**KML** 

## PLANNING COMMITTEE

(9th Meeting)

## 29th September 2021

## PART A (Non-Exempt)

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence, Deputies R.E. Huelin of St. Peter, K.F. Morel of St. Lawrence and S.G. Luce of St. Martin, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity, Chair Deputy G.J. Truscott of St. Brelade, Vice Chair Deputy L.B.E. Ash of St. Clement Deputy M.R. Le Hegarat of St. Helier Deputy J.M. Maçon of St. Saviour

In attendance -

P. Le Gresley, Head of Development and Land

J. Gladwin, Senior Planner

R. Hampson, Planner

K.M. Larbalestier, Specialist Secretariat Officer, States Greffe

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

Former Jersey Monumental Company site and Nos. 82 New Street and 1 Val Plaisant (extending to Garden Lane), St. Helier: proposed residential development. P/2020/1832 A1. The Committee, with reference to its Minute No. A8 of 15th July 2021, considered a report in connexion with an application which sought approval for the demolition of No. 82 New Street, St. Helier and an adjoining workshop and their replacement with  $3\frac{1}{2}$  and  $2\frac{1}{2}$  storey residential blocks, respectively. Permission for the change of use of the ground floor of the premises of the former Jersey Monumental Company site on the New Street/Val Plaisant elevation from office and retail/showroom to residential had also being sought to provide 3 x one bedroom and 9 x 2 bedroom residential units with associated parking. It had also been proposed to create a vehicular access onto Garden Lane. The Committee had visited the site on 13th July 2021.

The Committee recalled that it had been minded to refuse the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented and the reasons for refusal set out in the Department's report.

The Committee confirmed its decision to refuse permission for the 2 reasons set out in the Department's report.

La Maison de la Trappe, La Rue de la Trappe, St. Ouen: proposed removal of agricultural A2. The Committee, with reference to its Minute No. A10 of 15th July 2021, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought approval for the removal of an agricultural occupancy condition attached to the permit in respect of the property known as La Maison de la Trappe, La Rue de la Trappe, St. Ouen. The Committee had visited the site on 13th July 2021.

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occupancy condition (RFR).

RC/2020/1783

A3.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented and the reason for approval was set out in the Department's report.

The Committee confirmed its decision to grant permission for the reason set out in the Department's report.

The Committee, with reference to its Minute No. A13 of 15th July 2021,

Beauvoir, La Rue de Guilleaume et d'Anneville, St. Martin: proposed extensions (RFR).

P/2021/0246

considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought approval for the demolition of a conservatory, garage and outbuildings at the property known as Beauvoir, La Rue de Guilleaume et d'Anneville, St. Martin and the construction of 2 extensions to the north-west and south-east of the dwelling. The Committee had visited the site on 13th July 2021.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented and the reason for approval was set out in the Department's report.

The Committee confirmed its decision to grant permission for the reason set out in the Department's report.

Clos de Sergent Nursery and Field No. 702A, La Rue des Cabarettes, St. Martin: proposed installation of boundary fencing/JEC sub-station.

P/2020/1771

A4. The Committee, with reference to its Minute No. A6 of 15th July 2021, considered a report in connexion with a revised application which had initially sought approval for the installation of a boundary fence and the construction of an electricity sub-station to the north-west of Clos de Sergent Nursery and Field No. 702A, La Rue des Cabarettes, St. Martin. It was recalled that the scheme had subsequently been amended to show only the electricity sub-station as revisions had resulted in the other element of the scheme constituting permitted development. The Committee had visited the site on 13th July 2021.

The Committee recalled that it had been minded to refuse the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision, the application was re-presented and the reasons for refusal set out in the Department's report.

The Committee confirmed its decision to refuse permission for the 2 reasons set out in the Department's report.

Mayfair Hotel, St. Saviour's Road, St. Helier: proposed demolition and redevelopment.

