within the courtyard/terrace area.

The Bridging Island Plan allowed for the extension of dwellings in the countryside and coastal areas, with the key test being that the special landscape or seascape character of the area should be protected. In this instance, the Department was satisfied that this had been achieved and that the proposed development would not cause any landscape harm. Consequently, it was recommended that permission be granted, subject to the imposition of one additional condition, detailed within the Department report, over and above those imposed in respect of the original scheme.

6 letters of representation had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] of the National Trust for Jersey, who referred to written submissions from the Trust and from Mr. [REDACTED], (now Deputy J. Renouf of St. Brelade, Minister for the Environment). Mr. [REDACTED] noted that Deputy Renouf supported the Trust's objection to the application and had stated that approval would bring the planning system into disrepute, particularly as part of the argument for the approval of the original application had been the significant reduction in built footprint on the site. Mr. [REDACTED] also highlighted a number of other comments received from members of the public alleging a cynical abuse of process. The National Trust for Jersey was opposed to the application and believed that the Committee should refuse permission and consider how to address the submission of piecemeal proposals like this which sought to revise schemes immediately following the approval of the original application.

The Committee heard from the applicant's agent, Mr. [REDACTED], who advised that due process had been followed in terms of the submission of the revised application and that all necessary information had been provided. He added that if the construction of the dwelling had been completed then planning consent for the proposed pool would not be required as such development was permissible under the General Development Order – Permitted Development Rights. The proposed development was proportionate and would be subservient to the principal dwelling. Environmental gains and the visual impact would remain unchanged. The proposed

extension would be within the dune scape and could not be used as additional bedroom accommodation as it would not comply with Building Bye Law requirements. Modest environmental gains would also arise as less material would be needed to fill voids. The scheme would not affect the suite of proposals included within the original application, many of which had been secured by means of a Planning Obligation Agreement.

Some members expressed concerns regarding the timeline for the approval of the original application and the submission of the revised scheme and suggested that the revisions had been envisaged all along. Mr. [REDACTED] failed to see how members could arrive at this conclusion.

Having considered the application, the Committee, with the exception of Deputies S.G. Luce of Grouville and St. Martin, A. Howell of St. John, St. Lawrence and Trinity and T. A. Coles of St. Helier south, endorsed the recommendation for approval, subject to the conditions detailed within the Department report.

Nos. 25 and 27  
Vauxhall  
Street, St.  
Helier:  
proposed part  
demolition and  
redevelopment.

A6. The Committee considered a report in connexion with an application which proposed the partial demolition of the northern portion of Nos. 25 and 27 Vauxhall Street, St. Helier and the construction of 5 new residential units, a light commercial workshop and cycle store. Alterations to the southern part of the buildings were also proposed to form a new residential dwelling. The Committee had visited the application site on 8th November 2022.

P/2021/1802

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and comprised a pair of Grade 4 Listed Buildings. Policies SP2, 3, 4, 6, PL1, GD1, GD6, GD10, NE1, HE1, H1, H2, H4, TT1, TT2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

The application proposed the restoration of a pair of Grade 4 Listed Buildings, to include the reconstruction of the building façade, which had been damaged in the past by the creation of a vehicular access through to a workshop at the rear. The commercial use of the Listed buildings at ground floor level would be replaced by a 2 bedroom apartment. The existing apartments at first and second floor levels would be retained and renovated. On the rear part of the site, the façade and eastern roof flank of the existing roadside building would be substantially retained, thereby maintaining the historic streetscape character (in response to comments received from the Historic Environment Team in respect of a previous (withdrawn) application). The existing use of the site as a workshop for vehicle servicing and repairs would be discontinued, to be replaced by a new use at ground floor level, described as a 'light commercial workshop'. This was considered to be broadly comparable in nature to the existing and long-established use of the site, although the applicants had suggested that the new use would result in improved safety and a reduction in noise and traffic flows. The rear part of the roadside building, together with a more-recent adjoining workshop building (which was little more than a metal roof structure), would be demolished, and replaced by a new 3-storey building. This would provide 5 new apartments across the first and second floors, with a communal roof terrace above. The new units would all comply with the residential space standards for new dwellings (51 square metres for 2 person occupancy units, 62 square metres for 3 person occupancy). 3 of the 5 units had a designated balcony/terrace and all units had access to the large, shared roof-terrace. At ground level a refuse store and a generous shared cycle store was proposed. The Department was comfortable with the overall scale and form of the development, taking into account the surrounding built context, and the size and standard of the proposed residential accommodation was considered to be acceptable.

