

Planning Committee

(7th Meeting)

26th January 2023**Part A (Non-Exempt)**

All members were present, with the exception of Connétable R.A.K. Honeycombe of St. Ouen and Deputy T.A. Coles of St. Helier South from whom apologies had been received.

Connétable P. B. Le Sueur of Trinity, Chair  
 Connétable D. W. Mezbourian of St. Lawrence  
 Connétable M. O'D. Troy of St. Clement  
 Connétable K.C. Lewis of St. Saviour  
 Deputy S.G. Luce of St. Martin, Vice Chair  
 Deputy M. R. Le Hegarat of St. Helier North  
 Deputy A. Howell of St. John, St. Lawrence and Trinity  
 Deputy A. F. Curtis of St. Clement

In attendance -

G. Duffel, Planning Applications Manager  
 C. Jones, Senior Planner  
 L. Davies, Planner  
 J. Durbin, Planner  
 W. Johnston, Planner  
 B. James, Planner  
 G. Vasselin, Planner  
 T. Cowell, Planner  
 A. Akinyemi, Planner  
 J. Gibbins, Trainee Planner  
 P. Ilangovan, Trainee Planner  
 T. Gallichan, Trainee Planner  
 K. M. Larbalestier, Principal Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A11 – A15)  
 A. Goodyear, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1 – A10)

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

Minutes. A1. The Minutes of the meeting held on 8th December 2022, were taken as read and were confirmed, subject to a minor amendment.

Samuel Le Riche House, Plat Douet Road, St. Saviour: proposed demolition and redevelopment.

P/2021/1977

A2. The Committee, with reference to its Minute No. A8 of 8th December 2022, received a report in connexion with an application which proposed the demolition of the properties known as Arzl House, Canning Court, Samuel Le Riche House and warehouses and the construction of 18 one bedroom and 48 x 2 bedroom residential units and a dementia care village. The Committee had visited the application site on 6th December 2022.

Connétables K.C. Lewis of St. Saviour and D.W. Mezbourian of St. Lawrence did not participate in the determination of this item.

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

The Committee confirmed refusal of the application for the reasons set out in the Department report.

Field Nos. 800 and 801, St. Saviour: proposed change of use.

P/2022/1044

A3. The Committee, with reference to its Minute No. A10 of 8th December 2022, received a report in connexion with an application for the change of use of Fields No. 800 and 801, St. Saviour to facilitate their use as outdoor educational amenity space for Jersey College for Girls. The Committee had visited the site on 29th November 2022.

Connétables K.C. Lewis of St. Saviour and D.W. Mezbourian of St. Lawrence did not participate in the determination of this item.

The Committee recalled that it had been minded to refuse the application, contrary to the Department's recommendation. Consequently, the application had been represented for formal decision confirmation and to set out the specific reasons for refusal.

The Committee noted that a request had been received from the applicant for the item to be deferred. The Chairman considered that the decision confirmation should proceed, the decision in respect of the application having been made at the meeting of 8th December 2022. It was noted that the applicant had the opportunity to make another application at no cost.

Deputy Howell requested that the Department expediate the new application upon receipt.

The Committee confirmed the refusal of the application for the reasons set out in the Department report.

Reaction Physiotherapy, Bienvenue, La Rue du Froid Vent, St. Saviour:

A4. The Committee, with reference to its Minute No. A11 of 8th December 2022, received a report in connexion with an application which proposed the demolition of the existing medical facility known as Reaction Physiotherapy, Bienvenue, La Rue du Froid Vent, St. Saviour and its replacement with 2 new dwellings with associated landscaping and car parking. The Committee had visited the site on 29th November 2022.

proposed demolition and redevelopment. Connétables K.C. Lewis of St. Saviour and D.W. Mezbourian of St. Lawrence did not participate in the determination of this item.

P/2022/1103 The Committee recalled that it had been minded to refuse the application, contrary to the Department's recommendation. Consequently, the application had been represented for formal decision confirmation and to set out the specific reasons for refusal.

The Committee confirmed the refusal of the application for the reasons set out in the Department report.

Trinity Grange, La Rue du Presbytere, Trinity: A5. The Committee received a report in connexion with an application which proposed the construction of a 6 bedroom dwelling with associated external works at Trinity Grange, La Rue du Presbytere. It was also proposed to convert and extend the existing range of outbuildings to create a further 2 bedroom dwelling and a detached 3 bay garage. The Committee had visited the site on 24th January 2023.

proposed new dwelling/ conversion and extension of outbuildings. Connétable P.B. Le Sueur of Trinity, Chair and Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this item. Deputy S.G. Luce of Grouville and St. Martin acted as Chair for the duration of this item.

P/2022/1192 A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built Up Area and the Green Zone and that Policies SP1, 2, 3, 4, GD1, NE1, 3, H1, 3, 4, 6, 9, TT1, TT2, TT4, and WER5, 6, 7 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the site comprised a parcel of land, much of which was open and laid to lawn, with mature landscaping being a key feature. There was an existing range of single storey buildings on the eastern boundary adjacent to La Rue du Presbytere. Access to the site was from La Rue du Presbytere, with a second access from La Rue des Croix on the northern boundary. Visual evidence existed of the footprint of a former building adjacent to the existing range of outbuildings, with all buildings being in poor condition with no evidence of recent use. Most of the site was situated within the Green Zone.