P/2020/1677

A5. The Committee considered a report in connexion with an application which sought approval for the demolition of the Mayfair Hotel, St. Saviour's Road, St. Helier and its replacement with 147 one bedroom, 50 x 2 bedroom and 4 x 3 bedroom residential units with associated basement parking and landscaping. It was also proposed to alter the vehicle access onto Ann Street. The Committee had visited the site on 28th September 2021.

Deputy L.B.E. Ash of St. Clement did not participate in the determination of this application as a shareholder representative of the applicant company, Andium Homes. Deputy J.M. Maçon of St. Saviour requested that the record show that he had no previous involvement in the proposals in his former role as Minister for Children and Housing in 2020.

A site plan and drawings were displayed together with a 3 dimensional model. The Committee noted that the application site was situated in the Built-Up Area. Policies

SP1 – SP7, GD4 and 5, NE1, H4, TT4, 8 and 9, NR7, WM1 and LWM2of the 2011 Island Plan were of particular relevance.

The Committee was informed that it was proposed to demolish all buildings on the site, with the exception of De Quetteville tower block. The proposed buildings would generally be 5 storeys high, with 6 storeys in the central block. The principle of the demolition of the existing buildings on the application site was considered acceptable as the scheme would provide much needed affordable housing and environmental and community benefits. The North of St. Helier Masterplan supported the redevelopment of the site for residential purposes and referenced 3 storeys adjacent to St. Saviour's Hill and Brooklyn Street and up to 4 storeys on Ann Street. The application proposed a higher density development, with the highest density being in the centre of the site. Whilst the proposed density levels were higher than the 2011 Masterplan had suggested, there was now a greater emphasis on achieving higher densities to meet the high demand for housing in Jersey; especially affordable housing. The density of the proposed development equated to recently approved town residential schemes and was considered to be in keeping with the character of the area, which was in a sustainable location. The density of the development was considered to be at the highest reasonable level, without causing an unacceptable negative impact on the surrounding area or the setting of nearby Listed Buildings.

The proposed development would be set back from the roadside to allow greater landscaping and wider pedestrian and cycle paths. Within the development a series of landscaped open spaces were proposed to link up with the existing neighbourhood and proposed developments nearby. The minimum distance between the blocks was 15.5 metres (blocks B and C).

The application was considered to be in accordance with the relevant Island Plan Policies and it was recommended that permission be granted, subject to the imposition of certain conditions detailed within the Department's report. In addition, the Committee was asked to authorise the entering into a Planning Obligation Agreement (POA), in accordance with Article 25 of the Planning and Building (Jersey) Law 2022, as amended, in order to secure a financial contribution for off-site mitigation works and 67 off-site car parking spaces.

8 letters of objection together with responses from statutory consultees were noted.

Prior to hearing representations, Deputy Maçon sought clarification as whether the off-site parking spaces would be allocated to tenants. It was noted that this issue would be addressed by the applicant company's representatives. Deputy Maçon also wished to understand whether the 'boulevards' shown on the submitted drawings, which were outside of the application site, were actually included in the scheme. The case officer confirmed that the boulevards did form part of the submitted scheme and that there had been no objection from the Highway Authority.

The Committee heard from Mr. Lilley of Andium Homes, who advised that the applicant company's development strategy was to recycle low density brown field sites (due to the shortage of new sites) and to protect the countryside from development. Andium Homes was working with Dandara Limited and others to deliver affordable housing and had worked closely with the Department and the Jersey Architecture Commission to fine tune the scheme, to include the introduction of 3 bedroom units. The applicant company was uniquely placed, in so far as it owned 46 sites in the town centre, with an average parking provision of 0.78 per unit. A permit parking scheme was operated with secure access to estates. Spaces were controlled by G4S, who took enforcement action when infrequent unauthorised