The application was recommended for approval, subject to the imposition of certain conditions detailed within the Department report and on the basis of the entering into of a Planning Obligation Agreement (POA) to secure a financial contribution [REDACTED] towards the provision and enhancement of public walking and cycling infrastructure within the vicinity of the site. In the event that a suitable POA was not agreed within 3 months of the decision, the application would be returned to the Committee for further consideration.

5 letters of representation had been received in connexion with the application.

The Committee heard from Ms. [REDACTED] a resident of the area, who expressed concern about pedestrian safety given that there would be 4 new 3 metre wide entrances onto the road and the pavement was only 50 centimetres. She asked how commercial vehicles would access the site and noted that as the premises had previously operated as a garage there was a possibility that fuel tanks could be located under the building.

The Committee heard from Mr. [REDACTED] of Archara and the applicant, Mr. [REDACTED]. In response to comments from a member of the Committee regarding the differing fenestration details, Mr. [REDACTED] explained that there had originally been a butcher's shop on the corner and this explained the different window pattern. In response to a further question regarding an existing balcony, he added that the Principal Historic Environment Officer had requested the retention of the same. He also addressed Ms. [REDACTED]'s comments in relation to the access points and advised that the original openings were visible from the interior. It had originally been intended to demolish the structures and redevelop the site, to include a new footpath. However, this had not been supported by the Historic Environment Team and certain heritage restrictions precluded the demolition of a roadside wall on Winchester Street to facilitate the formation of a footpath. It was noted that a tenant had yet to be identified for the commercial work and Mr. [REDACTED] stated that he was considering using as a dry storage unit for his joinery business.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions detailed in the Department report and on the basis of the entering into of a POA, as detailed above. The Committee further endorsed a recommendation of the Principal Historic Environment Officer to impose a condition reserving all joinery details. In approving the application, the Committee expressed disappointment that it had not been possible to provide a new public footpath as result of the requirement to retain the roadside wall and requested that the Department explore this further with the Historic Environment Team.

Melva House  
Flats (land to  
the rear of),  
No. 13  
Duhamel  
Place, St.  
Helier:  
proposed  
residential  
dwelling.

A7. The Committee, with reference to Minute No. A2 of 2nd December 2021, of the Committee as previously constituted, considered a report in connexion with an application which proposed the construction of a 2 bedroom dwelling on an area of land to the rear of Melva House Flats, No. 13 Duhamel Place, St. Helier. The Committee had visited the application site on 8th November 2022.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and was on the Eastern Cycle Route Network. Policies SP2, 3, 4, PL1, GD1, GD6, HE1, H1, H3, H4, ME1, TT1, TT2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

P/2022/0083

The Committee recalled that the application site comprised an open and undeveloped area of land to the immediate rear of No. 13 Duhamel Place – a 5 storey (including

basement), Grade 4 Listed Victorian terraced property, which was sub-divided into several flats. The application site was within separate ownership to No. 13 Duhamel Place and was currently used for car parking. Access to the site was via Duhamel Lane which adjoined Duhamel Street to the south. The Committee as previously constituted had refused permission for a similar application (reference P/2021/1015) on the basis that it was contrary to Policies GD1, GD7 and H6 of the 2011 Island Plan.

The design of the proposed new dwelling was considered to be acceptable in architectural and townscape terms and the scale of the development had been reduced in response to previous concerns. In general terms, the Island Plan sought to increase development yields across the Built-Up Area, particularly on under-developed sites. The Plan also envisaged that so-called ‘windfall’ sites (i.e. sites which had not been specifically identified within the Island Plan, but which came forward on an individual basis) would play an important part in helping to meet housing needs. In this case, whilst the continued concerns of immediate neighbours were noted and there would clearly be an increased impact as a result of the proposed development, taking into account the wider aims and aspirations of the Island Plan, it was not believed that the scheme would cause ‘unreasonable harm’ to neighbours. Consequently, the application was recommended for approval.

