

KML/MH/214

PLANNING COMMITTEE

(1st Meeting)

5th July 2018**PART A (Non-Exempt)**

All members were present, with the exception of Deputies S.M. Wickenden of St. Helier and R.E. Huelin of St. Peter and Connétable K. Shenton-Stone of St. Martin.

Deputy R. Labey of St. Helier, Chairman
(not present for item Nos. A8, A14 and A15)
Deputy G.J. Truscott of St. Brelade, Vice Chairman
Deputy J.M. Maçon of St. Saviour
(not present for item No. A16)
Deputy R.J. Rondel of St. Helier
(not present for item Nos. A5, A7, A8, A9 and A10)
Connétable D.W. Mezbourian of St. Lawrence

In attendance -

P. Le Gresley, Director, Development Control
A. Townsend, Principal Planner
J. Nicholson, Principal Planner
C. Jones, Senior Planner
E. Stables, Senior Planner
J. Gladwin, Senior Planner
L. Davies, Planner
G. Duffell, Senior Planner
R. Hampson, Planner
T. Ingle, Principal Historic Environment Officer
K. M. LARBALÉSTIER, Committee Clerk

Note: The Minutes of this meeting comprise Part A only.

Minutes.	A1. The Minutes of the meeting held on 31st May 2018, having been previously circulated, were taken as read and were confirmed.
Field No. 351, La Route de Petit Port, St. Brelade: Minutes of the meeting held on 15th March 2018. 477/5/3(864)	A2. The Committee, with reference to Minute No. A14 of 15th March 2018, of the Committee as previously constituted, noted that the States Greffe had been contacted by Mr. J. Chinn regarding the record of the meeting produced by the Senior Committee Clerk, States Greffe in relation to Field No. 351, La Route de Petit Port, St. Brelade. As a result the following minor amendments to the Minute was noted – page 653 – Mrs. S. Harris should read Mrs. S. Parrott;

in addition, Mr. Chinn had referred to a comment made by Mr. J. Noel, a near neighbour. The record showed that Mr. Noel had indicated that not all of the houses in the vicinity of the quarry had been built after the cessation of the use of the site as a gravel quarry when in fact it should have stated that all of the houses in the vicinity of the quarry had been built after the cessation of the use of the site as a gravel quarry.

Vice
Chairman:
appointment.
478/5(14)

A3. The Committee appointed Deputy G.J. Truscott of St. Brelade as Vice Chairman.

Planning
Committee –
Procedures and
arrangements.
410/99(1)

A4. The Committee received a report and appendices entitled ‘Planning Committee – procedures and arrangements’ which set out certain statutory requirements under Article 9A of the Planning and Building (Jersey) Law 2002.

The Committee’s attention was drawn to the following -

Article 9A (1A) - required an agreement between the Committee and the Chief Officer of the Department of the Environment over how issues would be referred to the Committee for consideration;

Article 9A (3) - provided for the publicity of Committee meetings and the availability of information to be considered by the Committee in advance;

Article 9A (4) - allowed the Minister to prescribe by Order procedures for the Committee;

Article 9A (5) - allowed the Committee to determine its own procedure, except as provided for elsewhere;

Article 9A (6) & (7) - required the presentation of a report to the States Assembly on an annual basis in the first quarter with comments from the Committee about the policies it has been using to make decisions. In the same report the Minister would respond to those comments.

The Committee noted the details of the existing agreement between the Chief Officer and the Planning Committee – as set out in appendix one - and endorsed the approach adopted. The Committee’s attention was also drawn to a Code of Conduct for members of the Planning Committee, as set out in appendix 2, and members agreed to adhere to the same. Finally, the Committee agreed to contribute to the formulation of an annual report to the States Assembly by reviewing the application of policies at Committee meetings during its term of office.

Shambala, No.
41 Le Mont
Pelle, St.
Helier:
proposed
extension.
477/5/1(627)
RP/2018/0673

A5. The Committee, with reference to its Minute No. A5 of 15th February 2018, considered a report in connexion with a revised application which proposed the construction of an enclosed external staircase to the east elevation of the property known as Shambala, No. 41 Le Mont Pelle, St. Helier. The Committee had visited the application site on 3rd July 2018.

Deputy R.J. Rondel of St. Helier did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Green Backdrop Zone of the Built-Up Area and that Policies GD1, GD7, H6 and BE3 of the 2011 Island Plan were of particular relevance.

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It was recalled that the Committee, as previously constituted, had considered an application for a first floor extension and an external metal staircase. Whilst the Committee had no objection to the proposed extension, members had been concerned with the appearance of the external staircase. Consequently, the application had been refused for this reason alone. Subsequently, a revised scheme which proposed the first floor extension only and omitted the staircase had been approved under delegated powers.

The Committee noted that the current application proposed an enclosed external staircase with a pitched roof. It was considered to be sympathetic to the design of the principal dwelling and the approved extension and was recommended for approval, subject to the imposition of a single condition, as set out within the officer report.

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

The Committee heard from Mr. A. Shaw, a resident of the area, who advised that he had been most disappointed to note the submission of a further application for a staircase and considered the approach taken to be somewhat 'devious'. He considered the current proposal to be even more detrimental than that which had previously been refused and felt that the proposed stair case would be overbearing and would block out even more light to his property. Whilst Mr. Shaw had no objection to the approved extension, he did not understand the need for an external stair case when it was clear from the drawings that the proposed extension could be accessed via an internal staircase. He reminded the Committee that the application site was situated in the Green Backdrop Zone and he stated that the proposal was not in keeping with the existing pattern of development. Mr. Shaw presented the Committee with some photographs to illustrate his points and concluded by stating that the application was contrary to Policy GD1(3)(b).

The Committee heard from the applicant, Mr. W. Medder and his agent, Mr. P. Davies. Mr. Davies advised that the applicants wished to create a separate access from the garden to the proposed extension, which would accommodate a play room. The previous reasons for refusal had been addressed by amending the design of the staircase so that there would be no overlooking issues.

Mr. Medder pointed out that the staircase would be fully enclosed and would be set back so that there would be no loss of light to neighbouring properties. He believed that the white plastic fascia on the front would, in fact, reflect light. There was no intention of creating a separate unit of accommodation at present and if this was the case in the future, permission would have to be sought.

The case officer addressed some of the points raised and advised that the policy test was one of unreasonable harm and the Department was satisfied that the scheme passed this test. Therefore, approval for this development in the Built-Up Area was recommended. Mr. Shaw interjected, disagreeing with the Department's assessment of the application.

Having considered the application the Committee decided to grant permission, subject to the imposition of a single condition, as detailed within the officer report.

Homestill and
Montrose, La
Rue du
Presbytere,
Trinity:
proposed
demolition and
redevelopment.
477/5/2(779)

P/2018/0201

A6. The Committee, with reference to Minute No. A7 of 19th April 2018, of the Committee as previously constituted, considered a report in connexion with an application which proposed the demolition of the properties known as Homestill and Montrose, La Rue du Presbytere, Trinity (and ancillary buildings) and their replacement with 3 x 4 bedroom and one x 3 bedroom dwellings with associated garages, landscaping and parking. The Committee had visited the application site on 17th April and 3rd July 2018.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located in the Built-Up Area and Policies SP1, 2, 6 and 7, NE1, H4 and LWM2 of the 2011 Island Plan were relevant to the application.