parking occurred. The actual take up of spaces on existing estates was 0.6, creating a surplus of 0.18, equating to over 33 surplus spaces – some of which were unused and others rented to private commuters. These rental arrangements would cease with the introduction of a zoned parking scheme, which would be split over 5 areas. The development proposed a ratio of 0.6 car parking spaces per unit (some of which would be allocated off site) which compared favourably with the ratio of 0.4 at a recently approved development in Kensington Place, which did not have the support of a zoned parking scheme. One of the 54 spaces on the application site would be an Evie car club space and 8 motorcycle spaces and 273 cycle parking spaces would also be provided together with 15 bicycle charging points. Mr. Lilley explained that the client demographic differed from the private sector in that 77 percent of tenants were over 40 years of age and the remainder were over 65. Andium wish to support older clients in new town centre redevelopments which were close to amenities and public transport hubs, resulting in less reliance on private vehicles. The scheme respected and repaired the street scape and made the best use of a brown field site to provide affordable housing for those most in need.

The Committee heard from Messrs. Huckson, Dandara Limited, McDonald, Axis Mason Architects and Nicholson of MS Planning. Mr. Nicholson addressed the Committee, advising that the scheme presented an excellent opportunity to make progress with the provision of affordable housing in the Island. This was a brown field site in a sustainable location and the Island Plan required the potential of such sites to be maximised, subject to good design and amenity provision. Mr. Nicholson believe the policy tests had been met and the scheme offered excellent environmental credentials and was 'well ahead of the policy curve' in terms of climate change and energy efficiency. Feedback from stakeholders had informed the evolution of the scheme and every effort had been made to 'settle' the proposed development into the street scene. Space around the building was generous and planting and 'proper pavements' had been included. With regard to Deputy Maçon's point in relation to the planted boulevards, it was noted that each Highway Authority took an individual approach and, in this particular case, the Parish of St. Helier supported the inclusion of boulevards. It was noted that a similar approach had not been adopted on a St. Saviour's Road development as this had not been supported by IHE Transport. The proposed new building would be set back on the site to enhance the street scape and the pedestrian experience. Crossing points and connectivity for pedestrians and cyclists had also been included.

Mr. McDonald addressed the Committee, advising that the scheme was important in the wider context of the regeneration of St. Helier. Public realm improvements included wider, safer footpaths with safe routes through the site running north/south and east/west route towards De Quetteville Tower. The future development of the Ann Street Brewery site had also been considered and routes could be continued into that site. With regard to the design approach, great care had been taken to imbed a sense of place with the creation of familiar plot widths and breaking the building with balconies and the variation of roof lines to create visual interest. The design responded to the context and would provide sustainable living and affordable homes which would contribute to the creation of a more vibrant St. Helier.

Mr. Huckson advised that Andium Homes had entered into a partnership agreement with Dandara in terms of the development of the application site. Andium was working to provide financial stimulus in response to the Covid-19 pandemic and was seeking to provide 3,000 new affordable homes up to 2030 through the development of brown field and existing sites. The new homes would be available through the Housing Gateway and statics showed a total of 2,854 applicants, with numbers continuing to rise. Increasing the supply of homes was key to the stability of the housing market and would help those most in need. The proposed development

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would provide improved standards of living and would support the town centre economy. If approved, the scheme was scheduled for completion in 2025, and the partnership agreement ensured quality of design and minimised delivery risks. The proposed new development would replace poor quality buildings and would exceed current standards. Public realm improvements such as the landscaped boulevard on Brooklyn Street would create a sense of place and the scheme offered a significant financial contribution to public realm improvements, bus subsidies and a bus shelter. Road signals would be upgraded and a percent for art contribution was included together with new bicycle and pedestrian paths. Every effort had been made to respond to concerns relating to aspects of the scheme and the regeneration of the site represented a substantial investment which would deliver a community benefit. In response to a question regarding traffic generation in the area, Mr. Huckson advised that IHE Transport supported the view that the scheme would lead to a net reduction in traffic and the priority was to promote more sustainable forms of transport.

Having considered the scheme, the Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report and on the basis of a Planning Obligation Agreement, as detailed above. In doing so, Connétable P.B. Le Sueur of Trinity, Chair expressed the view that concentrating the majority of development in St. Helier without corresponding facilities was concerning.

