

Planning Committee

(9th Meeting)

13th April 2023**Part A (Non-Exempt)**

All members were present, with the exception of Deputy S.G. Luce of Grouville and St. Martin, Vice Chair, Connétable K.C. Lewis of St. Saviour, Connétable D.W. Mezbourian of St. Lawrence and Connétable M. O'D. Troy of St. Clement, from whom apologies had been received -

Connétable P.B. Le Sueur of Trinity (Chair)  
 Connétable R. A. K. Honeycombe of St. Ouen (a.m. only)  
 Deputy M. R. Le Hegarat of St. Helier North  
 Deputy T.A. Coles of St. Helier South  
 Deputy A. Howell of St. John, St. Lawrence and Trinity  
 Deputy A. F. Curtis of St. Clement

In attendance -

G. Duffell, Planning Applications Manager  
 L. Davies, Planner  
 A. Elliott, Planner  
 J. Gibbins, Trainee Planner  
 P. Ilangovan, Trainee Planner  
 B. James, Planner  
 K. M. Larbalestier, Principal Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A10 – A14)  
 K. L. Slack, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A5 – A13)  
 H. Roche, Assistant Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1 – A4)

Note: The Minutes of this meeting comprise Part A only

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| <p>South Hill offices, South Hill, St. Helier: proposed demolition and redevelopment.<br/><br/>P/2021/1617</p> | <p>A1. The Committee, with reference to its Minute No. A4 of 16th March 2023, received a report in connexion with an application which proposed the demolition of the existing office accommodation at South Hill, St. Helier and its replacement with a residential development comprising 139 apartments spread across 3 blocks with associated basement car parking and landscaping. The scheme also included rock stabilisation works, use of the military barracks as a communal residents' area and the remodelling of the nearby children's play area. 2 pedestrian crossings would be created on South Hill and one pedestrian crossing on Pier Road. The Committee had visited the application site on 14th March 2023.</p> <p>The Committee recalled that it had been minded to refuse permission, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the specific reasons for refusal.</p> <p>The Committee confirmed refusal of the application on the grounds of the size of the proposed development, the concentration of single aspect units, insufficient views through the site, and the low daylight and sunlight levels. The scheme was considered</p> |
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|  | to be contrary to the provisions of Policies GD1, GD7, GD9, H1 and H2 of the 2022 Bridging Island Plan. The Committee confirmed that it would wish the concentration of smaller units and the loss of 3 bedroom apartments to be cited as reasons for refusal. |
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| Energy from Waste Plant, La Collette, La Route de Veulle, St. Helier:<br>proposed formation of landscaped headland for hazardous waste deposits.<br><br>P/2016/1647 | <p>A2. The Committee, with reference to its Minute No. A3 of 16th March 2023, considered a report in connexion with an application which proposed the formation of a landscaped headland for the deposit of hazardous waste at La Collette Reclamation site, La Route de Veulle, St. Helier. The Committee had visited the site on 14th March 2023.</p> <p>The Committee recalled that it had been minded to refuse permission, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the specific reasons for refusal.</p> <p>After due consideration, the Committee unanimously agreed to defer formal confirmation of its decision for a period of 6 months to allow for a debate by the States Assembly on the subject.</p> |
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| La Platte Rocque, La Grande Route des Sablons, Grouville:<br>proposed removal of planning approval condition.<br><br>P/2022/0790 | <p>A3. The Committee, with reference to Minute No. A8 of 20th October 2022, considered a report in connexion with an application which proposed the removal of condition number No. 11 of the permit issued in respect of the construction of a new dwelling to the north-east of the property known as La Platte Rocque, La Grande Route des Sablons, Grouville. It was noted that the removal of the condition would allow for the replacement of some existing leylandii trees and a hedgerow with native species. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies SP3, GD6 and NE1 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted concerns that the imposition of this condition was problematic and created contradictions within the scope of the planning overall approval. The applicant's full case had been set out within a covering letter and noted that construction of the new dwelling in the approved location might cause significant harm to existing Leylandii trees by virtue of the necessary cutting back of branches and the formation of the foundations and services, which could potentially interfere with the root system. The planting of the new landscaping scheme, which would include native species hedgerows and trees, as required under condition No. 5 could not be implemented if the existing Leylandii was retained. It was noted that the Leylandii trees were non-native species and were of low ecological value. The applicant viewed the wording of condition No. 11 to be ambiguous and unclear, preventing the necessary maintenance of the Leylandii in the future. The Committee was informed that the applicant had commissioned a report by an independent Arboriculturist who had identified a series of concerns relating to the health and condition of the over-mature Leylandii hedge which, had outgrown its location. Any remedial reduction or trimming work would do little to improve or extend the life of the hedge. Having assessed the application against the relevant policy context, the Department was recommending approval.</p> <p>A total of 5 letters of representation had been received.</p> <p>The Committee heard from the applicant who stated that condition No. 11 of the permission granted in October 2022 contradicted and undermined condition No. 5. It was noted that every tree on the site had been tagged and named and that the only landscaping affected by the removal of condition No. 11 would be the Leylandii trees.</p> |
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|   | <p>The Committee decided to defer consideration of the application on the basis that the exact nature of the proposals were unclear. It concluded that the application should be re-advertised and re-presented at a future scheduled meeting. In doing so, members agreed that a variation of condition No. 11 was more likely to be acceptable rather than its removal.</p>  |
| <p>Le Chalet (garden of), La Route de Noirmont, St. Brelade:<br/>proposed construction of new dwelling.<br/>P/2022/1596</p> | <p>A4. The Committee, with reference to its Minute No. A4 of 20th October 2022, considered a report in connexion with an application which proposed the construction of a new dwelling in the garden of the property known as Le Chalet, La Route de Noirmont, St. Brelade. The Committee had visited the application site on 11th April 2023.</p> <p>A site plan, drawings and 3 dimensional model were displayed. The Committee noted that the application site formed a part of the Built-Up Area, and that Policies SP2, SP3, 4 and 5, PL4, GD1 and 6, and NE1, 2 and 3, H1 and 3, ME1, TT1 and 2, WER1 and 7 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee recalled that it had rejected a previous application for a new dwelling on the site in October 2022, on the grounds of its impact upon neighbouring properties, in particular the impact upon the property known as Maison du Signal to the north. In response to the Committee's concerns, the applicant had repositioned the dwelling further to the south and lowered the development on the site.</p> <p>The Committee recalled that the site was an open and undeveloped area of land in a residential area. Under the provisions of the 2022 Bridging Island Plan, new residential development was generally permitted within the Built-Up Area. The proposal was for a single, detached, 2 storey, 5 bedroom, pitched-roof dwelling located towards the centre of the site, with principal elevations facing south across the new terrace and garden area. The new unit would meet the Department's required residential standards and included a good-sized garden with terraced areas. It was noted that the Department was comfortable with the design and appearance of the development, and its impact on the general character of the area. With regard to its scale, the development would sit at a similar, or lower height within the landscape compared to surrounding buildings.</p> <p>On the basis of the amendments to the scheme, it was considered that the applicant had responded positively to the Committee's previous concerns. The relocation of the dwelling would result in a different relationship with the neighbouring property to the east, Sunny Brow, and the Committee noted the concerns which had been raised in this regard. The Department was, however, satisfied with the relationship with neighbouring properties and did not believe that the proposed development would result in unreasonable harm. Travel and transport implications arising from the proposed development were also considered to be acceptable. In conclusion, the Department was of the view that the scheme was in accordance with the relevant policy context and was recommending approval, subject to the imposition of certain conditions detailed within the Department report.</p> <p>A total of 10 letters of representation had been received.</p> <p>The Committee heard from Mrs. [REDACTED] of KE Planning, representing Mr. and Mrs. [REDACTED] of the property known as Maison du Signal. Mrs. [REDACTED] thanked the Committee for visiting Maison du Signal and stated that whilst it was understood that the scheme had been amended, the revisions were not considered to address the requirements of Policy GD1 of the 2022 Bridging Island Plan. Mrs. [REDACTED] added that the one metre height reduction was considered insufficient in terms of addressing the overbearing impact of the development and that, despite the repositioning of the dwelling further to the south, concerns remained with regard to the height, bulk and scale of the development. Mrs. [REDACTED] questioned the assertion that a 'traditional</p> |