The Department was of the view that the creation of a self-contained dwelling within the existing buildings adjacent to the western boundary of the site was acceptable, given the location of that part of the site within the Built Up Area. However, a large portion of the proposed 6 bedroom unit and the 3 bay garage would be located within the Green Zone. This visual intrusion of built form in the Green Zone would undermine the open character of the site and would be harmful to the Green Zone, contrary to Policies NE3 and GD6 of the Bridging Island Plan 2022. It would also undermine the 'village setting', the site having been identified as part of the 'Interior Agricultural Plateau', as set out in the Jersey Integrated Landscape and Seascape Character Assessment. The Department considered that the proposed access from the north on La Rue des Croix and the surfaced access through the site to the garage and car parking area would result in a loss of rural character. It was noted that the proposal would approximately double the floor area of the pre-existing, demolished, dwelling. The provision of an additional dwelling on the site would be contrary to strategic low carbon objectives and would have a detrimental

impact on the Green Zone by way of increased general activity, including vehicular traffic across the proposed access road. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP1, 2, 3, 4, NE3, H9, WER5, 6, 7, NE2, GD1 and GD6 of the Bridging Island Plan 2022.

The Department noted that the existing structure had an area of 3,300 square feet, while the proposed structures had a total area of approximately 7,000 square feet. The Department was of the view that the scale of the built form exacerbated the harm and significant loss of landscape caused by the proposed development. The application failed to demonstrate that the existing buildings had recently been used as a dwelling. Whilst additional information had been submitted on 25th January 2023, there had been insufficient time to assess this. An additional reason for refusal cited by the Department was that the application had not been accompanied by sufficient information to demonstrate that the proposals would not harm biodiversity and the proposal was therefore contrary to policy NE1 of the Bridging Island Plan 2022.

In response to a query from the Committee, members were advised that if evidence was provided which demonstrated that the buildings on site had recently been used as a dwelling, this would confirm that there was scope for 2 dwellings on the site but would not resolve the issues surrounding scale and built form.

A total of 6 representations had been received in connexion with the application.

No one present wished to speak against the application.

The Committee heard from Mr. [REDACTED] of Godel Architects. Mr. [REDACTED] advised that while a substantial part of the site was in the Green Zone, this was not the case in respect of the section of the site that would be built upon. The whole site had been in use until a fire had destroyed the main house in 2009, after which it had been demolished. Mr. [REDACTED] contended that this was a domestic site. When the application had been made to demolish the fire damaged property (P/2011/0138 refers) the intention had been to replace it, although plans for the replacement dwelling had not formed part of the application. Mr. [REDACTED] contended that if the dwelling were not replaced, this would involve the loss of a dwelling. The Department had permitted the demolition of the house and the roadside building, and Mr. [REDACTED] noted that the extant permission to demolish the roadside building could be implemented at any time. Mr. [REDACTED] provided photographs of the bathroom, kitchen, living room and entrance to the roadside building when it had been used as a cottage. He stated that the original building had abutted it and there had never been any connection between the 2 buildings. While he agreed that it had not recently been used, he did not consider this to be relevant. Mr. [REDACTED] noted that the Natural Environment Team had confirmed that the information provided was sufficient and that no further surveys were required at that stage. He advised that the landscaping proposals were designed to enhance the site and that maximum working areas could be secured by condition, as could any requirement not to carry out work between October and February. The knotweed on site could also be dealt with by condition.

The Department for Infrastructure had advised that Trinity foul sewer currently experienced overloading and a request had been received that the development be delayed until this had been dealt with. Mr. [REDACTED] advised that the development could

use a tight tank until such time as it could be connected to the updated sewer network. It was possible for redevelopment to be undertaken on the site for housing with no additional impact on infrastructure. He contended that the development would not be harmful to the Green Zone as the new building would be screened by trees. It would contribute to the distinctiveness of the built environment and there was considerable support for the application. Access to the site from the north had been established for some time and was evident on a 1974 ariel photograph of the site.

Mr. [REDACTED] questioned the reference in the officer report to density guidelines in the draft SPG517, which guidance was currently out for consultation and had been issued after the application had been made. If those density calculations applied, Mr. [REDACTED] stated that the site could accommodate 3 dwellings. Summing up, he advised that there had been 2 independent units of accommodation on the site and the majority of the proposed development was within the Built Up Area. If the proposed buildings were fully located within the Built Up Area then 2 units would be acceptable and encouraged. The part of the proposed dwelling that was not situated in the Built Up Area should be viewed as an extension of an existing dwelling. The new dwelling would be imperceivable from the surrounding areas, most of the site would remain landscaped and knotweed could be dealt with in accordance with Government guidelines. The proposed development would have no negative impact and would contribute to the heritage of the Island.

Having considered the application, the Committee unanimously refused permission for the reasons set out above.

Ingouville  
House,  
Ingouville  
Lane, St.  
Helier:  
proposed.

A6. The Committee, with reference to Minute No. A2 of 3rd February 2022, of the Committee as previously constituted, received a report in connexion with a reserved matters application concerning the external appearance, landscaping and Percentage for Art contribution in respect of the approved redevelopment proposals for Ingouville House, Ingouville Lane, St. Helier. The Committee had visited the site on 24th January 2023.

P/2022/1363

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and was on the Eastern Cycle Route Network. Policies SP3, 4, PL1, GD6 and GD10 of the 2022 Bridging Island Plan were relevant.

The Committee recalled that outline planning permission had been granted for the replacement of the existing commercial building with a new 5 storey residential development with commercial accommodation on the ground floor. In granting approval, the Committee, as previously constituted, had requested sight of the reserved matters application.