Chestnut House, La Grande Route de St. Pierre, St. Peter: proposed removal of condition of permit. A6. The Committee considered a report in connexion with an application which sought permission for the removal of a condition attached to the permit in respect of the redevelopment of Chestnut House, La Grande Route de St. Pierre, St. Peter (planning application reference P/2019/0674). The Committee had visited the site on 28th September 2021.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area. Policies SP6 and 7, TT1, TT2, TT5, GD1 and GD7 of the 2011 Island Plan were of particular relevance.

RC/2021/0664

The Committee was informed that the specific condition had been applied by the Minister for the Environment when he had dismissed a third-party appeal and maintained the original decision to grant planning permission. The condition required that details of a safeguarded 2-way pedestrian route through the site from La Grande Piece to La Grande Route de St. Pierre should be submitted and approved in writing by the Department. One direction would allow residents from the Chestnut House development to access La Grande Piece and would, in turn, provide a safer route to the school and Co-operative store area. The other direction would allow residents from La Grande Piece to enjoy a safer route to nearby retail premises. This would especially benefit non-drivers.

The request to remove this condition had been assessed against Island Plan Policies, which presumed strongly in favour of sustainable transport. Since the declaration of a climate change emergency in June 2019, reducing dependency on the car had become a priority. Increasing connectivity by improving/joining up pedestrian routes presented an opportunity to encourage walking. The provision of safer routes to shops, schools and other public areas would play an active role in reducing dependence on the car.

The removal of the 2-way pathway, which was designed to connect public places more safely, was contrary to strategies put in place to address climate change. Furthermore, a passageway from Chestnut House to La Grande Piece already existed. In this particular instance there was insufficient justification for making an exception to key policies of the Island Plan. Consequently, the application was

recommended for refusal.

5 representations had been received, together with responses from statutory consultees.

Prior to hearing oral representations, Deputy J.M. Maçon of St. Saviour asked for clarity in terms of the ownership of various strips of land. The case officer advised that some of the land was privately owned and some was owned by the Parish of St. Peter.

The Committee heard from Mr. Naish, who stated that there had never been a public route through the site and the existing gate had been put in place in the 1970's by the previous owners of Chestnut House for their sole use. Since that time there had been improvements to footpaths in and around the area. It was understood that whilst the previous Parish Connétable had supported the pedestrian route through the site, the current incumbent did not (although this had yet to be confirmed in writing, despite requests) on the basis that parishioners did not support the proposal. St. Peter's Technical Park tenants did not support public access through the Park and already experienced problems with unauthorised vehicles accessing the area. Mr. Naish noted that parking was problematic and he did not believe that it would be alleviated by the pathway. He also believed that there were safety considerations at play and stated that the pathway did not lead to a safe crossing point.

The Committee heard from Mr. Hart, who advised that he had been extremely concerned about highway safety in the area for some considerable time. Vehicles often drove at excessive speeds and in many cases blocked the access to property. He believed that the 2-way pedestrian route through the site would exacerbate an already difficult parking situation, with the potential for residents on the Chestnut House site parking on the neighbouring site.

The Committee heard from Mr. Gallichan, who concurred with concerns regarding existing parking problems. He added that the gate on the Chestnut House site had never been intended for use as a general pedestrian access gate and its use had been limited to the previous owners of Chestnut House. Mr. Gallichan was concerned about the impact of allowing access through La Grande Piece and the Technical Park. Whilst supportive of initiatives to reduce carbon emissions, did not believe that the pathway would make a significant contribution in this context.