The Committee was advised that the application proposed the demolition of all buildings on the site and the construction of 4 residential dwellings with shared vehicle access from the north. The site was located within the Built-Up Area, was close to amenities and the scheme met the requirements of Policies H6 and GD3. The proposed development comprised 2 storey buildings with pitched slate roofs and a mixture of granite and render materials. Whilst the scale and amount of development proposed was greater than that which existed, it was not considered that the proposed development would unreasonably harm the character of the area nor cause unreasonable harm to the property to the south in terms of overbearing impact or loss of light or privacy. Consequently, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

The Committee, as previously constituted, had deferred consideration of the application to allow the applicant to arrange for a scaffold profile of Unit No. 4 to be erected and for the provision of details on the comparative heights of the existing and proposed structures (east-west section through the site). The Committee had also asked that the applicant to explore the feasibility of lowering the site level, bearing in mind comments which had been made about drainage and the potential impact on the neighbouring property. In response the scheme had been amended as follows -

the ground level of the whole site, including where the 4 proposed houses were to be sited, had been reduced by 671 millimetres (as a comparison, the ridge height of Unit No. 3 as amended would be 60 millimetres above the existing ridge height of Homestill).

the gable to the southern elevation of Unit No. 4 had been replaced with a hipped roof sloping away from the neighbouring property to the south, and;

2 east/west sections through the parts of the site where Homestill and Montrose were sited had been submitted.

The Committee had also viewed a scaffold profile of Unit No. 4.

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

The Committee heard from Mrs. P. Huelin, who remained concerned about the size and overbearing nature of the proposed development, which she felt was not in keeping with existing development. She was not convinced that the amendments would address over-looking issues and was particularly worried about the impact of Unit No. 4. She described the scheme as a 'grand scale development' for a small site and stated that, in opposing the application, she and her family had faced a battle of David and Goliath proportions. Whilst they recognised that the site was in the Built-Up Area, the family had always believed that any new development would consider

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the context and the scale of existing development. She re-iterated previous concerns regarding the fact that her parents' property, Roselea had been shown on the submitted drawings as an 'outbuilding' (the applicant's agents had been made aware that Roselea was a separate unit of accommodation, but maintained that the property would not be overlooked by the proposed development in any case). Mrs. Huelin was concerned that none of the professionals involved had recognised this earlier and referenced Article 10 of the Planning and Building (Jersey) Law 2002, which related to a person knowingly or recklessly making false or misleading statements in a planning application. Mrs. Huelin went on to state that 2 pairs of semi-detached dwellings positioned further forward on the site would have been much more appropriate. She felt that the motivation was purely financial and feared that permission could be sought for a similar scale development on another neighbouring site. She was also concerned about the provision of car parking and the potential for the future development of the roof space. Mrs. Huelin understood that when the application had been considered in April 2018, the case officer had suggested that if the Committee was minded to approve the scheme, permitted development rights could be removed. She noted that such a condition had not been proposed in the Department's report. It was recalled that whilst 2 members had expressed support for this, ultimately the Committee had chosen not to determine the application and had deferred consideration of the same pending a further site visit to view the scaffold profile and receive additional information. The Chairman reminded Mrs. Huelin of the process which had been followed to allow the Committee to fully assess the impact of the development. In addition, the applicant had amended the scheme in response to concerns expressed.

The Committee heard from Mr. S. Huelin, who expressed just how much anxiety his family had experienced over the proposed development. He felt that support from the Department was weighted totally in favour of the applicant. Mr. Huelin was, however, grateful for the lowering of the ground level on the whole site, including where the 4 proposed houses were to be sited. He suggested that, if permission were to be granted, the following conditions should be imposed –

2 of the 3 east facing windows on Unit 4 should be obscure glazed;
the south facing window of Unit 2 should be obscure glazed;
a pre-condition survey of his own property should be carried out at the expense of the applicant;
the removal of permitted development rights;
the removal of the attic window on the south of Unit No. 1; and,
the removal of the velux windows in the roofs.

Mr. Huelin believed that large scale development was ruining the countryside and he urged the Committee not to approve the submitted scheme.

The case officer advised that the Department was recommending that the windows on the east elevation of Unit No. 4 were obscure glazed and that the first floor window on the south gable elevation of Unit No. 3 was to be obscure glazed. No obscure glazing on Unit No. 2 was recommended.

The Committee, having considered the application, approved the scheme, subject to the imposition of certain conditions detailed within the officer report. The Committee also required the imposition of the following 2 additional conditions –

the obscure glazing of the south facing window on Unit No. 2; and,
the removal of permitted development rights.

Deputy R.J. Rondel of St. Helier advised that he favoured attaching a condition to the permit requiring the provision of a financial contribution towards the provision

of a bus shelter in the Parish. However, the Director, Development Control advised that this was not permissible as only schemes with 10 units and above were required to provide such a financial contribution. Whilst it was noted that there was another scheme which proposed fewer than 10 dwellings on the Committee's agenda where the applicants had offered to provide funding for a bus shelter, they could not be compelled to do so. Consequently, Deputy Rondel felt unable to support the application.

Sunnyside
Gardens, La
Route de St.
Aubin, St.
Helier:
proposed
demolition and
redevelopment.
477/5/1(634)

P/2017/0414

A7. The Committee, with reference to its Minute No. A7 of 19th April 2018, considered a report in connexion with an application which proposed the comprehensive redevelopment of a group of properties known as Sunnyside Gardens, La Route de St. Aubin, St. Helier and their replacement with 4 new buildings comprising 15 x one bedroom and 22 x 2 bedroom flats, 3 x 3 bedroom houses and 4 commercial units with landscaping and underground car parking. The Committee had visited the application site on 3rd July 2018.

Deputy R.J. Rondel of St. Helier did not participate in the determination of this application.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located in the Built-Up Area of the Green Backdrop Zone and that Policies SP1, 2, 3, 4, 6 and 7, GD1, GD3, GD4, GD7, GD8, BE3, NE1, HE1, E1, H4, H6, TT4, TT8, NR7, WM1 and LWM2 of the 2011 Island Plan were relevant to the application.

The Committee was advised that the application proposed the demolition of all buildings on the site and the provision of 40 new residential units, 4 commercial units and 68 car parking spaces with amenity space above. The project would deliver a high quality development in a sustainable location on a brown field site. A package of travel and transport improvements were proposed (which would be secured by a Planning Obligation Agreement). The impact of the development on the residential amenities of neighbours at Dunell Place and Westway were also a consideration and whilst there would undoubtedly be a degree of change, it was not considered that the impact would be unreasonable in the context of Policy GD1. Consequently, the application 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) which would secure the following –

- a financial contribution of £60,228 towards the provision of new cycle and walking routes;
- the provision of 2 new bus shelters with real time information – at a cost of £30,000;
- the provision of 2 pedestrian refuges on La Route de St. Aubin between Bellozanne Road and King George V Homes – contribution to be capped at £70,000;
- a financial contribution of £74,989.20 towards improved bus services (the Department for Infrastructure (DfI) had confirmed that peak time services were over capacity).