The Committee was advised that this was a prominent site, immediately adjacent to the Jersey Arts Centre and the new public square within the emerging Ann Court development. The approved scheme included the overall form, scale and siting of the new building and the present application related to the reserved matters for the final design and architectural treatment of the building, together with the landscaping details and the Percentage for Art installation. The main structure of the building would be finished with a grey render to the upper levels, with 'textured, dark, hand-cut bricks' at the base level. This would then be overlaid using a ceramic screen which would be

installed to 3 sides of the building, consisting of a series of green, glazed ceramic fins or 'baguettes' of various sizes, with a gradation of colour and density from the base of the building upwards. The Department was content with the unique design approach, which would help to establish a new landmark building in this part of the town centre. A rooftop terrace was proposed for the use of future occupants and this included a series of amenity areas defined by built-in planters and benches. The public art proposal comprised a small tower structure which would be 4 metres high and would act as a 'way marker' at the western entrance of the new public square. It was recommended that the Committee grant permission.

No representations had been received in respect of the application.

In response to a query from the Committee, the Departmental officer noted that the height of the cladding would exceed the height of the building and this would form part of the wider context of the area when considering future applications. 2 areas of outdoor amenity space had been provided on the roof top, either side of a central core, which had been redesigned with planters and benches in a different configuration to that proposed in the approved application. The central core was the same height as shown on the original approved plans.

The Committee heard from Mr. [REDACTED] and Mr. [REDACTED], of PF+A. Mr. [REDACTED] stated that this was an important building because of its proximity to the new square and that positive feedback had been received from stakeholders, including Connétable A.S. Crowcroft of St. Helier. In considering the context of the building, Mr. [REDACTED] stated that this would form part of a major redevelopment and urban renewal of the area and there was a masterplan that developed the square as a cultural and arts area. The architecture should reflect its environment and in researching a theme for the concept consideration had been given to the Jersey coastline and the shifting colours, including emeralds and jades, and the vertical tracks cut by the tide. The design was intended to blend green tones as it progressed up through the building. The intention was to create a marker or a gateway that would lead into the square and the activities within the square.

Mr. [REDACTED] advised that research had led to the proposal to use the ceramic façade system, the profile of which was bespoke to the project and would use 4 colour glazes. As well as matching in with the context and the artistic premise, the baguettes would provide privacy and sun shading to the apartments. Whilst the proposed architecture was very particular to Jersey, the component was used around the world and the team had studied the work of Renzo Piano in Germany. The proposed approach was low maintenance but had a vivid, exciting character. Mr. Borrowman considered that this was a proposal which supported striking architecture in Jersey.

In response to questions from the Committee, it was noted that alterations had been made to the design of the roof space and the edges of the plant housing had been softened. Concerning the percentage for art contribution, a local potter had been engaged who collected items from the seascape and while the design had not been completed, there was scope for it to consist of 40 different pieces to celebrate cultures in Jersey. The Departmental officer advised that approval was being sought for the inclusion of a percentage for art contribution and the Committee was not required to agree the detailed design. In response to a question from the Committee regarding the

southern gable of the building, which would not be rendered with ceramic baguettes, it was noted that the applicant owned the adjoining sites and that these would be subject to future planning applications. The Committee was minded to impose a condition designed to ensure that the mass of the gable would be broken up. In response to a question regarding the colour pallet of the baguettes, it was noted that the sample provided showed the darkest shade. If the ceramic baguettes were damaged, they could be replaced and PF+A would retain the dye-cast. Maintenance of the building would require a ground up approach and there was sufficient space between the baguettes for the cleaning of the façade.

Having considered the application, the Committee unanimously approved the application, subject to the conditions set out in the officer report and the additional condition that the massing of the gable be broken up, as detailed above.

No. 1  
Rosemount  
Mews,  
Rosemount  
Estate, James  
Road, St.  
Saviour:  
installation of  
timber fence  
(RETRO-  
SPECTIVE).  
P/2022/1318

A7. The Committee, with reference to Minute No. A4 of 10th March 2022, of the Committee as previously constituted, received a report in connexion with a retrospective application for the installation of a timber fence along the top of the existing boundary wall to the south-east of No. 1 Rosemount Mews, Rosemount Estate, James Road, St. Saviour. The Committee had visited the site on 24th January 2023.

Connétable K.C. Lewis of St. Saviour 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 in the Built-Up Area, the Green Backdrop Zone and was on the Eastern Cycle Route Corridor. Policies GD1 and 6 of the 2022 Bridging Island Plan were relevant.

The Committee recalled that a previous application had been refused, contrary to the Department recommendation, on the basis of the unacceptable impact of the fence on the character of the area, with specific regard to the design and materials. The Committee had also been disappointed to note that the fence obscured a mural which had been gifted to the public of the Island.

The Committee noted that No. 1 Rosemount Mews was a semi-detached residential dwelling with a modest garden to the rear. Owing to topographical differences, on top of the adjacent granite wall was the privately owned road known as Le Mont Pinel, which was approximately level with the lowest point of the roof of No. 1 Rosemount Mews. The fence for which permission was sought was approximately 700 millimetres high, when measured from Le Mont Pinel, and extended approximately 8,200 millimetres in length along the aforementioned wall.

Following the adoption of the 2022 Bridging Island Plan the application had been resubmitted and assessed against the revised policy context (Policies GD1 and GD6 were of particular relevance). It had been concluded that the application was in accordance with policy and approval was recommended. The proposed fence was not considered to cause unreasonable harm and was believed to be of an appropriate scale and nature, being unlikely to have a detrimental impact on the wider setting or the character of the area. Therefore, approval was recommended.

6 representations had been received in connexion with the application.