The Committee heard from Mr. A'Court, who advised that he had lodged the third party appeal against the decision to grant permission for the development at Chestnut House. He saw no benefit in the inclusion of the pathway and pointed out that there was a footpath which extended all the way to the Marks and Spencer store. He, too, questioned the safety of crossing at the end of the pathway. In the context of car parking in the area, Mr. A'Court noted that there was no visitor parking at Chestnut House. The case officer confirmed that the dwellings would benefit from 3 car parking spaces each and the provision of visitor parking had not proved possible due to specific site constraints. She also added that the pathway had been included on the submitted drawings and had not originally emanated from a Departmental requirement.

Having considered the request, the Committee approved the removal of the condition on the basis that it would not achieve the desired outcome. In doing so it agreed to make representations to the Minister for Infrastructure in the strongest possible terms regarding the provision of a safer access route in the form of a crossing. The Director, Head of Development and Land was requested to draft a

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letter for signature by the Chair in this connexion.

St. Clement's Golf Club, Recreation Ground, Plat Douet Road, St. Clement: proposed replacement of disused tennis courts with covered padel tennis courts.

A7. The Committee considered a report in connexion with an application which sought permission for the replacement of 2 disused tennis courts at St. Clement's Golf Club, Recreation Ground, Plat Douet Road, St. Clement with 3 covered padel tennis courts, with associated landscaping. The application also proposed floodlighting and an informal seating area for 2 uncovered padel tennis courts. The Committee had visited the site on 28th September 2021.

Deputy L.B.E. Ash of St. Clement did not participate in the determination of this application.

P/2021/0823

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. It was also a protected open space. Policies NE7, SCO3 and 4, GD1 and 7 and TT3 of the 2011 Island Plan were of particular relevance.

The Committee was informed that, in principle the development and enhancement of sports facilities accorded with the strategic aim of improving the health and wellbeing of Islanders and the application had received support from Jersey Sport, the Jersey Tennis Association, the National Tennis Centre and a large number of individuals. Moreover, the site was already used for traditional tennis and padel tennis, so no change of use was required; there would be no extension of these uses onto virgin or agricultural land; there would be no loss of existing vegetation and landscaping would be improved. Consequently, the principle of the creation of 5 standard semi-enclosed padel courts was considered acceptable. However, the Department was uncomfortable with the construction of 3 fully enclosed courts, each measuring 20.8 metres by 11 metres by 9.5 metres high in a very open and visible location, where there were currently no buildings. The scheme also proposed the introduction of lighting in an area specifically designated as Green Zone and concerns existed with regard to the impact on the area and neighbouring properties. The use of the courts from early morning until late evening was also considered to be problematic in this context. If the courts were in a less visible position and further from adjoining residential properties, these concerns could be overcome. Whilst the application had a great deal to commend it, this did not outweigh the concerns detailed above. Therefore, the application was recommended for refusal on the grounds that it was contrary to Policies GD1, GD7, NE7 and SCO4 of the 2011 Island Plan.

69 representations had been received in connexion with the application, 61 of which expressed support for the scheme. 8 letters of objection from 6 parties had also been received.

The Committee heard from Mr. Davey of J.S. Livingston Architectural Services. Mr. Davey explained that permission had previously been granted for 2 padel tennis courts on the site and there had been no complaints about noise prior to the publication of the current application. The applicant had commissioned noise assessments which demonstrated that levels would not be harmful. A lighting assessment had also been provided and this concluded that the level of illumination fell within category E2, as defined by the Institute of Lighting Engineers, which was one category lower than that which was recommended for a site in this context. It was noted that an initial objection from the Highway Authority had been withdrawn. The proposals were believed to accord with the requirements of Policies GD1, NE7 and SCO7. It was pointed out that the courts would not be fully enclosed and the scheme would result in the visual enhancement of the site with the introduction of soft landscaping. No change of use was required and there would be no loss of

agricultural land.

The Committee heard from Deputy L.B.E. Ash of St. Clement, who advised that the late Connétable of St. Clement Mr. L. Norman had always been disappointed at the lack of facilities in the parish to support new residential development. The scheme was not a panacea, but was a step in the right direction. Padel tennis was a most inclusive sport and was growing in popularity. The applicant wished to establish a community programme to encourage children to take up the sport. With regard to noise concerns, the Deputy did not believe this would be an issue and he pointed out that there would likely be more noise from the nearby main road than from the activity itself. Finally, if approved the new facilities would replace the existing defunct tennis courts.

