

KML

PLANNING COMMITTEE

(16th Meeting)

2nd February 2022PART A (Non-Exempt)

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence and Deputies R.E. Huelin of St. Peter, K.F. Morel of St. Lawrence L.B.E. Ash of St. Clement and M.R. Le Hegarat of St. Helier, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity, Chair
 Connétable M. Troy of St. Clement
 Deputy G.J. Truscott of St. Brelade, Vice Chairman
 Deputy S.G. Luce of St. Martin
 Deputy J.M. Maçon of St. Saviour

In attendance -

P. Le Gresley, Head of Development and Land
 E. Stables, Senior Planner
 C. Jones, Senior Planner
 J. Gladwin, Senior Planner
 K.M. Larbalestier, Specialist Secretariat Officer, 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 13th January 2022, having been previously circulated, were taken as read and were confirmed. |
| Seaside Café
(aka Romany
Café), Le Mont
de St. Marie,
Gréve de Lecq,
St. Mary:
proposed
demolition and
redevelopment. | <p>A2. The Committee, with reference to its Minute No. A5 of 13th January 2021, received an oral report from Mr. P. Le Gresley, Head of Development and Land in connexion with an application for the demolition of the premises known as Seaside Café (aka Romany Café), Le Mont de St. Marie, Gréve de Lecq, St. Mary.</p> <p>The Committee recalled that it had granted permission for the above development, subject to the imposition of certain conditions and on the basis of the entering into of a Planning Obligation Agreement (POA), which was to include a requirement to secure the café use in perpetuity.</p> |
| P/2021/0861 | <p>The Committee noted that, following the meeting, the Head of Development and Land had given further consideration to the inclusion of the requirement to secure the café use in perpetuity (which had been suggested by the applicant's agent, Mr. M. Stein of MS Planning) and had also sought advice on the matter. Ultimately, it had been concluded that such a requirement would effectively remove the statutory right of a landowner to apply for planning permission to change the use of land or buildings in the future. Consequently, the Department was recommending that the POA be used as a vehicle by which to secure the delivery and operation of the café prior to the occupation of the dwelling. Whilst this was considered to represent a good compromise, it did not align with the Committee's original decision and members were asked to re-consider the matter in the light of this issue.</p> |

Members endorsed the Department's recommendation to secure the delivery and operation of the café prior to the occupation of the dwelling as part of the POA.

Channel
Television
House, La
Pouquelaye,
St. Helier:
proposed
change of use.

A3. The Committee, with reference to its Minute No. A6 of 13th January 2022, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought approval for the change of use of part of Channel Television House, La Pouquelaye, St. Helier to facilitate the creation of a private fitness gym. The Committee had visited the application site on 13th January 2022.

P/2021/0230

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented.

The Committee confirmed its decision to grant permission for the reasons set out in the decision confirmation report and subject to the implementation of certain conditions, also detailed therein. In addition, the Committee endorsed the entering into of a Planning Obligation Agreement (POA) (as recommended by the highway authority) to secure a financial contribution [REDACTED] towards the provision of safer cycling and walking routes to the site. In the event that the POA could not be agreed within 3 months of the date of the decision the application would be refused under delegated authority. Finally, the Committee's attention was drawn to a management plan, which had been submitted by the applicant at the Committee's request. This document outlined the manner in which the facility would operate.

Millemont, Les
Varines, St.
Saviour:
proposed
conversion/
new vehicular
access/
extensions
(RFR).

A4. The Committee, with reference to its Minute No. A7 of 13th January 2022, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought approval for the creation of a unit of accommodation within the roof space of the property known as Millemont, Les Varines, St. Saviour. The Committee had visited the application site on 11th January 2022. The Committee had visited the application site on 13th January 2022.

RP/2020/1219

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented.

The Committee confirmed its decision to grant permission for the reasons set out in the decision confirmation report and subject to the implementation of certain conditions, also detailed therein.

Oakfield
Sports Centre,
Wellington
Road, St.
Helier:
proposed new
sports centre.

A5. The Committee, with reference to its Minute No. A5 of 21st October 2021, considered a report in connexion with an application which sought permission for alterations to the existing sports centre building at Oakfield, Wellington Road, St. Helier and the construction of a new sports centre with associated changing rooms, teaching areas, offices and plant space to the south east of the existing building. The Committee had visited the site on 1st February 2022.