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|  | <p>design' approach had been adopted and noted the absence of a landscaping scheme or details of the lighting which was to be installed. She also highlighted the overall impact of the development in an area which was in close proximity to the Coastal National Park and the Green Zone.</p> <p>The Committee heard from the applicant, Mr. [REDACTED] and his agent, Mr. [REDACTED]. Mr. [REDACTED] advised that, whilst permission had been refused in October 2022, the principle of development on the application site was acceptable in the context of the Bridging Island Plan. The revised scheme responded positively to neighbours' concerns and the height of the proposed development had been reduced by one metre to address any perceived overbearing impact. The development had been moved further south and a planting scheme was proposed and a specialist advice would be sought on lighting. Mr. [REDACTED] urged the Committee to grant permission.</p> <p>The Applicant, Mr. [REDACTED], added that the proposals was not driven by commercial gain and he explained that his parents had purchased the land 30 years previously with the intention of Mr. [REDACTED] constructing a house on the land. Mr. [REDACTED] concluding by stating that the revised scheme addressed all of the issues which had been raised previously.</p> <p>Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity (Chair), Deputy M. R. Le Hegarat of St. Helier North and Deputy A. Howell of St. John, St. Lawrence and Trinity, decided to refuse permission, contrary to the Department's recommendation. The Committee considered that the revised proposal did not address the previous reason for refusal (reason 2) of P/2021/1666. As this was a tied vote, 2 members supporting and 3 members objecting the application was determined in the negative.</p> <p>As the Committee's decision was contrary to the Department's recommendation, the application would be re-presented at the next scheduled meeting for formal decision confirmation and to set out in detail the reasons for refusal.</p> |
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| <p>Elephant park Toilet Facilities, La Petite Route des Mielles, St. Brelade, JE3 8JJ: proposed refurbishment and additional car parking.</p> <p>P/2022/1470</p> | <p>A5. The Committee considered a report in connexion with an application which proposed the refurbishment of the existing Elephant Park toilet block, the addition of 2 disabled car parking spaces and 3 dedicated parent and child spaces, the creation of an accessible path through the park and the installation of a new canopy structure. The Committee had visited the site on 11th April 2023. The site was close to Les Quennevais Shopping Precinct and was located on the St. Aubin to La Corbière Railway Walk.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site formed part of the Built Up Area, the Water Pollution Safeguard Area and was a Protected Open Space. Policies GD1, GD6, NE1 and C17 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Department considered the proposed works to be an appropriate addition to the play park and not to adversely impact the character of the area, nor the surrounding context. Whilst 19 letters of objection had been received, the Committee was informed that the majority of issues cited, which included the expenditure of Parish monies, were not planning considerations. The ecological impact of the proposed works had been assessed by the Natural Environment Team, which had no objection to the proposed works but had requested the inclusion of a condition relating to mitigation measures to ensure the protection of all protected species in accordance with the requirements of policies SP5 and NE1 of the Bridging Island Plan.</p> <p>The agent had amended the plans in line with the objections received and had removed</p> |
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|  | <p>the unisex arrangement of the proposed toilet block and the application no longer requested the extension of the decking area. The Department considered that the proposals satisfied the requirements of the relevant policies of the Bridging Island Plan and would significantly enhance the amenities of the play park and improve accessibility to all groups of people in line with the provisions of the Discrimination (Jersey) Law 2013.</p> <p>The Committee agreed that the current toilet block required refurbishment and updating to be more accessible to individuals with a disability and was unanimous in supporting the application. Consequently, permission was granted, subject to the imposition of the condition detailed within the officer's report.</p> |
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| <p>Cleveland, La Rue de Samarès, St. Clement: proposed single storey extension. Demolish workshops and construct 2 dwellings.</p> <p>P/2022/0722</p> | <p>A6. The Committee considered a report in connexion with an application which proposed the construction of a single storey extension to the west elevation of Cleveland, La Rue de Samarès, St. Clement and the demolition of the existing joinery workshops and ancillary structures, to accommodate the construction of 2 x 3 bedroom semi-detached new dwellings to the east of the site. The Committee had visited the site on 11th April 2023.</p> <p>Deputy A.F. Curtis of St. Clement did not participate in the determination of this application.</p> <p>A site plan and drawings were displayed. The Committee noted that Cleveland was a Grade 4 Listed Building and that the application site was located in the Inland Flooding Low Risk Area, the Built Up Area and was on the Eastern Cycle Route Network. Policies SP1 – SP5, PL5, GD1, GD5, GD6, H1, H2, H4, EI1, HE1, NE1, ME1, TT1, TT2, TT4, WER1, WER2 and WER7 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that the application site was previously developed land and, with the exception of the garden space, was located within the built-up area boundary where strategic policies directed new residential development in accordance with the objectives of Policies SP1 and SP2. Policy EI1 was engaged to the extent that the proposal would result in the loss of a commercial building and a marketing exercise had been undertaken, which had resulted in 5 expressions of interest, none of which had been progressed. The site was within a predominantly residential area and the current commercial activity generated noise, dust and traffic movements. Accordingly, the proposed new dwellings were likely to have a more positive effect. The scale, positioning and design of the buildings had been assessed by the Department as satisfactory.</p> <p>Highway and access considerations had been an important part of the Department's assessment of this proposal, having generated significant comments from local residents, as the application would result in the existing access to Cleveland directly from La Rue de Samarès being closed and future access to Cleveland and the new dwellings being via La Côte Verte, resulting in additional traffic movements. The Committee was informed that this road was in the ownership of the applicant and that residents had shared responsibility for the maintenance thereof. It was noted that questions had been raised with regard to the ability of refuse vehicles being able to enter the site, turn around and exit and documentation provided had evidenced that this would be possible. It was considered that highway safety would be improved by moving traffic from the current access and that, once constructed and occupied, the new properties would not give rise to as many vehicular movements as the current joinery business, which would be relocated. The Committee was informed by the case officer that with regard to the visibility splays at La Côte Verte junction, there was a variance between the information submitted by the applicant and the officer's own measurements. The</p> |
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application had shown 21.2 metres to the south and 45 metres to the north, whereas the officer had measured 15.1 metres to the south and 11.45 to the north. This notwithstanding, access via La Côte Verte to Cleveland was considered an improvement to the current situation.