In addition, the Committee was advised that the DfI had requested that the applicant provide a financial contribution of £110,000 to help mitigate the effects of the loss of existing rented car parking spaces. As there was no policy basis for this, the Department was not recommending its inclusion within the POA.

It was recommended that the Committee authorise the Director, Development Control to grant planning permission under the powers delegated to him, subject to the imposition of the conditions detailed within the officer report and on the basis of

the entering into of a POA, as detailed above. In the event that a suitable POA could not be agreed within 3 months the application would be re-presented to the Committee.

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

The Committee heard from Ms. S. Gouyette who was opposed to the removal of an existing pavement outside the property known as Westway and its replacement with a de-marked shared surface area. She believed that this would cause confusion and would give rise to safety issues with vehicles coming even closer to Westway than at present. She was also concerned about access and vehicle manoeuvring. Ms. Gouyette informed the Committee that the occupant of Westway was registered disabled and would need a wheelchair. She went on to state that she did not wish the area in front of Westway to become the service area for the whole site and was concerned about damage to her property from vehicles and flooding as a result of the removal of the pavement.

The Committee heard from Mrs. A. Le Feuvre, who noted that the scheme under consideration was referred to as 'phase 1' in the design statement. She asked whether this was an indication that further development was likely in the future and, if so, what the impact of the 'whole' scheme would be on the area. She too was concerned about safety, particularly in the light of increased commercial activity (the Committee noted that there would be one additional commercial unit). She felt that it was a shame that the frontage of some of the existing buildings would not be retained as the loss of the same would have a detrimental impact on the character of the area. Ms. Le Feuvre was also worried that the demolition of Whitby House might damage her property. She went on to explain that she operated a sanctuary for rescue dogs from her property and she was concerned about the location of a proposed electricity sub-station and the potential for high frequency noise and the impact this would have on the dogs.

The Committee heard from Mrs. S. Murphy and Mr. J. Garnier. Mrs. Murphy advised that she owned a cottage in Dunell Place and was concerned that the proposed new buildings would reduce the amount of sunlight in her courtyard. The Committee took the opportunity to view Mrs. Murphy's property on the 3 dimensional model and, in particular, considered the sun path analysis on the day of an equinox. The case officer agreed that there would be a reduction in the amount of sunlight in the courtyard and the Committee noted that there would be a period early in morning where a longer shadow would be cast from one of the proposed buildings. In response to questions posed by Mrs. Murphy, the case officer responded as follows –

no servicing, storage or car parking would be permitted in a central courtyard area of the proposed development (proposed condition No. 9 refers); and, the scheme included a roof terrace which would be inset and screened. There would be no overlooking to Mrs. Murphy's property from the roof terrace.

Mrs. Murphy also expressed concerns regarding indiscriminate car parking and the potential for damage to properties and drains from construction work.

Mr. Garnier also expressed concerns about car parking and highway safety. He felt sure that cars would park on La Route de St. Aubin and advised the Committee that there had already been 2 road traffic accidents this year which had involved parked vehicles. He too believed that the proposed development would be detrimental to the character of the area.

The Committee was reminded that the applicant had committed to a package of improvements, to include financial contributions towards the provision of new cycle and walking routes; 2 new bus shelters, 2 pedestrian refuges on La Route de St. Aubin and improved bus services. All of the aforementioned would be secured by a Planning Obligation Agreement. The scheme did not involve the demolition of any Listed Buildings and the Department did not consider that the character of the area would dramatically change.

The Committee heard from Mr. M. Gouyette who asked about the height of the proposed townhouses which would replace the single storey warehouse. The Committee noted that these would be 2 storeys high. Mr. Gouyette also asked whether an existing granite wall would have to be removed and who was responsible for a concrete slab which sat on the boundary wall in front of Westway. The case officer advised that the latter was a private matter as opposed to a planning matter. With regard to the former, clarification would have to be sought from the applicant. The Committee viewed the 3 dimensional model and, in particular, the sun path analysis, which a focus on Westway and noted that the property would be in shadow at 4.00 pm (at the equinox) as opposed to 5.00 pm at present.

The Committee received Ms. S. Rive and Mr. M. Rentsch of Waddington Architects. Mr. Rentsch advised that the redevelopment of this brown field site would provide a much needed mixed housing development on a site with good transport links. Car parking and amenity space would be provided and the design ethos was based upon Sir Ebenezer Howard OBE's garden city movement. This was a method of urban planning in which self-contained communities containing mixed development were created and surrounded by green backdrops. Mr. Rentsch described the proposed development as a 'compact garden city'.

Ms. Rive addressed the Committee, reminding members of the presumption in favour of development in the Built-Up Area. She discussed the overall benefits which would arise from the scheme, to include those which would be secured by the entering into of the POA. In response to questions, Ms. Rive advised that the proposed new car park would be set back from Dannel Place and an existing wall would be 'greened up' and made more attractive. Access to the new courtyard would be via an underpass and a door into the new courtyard was for fire purposes only – there would be no servicing into that courtyard. To improve the relationship with the property known as Westway, block 2 had been set further back so levels of sunlight would be improved. Some recent changes were not reflected on the 3 dimensional model. Ms. Rive undertook to explore alternatives for the area outside Westway In order to address the concerns which had been raised regarding the impact of the loss of the pavement. However, it was pointed out that less traffic would pass the property as the access to the basement car park was situated before Westway. With regard to the roof terrace and the screening, it was noted that this could be moved further back but overlooking was unlikely. With regard to the sub-station, the Committee noted that this would be constructed in accordance with the Jersey Electricity Company's sound insulation standards.

Having considered the scheme and the representations made, the Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a POA, as detailed above. In addition, the Committee directed that 2 further conditions regarding the provision of a raised kerb outside Westway and the height and position of the roof garden screen be attached to the permit.

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No. 20 La Motte Street, St. Helier: proposed additional storeys/ addition of balconies/ conversion to residential units.

477/5/1(635)

P/2018/0504

A8. The Committee considered a report in connexion with an application which proposed the conversion of the office accommodation at No. 20 La Motte Street, St. Helier to provide 23 x one bedroom and 4 x 2 bedroom apartments, the construction of 2/part 3 additional storeys to the courtyard elevation, one additional storey to the elevation on La Motte Street elevation and the formation of balconies on the east elevation. The Committee had visited the application site on 3rd July 2018.

Deputies R. Labey, Chairman and R.J. Rondel, both of St. Helier, did not participate in the determination of this application. Deputy G.J. Truscott of St. Brelade, Vice Chairman, chaired the meeting for the duration of this item.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies SP1, 2, 3, 6 and 7, GD4, GD7, NE1, H4, TT4, TT8, WM1 and LWM2 of the 2011 Island Plan were relevant to the application.