P/2021/1739
P/2021/0835

A site plan, drawings and images of a 3 dimensional model were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Green Backdrop Zone. Policies SP1, 4, 6 and 7, GD1, 7 and 8, NE2, NE4, BE3, SCO3 and 4, TT2, 4, 8 and 9, LWM2, LWM3 and WM1 of the 2011 Island Plan were of particular relevance.

The Committee recalled that it had refused permission for a previous scheme on the

grounds that it was contrary to Policies GD1, GD7, SP7, BE3, SCO4 and WM1 of the 2011 Island Plan. The applicant had worked with the Department to produce a revised scheme which sought to address the previous reasons for refusal.

The Committee recalled that fiscal stimulus funding had been approved in 2020, for the proposed new facility. 2 key projects had been identified to deliver alternative sports facilities to replace Fort Regent, Oakfield and Springfield. Oakfield also presented an opportunity for Highlands College and Hautlieu School to expand curricular and extra-curricular sporting and physical activities. It was also envisaged that the proposed new sports centre would become a hub for netball and other sports.

In terms of the proposed new facility, the Committee was advised that the principle of a new sports facility on this site was considered acceptable. The proposed new building would accommodate a wide range of sports facilities and the alteration of the existing sports centre would provide a dedicated gymnastics facility with a viewing area. The creation of accessible car parking bays and the alteration of the existing parking bays to the south of site were also proposed, together with the construction of a new outdoor store to the west. The facilities would be available for use by the wider community, Highlands College, Hautlieu School and Little Monkeys Nursery. The facilities would open at 6.00 am and run until 10.00 pm during the week and 8.00 am to 8.00 pm at weekends.

The Committee noted that the revised scheme used more coloured fabric to the elevations of the new building, increased the use of natural timber cladding and reduced the building height by 800 millimetres, without adversely impacting on the internal use. Whilst the revised scheme retained the shape and form of the previously refused building, increased planting to the Highlands Lane/Wellington Road site frontage and the recent grant of planning consent for the erection of green floodlighting columns and green fencing, would help to screen the development from outside the site, whilst producing a more pleasing design aesthetic. Consequently, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

The Committee noted that 2 letters of representations had been received in connexion with the application. In addition, the Environmental Health Department had requested the submission of a management plan and a noise assessment. The highway authority noted that an agreement had been reached with Highlands College to use car parking on that site for the facility and upgraded pedestrian links and new lighting were required to improve connectivity between the sites, together with a travel plan.

In response to a question from a member, it was confirmed that there would not be a viewing gallery in the proposed new building.

The Committee heard from Ms. ■ McAllister of Jersey Sport and Mr. ■ O'Brien, Architect. Ms. McAllister outlined the revised parking arrangements, which had been agreed with Highlands College, and how event planning would be managed. Whilst the proposed new building would not have a viewing area, bleacher seating would be used for larger events.

In response to a question regarding parking for motorcycles, it was noted that 52 bicycle spaces were proposed, together with 4 motorcycle spaces. However, bicycle spaces could also be used to accommodate scooters.

Mr. O'Brien discussed the revisions to the scheme, which included the rationalised and improved car parking layout (which was supported by the Infrastructure,

Housing and Environment Department – Transport Section), the reduction in the height of the building (it was hoped that this could be reduced further), the use of more coloured fabric to the elevations, which would break up the massing and reduce light spillage, together with the increased use of timber cladding. The landscaping scheme had been revised and the proposed development would be well screened from Wellington Road.

In response to a question regarding the height of the building, it was noted that this accorded with Sport England guidelines. Suggestions regarding excavating the site were noted but the Committee was advised that the cost was prohibitive and this could result in issues with the access to the facility. Mr. O'Brien also responded to a question regarding light spillage from the Vice Chair, advising that whilst the walls would be opaque, the roof would be transparent and this was considered to represent the best option for a sports facility and would also lead to energy savings. Finally, in relation to the boundary landscaping, it was noted that semi-mature planting would be used in order to achieve proper screening. The case officer added that landscaping details would be required prior to commencement.

Having considered the application, the Committee, with the exception of Deputy S. G. Luce of St. Martin (who was concerned about the height of the building and traffic intensification in and around the area due to road layouts) decided to grant permission, subject to the imposition of certain conditions detailed within the officer report.