The setting of the heritage asset had been considered and was assessed as being suitably protected to accord with policy HE1. The removal of the joinery workshop would have a positive impact upon the setting of the listed building. The design of the proposed buildings was deemed appropriate and of the Jersey vernacular style, as seen across the Island. The layout was spatially acceptable, but the use of high quality materials would be essential as the double garage would be visible on approach to the site. Given the layout and relationship of the development with its surroundings, the removal of permitted development rights was deemed appropriate in this instance.

17 representations had been received in connexion with the application, which included one joint letter of objection from 11 households.

The Committee heard from 2 of the residents of La Côte Verte, who also spoke on behalf of other neighbours, who were unable to be in attendance, to object to the application. They emphasised the peaceful and family friendly nature of the cul-de-sac, where children were able to play and ride their bicycles in a safe manner. In their view, the 3 dwellings proposed at Cleveland (the 2 new properties and refurbished cottage) and additional 9 parking spaces could result in 12 extra vehicles using La Côte Verte for access and would make it the largest and busiest cul-de-sac along La Rue de Samarès. They contended that the road was not suitable for this volume of traffic and did not comply with current technical guidance, which required roads servicing 15 dwellings to have a minimum width of 5 metres and a pavement of 1.5 metres, whereas the road currently averaged 3.3 metres in width and there was very little pavement. Moreover, the front doors of nos. 6 and 7 La Côte Verte were located just 50 centimetres from the road.

The residents highlighted that the current access from Cleveland onto La Rue de Samarès had been in existence since at least the 1960s and there was no evidence of any accidents which would warrant a change, particularly as the visibility splay was better in that location. They questioned why the risk to neighbours should be increased as a consequence of the proposed development, noting that 11 families would be significantly inconvenienced and have their way of life permanently altered if the application was approved, which would only benefit one family. It was suggested that the application ran contrary to Policies GD1 (Managing the health and wellbeing impact of new development) and GD6 (Design quality) of the Bridging Island Plan. It also contradicted the Government's stated aim of putting children first. All of the residents were of the view that the change of access was invasive, unnecessary and potentially dangerous and that it would be preferable to retain the current access to Cleveland. It was suggested that the submitted plans were incomplete as it had been heard that the applicant intended to install an electric gate to separate the application site from the rest of the cul-de-sac, which would prevent larger vehicles from making use of a turning circle.

The Committee heard from the Applicant, Mrs. [REDACTED], who indicated that the 2 new properties would help her children onto the property ladder and that the cottage would be for use by her elderly parents. She described the current workshop as a 'bad neighbour' due to its commercial nature but stated that the intention was to relocate it and retain the staff.