The Committee noted that the application proposed the conversion of the existing office building to residential apartments, the remodelling and construction of one additional storey to the elevation on La Motte Street with a communal roof terrace and the construction of 2 additional storeys to the courtyard elevation, giving a total of 6 storeys to the east elevation of the rear building facing the communal courtyard. The site was located in the Built-Up Area in a highly sustainable location close to all town centre amenities and employment opportunities, as well as within walking distance of the bus station and/or bus stops, Howard Davis Park and town centre car parks. The scheme was supported by the Island Plan Spatial Strategy and Policy H6. The character of the area was mixed with modern high density residential and office buildings to the north and east, with a more traditional lower density towards the west. The proposed development was of a higher density than the existing, but would restore the more traditional pattern of development in terms of design, plot widths and vertical emphasis to the buildings. The development was considered to be in keeping with the character of the area and would preserve the interest of nearby Listed Buildings. The proposed development would be higher than the existing building, but it was considered that it would not cause unreasonable harm to neighbouring properties. Consequently, the application 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), pursuant to Article 25 of the Planning and Building (Jersey) Law, 2002 (as amended) to secure the following –

£20,000 to provide a bus shelter with real time information; and,
£30,000 to provide a loading bay.

It was recommended that the Director, Development Control be authorised to grant planning permission under the powers delegated to him, subject to certain conditions and the completion of the POA. In the event that a suitable POA could not be agreed within 3 months, the application would be re-presented to the Committee.

4 letters of representation had been received in connexion with the application and the applicant's agent had also submitted additional information after the distribution of the agenda papers (members had received these under separate cover).

The Committee heard from Mr T. and Mrs. C. Bonnar, who expressed some dissatisfaction with the lack of consultation. Mrs. Bonnar was concerned that the proposed development would be prejudicial to the level of privacy she and her husband currently enjoyed in their property. She pointed out that 2 windows would directly look into their bedroom, which she considered to be wholly unacceptable, and she also felt that the roof terrace should be screened to prevent overlooking.

Mrs. Bonnar drew the Committee's attention to certain statements in the officer report, which she believed to be inaccurate, and which related to the east elevation (where the balconies were, in fact, proposed) and the west elevation (which was a blank façade). Furthermore, references to the proposed development facing office accommodation were questioned as permission had already been granted, but not yet implemented, for a residential development on a neighbouring site. It was noted that the Committee had been made aware of the existence of the permit associated with the neighbouring site during the site visit. Further, the approved development would be approximately 30 feet away. Mrs. Bonnar went on to state that she felt noise from the proposed development could be an issue given the density levels and the acoustics in the courtyard. She explained that when the office accommodation had been used telephone conversations from inside the building had been audible.

Mr. Bonnar expressed reservations about the increased height of the building and he too felt that this would impact upon privacy and that noise would be a significant issue. He also stated that it was unrealistic to assume that occupants of the development would not own a vehicle and he outlined the already difficult situation which existed with regard to the provision of car parking in and around the application site. He also stated that Green Street car park was some 240 metres away as the crow flew and 1 kilometre by car. In concluding, Mr. Bonnar advised that bats were present in and around the application site and he asked whether this had been taken into account.

The Committee received, Messrs. D. Kennedy and E. Smith, representing the applicant. Mr. Smith advised that the scheme fell well within the maximum density levels required in the Built-Up Area. The design ethos of the scheme had already been tested on other sites in St. Helier and the applicant was willing to introduce a privacy screen to the roof terrace and/or green walls. Mr. Evans did not believe that there would be any overlooking to Mr. and Mrs. Bonnar's bedroom as screening would be provided. In terms of noise, planting would suppress this and other noise dampening measures would be introduced in the building, in accordance with modern building standards. With regard to the absence of parking, Mr. Smith believed that the provision of car parking encouraged car ownership and he pointed out the Department for Infrastructure had raised no objection. The additional accommodation proposed had been introduced to make the scheme viable and the development would still be lower than some surrounding buildings. In response to questions regarding the revised images which had been submitted, Mr. Smith clarified that it was now proposed to include a privacy screen on the top balcony at the end of the development. The case officer confirmed that a condition requiring a 1.8 metre high privacy screen was proposed. The applicant was also willing to increase the height of an existing wall on a neighbouring property to maintain privacy.

The Committee, having noted that Mr. and Mrs. Bonnar had been unaware of the revisions which were proposed, deferred consideration of the application in order for the parties to meet and discuss how the privacy issue might be best addressed.

La Nouvelle
Chasse, La
Route
d'Ebenezer,
Trinity:
proposed
demolition and
redevelopment.
477/5/2(759)

A9. The Committee considered a report in connexion with an application which proposed the demolition of the dwelling (and ancillary structures) known as La Nouvelle Chasse, La Route d'Ebenezer, Trinity and their replacement with 2 x 4 bedroom and 2 x 5 bedroom dwellings with associated car parking and landscaping. The Committee had visited the application site on 3rd July 2018.

Deputy R.J. Rondel of St. Helier did not participate in the determination of this application.

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P/2018/0294

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and the Green Zone and that Policies GD1, GD7, NE2, NE7 H6, TT2, NR1 and WM1 of the 2011 Island Plan were relevant to the application.

The Committee noted that the above named large site was located on the western side of Trinity and straddled the boundary between the Built-Up Area and the Green Zone. It was proposed to remove all buildings on the site, to include an outdated and meandering single storey property and a plethora of outbuildings, and construct 4 detached houses. The southern area of the site, which was within the Green Zone, would remain as garden area.

The Committee was advised that a previous application, which had sought permission for the construction of 5 houses on the site, had been refused in 2017. It was considered that the current application addressed the reasons for the refusal of the previous scheme and made good use of the site without impinging on adjacent properties. The proposed development was appropriate in its context and the scheme would preserve the landscape character of the sensitive southern end of the site.

The Committee was informed that neighbours remained concerned about various aspects of the proposal and the 2 storey nature of the 4 new houses would clearly intensify the use of the site. However, the Department believed that the site was currently underdeveloped and had capacity for additional units given its Built-Up Area zoning. Moreover, the Island Plan required optimal use of such sites. The scheme had been amended to address overlooking issues, but the over-riding concern raised related to highway safety. Alterations to the access would improve visibility splays, albeit that they would not meet exact standards and the provision of a pavement would provide a refuge for pedestrians. Both the Parish authority and the Department for Infrastructure (DfI) were satisfied with the proposal, subject to the imposition of certain conditions and the entering into of a Planning Obligation Agreement (POA) to secure a financial contribution of £11,500 for a bus shelter in the vicinity (position to be agreed by the DfI) and the ceding of the land required for the footpath. Consequently, the application was recommended for approval on this basis. In the event that a suitable POA could not be agreed within 3 months it was recommended that the Director, Development Control be authorised to refuse the grant of planning permission.

6 representations had been received in connexion with the application.