Jersey Yacht
and Boat yard,
Old South Pier,
South Pier, St.
Helier:
proposed
change of use
of unit.

A6. The Committee, with reference to Minute No. A4 of 14th January 2021, of the Committee as previously constituted, considered a report in connexion with an application which sought approval for the change of use of part of the ground floor of the Jersey Yacht and Boat yard (S10), Old South Pier, South Pier, St. Helier to facilitate a warehouse/distillery with gin tasting. The Committee had visited the application site on 2nd February 2022.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and the French Harbour was Grade One Listed. Policies TT15, HE1 and GD1 of the 2011 Island Plan were of particular relevance.

P/2020/1015

The Committee was advised that the application site was located on the South Pier of the French Harbour and was centrally positioned between buildings which were used for a variety of marine related purposes. The building was a 2-storey granite structure, which was historic in appearance and which had previously been used for boat manufacture and as a sail loft, as evidenced by the large main door. It was currently used as a gin distillery and the Committee had previously granted permission for the use of a small part of the ground floor on the western side of the building, which was already physically separated from the larger area, to be used as a retail outlet for the sale of gin from the distillery. The current application proposed the use of part of the ground floor for gin tasting events, with the remainder of the area being used for production and bottling. No physical development was proposed so any impact would relate to intensity of use and the timing of events. It was noted that the applicant company's website suggested that events would last for 2 hours and would be held on Fridays and Saturdays, catering for between 8 and 26 people.

The Committee noted a total of 6 letters of support and 16 letters of objection, to include an objection from the St. Helier Yacht Club. Although much concern had centred around parking issues, no objection had been raised by the highway authority. The Committee was advised that parking area on the pier was not dedicated solely to marine uses and it was not envisaged that the proposal would have any significant impact on the road network. However, the Department was

in the context of the application and did not believe that the proposal would be harmful to neighbouring amenities. He added that the provision of parking in the area was not viewed as a problem by the applicant company as those attending events were likely to walk from town or be dropped off at the application site. In concluding, Mr. Socrates stated that the scheme aligned with the South-West St. Helier Planning Framework.

The Committee heard from Mr. ■■■ Soare of Jersey Business, who stated that the applicant company's product fitted with the visitor profile and supported local production initiatives.

The Committee heard from a representative of D.K. Collins Marine, which company operated from a neighbouring building. The application was supported and presented no problems for D.K. Collins. It was also noted that many of those attending events on the application site also visited St. Helier Yacht Club for refreshments.

The Committee heard from the applicant, Mr. ■■■ Wheadon, who confirmed that only 3 members of staff worked at the premises and that no change was envisaged. He too referred to the positive pre-application advice which had been received and noted an objection from Mr. ■■■ Nicholson of MS Planning, on behalf of a client, which was particularly disappointing as it appeared to completely contradict advice Mr. Nicholson had provided when previously employed as a Principal Planner in the Department. Mr. Wheadon stated that this advice lacked credibility and perception and had been designed to inflame the situation. Whilst he was well aware of views in relation to the provision of car parking on the pier, which he described as 'the hottest topic', the applicant company's proposal would not have any impact on this. In response to a question from the Vice Chair regarding the provision of toilet facilities on the application site, Mr. Wheadon confirmed that a dedicated toilet facility existed.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above. In doing so, some members of the Committee expressed concern at the situation the applicant found himself in and questioned the veracity of the original decision, particularly as the applicant had entered into a long lease with Ports of Jersey without the ability to fully implement his business plan. The Connétable of St. Clement offered to assist the applicant in making representations to Ports of Jersey.

Silcia, La Rue
du Pont
Marquet, St.
Brelade:
proposed new
dwelling.

A7. The Committee considered a report in connexion with an application which sought approval for the construction of a dwelling to the south of the property known as Silcia, La Rue du Pont Marquet, St. Brelade. The Committee had visited the application site on 2nd February 2022.

Deputy G.J. Truscott of St. Brelade did not participate in the determination of this application.

P/2021/0829

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, GD3, GD7 and NE4 of the 2011 Island Plan were of particular relevance.

The Committee was advised that a previous scheme, which was almost identical to that which was now proposed, had been refused in February 2021, on the basis that it would have resulted in the over-development of the site, resulting in a compromised design which would have an unreasonable impact on neighbouring uses. Parking and landscaping arrangements had also been considered unsatisfactory and the proposal would intensify the use of the site and the narrow access lanes and

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junction with the main road. No information had been submitted to ensure that visibility at the junction met the requirements of the highway authority.