The Committee heard from Ms. [REDACTED]. Ms. [REDACTED] had been surprised to see the notice advising of the current planning application as she had understood that any further application in this regard would be made following compromise and agreement with other interested parties and that the style of the fencing would be revisited. This was considered significant as it would allow views of the mural which had been gifted to the public, which was now obscured from view. Whilst Ms. [REDACTED] recognised the need for privacy she considered that a compromise position could have been reached with neighbours. Consideration should also have been given as to whether the style of the fence was appropriate, in line with comments made by former Deputy J.M. Macon of St. Saviour during consideration of application reference P/2021/1622 on 10th March 2022. Ms. [REDACTED] noted that whilst application reference P/2021/1622 which sought retrospective permission for the fence had been refused, the structure remained in situ. She questioned why the fence had been permitted to obscure the view of a mural that had been gifted to the public.

The Committee heard from Mr. [REDACTED]. Mr. [REDACTED] considered that the previous refusal of the application should be maintained, in accordance with Policies GD1, GD7 and BE3. It had been confirmed by the Department that the fence did not constitute permitted development and that discussions with regard to a compromise position would be pursued. However, this did not appear to have materialised and permission was again being sought to retain the existing fence. Mr. [REDACTED] noted that the existence of a low wall that looked over the gardens at Rosemount Court, which represented an acceptable solution and he believed that approval of the fence at No.1 Rosemount Mews might set an undesirable precedent for neighbouring properties. The potential for individuals standing on the wall to look over the fence at the mural constituted a safety issue which should be taken into consideration, due to the extent of the drop on the other side.

The Committee heard from the applicant, Ms. [REDACTED]. Ms. [REDACTED] understood that she was within her rights to paint over the mural and would consider this. It was noted that the height of the wall dropped at No. 1 Rosemount Mews, presenting a safety issue due to the 10 foot drop on the other side. Consequently, the erection of the fence had resulted in safety improvements. Ms. [REDACTED] also highlighted the privacy afforded by the fence.

Having considered the application, the Committee unanimously decided to grant permission, in accordance with the Department's recommendation.

Unit No. 4, Le Breton Lane, St. Helier: proposed change of use.

A8. The Committee received a report in connexion with an application which proposed the conversion of an existing 2 storey storage building at Unit No. 4, Le Breton Lane, St. Helier, to facilitate its use for performing arts. The Committee had visited the site on 24th January 2023.

P/2022/0506

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, 2, 3, 4, 6, PL1, GD1, CI5, and TT1 and 2 of the 2022 Bridging Island Plan were relevant.



The Committee was advised that the application sought to convert the existing building to provide a reception area, changing facilities, bicycle parking, a store, 2 small tuition rooms, 2 studios and an office on the ground floor and 3 studios, a small store and 3 toilets on the first floor. The aim was to create 5 separate dance studio facilities for performing arts students which would be used every day of the week. The length of classes would vary between one and 3 hours and the applicant had revised the hours of operation from those originally stated to reduce the impact on the amenities of the area. Despite efforts to control off-site parking arrangements, traffic movements and the drop-off and collection of students, it was considered that the proposal would result in parking problems in the area and would have an adverse impact on the traffic flow along Le Breton Lane. The lane was single width with parking restrictions in force and narrow footpaths either side of the road and the potential existed for vehicles to park on footpaths, resulting in a danger to pedestrians. Bicycle parking on the site was considered deficient and the scheme would generate increased traffic and the potential for noise and nuisance. The Department had concluded that the proposal would result in an unacceptable intensification of the use of the site and was recommending refusal on the grounds that the scheme was contrary to Policies SP3, GD1, TT1, TT2 and PL3 of the 2022 Bridging Island Plan.

The Department advised that the Environmental Health Section had concerns that noise and vibration would impact on neighbouring properties and had requested further information about the mitigation measures, but this had not been received. Both the Parish of St. Helier and the Infrastructure, Housing and Environment (IHE) Department had objected to the proposal. The applicant had advised that Victoria College had agreed that students could be dropped off on land within the curtilage of the College but it was recognised that the use of private land could not be relied upon as a solution. There were no usable parking facilities and a maximum of 5 bicycles could be stored at the entrance to the building.

The Committee was in receipt of a late representation which had been received in support of the proposal from Deputy K. F. Morel of St. John, St. Lawrence and Trinity, Minister for Economic Development, Tourism, Sport and Culture. Having noted the content of the correspondence the Chairman advised that the Committee was required to assess the application on the basis of the policies of the 2022 Bridging Island Plan.

In response to a question from the Committee, it was confirmed that pre-application advice had not been sought by the applicant in respect of the proposal.

14 representations had been received (11 of which expressed support for the application) and concerns had been raised by the Parish of St. Helier and the highway authority.

No persons present wished to speak against the application.

The Committee heard from Mr. [REDACTED]  
Mr. [REDACTED] stated that many existing facilities in Jersey had concrete floors covered with vinyl and these were dangerous and could lead to performers being injured. With regard to the provision of car parking, it was noted that the proposed facilities would be situated in the town

centre, close to bus stops and bicycle parking. The concerns of the IHE Department were noted and the view was expressed that any use of the site would result in interaction with school traffic. It was believed that those who were unable to park in the area would look for a parking space nearby and walk to the premises. The applicant contended that the provision of car parking in the wider area was not the responsibility of the applicant company. Parents would be discouraged from using Le Breton Lane and staff would manage access. In relation to noise impact, an acoustic survey had been undertaken by Aura Sound and Air Limited and this had concluded that the impact would be low. Singing, acting and dancing would take place in the studios and there would be no sound bleed outside the boundary of the building. Mr. [REDACTED] noted that a number of town centre gyms did not provide dedicated car parking for members. In concluding, Mr. [REDACTED] advised that the facility was much needed in the Island.