The Applicant's agent, Mr. [REDACTED] of Wildbore-Hands Ltd, reminded the Committee that Cleveland was located within the Built Up Area and that the application

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|  | <p>would support housing needs and represented a good opportunity to remove the workshop from a residential area to more suitable premises. As aforementioned, the workshop had been advertised but there had been no firm interest, largely due to the condition of the building and poor access. Removing the structure and the construction of a sympathetic extension would improve the appearance of the site and the proposed architectural style was in keeping with the area and aligned with planning policy. He reminded the Committee that the road through La Côte Verte was in the ownership of the Applicant and the occupiers of the cul-de-sac had right of access. He indicated that no new access was being created to Cleveland as the extant property and the workshop could have made use of the road through La Côte Verte but had chosen not to.</p> <p>In response to questions from the Committee, it was clarified that the access track led to a small field that was also in the ownership of the Applicant and that condition 11, as set out in the officer's report, would prevent the installation of electric gates without the prior, written, permission of the Department.</p> <p>Having considered the application, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, approved the scheme with the conditions set out in the officer report, as amended. It was noted that, as part of the first condition, there could be a requirement for a banksman to be on site to enhance safety for neighbours whilst the construction was underway and it was proposed that the existing access from Cleveland to la Rue de Samarès should be employed during the construction phase. The officer indicated that he would add an informative note to the conditions to this effect. The Committee also agreed to remove permitted development rights.</p> |
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| <p>Suriak, Park Estate, St. Brelade: proposed construction of ground floor extension and creation of ancillary accommodation.</p> <p>P/2022/1053</p> | <p>A7. 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 construction of a ground floor extension to the south elevation of Suriak, Park Estate, St. Brelade and the creation of one-bedroom ancillary accommodation to the east elevation. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The application site was located in the Built Up Area and the Green Backdrop Zone. Policies SP1 - 5, PL2, GD1, 6 and 8, H1, NE1 and 2, TT1, 2 and 4 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that the site was within the Built Up Area boundary, in residential use and was in a location where development could be acceptable in certain circumstances. The Department had assessed that the design, scale, position and resulting relationship with the public realm were all concerns which rendered the application unacceptable. The proposed small single storey extension on the southern elevation was considered to be acceptable; however, the 2 storey proposal for ancillary accommodation, totally separate from the host dwelling, was not considered to be an appropriate addition to the development of the site and its height, siting and fenestration could adversely impact the privacy and amenity of the residents of the principal dwelling.</p> <p>No letters of representation had been received in connexion with the application.</p> <p>The Committee heard from the applicant, Mr. [REDACTED], who emphasised that the intention was for the ancillary accommodation to be occupied by family members and not as a separate dwelling. Although not evidenced by the site plan which was displayed, a few properties in Park Estate did extend to and abut the road and the proposed development would be set slightly back. It was not possible to develop over the existing garage as there was insufficient space and a covenant was in place that prevented this. Accordingly, the application site was the only possible location for</p> |
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|  | <p>development. He reminded the Committee that no letters of representation had been received and that the neighbours were supportive. Moreover, informal, pre-application advice had suggested that the application was acceptable. The 2 storey building would be ‘sunk’ by 75 centimetres to render it subservient to the principal dwelling and any concerns with regard to overlooking could be mitigated by removing the proposed fenestration. In terms of amenity space, there would be 14 square metres for the ancillary accommodation, comprising a balcony and small courtyard to the east, but as the building would only be occupied by family members, they could make use of the garden adjoining the principal dwelling.</p> <p>In summary, Mr. ██████ hoped that the Committee would consider the application as a positive development for his family and indicated that he would be willing to make adjustments to the proposal to address any concerns.</p> <p>Having considered the application, the Committee unanimously agreed to endorse the recommendation to refuse permission for the reasons set out above, noting that it could only consider the application as presented to it.</p> |
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| <p>Surguy Farm,<br/>La Rue des<br/>Vignes, St.<br/>Peter:<br/>proposed<br/>construction of<br/>garage with<br/>roof terrace.<br/><br/>P/2022/0711</p> | <p>A8. The Committee, with reference to Minute No. A11 of its meeting of 27th October 2022, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the construction of a garage with roof terrace to the west elevation of Surguy Farm, La Rue des Vignes, St. Peter. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Surguy Farm was a Grade 4 Listed Building. Policies GD1, GD6, NE1, NE3, HE1, HE2, and H9 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that Surguy Farm was located on La Rue de la Coupe within the Green Zone of St. Peter. The area had a presumption against all forms of development, although exceptions such as the extension of a dwelling might be permissible but only where it would not cause harm to landscape character. The proposed garage was within the listing of Surguy Farm so there was a requirement to consider Policy HE1, which stated that there would be a presumption in favour of the preservation of the architectural and historic character and integrity of listed buildings and places and their settings. The Historic Environment Team had been consulted on the application and had objected to the scheme as the setting of the site was sensitive to new development, following the building layout of a traditional Jersey farm group. The proposed garage had appeared to be rather assertive in appearance and something which was considered by the Department as inappropriate to be adjoined to the Listed Building.</p> <p>The proposal was not considered to amount to a proportionate increase with respect to the existing property in terms of footprint or visual impact within the context of the Listed Building and would therefore be contrary to Policy HE1 of the Bridging Island Plan 2022. A revision to the initial proposal had been made, but was still not considered to satisfy the requirements of this Policy. Whilst the functionality of the proposed garage was noted and understood, the overall visual impact was considered to be too severe. In particular, it would obscure much of the western gable, including the loading door, to the existing northern wing which was an important element of the property. The Department noted that a more sympathetic intervention would need to be applied to the location and design of the proposed garage in the interest of protecting the setting of the listed buildings. The proposals were considered to not satisfy the requirements of the relevant policies of the Bridging Island Plan 2022 for the reasons set out above and were recommended by the Department for refusal.</p> |