4 letters of representation had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] who advised that he [REDACTED] was concerned that the construction of a new building in this location could present safety challenges in the event of a fire and would block the only means of escape. He was also concerned about loss of sunlight and felt that the proposed development would be prejudicial to the enjoyment of his only amenity area.

The Committee heard from Mr. [REDACTED] representing the applicant. Mr. [REDACTED] advised that the scheme had been revised to address the concerns which had previously been expressed. The scale of the building had been reduced by 20 percent, it would be lower and a hipped element had been added to ensure privacy for the property to the south. A modest dwelling which accorded with the minimum space standards was proposed and the scheme had been assessed against BRE standards for access to daylight and sunlight. Finally, in response to Mr. [REDACTED]’s comments regarding means of escape in the event of a fire, Mr. [REDACTED] advised that there was no right of access across the application site.

Whilst the Committee understood and sympathised with Mr. [REDACTED] it concluded that the scheme accorded with the relevant Island Plan Policies. With the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, the Committee granted permission on the basis that certain permitted development rights were removed (the Committee was seeking to avoid any prejudice to Melva House). Furthermore, the Committee agreed that it would not be in favour of any future proposals for the use of the flat roofed element of the new dwelling as an amenity area, as this would be prejudicial to the privacy of the occupants of Melva House. However, it was accepted that the submission of an application for such works could not be prevented.

La Rochelle,  
Bellozanne  
Road, St.  
Helier:  
proposed

A8. The Committee considered a report in connexion with an application which proposed the installation of 3 dormers on the front elevation and 3 rooflights on the rear elevation of the property known as La Rochelle, Bellozanne Road, St. Helier. The Committee had visited the application site on 8th November 2022.

installation of  
dormers.

Deputy M.R. Le Hegarat of St. Helier North did not participate in the determination of this application.

P/2022/0182

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area of the Green Backdrop Zone and Policies SP1, 2, 3, 4, GD1, GD6 and NE1 of the 2022 Bridging Island Plan were relevant to the application.

The applicant was a sitting States member and the Committee was required to determine the application, in accordance with agreed procedures.

The Committee was advised that the proposed dormers had been carefully and sensitively designed so that they were in keeping with the proportions of the host dwelling and would not be overbearing or overly dominant. Similarly, the roof lights would be appropriately positioned and proportioned. Consequently, it was recommended that permission be granted, subject to the imposition of certain conditions detailed within the Department report, to include a requirement for obscure glazing to the rear roof slope in order to protect neighbouring privacy/amenity.

One letter of representation had been received in connexion with the application. It was noted that this had related to the potential for overlooking from an existing window which would, in fact, be removed, if permission was granted.

The Committee heard from Mr. [REDACTED], representing the applicants, who advised that a loft conversion to facilitate the creation of an additional bedroom and bathroom was proposed. The proposed design approach responded well to the existing dwelling and a precedent had already been set for development of this nature in the immediate vicinity.

Having considered the application, the Committee decided to grant permission, subject to the imposition of certain conditions detailed within the Department report, to include a requirement for obscure glazing to the rear roof slope in order to protect neighbouring privacy/amenity.

The Haven, Le  
Mont Arthur,  
St. Brelade:  
proposed  
creation of  
habitable space  
at first floor/  
construction of  
new garage.

A9. The Committee considered a report in connexion with an application which proposed the removal of an existing pitched roof and the creation of habitable space at first floor level at the property known as The Haven, Le Mont Arthur, St. Brelade. A new flat roof would replace the pitched roof. The Committee had visited the application site on 8th November 2022.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies SP1, 3, 5, PL5, GD1, GD6, NE1, NE2, NE3, WER6 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

P/2021/1867

The Committee noted that the application proposed the removal of the existing roof and the construction of a first floor with a flat roof above and balconies to the north, east and south elevations. Originally the scheme had included a proposals for a new detached garage to the south of the site but this had been omitted during the life of the application.

The design of the proposed extension was considered to be acceptable in this context and it was not considered to be unduly dominant in the landscape as the first floor extension would not breach the ridgeline. Therefore, the proposal was not considered to be harmful to the landscape character of the area. In order to address the concerns

of a neighbour, a proposed new garage had been omitted; the extent of the east facing balcony reduced and fenestration details had been altered to reduce the level of overlooking to the neighbouring private amenity space to the east. Accordingly, the proposal was considered to satisfy the requirements of Policy GD1 in relation to unreasonable impact upon neighbour amenities. The application was recommended for approval, subject to the imposition of certain conditions detailed within the Department report.