The Committee heard from Mr. I. and Ms. R. Gould. Ms. Gould advised that she was speaking on behalf of her parents who owned the property known as Brandenburg. She explained that her father, Mr. I. Gould had chosen not to meet with the applicant as he had found the situation very stressful. However, his concerns had been fully set out in a written representation. Ms. Gould advised that those concerns related to the height of the proposed new dwellings, highway safety and loss of privacy. She did not believe that the provision of a bus shelter would resolve traffic issues and it was noted that the proposed new footpath would end at the boundary of the development. The speed limit on the road was 40 miles per hour and walking was not an enjoyable experience for pedestrians. With regard to the proposed dwellings, Ms. Gould pointed out that they would be larger and higher than surrounding properties making them overbearing and resulting in a loss of privacy. Unit 2 would look directly into Ms. Gould's parents' garden and she felt that new development should not be allowed to discriminate against existing properties. She urged the Committee to refuse permission.

The Committee heard from Mr. G. Prince, who lived opposite the application site. Mr. Prince was concerned about both highway and pedestrian safety. Mr. Prince

pointed out that whilst a covenant existed which restricted the height of planting in front of an existing wall, there were no restrictions on what could be planted behind the wall. It was further noted that when a car was parked by the wall visibility was reduced to 15 metres. Mr. Prince showed the Committee some photographs to illustrate the point. He was also concerned about pedestrian safety as there was a 200 yard section of the road with no pavement and the new pavement ended abruptly at a point where visibility was poor.

The Committee heard from Mrs. A. Pryke, representing Mrs. E. Quenault. Mrs. Pryke stated that a proposed balcony would overlook the garden of Mrs. Quenault's property. She welcomed the new bus shelter and was keen to ensure that the structure was of a sympathetic design. Mrs. Pryke echoed concerns regarding visibility splays.

The Committee heard from the applicant's agent, Mr. C. Dunne who advised that the existing trees would provide screening. In terms of the projecting balcony on Unit No. 4, this would also be screened by vegetation but a privacy screen could be added if the Committee felt this was necessary. With regard to visibility splays to the east, significant improvements were proposed and this issue had not been raised previously by the Independent Planning Inspector. Turning his attention to the concerns raised by Ms. Gould and, in particular, the issue of loss of privacy, Mr. Dunne confirmed that a single evergreen tree would be planted to prevent overlooking. With regard to the pavement, it was noted this that could not be extended as the land was outside the applicant's ownership and there were also existing structures hard up against the roadside.

Having considered the application, the Committee unanimously agreed to grant permission, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a POA, as detailed above. The Committee directed that an additional condition be attached to the permit requiring the erection of a privacy screen on the balcony on the east side of plot No. 4. There followed some discussion regarding the merits of obscure glazing the dormer windows on Unit No. 2. As the Committee was unable to reach a majority decision on this matter, agreed protocols required that the status quo must remain. Consequently, no obscure glazing was required.

La Cotte, Le
Mont du
Ouaisne, St.
Brelade:
proposed new
dwelling.
1070/2/1/3
(555)

A10. The Committee, with reference to Minute No. A5 of 20th October 2016, of the Committee as previously constituted, considered a report in connexion with an application which proposed the construction of a new 4 bedroom dwelling with associated car parking and landscaping on the site of the property known as La Cotte Cottage, Le Mont du Ouaisne, St. Brelade. The Committee had visited the application site on 3rd July 2018.

Deputy R.J. Rondel of St. Helier did not participate in the determination of this application.

P/2018/0309

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Coastal National Park and that Policies GD1, GD7, NE1, NE2 and NE6 of the 2011 Island Plan were relevant to the application.

The Committee recalled that permission had been granted for the redevelopment of the above site to provide a new dwelling in 2010. The former dwelling had now been demolished, thereby implementing the permission. Subsequently, in 2016, permission had also been granted for an increase in the height of the roadside wall to 2 metres in order to improve privacy within the site. Since then ownership of the site had changed hands and whilst the current owner wished to retain the approved 2 metre high roadside wall, a completely different design approach for the dwelling was proposed. The Committee noted that the new dwelling would be constructed

with a predominantly larch-timber finish to the exterior and this single material would wrap up the sides of the building and over the pitched roof. At ground level, the building would occupy a U-shaped footprint opening out onto a central courtyard. At first floor, a pitched-roof, rectilinear block would be positioned along the northern part of the site and this would cantilever out beyond the building line below; a design feature which would also provide a sheltered car port. Overall, the new dwelling (with an internal floor area of 251 square metres/2,701 square feet) would be considerably smaller than the approved dwelling. Taking into account the basement on the approved scheme, this represented a 47% reduction in total floor space. Moreover, at the upper level, by re-positioning the mass of the new building along the northern part of the site, this would result in a reduced visual impact in views from the west and also a reduced impact on neighbouring properties. Having regard to the planning history, the Department was satisfied that the current application could be justified in the context of the Coastal National Park Policy. Therefore, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 13 letters of representation had been received in connexion with the application.

The Committee heard from Mr. K. Jenkins, Old Smugglers' Inn, who expressed concern about the impact of the development on the public house. The Chairman reminded Mr. Jenkins of the extant permit and asked him to focus on specific concerns regarding the scheme under consideration. Mr. Jenkins stated that the previous approval for the increase in the height of the roadside wall had been based on the need for improved privacy within the site. As a revised scheme was now proposed he believed that a 2 metre high roadside wall was no longer necessary. He did not accept that elements of the previously approved scheme, such as the wall, could be cherry picked and constructed in isolation as they formed part of the wider approved scheme. Mr. Jenkins stated that the construction of the wall was a contentious issue in the context of safety. In terms of the 47 per cent reduction in floor space, Mr. Jenkins felt that this detracted from the real issue, which was the impact of the development on neighbours. He contended that the removal of the basement was neither here nor there. He did not support any increase in the height of the roof as he believed that there would be a significant impact on the Old Smugglers' Inn as a result of loss of light. The Old Smugglers' Inn was built into the cliff face whereas the context of the application site was quite different. Consequently, Mr. Jenkins saw no reason for the height of the proposed new dwelling to be in line with that of the public house. Mr. Jenkins stated that, apart from a very basic ecological assessment carried out in 2015, a detailed ecological survey had yet to be carried out. This was a condition of the approved scheme. He advised the Committee that, at present, there were bulldozers on site and he believed this to be unlawful. Attempts to speak with the owners of the site had been unsuccessful. There had been no input from the Historic Environment Team and Mr. Jenkins believed this to be essential. He also requested that a scaffold profile should be erected on site to allow a proper impact assessment.

The Committee heard from Mr. A. Walker, the resident manager of the Old Smugglers' Inn. The Committee was informed that Mr. Walker's concerns related to highway/pedestrian safety, particularly as he believed that vehicles would be forced to drive closer to the Old Smugglers' Inn in order to gain visibility. In addition, the Committee noted concerns regarding the perceived effect the increased height of the wall and dwelling would have in terms of limiting the little natural light from which the Old Smugglers' Inn currently benefitted.