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|  | <p>No letters of representation had been received in connexion with the application.</p> <p>The Committee heard from the applicant’s agent, Mr. [REDACTED] of J Design. He indicated that, having received the comments from the Historic Environment Team, consultation had been undertaken with [REDACTED], Historic Buildings Consultants, who had prepared a report, which had been submitted alongside a heritage impact statement. However, that report had not been uploaded to the gov.je website and, as a consequence, it was not possible to ascertain whether it had been seen by the Historic Environment Team or the Planning Officer. It was noted that the Committee had received a heritage impact statement, dated 7th June 2022, but that a later one, dated 15th November 2022 had been produced and sent via electronic mail to the Planning Officer.</p> <p>Mrs. [REDACTED], Planning Applications Manager, indicated that the November report was not within the case file and had not been seen by the Historic Environment Team. This notwithstanding, Mr. [REDACTED] indicated that his client wished to receive the views of the Committee on the application and, having considered the same, it unanimously agreed to endorse the recommendation to refuse permission for the reasons set out above.</p> |
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| <p>89 Oxford Road, St. Helier:<br/>       Replacement of 2 doors and 2 windows.<br/>       (RETROSPECTIVE)<br/>       RW/2022/1374</p> | <p>A9. 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 retrospective permission for the replacement of 2 windows and 2 doors to the north elevation of 89 Oxford Road, St. Helier. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was a Listed Building located in the Built-Up Area and was on the Eastern Cycle Route at low risk of inland flooding. Policies GD1, HE1 and HE2 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that 89 Oxford Road was one in a series of late Victorian cottages which contributed to the distinctive street scene of Oxford Road. The building was of a Grade 3 Listing and consequently Permitted Development rights did not apply and replacement of any historic windows and doors would require consent from the Department. It was acknowledged that the applicants had been unaware that the rear of the property was included under the property listing, but the work had resulted in the loss of historic windows and doors and consequently the application would not be supported. It was noted that, whilst the façade of the building remained unchanged, the historic windows and doors to the rear of the property had been replaced with inappropriate aluminium alternatives, which failed to replicate the existing form or character of the originals, contrary to Policy HE2 of the Bridging Island Plan 2022. In light of the above, the proposal was considered to fall significantly short of Policies HE1 and HE2 of the Bridging Island Plan 2022 and therefore the Department recommendation was for refusal.</p> <p>No representations had been received in connexion with the application.</p> <p>The Committee heard from the applicants’ agent, Mr. [REDACTED] of J Design, who indicated that his company had been engaged in an attempt to regularise the situation after the applicants had paid Jersey Double Glazing to install new windows and doors to the less important elevation of the property. Noting that the company was no longer trading, any maintenance of refusal would result in the applicants being required to replace the extant windows and doors at their own expense.</p> <p>The Committee heard from Mr. [REDACTED], the former Director of Jersey Double Glazing,</p> |
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|   | <p>who stated that the company had replaced a mixture of single glazed hardwood and crittall windows and doors, none of which had contained the original glass, with PVC and aluminium double glazed windows and doors to the rear of 89 Oxford Road. He had searched on the gov.je website to ascertain the extent of the listing pertaining to the property but had only found reference to the front elevation and internal features, not the rear of the property. He suggested the need for greater clarity, whilst acknowledging the oversight. He informed the Committee that timber replacements were very expensive, required enhanced maintenance and were not of the same quality as would have existed 100 years previously. He agreed that repair would be preferable to replacement, but indicated that none of the original windows had been present for the purpose of comparison, so care had been taken to be sympathetic to the design, using modern materials.</p> <p>The applicants, Mr. and Mrs. [REDACTED], informed the Committee that, mindful of the listing of the property, they had used their best endeavours to adhere to the rules and had previously sought advice to remove a dangerous rear wall at the property. They had received several quotes to replace the windows, which had been in a parlous state and had not believed there would be an issue, as several neighbours had replaced windows to the rear elevation with PVC and aluminium. Having invested money to renovate the property, they had now sold it and a condition of sale was that the current application be resolved, which had caused them significant stress.</p> <p>The Committee noted that its role was to support and preserve the built heritage of the Island as far as possible, but indicated that the rear elevation of the application property had already been negatively impacted by the construction of an unsympathetic extension with a fibreglass roof, plastic downpipes and large opening where sliding patio doors had been replaced. It was acknowledged that the windows that had been removed by the applicants had not been the originals. Deputy A.F. Curtis of St. Clement expressed significant frustration at the disrespectful treatment of a listed building and the retrospective nature of the application.</p> <p>Whilst it did not like to oppose the views of the Historic Environment Team, the Committee unanimously approved the application, contrary to the Department's recommendation, as it did not feel that the replacement doors and windows were unduly harmful by virtue of the current unsympathetic extension to the rear of the property. The Committee noted that the application would be re-presented for formal decision confirmation and to set out the reasons for approval. On a related note, it was decided to change the description of the application from 2 doors and 2 windows to 2 doors and 5 windows to more accurately reflect the work that had been undertaken.</p> |
| <p>La Maison du Mont au Pretre, La Route du Petit Clos, St. Helier:<br/>proposed demolition and construction of extension.<br/><br/>P/2022/1154</p> | <p>A10. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers and which sought permission for the demolition of a single storey extension to the north elevation of the property known as La Maison du Mont au Pretre, La Route du Petit Clos, St. Helier and its replacement with a new one and a half storey extension. Various external alterations were also proposed, to include the installation of rooflights to the west and east elevations. The Committee had visited the site on 11th April 2023.</p> <p>Deputy M.R. Le Hegarat of St. Helier North did not participate in the determination of this application.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that the property was a Grade 2 Listed Building. Policies GD1, 6, SP2, 4, HE1, NE1, 3 and WER5 of the 2022 Bridging Island Plan were relevant to the application.</p>  |

The Committee noted the planning history of the site, which included the approval of an application for a single storey lean-to extension to the north elevation of the property (application reference P/2017/1197 refers). Most recently an application for a 2 storey extension (reference RP/2020/0855) had been refused on the grounds of its overbearing impact; the unsympathetic scale and proportions of the proposed development and the failure of the scheme to protect and enhance the special interest of the Listed Building.