The Committee heard from Mr. Jubb, representing the applicant. Mr. Jubb spoke at length and in some considerable detail regarding the issues of noise and lighting and the results of the studies which had been commissioned by the applicant. He advised that the nearest residential dwelling was 30 metres away and when noise from the road was removed from the equation, noise level had been measured at 42 decibels;16 to 23 per cent lower than World Health Organisation recommendations. This measurement would be further mitigated by planting. Noise from the road had been measured at 62 decibels – 48 per cent higher than noise associated with playing padel tennis. Playing on all 5 courts simultaneously generated a measurement of 45 decibels – 38 per cent lower than the road noise. Turning to the question of lighting and the Institute of Lighting Engineers recommendations, levels of illumination fell within category E2. Furthermore, the canopies which covered the courts retained 90 per cent of the light. Consequently, it could be concluded that noise and lighting would not be harmful. In terms of design, open air canopies were proposed and these structures were considered to fall within the exceptions set out in the Green Zone Policy and would have a lesser visual impact than the 'bubble' structure at the Caesarean Tennis Club. The inclusion of canopies was critical as it facilitated play during the winter months and participation in international competitions, which formed a key part of the applicant's business plan, which would ultimately generate a subsidy to allow those from lower income households to play. Mr. Jubb confirmed that canopies for only 3 courts were proposed at present as this was the minimum required by the Lawn Tennis Association for holding competitions. The hours of operation would be 7.00 am to 9.30 pm, 7 days a week, including public holidays. A 'pay and play' model was proposed. Consultation had been undertaken and invitations extended to neighbours to discuss the proposals. With regard to screening, Hornbeam trees would be planted.

The Committee heard from Ms. McCallister of Jersey Sport, who supported the application and endorsed the 'pay and play' model, which promoted inclusivity. In response to questions regarding mechanisms for securing the inclusive use of the facility for the wider community in perpetuity, Ms. McCallister advised that funding was being provided via the Fiscal Stimulus Fund and certain caveats were attached. Jersey Sport also monitored participation levels.

The Committee heard from the applicant, Mr. Clayton, who advised that he was a former professional tennis player who had been fortunate enough to play tennis all over the world. Over the last 5 years numerous padel courts had been constructed across the world and the sport appealed to all age groups. The location of the site in Jersey had been carefully considered and its historic charitable objective of making sport accessible to all aligned with the aims of the project. Padel tennis was easier to master than traditional tennis and was less physically demanding. It was played on a smaller court with a soft surface. The applicant aimed to create a world class facility in the Island and it was noted that there were currently 250 players using the

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existing facility. Funding had been secured for 24 of those individuals to travel to Guernsey to play in an inter-insular, which was held annually but could not be hosted in Jersey at present due to the lack of facilities. Coaching would also be provided by 4 locals who had trained in Spain with Mr. Andrini, a professional padel player and coach, who had established the 'Hello Padel' Academy in London. It was noted that an affiliation with Mr. Andrini's academy was planned and the Lawn Tennis Association had agreed to the hosting of a large padel tournament in Jersey, if permission was granted. This would boost the local economy. Mr. Clayton assured the Committee of his commitment to the project.

Deputy J.M. Maçon of St. Saviour asked the applicant to address the planning issues, such as the visual impact of the proposed structures in the Green Zone. Mr. Jubb responded by stating that it was not believed that the proposals would change the character of the area and he reminded members of the historic use of the site for sport. He added that landscaping would screen the canopies and improve the appearance of the site. Mr. Jubb emphasised just how difficult it was to secure a site in the Island at present, with the emphasis being entirely on development for residential purposes or for medicinal cannabis cultivation. In response to questions regarding the ridge height of the canapes, Mr. Jubb advised that these would be 9.5 metres high.