The Committee heard from Mr. N. Socrates, representing the applicant company, who expressed disappointment at the recommendation for refusal on the basis that it was felt that Government should support this type of activity. It was understood that previous case officers had supported the application but it was acknowledged that traffic issues appeared to be the main concern. However, Mr. Socrates advised that it was perfectly feasible to assume the premises could be used for another purpose which would have an even greater impact on traffic. The applicant had prepared a parking and drop off plan for the proposed use. The noise impact assessment had reported noise levels which were not considered to be detrimental to neighbouring residential amenities. Mitigation measures such as acoustic insulation was also proposed. In concluding, Mr. Socrates advised that the application was supported by Deputy Morel and he read from the Minister's submission in support of the application.

The Committee heard from Ms. [REDACTED] advised that she had spent the greater part of 2 years trying to find suitable creative spaces for performing arts. This had proved impossible and Ms. [REDACTED] advised that Ballet d'Jèrri was currently leasing a former potato packing shed. She urged the Committee to grant permission to facilitate the proposed use.

In response to questions from the Committee, Mr. [REDACTED] advised that the largest number of students on site at any one time would be 47, split between the studios. He had offered to enter into a planning obligation agreement in respect of traffic management and cycle parking, but contended that this had not been followed up.

The Committee heard from Mr. [REDACTED] who advised of proposals to increase the height of the pavement and re-paint yellow lines. Mr. [REDACTED] advised that [REDACTED] on the road [REDACTED] all tenants were required to park on site. The applicant company had been specially selected from a number of prospective occupants on the basis of low impact of the proposed use.

The Committee heard from Mr. [REDACTED] Environmental Health Section, who advised that concerns related to the potential noise impact on residential properties to the rear from both airborne and structure borne noise and specific details which had been requested in relation to these matters had not yet been received. Concern existed that the proposed use could lead to complaints under the Statutory Nuisance (Jersey) Law 1999. Mr. Socrates advised that, to obtain this level of information, intrusive

surveys of the building would be required, and it was believed that noise would not exceed the recommended levels. Mr. [REDACTED] stated that it was believed that it was reasonable and practical to require the information requested due the potential impact on residents from vibration.

Having considered the application, the Committee decided to endorse the recommendation to refuse permission. In doing so, the Committee acknowledged the demand for premises for this type of activity but recognised that, in this particular case, there were just too many issues.

Field No. 325,  
La Charriere  
Huet, St.  
Ouen:  
construction of  
storage shed  
(RETRO-  
SPECTIVE)  
(RFR).

A9. The Committee, with reference to Minute No. A10 of 5th May 2022, received a report in connexion with a retrospective application which sought to regularise the unauthorised construction of an ancillary storage shed to the north-east of Field No. 325, La Charriere Huet, St. Ouen. The Committee had visited the site on 24th January 2023.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Coastal National Park and that Policies SP1, 2, 3, 5, 6, PL5, GD1, 6, NE1, 2, 3, ERE1, 2, 5, WER5 and 6 of the 2022 Bridging Island Plan were relevant.

P/2022/0798

The Committee was advised that retrospective permission had previously been refused for the construction of a shed in the proposed location on the grounds that the application was contrary to Policies NE7 and ERE6 of the 2011 Island Plan.

The current scheme again sought to regularise the unauthorised works, which involved the construction of a shed for the storage of equipment for the maintenance and use of the meadow and woodland to the north-east of the site. The application site lay within the Coastal National Park where development proposals were required to protect or improve the special landscape and seascape character. The Policy also supported economic development that benefitted the maintenance and diversification of the rural and Island economy where the location of the development was justified and appropriate, or where it involved the reuse or redevelopment of already developed land and buildings. The field in question was classified as agricultural land, the loss of which could only be supported in exceptional circumstances. The submitted information did not justify the proposal and it was noted that the applicant was not a smaller holder and that the shed, associated meadow and woodland, did not form part of a farm holding. Consequently, the application was not in accordance with Policy ERE5 as it was not essential to the proper function of the farm holding. The proposal would not contribute to the viability of the Island's agricultural industry and the need could be met by using existing agricultural or horticultural structures elsewhere, which might be available to lease or purchase. In addition, the proposed shed was isolated and not adjacent to other buildings within Field No. 325 and was, therefore, considered harmful to the landscape character, as detailed in the Jersey Integrated Landscape and Seascape Character Assessment. No information had been submitted to demonstrate how surface water from the proposed shed would be disposed of. Consequently, the application had been refused on the grounds that it was contrary to Policies PL5, WER6, ERE5 and NE3 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

No representations had been received in connexion with the application.

The agent had submitted a landscape management plan which had not been available when the application was originally considered.

The Committee heard from the applicant's agent, Mrs. [REDACTED] of KE Planning, who referred to her letter of 1st December 2022, which set out the grounds for appeal. It was confirmed that the shed was required for the storage of equipment for the maintenance and use of the meadow and woodland to the north-east of the site. Mrs. [REDACTED] referenced the decision to refuse the application and she drew the Committee's attention to the Minutes of the meeting held on 5th May 2022. It had been understood that the issues raised could be resolved by the formulation and submission of a landscaping scheme and so the applicant had been disappointed to learn of the recommendation for refusal. The sheds had been erected during the pandemic and the land itself was not agricultural. There had been no objection from the Land Controls and Agricultural Development Team and the applicant had worked with the Natural Environment Team to develop a landscape management plan. In concluding, Mrs. [REDACTED] highlighted the benefits of the maintenance work carried out on the land by the applicant and stated that providing a storage area for tools and equipment on the site represented the most practical solution.

The Committee heard from Mr. [REDACTED] Landscape Architect, who advised that the landscaping scheme sought to enhance the character and biodiversity of the woodland and the meadow. The health, long term resilience and management of existing planting had been considered and it was noted that ornamental conifers at the front of the shed would be removed together with other non-native species.