14 letters of representation had been received in connexion with the application.

The Committee heard from [REDACTED] Mrs. [REDACTED] was of the view that the proposed development would result in a loss of light and privacy to her property and she pointed out that additional vehicles would exacerbate difficulties in accessing the site. Finally, she expressed the view that the proposed development was not in keeping with existing development and would have a detrimental impact on wildlife.

The Committee heard from Mr. [REDACTED] [REDACTED] advised that although some of his concerns had been alleviated by revisions to the scheme, he remained concerned about the potential for overlooking. He echoed the views of Mrs. [REDACTED] in relation to the restricted access arrangements and was worried about construction vehicles parking indiscriminately if permission was granted.

The Committee heard from the applicant, Mr. [REDACTED] and his agent, Mr. [REDACTED] [REDACTED] advised the Committee that Page Architects had been involved in the redevelopment of 2 other properties on this estate and understood the issues around access and were conscious of the impact on residents. There was a weight limit on road and this had been adhered to for both of the previous developments. Furthermore, modern construction methods had been considered which involved the use of a steel frame system for the first floor accommodation. This particular approach mean that materials could be brought to the site in 2 vehicle movements and craned into position in one week, thus reducing the impact of construction works on neighbours. The contractor would engage with neighbours to advise them of deliveries ahead of time and would not accept parking on neighbouring land. In response to a question from a member regarding the increase in size at first floor level, Mr. [REDACTED] advised that the extension would measure 90 square metres, increasing the total size of the property to 228 square metres. The existing dwelling was modest and was set within the context of dwellings which were significantly larger. The scheme incorporated technologies which would reduce energy consumption and the proposed development would breath new life into the site. The scheme accorded with policy considerations and would have a limited carbon footprint.

Mr. [REDACTED] advised that it was a single block built property with no insulation and excessive heating costs. The proposed development would ensure that the property was energy efficient and fit for purpose for the next 50 years and would significantly reduce the environmental impact.

Having considered the application, the Committee decided to grant permission, subject to the imposition of certain conditions detailed within the Department report.



Saviour:  
proposed  
installation of  
dormer  
windows.

elevation of No. 6 Midway, La Croix de Bois, St. Saviour. The Committee had visited the application site on 8th November 2022.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application.

P/2022/0316

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies GD1 and GD6 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was apprised of the planning history of the site, which included the refusal of a previous application for similar works, which had failed to present sufficient design quality.

The Committee noted that the application sought to introduce dormer windows to west and east elevations of the property to facilitate the creation of a new bedroom on the second floor. However, this would result in overlooking to the private amenity areas of neighbouring properties, causing an unreasonable infringement on privacy. In addition, No. 6 Midway formed part of a line of uniform dwellings along La Croix de Bois and the proposed development would disrupt this standardised design approach and would be visually unsympathetic relative to its surroundings. Consequently, the application was considered to be contrary to Policies GD1 and GD6 and had been refused on these grounds. It was recommended that the Committee maintain refusal.

The Committee heard from the applicants, Mr. [REDACTED] and his architect, Mr. [REDACTED]. Mr. [REDACTED] believed that the proposed design was good and he advised that high quality materials would be used. There would be no impact on neighbouring properties and no objections had been received. He pointed out that a property opposite the application site had a very large dormer.

Mr. [REDACTED] explained that [REDACTED] did not wish to move out of the area. [REDACTED]

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above. The Committee added that approval of the application would most certainly set an undesirable precedent which could lead to parking problems.

No. 6 Midway,  
La Croix de  
Bois, St.  
Saviour:  
proposed  
installation of  
dormer  
windows.

A11. The Committee considered a report in connexion with a request for the reconsideration of an application which proposed the installation of 2 dormer windows to the north-west and south-east elevation of No. 6 Midway, La Croix de Bois, St. Saviour. The Committee had visited the application site on 8th November 2022.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application.