The Committee was advised that the application under consideration had been refused on the grounds of size and design quality. Furthermore, the overbearing impact of the development had again been cited as a reason for refusal, together with the impact on the Listed Building. Therefore, the application had been refused on the basis that it was contrary to Policies GD1, HE1, SP4 and GD6 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal.

A total of 5 representations had been received in connexion with the application.

The Committee heard from Mr. [REDACTED] of MS Planning, who represented the owner of a neighbouring property (No. 2 Priory Close), which Mr. [REDACTED] believed would be most affected by the proposed development. Mr. [REDACTED] referenced the planning history of the site and stated that the current scheme was very similar to that proposed in the previously refused application. Concerns remained regarding the overbearing impact of the proposed development and the loss of outlook to No. 2 Priory Close. Mr. [REDACTED] noted that the application under consideration had also been refused on the grounds of the impact on the Listed Building. He urged the Committee to maintain refusal.

The Committee heard from the applicant and her agents, Mrs. [REDACTED] of KE Planning and Mr. [REDACTED]. The applicant referenced the extant permit for the extension to the north elevation and advised that the current scheme aligned with lifetime homes principles. It was noted that the impact on neighbouring amenities had been carefully considered to ensure no adverse impact.

Mr. [REDACTED] addressed the Committee, advising that he had provided heritage advice in relation to the impact of the development on the Listed Building. He drew the Committee's attention to the traditional design and form of the proposed extension, which he believed would negate any impact on the historic building. There would be not alterations to the historic fabric of the heritage asset and the proposed development would only enhance the appearance of the Listed Building, which did not feature any original joinery details. Mr. [REDACTED] went on to question whether the historic building warranted Listing at Grade 2. He advised that as the objection received from the Historic Environment Team 'carefully avoided' specifically addressing the perceived impact on the heritage asset, he had sought further information in this regard but this had not been forthcoming. Mr. [REDACTED] felt that it was somewhat ironic that objections had been received from the occupants of neighbouring modern buildings which had ultimately damaged the setting of the Listed Building.

The Committee heard from Mrs. [REDACTED] who advised that the applicant wished to create a 'lifelong home' which would enhance the character and setting of the Listed Building. There was no specific design guidance for properties of this nature in the Built-Up Area so each application had to be judged on its own merits. The character of the area was suburban in nature and it was not believed that the proposed extension would be harmful to the character or result in overdevelopment. Properties at Priory close were 2/2 and a half metres higher than the structures on the application site and the area between [REDACTED] was used for car parking. The