In response to questions from the Committee, the applicant confirmed that a chicken coop on the site had been erected in response to the outbreak of Avian Flu and the requirements designed to halt the spread of the same. Some existing Palm trees would also be removed.

The Committee heard from the applicant, Mr. [REDACTED] who advised that some of the existing species had been planted in error due to a lack of knowledge on his part. In response to a question from the Committee, Mr. [REDACTED] advised that he did not store anything in the bunker on site and that the sheds contained tools [REDACTED]. There was also a workshop which was used to maintain the equipment. Mrs. [REDACTED] advised that there was no commercial gain from the activities undertaken by Mr. [REDACTED] on the site. In response to a question from the Committee, Mr. [REDACTED] advised that money raised from the sale of wood on site was used to purchase new trees for the woodland and Mrs. [REDACTED] advised that there was no business plan in this regard.

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

The applicant was made aware of the Independent Planning Appeal process.

Usk Cottage,  
Tabor Heights,  
St. Brelade:  
proposed first  
floor extension  
(RFR).

P/2022/1153

A10. The Committee received a report in connexion with an application which sought permission for a first floor extension at Usk Cottage, Tabor Heights, St. Brelade. The Committee had visited the site on 24th January 2023.

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 and GD6 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the scheme sought to raise the ridge height of Usk Cottage by 1200 millimetres to facilitate the construction of a new extension at first floor level with a mansard style roof and 2 windows. Whilst sufficient on site car parking existed, the scheme did not provide adequate amenity space. The proposed design was also considered to be incongruous and the development would have an unreasonable impact on the amenities of neighbouring properties. It was also considered to be harmful to the character of the area by virtue of the overbearing impact in this context. Consequently, the application had been refused on the grounds that it was contrary to Policies GD1 and GD6 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.

No representations had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] who advised that he was attending on behalf of the applicant, who was unable to attend the meeting. Mr. [REDACTED] advised that the applicant wished to improve the living accommodation at the property with the least possible impact. He referenced the reasons for refusal, in particular Policy GD1 and noted that overlooking already existed. The proportions of the proposed new roof were modest and Mr. [REDACTED] did not believe that the design would be harmful to the surrounding area, particularly as the application site was in close proximity to a number of much larger developments.

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

Longueville  
Manor,  
Longueville  
Road, St.  
Saviour:  
installation of  
fence  
(RETROSPEC  
TIVE) (RFR).

P/2022/1421

A11. The Committee, with reference to Minute No. A12 of 29th June 2017, of the Committee as previously constituted, received a report in connexion with a request for the reconsideration of a retrospective application which had been refused by the Department under delegated powers and which sought to regularise the installation of a fence to the north of the car park at Longueville Manor, Longueville Road, St. Saviour. The Committee had visited the site on 24th January 2023.

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

A site plan and drawings were displayed. The Committee noted that Longueville Manor was a designated Site of Special Interest which was situated in the Green Zone and was on the Eastern Cycle Route. Policies SP3, 4, 5, GD1, GD6, HE1, EV1 and TT2 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application sought retrospective permission for

lattice fencing to the north of an existing car park, which had been erected in 2016 without permission. The height of the fencing ranged from 1.3 metres high to 1.5 metres high for a length of 8 metres. The application had originally been assessed and refused in accordance with the 2011 Island Plan Policies. On receipt of the request for reconsideration it had been re-assessed against the 2022 Bridging Island Plan Policies.

The fencing had weathered since its installation and a new landscaping scheme had been implemented. Existing landscaping had also matured in the intervening period. Consequently, the appearance of the fencing was now considered to be acceptable and in accordance with the relevant policy framework. Consequently, the application was recommended for approval.

No representations had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] of Waddington Architects, who advised that the fence was no longer visible, having been screened by landscaping. The fencing and the landscaping also screened the car parking area.

Having considered the application, the Committee unanimously approved the application.

Nil Solitaire,  
La Grande  
Route de St.  
Pierre, St.  
Peter:  
proposed  
extension  
(RFR).

A12. The Committee received 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 permission for the construction of a first floor extension with balcony and external staircase to the eastern elevation of the property known as Nil Solitaire, La Grande Route de St. Pierre, St. Peter. Various internal alternations were also proposed. The Committee had visited the site on 24th January 2023.

P/2022/1121

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies GD1, GD6, HE1, SP4 and WER5 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that a previous application (reference P/2020/1082) had been refused on the grounds of the impact of the proposal on the setting of nearby Listed Buildings. The scale, design and arrangement of the proposed development had also been considered unacceptable in this context. The current scheme proposed revisions designed to overcome the previous reasons for refusal. However, the Department was of the view that these did not address the impact on the street scene and it was considered that the proposed works would make a positive contribution to the area, where a number of Listed Buildings were situated. In particular, the proposed south-western elevation was considered harmful to the character of the host dwelling and views of the same from the street. Consequently, the application had been refused on the grounds that it was contrary to Policies GD6, HE1 and SP4 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal.

The Committee received the applicant, Mrs. [REDACTED] and [REDACTED] agent, Mr. [REDACTED]. Mr. [REDACTED] was surprised to note that there had been no comments on the application from the Historic Environment Team. He also believed that the report included

inaccurate statements and errors of fact, particularly in relation to the various reference to properties. He was concerned that this might have impacted on the assessment of the application. Furthermore, Mr. [REDACTED] stated that the structures were not historic and had been constructed as recently as 15 years ago. In terms of the revisions to the scheme, he advised that first floor extension had been reduced in height. [REDACTED]

[REDACTED] Finally, it was noted that the proposed extension would not be visible as it would be shielded by an existing building.