P/2022/0316

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies GD1, GD6 and BE6 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the application would facilitate the creation of a bedroom and en-suite bathroom via a loft conversion. No. 6 Midway formed part of a line of uniform dwellings along La Croix de Bois and the proposed development would

disrupt this standardised design approach and would be visually unsympathetic relative to its surroundings. The proposed dormer windows would disproportionately increase the mass of the roof and negatively impact the character of the dwelling by virtue of design. A very large portion of both roof planes would be taken up by the box dormers, which would have a detrimental impact on the streetscape. Whilst the addition of a bedroom in the Built-Up Area was acceptable, the proposed design was considered unsatisfactory in this instance and the application had been refused on this basis. It was recommended that the Committee maintain refusal.

All comments in relation to this application were noted under Minute No. A10.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above. The Committee added that approval of the application would most certainly set an undesirable precedent which could lead to parking problems.

Five Oaks  
Garage, La  
Grande Route  
de St. Martin,  
St. Saviour:  
proposed  
variation of  
condition of  
permit.

A12. The Committee received a report in connexion with a request for the reconsideration of an application which proposed the variation of a condition attached to the permit in respect of works at Five Oaks Garage, La Grande Route de St. Martin, St. Saviour. The Committee had visited the application site on 8th November 2022.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application.

RC/2022/0598

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies GD1, GD5, GD6 and NE1 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that permission had previously been granted under planning application reference Nos. RP/2019/0909 and MS/2018/1544 (in accordance with the policies of the 2011 Island Plan) for the siting of 3 temporary shipping containers to the east of the above site, to be used for storage for the adjacent Morrisons store. The applicant was now seeking consent for the extension of the life of the permit for a further 3 years.

The Committee noted that the application had been assessed against the policies of the 2022 Bridging Island Plan and it had been concluded that whilst the storage containers were relatively minor in scale and nature, they could not be viewed as a suitable long-term storage solution and were harmful to the amenities of neighbouring uses. Shipping containers were by their very nature non-permanent structures, which were an unattractive addition to the built environment. The containers were bulky and unappealing, bore no relation to their surroundings and caused a severe visual intrusion in the environment. Aside from painting the containers green, no attempt had been made by the applicant to screen the containers from a neighbouring residential development in spite of permission being granted for the cladding of the containers. Consequently, the application had been refused on the grounds that it failed to meet the requirements of Policy GD6. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Messrs. [REDACTED] and [REDACTED] representing the applicant company. Mr. [REDACTED] advised that the applicant company had operated from the site for some time [REDACTED]

[REDACTED] Storage was essential to the operation of the [REDACTED]

store and there had been no objections from residents of the neighbouring Les Cinq Chenes estate. Deliveries to the site were made 3 times a day and goods were unloaded into the containers. If the application was refused this would lead to more frequent deliveries and potentially 12 – 15 additional vehicle movements each day. There would also be a knock on effect on customer parking.

Having considered the application, the Committee was unable to reach a unanimous decision, Deputies S.G. Luce of Grouville and St. Martin, M. R. Le Hegarat of St. Helier North and A. Howell of St. John, St. Lawrence and Trinity, expressing support for the application and the remaining members endorsing the recommendation to refuse permission for the reasons set out above. In accordance with agreed procedures the application was determined in the negative and was refused.

No. 10 La Croix de Bas, St. Saviour: proposed formation of car parking space.

A13. The Committee received a report in connexion with a request for the reconsideration of an application which proposed the demolition of 2 existing walls to facilitate the creation of a car parking space at No. 10 La Croix de Bas, St. Saviour. The Committee had visited the application site on 8th November 2022.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application.

P/2022/0631

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies GD1, GD6, NE1 and TT4 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that it was proposed to create a single car parking space to the west of the property. The car parking space would measure approximately 5558 millimetres x 2300 millimetres, which was below the specified minimum size standards which, in turn, could potentially compromise highway safety. The loss of the front garden area of the property to provide the parking space would also have a detrimental effect on the street scene. Therefore, the application had been refused on the grounds that it was contrary to Policy TT4 of the 2011 Island Plan and it was recommended that the Committee maintain refusal.

The Committee noted that 4 representations had been received in connexion with the application and that the Parish of St. Saviour had raised no objection.