Whilst the current proposal satisfied minimum standards in respect of the proposed development and retained an acceptable (minimum) garden size for Silcia, the nature and close proximity of neighbouring uses meant that the development would not sit comfortably on the site and would not be considerate to neighbouring uses. The result was a cramped form of development which would be overbearing and cause shadowing of the properties [REDACTED] as well as the host building Silcia. In addition, highway safety issues existed in relation to the proposed car parking arrangements, together with visibility concerns at the access onto the main road, which had not been addressed. Finally, the loss of the bank and remaining tree would be visually detrimental to the area and would impact on wildlife. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies GD1, GD3, GD7, H6 and NE4 of the 2011 Island Plan.

10 letters of objection and 7 letters of support had been received in connexion with the application.

The Committee heard from Mrs. [REDACTED] Doleman [REDACTED], who advised that an application for a more modest development at [REDACTED] property had previously been refused. The scheme under consideration would have a detrimental impact on both St. Jude and Connemara, being overbearing and causing overshadowing. If the Committee was minded to grant permission, Mrs. Doleman expressed a desire for the retention of a tree on the boundary with [REDACTED] property. In concluding, she noted that the Department's website indicated that the application was due to be heard on 3rd February 2022, as opposed to 2nd February 2022, and she wondered whether this might have caused confusion.

The Committee heard from Mr. [REDACTED] Crowther [REDACTED] who advised that he too was concerned about the overbearing impact of the proposed development, the potential for overlooking and visibility splays. He was also worried about the ecological impact of the development.

The Committee heard from the applicant's agent, Mr. [REDACTED] Stein of MS Planning. Mr. Stein advised that the applicant, Ms. [REDACTED] White was unable to attend the meeting but that Mrs. [REDACTED] Chinn would read from a pre-prepared statement on her behalf. Mrs. Chinn advised that the applicant was most disappointed at the recommendation to refuse permission. She outlined the visual improvements which would arise from the scheme and stated that it would have a minimal effect on the property known as St. Jude and the host dwelling. [REDACTED] the applicant believed that the application site at Silcia was larger [REDACTED] Ms. White was also aware that Connemara had been constructed in the garden of another property and benefitted from a flat roofed extension. The applicant recalled that similar concerns had been expressed when a nearby property [REDACTED] had been constructed but, in her view, this development now blended seamlessly with the surrounding context. Reference was also made to another development in the vicinity where permission had been granted for an additional storey and the applicant considered that this would have a far greater impact than the application under consideration. In terms of access to the application site, [REDACTED] the point was made that a refusal on visibility grounds would be unreasonable. It was suggested that a timber fence on a property on the western boundary could be reduced so as not to impede visibility. In concluding, Ms. White had reminded the Committee of the shortage of housing in the Island and the proximity of the site to local amenities.

Mr. Stein advised that the application site was in the Built-Up Area, wherein there was a presumption in favour of development and where high yields were encouraged. He too referred to similar development in the immediate vicinity and reminded the Committee that the garden which would be retained for Silcia would measure 120 square metres and the garden for the new development would be 124 square metres. [REDACTED]

[REDACTED] There were generous gaps on either side of proposed dwelling and relationships such as that which was proposed were entirely normal in this context. Connemara had also been built in the garden of another dwelling and had a smaller rear garden, no front garden and no car parking. The car parking proposed within the application met the standards and the scheme proposed a modest dwelling in a generously sized plot. The existing access on to Le Pont Marquet had been improved as part of the Hawthorne Cottage development and was 'not far off' from being acceptable. It served 19 dwellings so the addition of a 2 bedroom dwelling would not result in a significant increase. [REDACTED]

[REDACTED] In conclusion, Mr. Stein stated that the Bridging Island Plan identified the need for a number of new open market dwellings and this was a low density scheme in the Built-Up Area.

In response to Mr. Stein's comments regarding the improved visibility arrangements which had been required as part of the consent granted for Hawthorne Cottage, the case officer advised that she had raised this with the Transport Section of the Department and had been advised that standards had changed since 2010, when permission had been granted for that development.

Having considered the application, the Committee, with the exception of Deputy S.G. Luce of St. Martin, endorsed the Department's recommendation to refuse permission for the reasons set out above.