At the request of members, the location of Listed Buildings in the area was indicated on the site plan and it was confirmed that Nil Solitaire was not a Listed Building. However, the impact of the proposed development had been considered to be harmful to the setting of nearby Listed Buildings. It was noted that this was the conclusion of the Department and not the Historic Environment Team, to whom the application had not been referred for comment.

Mrs. [REDACTED] advised that she had been most disappointed to receive the refusal notice. [REDACTED]

[REDACTED] the proposed development would facilitate an improved layout [REDACTED]

[REDACTED] It would also provide a space for painting, as Mrs. [REDACTED] was an artist. In concluding, Mrs. [REDACTED] advised that there had been no objections from neighbours.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, endorsed the recommendation to refuse permission for the reasons set out above.

Field No. 704,  
La Route des  
Champs, St.  
Saviour:  
proposed  
agricultural  
dwelling.

A13. The Committee received 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 permission for the construction of a 3 bedroom agricultural worker dwelling with associated car parking and landscaping on Field No. 704, La Route des Champs, St. Saviour. The Committee had visited the site on 24th January 2023.

P/2021/1992

Connétable K.C. Lewis of St. Saviour 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 in the Green Zone and was on the Eastern Cycle Route Corridor. Policies SP1, 2, 3, 4, 5, 7, PL5, GD1, 6, NE1, 2, 3, ERE1, H1, 9, 10, TT1, 2, 4, WER6 and 7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to Planning Policy Notes Nos. 3 and 6, parking guidelines and a minimum specification for new housing, respectively.

The Committee noted that a planning statement and accompanying business plan provided by the applicant outlined the background to the application. The applicant was

understood to be a self-employed agronomist who primarily provided freelance services to Woodside Farms Limited and, in particular, oversaw all aspects of crop production through to harvest. The applicant had also outlined his intention to establish a farming enterprise from the site, which was located approximately 150 metres to the east of Seawood Farm, which [REDACTED] was non-operational.

The Committee was advised that the principle of development outside of the defined Built-Up Area was contrary to the Spatial Strategy. In particular, insufficient information had been provided to justify the essential need for agricultural worker accommodation in this location and the relevant criteria set out in Policy H10 of the 2022 Bridging Island Plan had not been satisfied. Similarly, the proposals failed to satisfactorily justify the loss of agricultural land. Notwithstanding the acceptability of the design, residential amenity, highways and landscape considerations, the scheme proposed an inappropriate form of development in the Green Zone, contrary to Policies SP2, PL5, ERE1, H9 and H10 of the Bridging Island Plan 2022. Consequently, the application had been refused and it was recommended that the Committee maintain refusal.

The Committee noted that a total of 5 letters of representation had been received in connexion with the application.

The Committee heard from the applicant, Mr. [REDACTED] and Ms. [REDACTED]. Mr. Quenault advised that [REDACTED]. The industry was in danger of declining due to a lack of new entrants and the need for diversification. Mr. [REDACTED] went on to discuss the positive benefits of farming on the landscape. Mr. [REDACTED] advised that farmers worked long and often unsociable hours and that it was essential that he was able to live close to the shed [REDACTED] for efficiency purposes. He was also seeking a better work life balance [REDACTED] which was not possible in [REDACTED] current living accommodation. Immediate neighbours of the site supported the application and the land in question was of no agricultural value. The site was close to Seawood and the necessary infrastructure was in place. The proposed development would include a farm office, which was essential as a great deal of the work was office based. If permission was not granted, Mr. [REDACTED] advised that he would be forced to leave the Island and take his expertise to the UK, where farmers benefitted from considerable Government support.

Ms. [REDACTED] reiterated that the applicant worked long, unsociable hours and would often be called out in the evening. Both she and Mr. [REDACTED] had studied in the Island and gained valuable skills, which would be lost to the Island if the applicant was unable to secure the necessary permission. [REDACTED]

The Committee heard from Mr. [REDACTED] of Woodside Farms, who confirmed that



the field was of no agricultural value due to its size. He added that the applicant was only one of a handful of young people in the agriculture sector and without his particular skill set it was likely that the services provided would have to be procured from outside the Island. Mr. [REDACTED] discussed how the applicant had responded positively to Woodside Farm's move away from traditional vegetable crops. He also referenced the disappointing message from the previous Government in relation to the agriculture industry and the improved message from the current Government. Financial support for Jersey farmers was well below that of other jurisdictions so indirect aid was much more valuable and necessary. In concluding, Mr. [REDACTED] stated that he believed that without the services provided by the applicant the industry would not survive.

The Chair reminded those persons addressing the Committee that decisions were based entirely on planning policy.

The Committee heard from Mr. [REDACTED] President of the Jersey Farmers Union, who echoed Mr. [REDACTED]'s views with regard to the difficulties associated with attracting and retaining new entrants to the agriculture industry. He too stated that the field was of no agricultural value. In terms of the applicant's particular skills, Mr. [REDACTED] advised that only 12 other people in Jersey held equivalent qualifications, with 5 of those being employed by large potato farms, 3 working with merchants and the remainder being employed as Civil Servants. Consequently, the ability to obtain independent advice was essential and could not be overstated. The applicant currently provided services to 4 businesses, with the potential for a further 31 businesses requiring this specialist agronomy advice.

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

No. 5 Douro Terrace, Le Mont Pinel, St. Saviour: proposed conversion of basement to residential unit (RFR).

P/2022/0056

A14. The Committee received 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 permission for the conversion of a basement at No. 5 Douro Terrace, Le Mont Pinel, St. Saviour to provide a one bedroom residential unit. The Committee had visited the site on 24th January 2023.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application. Mrs. G. Duffell, Planning Applications Manager withdrew from the meeting for the duration of this item and Mr. C. Jones, Senior Planner acted a lead officer in her stead.