The Committee heard from Mr. [REDACTED] who whilst raising a number of non-planning related matters, also added that it was understood that the Parish had withdrawn support for the application on the basis that the Roads Committee was considering designating car parking spaces to address issues on the estate.

The Committee also heard from Ms. [REDACTED] who pointed out that the proposal would block access to a parking space associated with No. 12 Croix de Bas.

The Committee heard from the applicant, Ms. [REDACTED] who referred to her written submission dated 6th October 2022, in which she outlined the difficulties currently encountered. Ms. [REDACTED] added that she had obtained quotes for an electric charging point for an electric vehicle.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above.

Field No. 63, La Route de

A14. The Committee received a report in connexion with a request for the reconsideration of a retrospective application which proposed the construction of a

Plemont, St. Ouen:  
construction of horse training pen to north-east (RETROSPECTIVE).  
  
P/2022/0135

horse training pen to the north-east of Field No. 63, La Route de Plemont, St. Ouen. The Committee had visited the application site on 8th November 2022.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area and that Policies SP2, PL5, GD1, GD6, NE3, TT1 and TT4 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application site was an agricultural field which was bounded by hedgerows and trees and was set within a rural landscape. There were 2 properties to the south of the site.

It was noted that a circular horse pen had been constructed in the north-eastern portion of the field and this had been enclosed by timber fencing. Topsoil had been removed and the area had been levelled and filled with a mixture of fibres and sand. A small bank had also been created to the west of the enclosure and this had been planted with wildflowers. The applicant had confirmed that the horse pen related to a small scale livery business he operated. A larger horse pen had been approved on Field No. 60A to the south-east of this (application reference P/0219/1085 refers).

The Committee noted that the use of the land in conjunction with the applicant's business was in accordance with Policy ERE7, in that it made a greater contribution to the rural economy than the historic grazing of horses. The pen was small in scale and the remainder of the agricultural field was unaffected by its construction. However, whilst it was accepted that activity associated with the facility was low, the potential vehicular movements associated with the equine business and the impact that this could have upon the wider transport network had to be understood. Coupled with the previous consent for a sand school it was evident that this was a successful facility which attracted visitors and had the potential to expand further. The evidence supplied was not sufficient in that it was impossible to conclude whether an appropriate level of accessible, secure and convenient parking could be provided on the site. Consequently, the application had been refused on the grounds that it failed to satisfy the requirements of Policies TT1 and 4.

The Committee heard from the applicant, Mr. [REDACTED], who advised that he believed that the necessary information to show that there was adequate provision for parking on the fields and by the sand school had been submitted. However, the case officer advised that the Department was not in receipt of this information.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above but urged the applicant to work with the Department to ensure that all relevant information was submitted in order to resolve the matter.

Les Tours Farm, La Rue des Nouettes, St. Clement:  
proposed demolition of glasshouses/ construction of new dwellings/ commercial

A15. The Committee received a report in connexion with a request for the reconsideration of an application which proposed the demolition of 3 glasshouse blocks and various minor commercial structures and the return of the land to agriculture at Les Tours Farm, La Rue des Nouettes, St. Clement. It was also proposed to construct 5 x 3 bedroom and 2 x 4 bedroom residential dwellings and 2 metal clad warehouses for commercial storage. An extension to the south elevation of an existing warehouse and a new shed for community use, all with associated parking were also included, together with alterations to the existing vehicular access and the formation of 2 new vehicular accesses onto Rue des Nouettes for the proposed residential development. Alterations to the car parking layout associated

warehouses/  
extension of  
existing  
warehouse/  
shed/new  
vehicular  
access/alterd  
parking layout.

P/2022/0267

with a staff accommodation building to the east of site, a reduction in the size of the existing reservoir to create a wildlife pond and a woodland amenity area were also proposed. The Committee had visited the application site on 8th November 2022.

Connétable M. O'D. Troy of St. Clement did not participate in the determination of this application.

A site plan and drawings and a 3 dimensional model were displayed. The Committee noted that the application site was situated in the Green Zone and was on the Eastern Cycle Route Corridor. Policies SP1, 2, 3, 4, 5 and 7, PL5, GD1, GD5, GD6, NE1, NE2, NE3, EI1, HE1, ERE1, ERE6, H1, H3, H4, H9, TT1, TT2, TT4, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Planning Policy Notes 3 (parking guidelines) and 6 (a minimum specification for new housing developments) were also relevant.