The Committee heard from Mrs. M. Jenkins, who owned the Old Smugglers' Inn, a dwelling and land in the vicinity of the application site. Mrs. Jenkins expressed

concerns regarding ground conditions and the potential for damage arising from the construction works to a field in her ownership. She also remained concerned about the impact the wall would have in the context of highway/pedestrian safety.

The Committee heard from the applicant, Mr. B. McLachlan, who advised that he had no intention of seeking approval for the roadside wall as this had already been approved in 2016, and it would be constructed as approved. The need for privacy remained and Mr. McLachlan alleged that patrons of the public house currently used the wall as a 'beer table'. The scale of the proposed new dwelling would be less than that of the approved dwelling and there would not be as much excavation due to the removal of the basement. The form and pitch of the roof had been designed to balance against the roof of the Old Smugglers' Inn. There was a considerable distance between the application site and the public house so Mr. McLachlan did not believe that loss of light would be an issue. He stated that if this application was refused, he would construct the dwelling as approved. This was not his preferred approach as he believed that the dwelling as proposed would have a lesser visual impact as the Larch wood faded into the backdrop of trees. Mr. McLachlan advised that the ecological assessment which had been carried out had not identified any endangered species and it had been recommended that the environment be maintained as it was at present. The case officer confirmed that, if the application was approved, a condition was proposed which would require an ecological assessment to be undertaken prior to the commencement of development. Finally, Mr. McLachlan alleged that Mr Jenkins had made no attempt to speak to him, other than barring him from the public house.

The Committee, having considered the application, endorsed the officer recommendation to grant permission, subject to the imposition of certain conditions detailed within the officer report.

Ronez Quarry,
La Route du
Nord, St. John:
proposed re-
positioning/re-
design of
concrete
batching plant.
1070/2/1/3(73)

A11. The Committee considered a report in connexion with an application which proposed the re-design and re-positioning of an approved ready-mix concrete batching plant at Ronez Quarry, La Route du Nord, St. John. The Committee had visited the application site on 3rd July 2018.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Green Zone in an area specifically designated for mineral and sand extraction. Policies GD1, SP5 and NE7 of the 2011 Island Plan were relevant to the application.

RP/2018/0315

The Committee recalled that the applicant company had operated from the above site on the Island's north coast for a considerable number of years. The part of the site which was the subject of the application was known as 'the top yard' – a large area laid to tarmac at the site's south-east corner. In May 2015, an application for a concrete batching plant, which was ancillary to the established quarrying activities, had been approved in the top yard. The new plant was intended to replace a similar facility located down in the quarry, which was approaching the end of its useful life. Since the approval of the 2015, application the ownership structure of the company had changed and the approved scheme had been reviewed and the proposal revised. The plant type would remain the same but there were some key changes to the design and layout on the site – these included reductions in the overall height and footprint. The visual impact from outside the site would also be slightly reduced and environmental consultants appointed by the applicants had stated that *'the proposed concrete production operations would be daytime only and would be audible in the context of other noise generated by Ronez Quarry, road traffic on La Route du Nord and activity outside the [nearby] public house.'* In the Department's view, the proposal would not unreasonably affect neighbouring uses and the application was recommended for approval.

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

The Committee heard from Mr. A. Farman of MS Planning, representing Mrs F. Freeman. Mr. Farman also advised that he had been asked to make representations on behalf of Mrs. H. Morris (who had submitted a written representation dated 16th April 2018). Mr. Farman referred the Committee to his letter dated 11th April 2018, in which he had set out Mrs. Freeman's concerns. Mr. Farman noted that no specific conditions were proposed in relation to noise control or restricting the hours of operation. It was this lack of control which concerned Mrs. Freeman. Mr. Farman referred the Committee to Policy MR5 which stipulated that, '*when granting permission for mineral working and related operations, the Minister for Planning and Environment will impose appropriate conditions relating to the operation, restoration, aftercare and after-use of the site*'. These conditions were designed, among other things, to control the time and scale of operations and the hours of working and maintenance (normally limiting these to exclude Sundays, public holidays and unsociable hours). Policy GD1 was also relevant in so far as it stipulated that development proposals should not unreasonably harm the amenities of neighbouring uses, including the living conditions of nearby residents and, in particular, should not adversely affect the health, safety and environment of users of buildings and land by virtue of emissions to air, land, buildings and water, including light, noise, vibration, dust, odour, fumes, electro-magnetic fields, effluent or other emissions. Mr. Farman urged the Committee to require the applicant to submit certain information, such as the hours of operation and maintenance, details of existing and proposed levels of dust, noise and vibration (and any other emissions) and the measures which would be taken to minimise the effects of the aforementioned.

The Committee noted that the Environmental Protection Section had raised no objection to the application.

The Committee heard from Mr. M. Osborne and Ms. K. du Heaume, representing the applicant company. Mr. Osborne advised that the applicant company respected the right of residential neighbours to the enjoyment of their properties. In terms of the operation of the plant, the Committee was reminded that the applicant company already operated a similar facility on the site and the fundamentals of the plant would remain unchanged. The conclusions set out by the environmental experts who had previously been commissioned to provide predictions based upon current operations and the very typical plant which was proposed, remained relevant. However, a few key improvements had been included in the revised application. The orientation of the plant was such that it benefitted from the existing topography and this allowed the aggregates to be loaded directly into bins, removing the need for a loading hopper. This removed a step in the process, thereby reducing the duration of noise generated by each load of aggregate delivered to the plant. The orientation of the bins had been directed toward the existing plant and machinery and away from neighbours. The revised layout of the aggregate bins also kept the aggregate loading lorry away from neighbours and closer to the area already used to load aggregates for the block plant. With regard to the noise generated by the mixing unit when producing the concrete, the mixing tower had been designed with cladding (as approved) and in the revised plans an additional insulating layer on the mixer level. Mr. Osborne explained that the production process was cyclical during the day, rather than continuous, and that operating hours were normal weekday daytime hours, except on very rare occasions. Typically work would commence on site between 7 am and 7.45 am and generally ceased between 3 and 5.30 pm. Whilst there was no objection to the imposition of conditions which restricted certain operations during specific periods, a broader condition relating to hours of operation could be problematic in that it would could disadvantage the construction industry.

(It was noted that concrete had to be on site within 3 hours of production). Mr. Osborne added that a noise level of 55 decibels had been measured at Les Fontaines Public House, the nearest noise sensitive receiver. It was understood that normal conversation levels measured 60 decibels. It was not necessary to wear ear defenders when working near the plant. Mr. Osborne confirmed that no complaints had been received in the last year about the existing plant. He advised that, in the past, Mrs. Morris had contacted him when a door had been left open in a building housing another piece of machinery.

Having considered the application, the Committee decided to grant permission with no conditions being attached to the permit.