Hazeldean,
Green Street,
St. Helier:
proposed
demolition and
redevelopment.

A8. The Committee considered a report in connexion with an application which sought approval for the demolition of the property known as Hazeldean, Green Street, St. Helier and its replacement with 6 apartments with car parking and bicycle storage. The Committee had visited the application site on 2nd February 2022.

P/2021/1336

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies SP1, 4 and 5, GD1, GD7, HE1, H6 and TT13 of the 2011 Island Plan were of particular relevance.

The Committee was advised that a previous application had been refused in June 2021, on the basis that no evidence had been submitted to demonstrate that the building was not capable of being repaired or refurbished, contrary to Policies GD1.1.a, SP4 and HE1. In addition, the design, height, size, scale and position of the proposed development had been considered dominant and intrusive and would have resulted in the overdevelopment of the site, thereby causing unreasonable harm to the character of the area, contrary to Policies SP4, GD1, GD7 and HE1. The proposed development failed to preserve or enhance the setting of the neighbouring Listed Buildings at Nos. 29 and 30 Green Street, as well as the wider setting of other Listed Buildings to the south, contrary to Policies SP4, GD1 and HE1 of the Island Plan 2011. The development had also been considered harmful to the amenities of the neighbouring property to the south and would have resulted in overlooking to No. 30 Green Street and the property known as Pincema, No. 28 Green Street, contrary to Policies GD1 and GD7.

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The Committee noted that the current scheme overcame the previous reasons for refusal and would provide much needed new residential dwellings in an attractive development that would preserve the character of the area and would not cause unreasonable harm to neighbouring properties. The proposed development accorded with Island Plan Policies and was recommended for approval, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a Planning Obligation Agreement (POA) to secure a contribution [REDACTED] to the Eastern Cycle Route prior to the commencement of the development.

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

In response to a question from the Chair, it was noted that all of the units met the agreed residential standards, with each benefitting from a balcony or a ground floor terrace.

The Committee heard from the applicant's agents, Messrs. [REDACTED] Stein of MS Planning and [REDACTED] Collins of Mac Architecture. Mr. Collins confirmed that the smallest one bedroom unit measured 52 square metres, which aligned with standards. The proposed development would be constructed broadly on the footprint of the existing dwelling and Mr. Collins noted the comments of the Principal Historic Environment Officer, which suggested that the proposed development had the potential to 'knit the street scene back together'. Every effort had been made to eliminate overlooking.

The Committee heard from Mr, Stein, who reminded the Committee that the application site was in a sustainable location and the scheme would make better use of this Built Up Area site. An additional block at the rear had been removed and this, together with other modifications, reduced the impact on neighbouring amenities. The Historic Environment Team supported the approach. Each unit would have a dedicated car parking space and one visitor space would also be provided together with bicycle storage. Whilst the scheme did not quite achieve the external space standards, its central location meant that local amenities could be easily accessed.

In response to a question from Deputy J.M. Maçon of St. Saviour regarding the design approach adopted, given the historic context, Mr. [REDACTED] Farman, also of MS Planning, addressed the Committee. He advised that he had carefully considered the context and, whilst it was accepted that some properties on Green Street included ornate Victorian detailing there were also many others which were much plainer. Consequently, the design approach adopted took cues from buildings in the immediate vicinity. It was suggested that, if the Committee was minded to grant permission, final finishes and detailing could be conditioned.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, Chair and Deputy S.G. Luce of St. Martin, endorsed the recommendation to grant permission, subject to the imposition of certain conditions detailed within the Department report and on the basis of the entering into of a POA, as detailed above. The Committee also directed that final finishes and detailing be conditioned and members agreed that this applied to both the front and rear of the building.

The Pines, Le Mont Sohier, St. Brelade: proposed demolition and redevelopment.

A9. The Committee considered a report in connexion with an application which sought approval for the demolition of the property known as The Pines, Le Mont Sohier, St. Brelade and its replacement with a new 2 bedroom dwelling. The Committee had visited the application site on 2nd February 2022.

A site plan and drawings were displayed. The Committee noted that the application

P/2021/1336

site was situated in the Built-Up Area of the Green Backdrop Zone and that Policies GD7, NE1, NE2, BE6, BE3 and H6 of the 2011 Island Plan were of particular relevance.