The Committee was advised that Les Tours Farm Nursery complex was understood to have been non-operational since 2013. The site comprises 3 glasshouses, a staff accommodation block and a packing shed which had been repurposed to store, sell and maintain agricultural equipment by Agri-Co. The glasshouses had been constructed between 1973 and 1980 and appeared to be disused and showed some signs of deterioration, including smashed/broken glass panes, but remained in a fairly robust state. The site also included a tree lined reservoir and it was proposed to replace this with a new wildlife pond.

The principle of development outside of the defined Built-Up Area was considered to be unacceptable and contrary to the Spatial Strategy. Furthermore, the evidence which had been supplied did not demonstrate that the existing glasshouses were redundant/derelict. Moreover, the impact of the proposed development was considered to be more harmful to the wider landscape character and the setting of Listed Buildings than the current level and nature of development on the site. There was also insufficient information to evidence that the proposed commercial/industrial element would not be detrimental to the amenities of surrounding residential properties or that the amenities of the proposed residential element of the scheme would be safeguarded. The proposals would also be detrimental to the safety and capacity of the highway network, with insufficient information having been provided to demonstrate that the impact of the development would be acceptable in this context. Finally, insufficient information has been provided with regard to surface and foul water drainage associated with the development, nor had confirmation been received that the network could accommodate the additional foul sewerage. In light of the foregoing, the application had been refused on the grounds that it was contrary to Policies SP2, SP3, SP4, PL5, GD1, GD5, GD6, NE3, HE1, EI1, ERE1, ERE6, H3, H9, TT1, TT2, WER6 and WER7 of the 2011 Island Plan and it was recommended that the Committee maintain refusal.

10 letters of representation had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] Principal Planner, Strategic Policy, Planning and Performance Department, who advised that the Department report provided a comprehensive overview of the relevant policy context and a full assessment of the application against these policies. He went on to discuss the significance of the Spatial Strategy (Policy SP2 refers), which sought to concentrate development in the Built-Up Area and, in particular, the primary urban centre of St. Helier and the secondary urban centre of Les Quennevais. More limited development was permission in local centres, with the scale of development being related to local community need and context. In smaller settlements development

would be much more limited. Outside the defined Built-Up Area, within the countryside, development could only be supported where a coastal or countryside location could be justified. Mr. [REDACTED] reminded the Committee that there were a number of derelict glass house sites across Island and if development was permitted on these sites the implications for the intrinsic value of the Island's countryside, coast and marine environment would be significant. The aims of the Spatial Strategy and the Bridging Island Plan would also be severely comprised as the aim was to focus development activity in existing Built-Up Areas. Even if it was proved that the glasshouses were redundant, the policy context was clear - Policy ERE6 stated that the redevelopment of redundant and derelict glasshouses for non-agricultural uses would not be supported. The policy required the removal of redundant glasshouses and the return of the land to agriculture. In only the most exceptional circumstances would the development of derelict glasshouses be considered for other uses, provided that the amount of development was the minimum required to deliver an overall improvement to the landscape character of the countryside through the removal of glasshouses and the supporting infrastructure and the restoration of agricultural land or an appropriate environmentally beneficial use. In this particular case the level of development proposed was considered to be excessive in this unsustainable rural location and would not result in an improvement to the landscape character.

The Chair asked whether the glasshouses on the application site had been restored in line with an historic approval (P/2011/1215) for the redevelopment of another site at Boulivot where a Planning Obligation Agreement had been entered into to secure, among other things, funding for the restoration of the glasshouses on the application site. The case officer advised that it was understood that the works had been carried out. However, some members questioned the accuracy of this statement given that a safety report published in 2016, appeared to focus on the safety implications of restoring the glasshouses to modern standards.

The Committee heard from Ms. [REDACTED] who asked whether it was intended to make Rue des Nouettes one-way and, if this was the case, whether the effect this would have on the surrounding road network had been considered.