La Vielle
Davisonnerie,
La Route de la
Hougue Bie,
St. Saviour:
proposed new
dwellings.
477/5/2(781)
P/2018/0219

A12. The Committee considered a report in connexion with an application which proposed the construction of 2 x 4 bedroom dwellings with associated car parking and landscaping to the north of the property known as La Vielle Davisonnerie, La Route de la Hougue Bie, St. Saviour. The Committee had visited the application site on 3rd July 2018.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was situated within the Built-Up Area in an area and that La Vielle Davisonnerie was a Listed Building. Policies GD1, GD7, BE6, H6, HE1, LWM2 and LWM3 of the 2011 Island Plan were relevant to the application.

The Committee noted that it was proposed to construct the 2 new dwellings in the rear garden of the property known as La Vieille Davisonnerie, which was a Grade 4 Listed Building located in the Built Up Area. The extent of the Listing included the main house and the front garden, but not the application site. The application site was surrounded by development on the west, north and east sides and the main character of the area was defined by newer dwellings. The design of the proposed new houses was more contemporary than that of the surrounding units, but at one and a half storeys high the dwellings would barely be visible from the surrounding area. Each dwelling comfortably met the minimum standards in terms of car parking and drainage requirements and would be constructed with good quality materials. An existing access would be used to serve the new development. The siting of the dwellings was considered to be such that the impact on the Listed Building was viewed as acceptable. A comprehensive landscaping scheme would be conditioned to ensure trees and vegetation were planted and maintained to soften the boundary between the principal dwelling and the proposed development. The application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 17 letters of representation from 10 separate households had been received in connexion with the application. Late representations received after the publication of the agenda had been sent to members under separate cover.

The Committee heard from Ms. S. Greenwood and Messrs. C. Timothy and S. Gully. Mr. Timothy addressed the Committee, advising that the site notice had been placed some 300 metres away from the proposed access and in a position which was not easily visible. He also noted that the process for receiving notifications appeared not to be working as anticipated as he had not been notified of at least half a dozen of the documents which had been uploaded to the Department's website. This was not, in his view, a robust process. He advised the Committee that he was particularly concerned about safety on the access road and the impact of intensifying the use of the same.

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Ms. Greenwood advised that she did not object to the application per se. She concurred with Mr. Timothy's views in relation to the position of the site notice and the safety issues he had raised. Ms. Greenwood was also concerned about loss of light to her property and she explained how she believed the development would be prejudicial in this respect. Ms. Greenwood advised the Committee that, in 2015, Clos de la Hallebarde had been flooded after heavy rainfall and no improvements had been made to the drainage since that time. She felt that building more dwellings could exacerbate the problem. She concluded by stating that she did not believe that the provision of car parking proposed was sufficient and she feared this could lead to indiscriminate car parking in Clos de la Hallebarde.

Mr. Gully addressed the Committee, repeating concerns regarding the position of the site notice, the intensification of use of the access and, in particular, the use of the proposed access for construction vehicles.

The Committee heard from Mr. J. Gallagher, representing the applicant. Mr. Gallagher reminded members that the application site was situated in the Built-Up Area and was surrounded by development. He believed that the proposed new dwellings would sit comfortably within the site and would be in-keeping with the existing pattern of development. It was noted that site was protected by high granite walls making the proposed new dwellings barely visible from the surrounding area. Access rights had been established in 2007, for whatever purpose and there had been no objection from the relevant highway authority. A comprehensive landscaping scheme would ensure trees and vegetation were planted and maintained to soften the boundary between the principal dwelling and the proposed development. The proposed dwellings would be 22 metres (plot one) and 28 metres away (plot 2) from the Listed Building. The Listing scheduled had been clarified after the development of the 5 houses to the north, known as Clos de la Hallebarde, so that a suggestion from the Historic Environment Section that the boundary of this development had 'allowed the setting of the Listed Building to be conserved' was viewed as inaccurate. Mr. Gallagher added that the property had been for sale for 3 years and there had been little interest due to the large gardens. He concluded by questioning the significance of the northern garden in the context of the Listed Building and pointed out that the garden of a neighbouring Grade 3 dwelling had already been significantly reduced.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who contended that whilst the northern garden area did not form part of the Listing it did form part of the setting of the principal dwelling. She did not believe that the proposed development would preserve or enhance the setting of the Listed Building so could not support the application.

The Committee, having considered the scheme, decided to refuse permission on the grounds that the proposed development would have a detrimental effect on the setting of the Listed Building, would result in the over-development of the site and would be out of character with the area. The Committee was also concerned about intensifying the use of an already restricted access. Having noted that its decision to refuse the application was contrary to the officer recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation.

Greencliff, La
Rue de Fliquet,
St. Martin:
proposed
raising of roof/
installation of

A13. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated authority and which sought permission for the raising of the roof to extend the loft space at the property known as Greencliff, La Rue de Fliquet, St. Martin. It was also proposed to install 2 rooflights to the north elevation of the property. The Committee had visited the application site on 3rd July 2018.

rooflights
(RFR).
477/5/2(782)
P/2017/1614

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Green Zone and that Greencliff was a Grade 4 Listed Building. Policies SP4, SP7, NE7, GD1, GD7 and HE1 of the 2011 Island Plan were relevant to the application.

The Committee noted that the application sought to raise and remodel the roof of the main house with the insertion of 6 roof lights in order to extend the habitable accommodation. The property was a historic Grade 4 mid-19th century villa retaining an interesting historical character and contributing to the rural setting.

The Committee was advised that, whilst the extension of a dwelling within the Green Zone might be permissible if it did not facilitate a significant increase in occupancy, the design should also be appropriate and should not seriously harm the landscape character. As this particular building was Listed the extension must also preserve its architectural and historic character, integrity and setting. In this instance, the design of the proposed roof extension was not considered acceptable. The scale, form and mass were considered to be overly dominant and would significantly alter the character and integrity of the building, subsuming the dwelling. The proposal would also have an impact on the setting of an adjacent Listed building, altering the architectural language, character and relationship of the rural group. Consequently, the application had been refused on the grounds that it was contrary to Policies SP4, HE1, GD1, GD7 and NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal.

2 letters of representation had been included within the Committee's agenda packs and a further representations received after the distribution of the agenda had been sent to members under separate cover.

The Committee received the applicant, Mrs. K. Hickling and her agent, Mr. C. Buesnel. Mr. Buesnel confirmed that it was not intended to increase the occupancy of the dwelling and there would be no increase in the footprint of the building. It appeared that a difference of opinion had arisen between the Department and the applicant on what constituted good and appropriate design. Mr. Buesnel viewed the design as presenting an appropriate and bold solution whilst retaining the symmetry of the roof. He noted that a historic building in the immediate vicinity of the application site had large box dormers. Immediate neighbours supported the scheme and, if approved, the applicant was willing to discuss the design detail.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who discussed the architectural and historic value of the property, to include its association with the ship building industry. Ms. Ingle did not consider the adopted approach to be appropriate in this context and advised that other solutions existed. She did not believe that the dormers on the nearby Listed Building should be used as a precedent for development on this site.

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

International
House
(formerly
Queens
House), Don
Road, St.
Helier:
proposed

A14. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated authority and which sought permission for the variation of a condition attached to the permit in respect of the conversion to residential accommodation of the premises formerly known as Queens House (now International House), Don Road, St. Helier. The Committee had visited the application site on 3rd July 2018.