The Committee was advised that a previous application had been refused in January 2021, on the basis that the proposed dwelling would unreasonably affect the level of privacy to the neighbouring property known as Le Caprice (to the west), contrary to Policies GD1 and GD7 of the 2011 Island Plan. Furthermore, the proposed development, by reason of its size, height, position on the site and its relationship with the neighbouring properties, would result in an unreasonable overbearing impact, harmful to the amenities of the neighbouring properties known as Endsleigh to the west and Garvernier to the north of the application site, contrary to Policies GD1 and GD7. Finally, the proposal had been considered harmful to the character and amenity of the area, contrary to Policies GD1, GD7 and BE3.

The Committee noted that the current scheme proposed the construction of a 3 storey dwelling (with a basement level for storage and a bedroom within the pitched roof). Policy H6 stated that proposals for new dwellings would be permitted within the Built-up Area, provided that they met the required housing standards and other relevant Island Plan policies. In this instance, the proposed accommodation and amenity space were of an acceptable size and standard. Policy GD1 precluded the replacement of any building which was capable of repair or refurbishment and whilst the existing building was considered to be capable of repair, it was of such poor quality and environmental standard that its replacement with a high quality design, materials and environmental standards meant that demolition and redevelopment were justified in this case. Consequently, the scheme overcame the previous reasons for refusal and was not considered detrimental to the character of the area or harmful to neighbouring amenities. Approval was recommended, subject to the imposition of certain conditions detailed within the Department report.

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

The Committee heard from Mrs. ■ Riedler, who advised that ■ property was located in the close proximity to the application site. Mrs. Riedler was concerned about the potential for structural damage to ■ property and was aware that this had occurred in some areas of St. Brelade's Bay where development had taken place. She was also concerned about loss of privacy arising from the proposed development and noted that the application site was landlocked.

The Committee heard from Ms. ■ Morrin, who asked the Committee to note the comments submitted by Mrs. ■ Ferguson. Mrs. Morrin noted that a new restaurant was to be opened in the Bay by Randalls Brewery and she believed this would lead to an intensification of traffic in the area. If permission was granted for the proposed development this would generate construction traffic and she asked where contractors would park vehicles and store machinery. Mrs. Morrin advised that indiscriminate parking had occurred when another site in the Bay had been developed. She too was concerned about structural damage arising from the proposed development and explained that ■ property was already showing signs of damage due to another development in the vicinity.

The Committee heard from Mr. ■ Seymour, who read from a pre-prepared statement from Mr. and Mrs. ■ Eva, who were unable to attend the meeting. It was noted that Mr. and Mrs. Eva felt that there was very little difference between the refused and proposed schemes. Concerns regarding massing and scale remained and Mr. and Mrs. Eva believed that the proposed development would be overbearing, out of proportion and not in keeping with existing development and would adversely

where [REDACTED] nature take its course. The scheme would improve natural habitats and reference was made to the landscape scheme which had been produced by Michal Felton Landscape Architects. Mr. Evans discussed his desire for a contemporary new ecologically sound building and believed that every effort had been made to address concerns regarding overlooking and overbearing impacts. However, he suggested that he would have to build underground to eradicate all concerns. The scheme proposed a modest dwelling with ample green space. He had commenced work on the project 4 years ago and had worked with neighbours throughout, to include consultation with a structural engineer who had provided assurances. The proposed development would not result in a loss of light loss and would improve views from the property [REDACTED]. Whilst he accepted that developing the application site would be challenging, a timber frame would be manufactured off site and this was considered to represent the best solution.

The case officer detailed the conditions which were proposed, to include the submission of a demolition/construction environmental management plan prior to the commencement of development and samples of all external materials prior to use on site. It was also confirmed that, whilst there was no vehicular access to the site, the scheme would retain 2 existing car parking spaces adjacent to the road, together with 2 additional spaces.

The Chair advised those present that the grant of planning consent did not convey the right to do anything which an applicant did not have a legal right to do. Furthermore, any technical issues arising from the development had to be addressed by the applicant and his contractors.

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

Planning and
Building
(Jersey) Law
2002:
recommendat-
ions in
accordance
with Article
9A.
410/99(1)

A10. The Committee decided to make the following recommendation to the Minister arising from its assessment of the application of planning policy, in accordance with Article 9A of the Planning and Building Law (Jersey) 2002 –

that the Minister give consideration to the provision of land for light industrial uses in the Bridging Island Plan (Minute No. A6 of the meeting refers).