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|  | <p>scheme had been amended to ensure that no unreasonable impact occurred and whilst the applicant had made a lawful start to implementing the approved development, she did not believe the design enhanced the character of the dwelling. Mrs. [REDACTED] referenced the comments of an Independent Planning Inspector who had reviewed the previous application and she noted that loss of sunlight and shadowing had not been cited by the Inspector and that the effect on Nos. 1 and 3 Priory Close had been deemed within acceptable limits. Only the outlook from No. 2 Priory Close had been considered unreasonable so the scheme had been amended so that the proposed extension was moved further south and the eaves height reduced by 5 metres. Taking the context into account, only the roof slope would appear above the boundary. Mrs. [REDACTED] urged the Committee to grant permission.</p> <p>The Committee discussed the application and whilst 2 of the 4 members expressed reservations as to whether the impact on neighbours could be deemed unreasonable, ultimately the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out above.</p> |
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| <p>Troika, 15a<br/>Claremont<br/>Avenue, St.<br/>Saviour:<br/>proposed<br/>extensions<br/>(RFR).<br/><br/>P/2022/1351</p> | <p>A11. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers and which sought permission for the demolition of an existing conservatory at the property known as Troika 15a, Claremont Avenue, St. Saviour and the construction of a single storey extension to the west elevation and a first floor extension to the north elevation (to include a balcony). Various internal and external alterations were also proposed, to include the installation of a window to the west elevation. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies GD1, 6, 8 and TT2 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that the application had been refused on the basis of the excessive scale, bulk, mass, design and appearance of the proposed development, which would lead to the introduction of an intrusive and incongruous form of development, which would be detrimental to the character and appearance of the host dwelling and the wider area. The impact on neighbouring amenities had also been highlighted. The application was deemed to be contrary to Policies GD1, 6 and 8 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.</p> <p>No representations had been received in connexion with the application.</p> <p>The Committee heard from the applicant's agent, Mr. [REDACTED] of CAD Studio. Mr. [REDACTED] addressed each of the reasons for refusal in turn, robustly rebutting the same and describing them as 'inaccurate and failing to take the context into account'. He argued that the proposed development would be subservient to the host dwelling and provided the Committee with comparisons between the existing and proposed developments. He pointed to multiple identical extensions which had been constructed in the immediate vicinity and stated that the proposed development would be in-keeping with the context. He also added that a new development of 12 houses was under construction very close by and argued that there would be no impact on neighbouring amenities and noted that there had been no objections from immediate neighbours.</p> <p>The Committee heard from the applicant, who advised that additional space was</p> |
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|   | <p>required for his growing family, who wished to continue to live in the area. He highlighted the many improvements which had been made to the property and advised the Committee that the proposed development would result in further environmental upgrades. The applicant had consulted with neighbours prior to the submission of the application and there had been no objection to the proposals.</p> <p>Having considered the application, the Committee decided to grant permission, contrary to the Department recommendation, on the basis that the proposed development would not be detrimental to the character and appearance of the host dwelling, the wider area, Green Backdrop Zone or neighbouring amenities. In doing so the Committee emphasised that Departmental officers had to assess applications in the context of the policies of the Bridging Island Plan and should not be subject to undue criticism by members of the public or agents for doing so. In response, the applicant's agent apologised for any comments which may have led to an impression of reproval.</p>   |
| <p>Beau Coin, La Rue de la Prairie, St. Mary (RFR): revised plans.<br/>RP/2022/1242</p> | <p>A12. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers and which sought permission for revisions to the approved plans (application reference P/2021/1889 refers) in respect of development at the property known as Beau Coin, La Rue de la Prairie, St. Mary. The proposed revisions involved raising the height of the pitched roof of an approved garage and the extension of the first floor on the north east elevation. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies GD1, 6, NE3 and H9 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that the application had been refused on the basis of the cumulative impact of the proposed works (when combined with the development approved under application reference P/2021/1889), which would result in overdevelopment and would have a detrimental impact on the Green Zone setting, contrary to Policy NE3. Furthermore, the design, scale, bulk and excessive floorspace proposed, combined with the approved works, would have a detrimental impact on the principal dwelling. Contrary to Policies GD6 and H9 of the 2022 Island Plan. It was recommended that the Committee maintain refusal.</p> <p>No representations had been received in connexion with the application.</p> <p>The Committee heard from the applicant and his agent, Mr. [REDACTED]. Mr. [REDACTED] explained that the applicant wished to create office space so that he and his wife could work from home. The scheme aligned with the sustainability aspirations which were at the heart of the Bridging Island Plan. There would be no extension of the footprint, albeit that this was referenced throughout the Department report. Mr. [REDACTED] described the nature of the application as 'minor' and added that the scheme would not result in an increase in occupancy. He contended that the application accorded with Policies GD1 and NE3 (a landscape impact assessment had been submitted but not presented to the Committee due to the fact that it had been received after the refusal of the application under delegated powers). The proposed development would not be visible and there would be no landscape impact. The increase in scale represented approximately 10 – 12 per cent more than that which had previously been approved. In concluding, Mr. [REDACTED] stated that the Department had failed to assess the application against Policy EO2 of the Bridging Island Plan.</p> <p>The applicant, Mr. [REDACTED], addressed the Committee, who detailed the planning</p> |

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|  | <p>history of the site and advised that although the Department had sought an amendment to the scheme, the application had ultimately been refused without any opportunity for further consultation on what would be deemed acceptable. Mr. [REDACTED] expressed considerable frustration at the process and highlighted the difficulties arising from the same. In terms of the use of the proposed space, he explained that alongside his work as a Sustainability Consultant he was also a member of the Committee of the Association of Jersey Charities. Mrs. [REDACTED] was a Nutritional Therapist and the provision of home office space would allow the applicants to work from home which would give rise to significant benefits in terms of sustainability.</p> <p>In response to a question from a member, the applicant's agent confirmed that the home office space would equate to an additional 77 square metres. In response to further questions regarding the use of the office space, Mr. [REDACTED] advised that he employed a team of 6 individuals and that, combined with his charity work and his wife's business, the office space could potentially be used by up to 12 persons. This led to further questioning in respect of the number of persons arriving on a daily basis and Mr. [REDACTED] advised that as the use would be 'intermittent' traffic issues were not envisaged.</p> <p>Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out above. In doing so, the Committee highlighted the Green Zone location of the application site and the cumulative impact of the permitted and proposed development. The reference to alignment with Policy EO2 was questioned by a member and attention was drawn to the precise wording of the policy.</p> |
| <p>Minden Rose Cottage, La Route du Mont Mado, St. John: proposed dormer window (RFR).<br/>P/2022/1438</p> | <p>A13. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers and which sought permission for the construction of a double dormer window to the south elevation of the property known as Minden Rose Cottage, La Route du Mont Mado, St. John. The Committee had visited the site on 11th April 2023.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies GD1, 6, NE3, HE1, SP4 and WER5 of the 2022 Bridging Island Plan were relevant to the application.</p> <p>The Committee noted that the application had been refused on the grounds that the location of the proposed dormer and its proximity to a neighbouring dwelling to the south would result in overlooking, contrary to Policy GD1 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.</p> <p>No representations had been received in connexion with the application.</p> <p>The Committee heard from the applicant's agent, [REDACTED] of CAD Studio, who advised that a boundary fence between the application site and a neighbouring property had recently fallen down leaving the site completely open. However, it was intended to reinstate the fence and undertake planting to provide screening. Mr. [REDACTED] was confident that overlooking to the south would not be an issue and suggested that the Committee could require obscure glazing to the proposed window.</p> <p>Having considered the application, the Committee decided to refuse permission on the grounds of design only. No concerns regarding overlooking were cited as a reason for refusal.</p>   |