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variation of
condition.
477/5/1(636)

RC/2018/0229

Deputy R. Labey of St. Helier did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Built-Up Area and that Policies GD1, TT11, SP6 and Planning Policy Note (PPN) No. 3 of the 2011 Island Plan were relevant to the application.

The Committee noted that residential accommodation had been created from the conversion of two former redundant office blocks known as Queens House and Templar House. Planning permission had been granted to convert the former Queens House (planning reference P/2014/1384) into 18 apartments and Templar House (planning reference P/2014/1614) into 23 apartments. The schemes had included the creation of an internal courtyard and gym to provide shared amenity space. The site already benefitted from a basement car park with 23 car parking spaces, with 4 of those spaces being allocated to an existing ground floor office. The remaining 19 car parking spaces were to be allocated between the 41 units of accommodation within Queens House and Templar House. Each of the residential units would also have access to a designated bicycle storage area. The provision of car parking and cycle storage had been a key factor in the approval of a significant number of residential units on this site. Condition 4 had been attached to ensure that the spaces were retained solely for the use of occupants of the development and not sub-let for any other purpose. The current application sought approval for the use of the basement car parking spaces by non-residents. The application had been refused on the grounds that it was contrary to the requirements of PPN3 and Policy GD1. In addition, the Department for Infrastructure objected to the application. It was recommended that the Committee maintain refusal of the application.

The Committee received Mr. A. McCoy, representing the applicant. Mr. McCoy advised that short term rental arrangements were proposed for the car parking spaces. He pointed out that there were at least 3 other recently approved residential developments in the vicinity where little or no car parking had been required and there had been no objections from the Department for Infrastructure. Mr. McCoy was unable to respond to certain questions posed by members in relation to demand for the spaces from residents of the development and the cost associated with securing a space.

Having considered the application, the Committee unanimously refused the same, in accordance with the officer recommendation.

International
House
(formerly
Templar
House), Don
Road, St.
Helier:
proposed
variation of
condition.
477/5/1(636)

RC/2018/0254

A15. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated authority and which sought permission for the variation of a condition attached to the permit in respect of the conversion to residential accommodation of the premises formerly known as Templar House (now International House), Don Road, St. Helier. The Committee had visited the application site on 3rd July 2018.

Deputy R. Labey of St. Helier did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Built-Up Area and that Policies GD1, TT11, SP6 and Planning Policy Note (PPN) No. 3 of the 2011 Island Plan were relevant to the application.

The Committee noted that residential accommodation had been created from the conversion of two former redundant office blocks known as Queens House and Templar House. Planning permission had been granted to convert the former Queens House (planning reference P/2014/1384) into 18 apartments and Templar House (planning reference P/2014/1614) into 23 apartments. The schemes had included the creation of an internal courtyard and gym to provide shared amenity space. The site already benefitted from a basement car park with 23 car parking spaces, 4 of which had been allocated to an existing ground floor office. The remaining 19 car parking spaces were to be allocated between the 41 units of accommodation within Queens House and Templar House. Each of the residential units would also have access to a designated bicycle storage area. The provision of car parking and cycle storage had been a key factor in the approval of a significant number of residential units on this site. Condition 5 had been attached to ensure that the spaces were retained solely for the use of occupants of the development and not sub-let for any other purpose. The current application sought approval for the use of the basement car parking spaces by non-residents and had been refused on the grounds that it was contrary to the requirements of PPN3 and Policy GD1. In addition, the Department for Infrastructure objected to the application. It was recommended that the Committee maintain refusal of the application.

The Committee received Mr. A. McCoy, representing the applicant. Mr. McCoy advised that short term rental arrangements were proposed for the car parking spaces. He pointed out that there were at least 3 other recently approved residential developments in the vicinity where little or no car parking had been required and there had been no objections from the Department for Infrastructure. Mr. McCoy was unable to respond to certain questions posed by members in relation to demand for the spaces from residents of the development and the cost associated with securing a space.

Having considered the application, the Committee unanimously refused the same, in accordance with the officer recommendation.

Chant du Ruisseaux, Plat Douet Road, St. Saviour: proposed vehicular access/car parking space. 477/5/2(783)

A16. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated authority and which sought permission for the removal of a front wall to facilitate the creation of a car parking space at the front of the property known as Chant du Ruisseaux, Plat Douet Road, St. Saviour. The Committee had visited the application site on 3rd July 2018.

Deputy J.M. Maçon of St. Saviour did not participate in the determination of this application, having agreed to represent the applicant.

P/2018/0024

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies GD1 and BE8 of the 2011 Island Plan were relevant to the application.

The Committee noted that the above works had already been undertaken to allow contractors to park whilst carrying out other works to the house. Unfortunately, the surface had also been tarmacked. Whilst the Department understood the applicant's desire to create a car parking space closer to the house, the scheme had to be assessed against Island Plan Policies and the advice of the highways authority, the Department for Infrastructure (DfI). With the foregoing in mind, it was considered that the retention of the car parking space would be potentially dangerous, particularly given the nature of this narrow, busy road at this point, near a bend and a junction. Whilst it was accepted that other properties in the immediate vicinity benefitted from access/parking, the DfI did not consider that these justified the

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creation of another unsafe car parking space and access. Therefore, the Department could not recommend a proposal which was likely to result in danger to other motorists and pedestrians. It was recommended that the Committee maintain refusal of the application.

One letter of representation had been received in connexion with the application.

The Committee heard from the applicant's agent, Mr. J. Livingston, who advised that whilst there was a parking space at the rear of the property the applicant was a registered disabled person who required a space at the front in an area which was described as 'unusable amenity space'. The creation of additional parking spaces at the rear of the property would remove the only private amenity space available. It was noted that a number of properties in the vicinity benefitted from car parking spaces at the front and Mr. Livingston pointed out that this was a private road. There had been no objections from the Parish of St. Saviour. In terms of the unauthorised works, Mr. Livingston explained that water had got into the property and the applicant had been advised to have the area at the front excavated to investigate the problem. Unfortunately, on completion of the work, the surface had been tarmacked.

Deputy J.M. Maçon of St. Saviour addressed the Committee, stating that the applicant's neighbour had advised that she had lived in her property for most of her life and had benefitted from the creation of an access and car parking space at the front of her property. She had experienced no highway safety issues. If the application under consideration was approved, identical vehicle manoeuvres would be made by the applicant.

The case officer advised that whilst the application site was situated within a private road, it was also immediately adjacent to a public highway. Consequently, it had been concluded that permission was required for the works.

Having considered the application the Committee was unable to reach a majority decision with Deputies R. Labey and R.J. Rondel, both of St. Helier, expressing support for the application and Deputy G.J. Truscott of St. Brelade and Connétable D.W. Mezbourian of St. Lawrence endorsing the officer recommendation to refuse the application. Consequently, the application was determined in the negative, in accordance with agreed procedures, and the application was refused for the reasons set out above. The Department undertook to ensure that the front wall was reinstated.