A site plan and drawings were displayed. The Committee noted that the main part of the application site was situated in the Built-Up Area, with the southern part of the site being located in the Green Zone. The application site was also on the Eastern Cycle Route Corridor and it was noted that No. 5 Douro Terrace was a Grade 3 Listed Building, forming part of an 1839 set piece terrace composition in the Neoclassical architectural style. Policies SP1, 2, 3, 4, PL1, GD1, GD6, HE1, HE2, H1, 2, 3, 4, ME1, TT1, 2, 4, WER6 and 7 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that No. 5 Douro Terrace was a part 3/part 4 storey historic building with a basement. The scheme proposed the creation of a one bedroom flat

within the basement with the ground and upper floors providing a larger flat. The basement flat would be accessed through a rear courtyard, which would also provide private amenity space for the proposed new flat. Whilst dedicated car parking had not been shown for the unit, the Department was satisfied that this could be provided in a shared area. The proposals would not increase the footprint or built form of the existing building and whilst internal alterations would be necessary, it was noted that the basement had already been stripped of many of the original historic features. An initial objection from the Historic Environment Team had been overcome by revisions to the scheme.

Whilst the principle of providing a new residential unit in the Built-Up Area was considered acceptable, the standard of the accommodation proposed was considered to be poor given the level of daylight and sunlight available. Furthermore, it had not been possible to determine the quality of the amenity space which would be retained for the accommodation on the ground and upper floors. Insufficient drainage details meant that the impact on surface and foul drainage was not clear. In summary, the application failed to comply with Policies H1, WER6 and 7 of the 2022 Bridging Island Plan and had been refused for this reason. It was recommended that the Committee maintain refusal.

One representation had been received in connexion with the application from MP Flats Limited, [REDACTED]

The Committee heard from the applicant, Mrs. [REDACTED]. A number of applications had been submitted recently for various works, to include the application under consideration. Together with the other proposals, the scheme would allow this large property to be better used by 3 separate households. Turning to the conversion of the basement, the scheme had been designed with the aim of minimising alterations [REDACTED]. 3 south facing windows looked out on to a light well and would provide sufficient natural light. The kitchen would receive light from the south through an existing opening and from the north through a glazed door, which had to be retained due to its heritage value. The kitchen and bathroom would be served by existing drains. The Committee was advised that the application had been submitted prior to the adoption of the Bridging Island Plan and the required information in relation to drainage had been submitted in accordance with the 2011 Island Plan Policy context. Further information had subsequently been requested regarding the foul sewer and this was being addressed at present. However, the application had been refused by the Department prior to the conclusion of this matter. Mrs. [REDACTED] referred to works at Nos. 1, 2 and 3 Douro Terrace, which already benefitted from self-contained basement units and she added that the basement of No. 4 was also occupied as living accommodation. In each case the walls in a light well had been painted white and Mrs. [REDACTED] advised that she was willing to accept the imposition of a condition requiring the same for No. 5. The occupant of the proposed unit would have access to a large garden area which would be shared between the 3 households. In addition, communal gardens to the front of the terrace existed. Car parking was also available to the front and rear of the application site. The Department report noted that the scheme complied with a number of Island Plan Policies and Mrs. [REDACTED] contended that it made better use of a large property within the Built-Up Area. This was particularly relevant given the housing shortage in the Island. In concluding, Mrs. [REDACTED] asked for advice on

how the basement could be used in accordance with the relevant policy context.

The Committee discussed the application and noted that Building Bye-Laws permission had been secured ahead of planning permission but that this did not preclude the refusal of planning permission. In response to a question regarding works which had commenced in the basement, which the Committee had viewed during its site visit, Mrs. [REDACTED] advised that damp proofing had been undertaken together with works to the floor.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above. In doing so, some members sought comparisons between the level of daylight and sunlight available to the proposed unit and that which was available in some new developments. The Committee was advised that since the delegated refusal of the application, the Department had commenced work with the applicant to develop a comprehensive plan for Nos. 4 and 5 [REDACTED]

No. 1 Havre  
des Pas  
Gardens, St.  
Helier:  
proposed 2  
storey  
extension  
(RFR).

P/2022/0964

A15. The Committee received 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 permission for the construction of a 2 storey flat roof extension to the south elevation of No. 1 Havre des Pas Gardens, St. Helier. The Committee had visited the site on 24th January 2023.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and was also on the Eastern Cycle Route Corridor. Policies GD1, GD6, SP3 and NE3 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the scheme proposed the construction of a 2 storey extension on the south elevation to create a garage on the ground floor and a gym on the second floor. The proposed development would extend the building form up to the southern edge of the site boundary and would result in a 47 per cent increase in the building footprint. The Department considered that the scheme would result in the overdevelopment of the site and that the nature of the development was out of character with the area and the streetscape, given that development was typically of a lower density and single storey. Consequently, the application had been refused on the grounds that it was contrary to policies GD1, SP3 and NE3 of the 2022 Bridging Island Plan. Concerns also existed regarding the impact of the scheme on the existing dwelling and neighbouring amenities, contrary to Policies GD1 and GD6. It was recommended that the Committee maintain refusal.

No representations had been received in connexion with the application.

The Committee heard from the applicant's agent, Mr. [REDACTED] who explained the rationale behind the proposals. He noted that [REDACTED] Consideration had been given to including first floor windows on the gable of the proposed extension but there had been concerns from neighbours about overlooking.

Having considered the application, the Committee endorsed the recommendation to

refuse permission for the reasons set out above.