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| <p>No. 1 Chatel Audrain, La Rue de la Garenne, Trinity:<br/>proposed extension (RFR).</p> <p>P/2022/0514</p> | <p>A14. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers and which sought permission for the construction of a 2 storey extension at the property known as No. 1 Chatel Audrain, La Rue de la Garenne, Trinity. The Committee had visited the site on 11th April 2023.</p> <p>Connétable P.B. Le Sueur of Trinity, Chair did not participate in the determination of this application and Deputy M.R. Le Hegarat of St. Helier North acted as Chair for the duration of this item.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies GD1, 6, NE1, 3 and H9 of the 2022 Bridging Island Plan were relevant to the application. The Committee's attention was also drawn to the Jersey Integrated Landscape and Seascape Character Assessment (JISCA) and it was noted that the application site was located within Character Area E4 – Interior Agricultural Plateau.</p> <p>The Committee was advised that the application had been refused on the grounds that it failed to protect, conserve and contribute positively to the distinctiveness of its context, contrary to Policy GD6 of the 2022 Bridging Island Plan. The scale and form of the proposed development would disproportionately increase the size of the dwelling, contrary to Policies H9 and NE3 of the 2022 Bridging Island Plan. Finally, the proposed addition of a large window to the proposed first floor bedroom on the north elevation, adjacent to the boundary with a neighbouring property, would have an unreasonable impact on the amenities of that property, contrary to Policy GD1 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal.</p> <p>One representation had been received in connexion with the application.</p> <p>The Committee heard from the applicant, Mr. [REDACTED] and his agent, Mr. [REDACTED] of Morris Architects. Mr. [REDACTED] advised that he had purchased the property in 2009 and had carried out a number of improvements. He had consulted with neighbours prior to the submission of the application and the scheme had been revised in response to comments made. Turning to the reasons for refusal, Mr. [REDACTED] pointed out that the proposed materials were similar to those used elsewhere in the neighbourhood. He also added that mutual overlooking between properties already existed. Mr. [REDACTED] stated that 7 months had elapsed after the submission of the application before concerns had been raised by the Department about the scheme. In response, he had offered to reduce the height of the extension or construct a flat roof but these solutions had been deemed unacceptable. He argued that the proposed development would not double the floor area and pointed out that a mix of styles of extension existed on either side of his property. He concluded by informing the Committee that the Department had suggested that the development be constructed in 2 stages in an attempt to overcome concerns but Mr. [REDACTED] did not consider this to be a sensible or sustainable approach to development.</p> <p>The Committee heard from Mr. [REDACTED] who advised that the proposed extension would provide much needed space for the applicant and his family. He described the application as 'non-contentious' and added that there would be no increase in occupancy. Whilst the terrace was aesthetically pleasing from the roadside, the rear was an eclectic mix of design styles. Mr. [REDACTED] explained the rationale behind the proposed development given the constraints of the site. The proposed extension would not be visible from public realm and as this was a mid-terraced property a degree of overlooking from either side already existed. Whilst the windows in the extension would be larger, the extent of overlooking would not increase.</p> <p>The Committee heard from Mr. [REDACTED], who lived to the west of the</p> |
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|   | <p>application site. Mr. ██████ advised that this was a very small property which, at 78 square metres, was well below the minimum standard of 89 square metres. Mr. ██████ also highlighted the fact that revised guidance was currently out for consultation and, if approved, the minimum size would increase to 97 square metres. In terms of the reasons for refusal, Mr. ██████ believed that the scheme was in-keeping with the context and he noted that the extension would be no deeper or taller than existing extensions on neighbouring properties. The proposed development was well designed and there would be no landscape impact. He urged the Committee to view the development in the context of the wider terrace as this was how it would be read. As far as the impact on neighbouring amenities was concerned, he confirmed that he was satisfied that the proposed extension would not be overbearing or result in a loss of privacy.</p> <p>Finally, the Committee heard from Connétable P.B. Le Sueur of Trinity, who expressed support for the application.</p> <p>Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out above.</p> |
| <p>Planning and Building (Jersey) Law 2002: recommendations in accordance with Article 9A.</p>  | <p>A15. The Committee decided to make various recommendations to the Minister for the Environment arising from its assessment of the application of planning policy, in accordance with Article 9A of the Planning and Building (Jersey) Law 2002. It was noted that these would relate to Policies GD5, ERE3, H9 and H10 of the Bridging Island Plan 2022 and would be prepared by the Principal Planner and circulated to members of the Planning Committee for approval.</p>   |
| <p>Ann Street Brewery, Ann Street, St. Helier: proposed redevelopment.<br/><br/>P/2022/0969</p> | <p>A16. The Committee, with reference to its Minute No. A2 of 23rd February 2023, received an oral report from Ms. ██████, Planning Applications Manager, in which she explained that a request had been received to amend the Planning Obligation Agreement in respect of the approved Ann Street Brewery development, Ann Street, St. Helier.</p> <p>The Committee was advised that the proposed amendment sought to omit the creation of a link between Simon Place and Tunnel Street to facilitate access from the development to the Millennium Park. The Committee agreed to formally consider the request at a future public meeting.</p>  |
| <p>Planning Committee: venue for next public meeting.</p>                                       | <p>A17. The Committee noted that the next scheduled meeting would be held at La Societe Jersiaise as the Public Inquiry into the south-west St. Helier redevelopment proposals (PP/2021/1969) was due to be held at St. Paul’s Centre.</p> <p>The Committee agreed that it would wish to produce a written submission for consideration by the Planning Inspector at the Inquiry. Members were mindful of the need to consider the impact of large schemes such as this in the context of recent discussions in relation to a part retrospective application which had proposed the formation of a landscaped headland for the deposit of hazardous waste at La Collette Reclamation site, La Route de Veulle, St. Helier. Whilst the Committee had not been minded to approve the application on the basis that it was considered contrary to Policies GD9, NE3 and NW3 of the 2022 Bridging Island Plan and the fact that a comprehensive plan had not yet been formulated, it had ultimately decided to defer formally confirming its decision.</p>  |