The Committee heard from Mr. [REDACTED] [REDACTED] referenced Policy ERE6 and the clear statement that the redevelopment of redundant and derelict glasshouses for non-agricultural uses would not be supported. [REDACTED] He reminded the Committee that this was agricultural land and the Jersey Farmers Union had set out rental prices for usable glasshouses at between £0.08 and £0.10 per square foot. However, the advertised rental price for the glasshouses on the application site was £1.50 per square foot. Mr. [REDACTED] concluded by stating that the application was clearly contrary to policy.

The Committee heard from Mr. [REDACTED] who represented Mr. [REDACTED] and Ms. [REDACTED] who owned Les Tours Farm, which was located to the north of the application site. Mr. [REDACTED] asked whether a disuse and disrepair condition had been attached to the glasshouses and also questioned whether redundancy had been proved. He stated that the figures submitted with the application appeared to be historic. The potential for overlooking from the proposed development was also highlighted.

The Committee heard from Mr. [REDACTED] who [REDACTED] had taken a

great deal of interest in the subject of the redevelopment of glasshouse sites. Mr. [REDACTED] stated that the Bridging Island Plan did not appear to include a policy for glasshouses outside of the urban area and he noted that recent media reports suggested that the Chief Minister intended to reopen the debate on the possibility of building affordable homes on derelict and redundant glasshouse sites. It was recalled that the Chief Minister's amendment to the Bridging Island Plan to allow 50 percent of redundant or derelict glasshouse sites to be built on had been defeated during the Bridging Island Plan debate. In Mr. [REDACTED]'s view it was unrealistic to imagine that landowners could refurbish glasshouses or return land to agriculture without incurring significant costs. There were many derelict glasshouse sites in the Island and these were a blot on the landscape.

Having noted that the applicant had yet to speak, the Chair reminded those present of the Committee's agreed procedures, which included a rule that the time allocated for oral representations in respect of major applications was limited to a total of 15 minutes for each side (that is, those speaking for or against an application). It was incumbent upon the parties to allocate the time among those individuals who wished to speak.

The Committee heard from Connétable M. O'D. Troy of St. Clement, who stated that he had been uncomfortable with some of the decisions made by the States Assembly to re-zone agricultural land during the Bridging Island Plan debate. However, the applicants did not have the necessary funds to restore the glasshouses on the application site and the scheme proposed the return of some of the land to agriculture. Vistas would be greatly improved and this was a 'compact development'. In concluding, the Connétable assured the meeting that there was no intention of making Rue des Nouettes one-way and he added that it was unlikely that there would be any further development on this road.

The Committee heard from Mr. [REDACTED] Vice President of St. Clement's Sports Club, who welcomed the return of the land to agriculture and advised that footballs from activities on the Sports Club site often had to be retrieved from the application site which was, in his view, in a dangerous condition.

The Committee heard from Messrs. [REDACTED] and [REDACTED] of Axis Mason, representing the applicant. Mr. [REDACTED] advised that the 2016 safety report published concluded that it was not feasible to undertake repairs to the glasshouses and that demolition and redevelopment was the only option. A comprehensive marketing exercise which spanned 6 years had been undertaken by Buckley and Company. There was no requirement to make Rue des Nouettes one-way and trip numbers would be extremely low with an estimated 10 x 2 way trips during peak hours – within normal variation. The scheme would afford Agrico the opportunity to consolidate its operation into a single building and this would give rise to health and safety benefits and would limit noise (there had been no complaints about Agrico's operations). The remaining commercial buildings would be used for storage purposes with no plant or odour. There was 190,000 square feet of unusable agricultural land in the glasshouses and over 50 per cent of this would be returned to agriculture and the remainder developed to give the minimum return to cover costs. Drainage calculation revealed a 50 per cent betterment in terms of surface water run off and there would be no impact on foul sewerage. With regard to the linked development at Boulivot, details of how the money was spent had been submitted to the Department but had not been published. In response to questions regarding the small commercial storage units, Mr. [REDACTED] stated that it was envisaged that these would be leased. The Parish of St. Clement had also been offered a building for community use and the Connétable confirmed that no firm decision had been taken as to whether to accept this offer.

The applicant's daughter, Ms. [REDACTED] asked to address the Committee but the Chair pointed out that the delegation had exceeded the agreed time limit for oral representations, as detailed above and he was not prepared to permit an extension as this would be inequitable. The Chair reminded those present that it had been made clear at the outset that the time limit for each side was set at 15 minutes.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above.