Deputy Maçon sought advice on the policy position and noted the view of the Head of Development and Land that the proposal could be defined as an employment land use, with paragraph 5 of Policy NE7 being relevant. The Deputy noted that the Environmental Health Department had raised an objection to the application, albeit that a representative of that Department was not in attendance. Further questions were received from Deputy M.R. Le Hegarat of St. Helier in connexion with the hours of operation and the potential for restricting the same. The Director advised that restricting hours of operation was a matter for the Committee, if permission was granted.

Having considered the application, the Committee, with the exception of Deputy Maçon, who was concerned about the Environmental Health Department's objection and supported a deferral on this basis, was minded to grant permission, contrary to the Department's recommendation. The Committee decided to restrict the hours of operation from 8.00 am to 9.30 pm at weekends and on public holidays. The Department was also directed to formulate a landscaping condition. Reference was also made to a request from the Highway Authority for a contribution to the Eastern Cycle Route, which was not supported by the Chair. Mr. Jubb advised that this request had been withdrawn during the consultation period and the Department undertook to investigate this matter.

It was noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation. Mr. Jubb advised that certain conditions had been attached to the allocation of monies from the Fiscal Stimulus fund, one of which related to the timeline for the completion of the project, and he was concerned about any delay in the decision making process. However, it was confirmed that the Committee would formally grant permission at the next scheduled meeting on 21st October 2021.

Pine Farm, La Rue des Landes, St. Mary: proposed change of use A8. 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 powers and which sought permission for the change of use of a garage/store to a residential unit at Pine Farm, La Rue des Landes, St. Mary. The Committee had visited the site on 28th September 2021.

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of garage/store to residential unit.

Deputy L.B.E. Ash of St. Clement did not participate in the determination of this application.

P/2020/1545

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone. Policies NE7 and GD1 of the 2011 Island Plan were of particular relevance.

The Committee was informed that the scheme proposed the creation of a new independent unit of accommodation in the Green Zone. Policy NE7 set out a general presumption against development and specifically presumed against the creation of new dwellings. Whilst exceptions existed, these were not applicable in this particular case. Consequently, the application had been refused and it was recommended that the Committee maintain refusal.

The Committee heard from the applicant's agent, Mr. Stein of MS Planning, who referred the Committee to paragraph 2.120 of the Island Plan, which stated that the reasonable expectation of Islanders to improve their homes had to be recognised. The policy allowed for extensions to existing dwellings and for ancillary outbuildings. Mr. Stein believed that the application should be assessed against paragraph one of Policy NE7, which related to extensions, albeit that the scheme proposed the creation of a self-contained detached unit of accommodation. Mr. Stein also advised that additional drawings had been submitted which addressed visibility issues.

There would be no significant increase in occupancy levels. Mr. Stein referenced a number of recent approvals for similar proposals, to include a staff unit at Waverley Farm and a unit of accommodation at the property known as La Hauteur in St. Ouen. There had been no objection from the Historic Environment Section and the applicant proposed to connect to the main foul sewer network, facilitating an environmental improvement. Finally, the applicant was willing to enter into a Planning Obligation Agreement to tie the new unit to the principal dwelling.

The Committee heard from the applicant, Mr. Grime, who advised that the existing garage had been constructed with future conversion to a residential unit in mind. The time had now come for the applicants to take advantage of this In response to a question from the Chair regarding a one bedroom unit of accommodation which was connected to the principal dwelling at first floor level, Mr. Grime advised that this was used as guest accommodation.

Having considered the application, the Committee was unable to reach a unanimous decision with Connétable P.B. Le Sueur of Trinity, Chair and Deputy J.M. Maçon of St. Saviour endorsing the Department's recommendation to refuse the application and Deputies G.J. Truscott of St. Brelade, Vice and M.R. Le Hegarat of St. Helier supporting approval of the application. Consequently, the application was refused, in accordance with agreed procedures in respect of tied votes.