

Planning Committee

(12th Meeting)

18th May 2023

Part A (Non-Exempt)

All members were present, with the exception of Connétables P.B. Le Sueur of Trinity, D.W. Mezbourian of St. Lawrence, M. O'D. Troy of St. Clement and K.C. Lewis of St. Clement, from whom apologies had been received.

Deputy S.G. Luce of Grouville and St. Martin, Vice Chair
 Connétable R.A.K. Honeycombe of St. Ouen
 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 (not present for item No. A14)
 M. Jones, Senior Planner
 J. Durban, Planner
 L. Davies, Planner
 G. Vasselin, Planner
 J. Gibbins, Trainee Planner
 K. Ambrasa, Trainee Planner
 A. Elliott, Trainee Planner
 T. Ingle, Principal Historic Environment Officer
 K.M. LARBALÉSTIER, Principal Secretariat Officer, Specialist Secretariat,
 States Greffe (A1, A13 – A19)
 A.C. Goodyear, Secretariat Officer, Specialist Secretariat, States Greffe (A2
 – A12)

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

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| Minutes. | A1. The Minutes of the meetings held on 16th March and 13th April 2023, were taken as read and were confirmed. |
| Le Chalet (garden of), La Route de Noirmont, St. Brelade: proposed construction of new dwelling. | A2. The Committee, with reference to its Minute No. A4 of 13th April 2023, received 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.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application. |
| P/2022/1596 | 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.

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

Minden Rose
Cottage, La
Route du Mont
Mado, St.
John: proposed
dormer
window
(RFR).

P/2022/1438

A3. The Committee, with reference to its Minute No. A13 of 13th April, 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 installation 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.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application.

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.

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

89 Oxford
Road, St.
Helier:
Replacement
of 2 doors and
2 windows.
(RETROSPEC
TIVE)

RW/2022/1374

A4. The Committee, with reference to its Minute No. A9 of 13th April 2023, received a report in connexion with an application which sought retrospective permission for the replacement of 2 windows and 2 doors to the north elevation of No. 89 Oxford Road, St. Helier. The Committee had visited the site on 11th April 2023.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application.

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 and setting out the reasons for approval, as detailed within the officer report, the application was re-presented.

The Committee confirmed approval of the application for the reasons set out in the Department report and on the basis of the conditions set out therein.

Troika, 15a
Claremont
Avenue, St.
Saviour:
proposed
extensions
(RFR).

P/2022/1351

A5. The Committee, with reference to its Minute No. A11 of 13th April 2023, received a report in connexion with an application 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.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application.

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 and setting out the reasons for approval (as detailed within the Department report), the application was re-presented.

The Committee confirmed approval of the application for the reasons set out in the Department report and on the basis of the conditions set out therein.

Apollo Hotel,
St. Saviour's
Road, St.
Saviour:
proposed
redevelopment.

A6. The Committee, with reference to Minute No. A6 of 10th March 2022, of the Committee as previously constituted, considered an application which proposed an amendment to the Planning Obligation Agreement ('POA') in respect of permission granted for the demolition of the Apollo Hotel, St. Saviour's Road, St. Saviour, and its replacement with 78 residential units with associated landscaping and car parking. The Committee had visited the application site on 8th March 2022.

P/2020/1656

Deputy T.A. Coles of St. Helier South did not participate in the determination of this application.

A site plan and drawings were displayed.

The Committee recalled that the applicants had agreed to the widening/formation of a public footpath/pavement along the roadside boundary on St Saviour's Road, to accord with the requirements of the Highway Authority. Any new sections of footpath would be ceded to the Public of the Island and implementation prior to first occupation was required.

Correspondence from the applicants in connexion with the above was noted and reference had been made to item No. 17 of the third schedule of the POA, which stated that the development could not be '*occupied until such time as the pedestrian footway works had been completed to the reasonable satisfaction of the Chief Officer (in consultation with the Minister for Infrastructure)*'. Given that a phased approach to the development had been adopted, it was proposed that the wording contained within item No. 17 be amended, to permit the occupation of blocks D, C and B prior to completion of the footway works. The applicants believed that completing the footway works at the final stage of the development would ensure that damage from construction traffic would be kept to a minimum.

The Committee expressed considerable disappointment that there were no representatives from Andium Homes at the meeting to provide further information about the application or answer questions from Members.

The Committee discussed the proposal and considered whether reference should have been made to the completion of a particular phase in the building work, rather than specific blocks (as detailed above). Ultimately, the Committee approved the amendment to the POA as suggested.

La Platte
Rocque, La
Grande Route
des Sablons,
Grouville:
removal of
condition of
permit.

A7. The Committee, with reference to its Minute No. A8 of 20th October 2022, considered a report in connexion with an application which proposed the removal of condition No. 11 of the permit associated with application reference P2022/0290, which related to the construction of a 3 bedroom dwelling with associated car parking and landscaping at the property known as La Platte Rocque, La Grande Route des Sablons, Grouville. The Committee had visited the site on 16th May 2023.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application.

RC/2022/1496

The Committee recalled that the permission included the alteration of a vehicular access onto La Grande Route des Sablons, in order to allow for the removal of existing over-mature leylandii trees and a hedgerow and for the planting of new hedging and native species trees. The current application proposed the removal of condition No. 11 so that only the Leylandii trees would be removed and the other boundary trees and hedgerows would be retained.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Shoreline Zone and La Platte Rocque

was also a Grade 2 Listed Building. Policies SP3, GD6 and NE1 of the 2022 Bridging Island Plan were relevant to the application.

The applicant had advised that the imposition of condition No. 11 was problematic in that it created contradictions within the scope of the approval. Condition No. 5 of the approved proposal required the planting of a new hedgerow and trees, but this would not be possible if the existing leylandii trees were to be retained. The applicant had pointed out that the Leylandii trees were non-native species and were of low ecological value. Their retention prevented compliance with condition No. 5 and if the new planting scheme could not proceed, the ecological enhancement of the site would not be fulfilled. It was further considered that the wording of condition No. 11 was ambiguous and unclear and seemingly prevented necessary maintenance of the trees. The applicant had commissioned a report by an independent Arboriculturist which recommended the removal of the Leylandii hedge and replanting with a more varied and ecological selection of trees and shrubs.

The application was recommended for approval by the Department on the basis that the retention of the Leylandii trees was essentially incompatible with the requirements of the approved scheme and it had been concluded that a replacement landscaping scheme would be more appropriate. The Government Arboriculturist also endorsed the views of the independent Arboriculturist.

5 representations had been received in connexion with the application.

The Committee heard from Ms. [REDACTED], who advised that the trees were populated with wildlife and their removal would have an impact on biodiversity. In addition, the Leylandii trees would provide screening from the development. Ms. [REDACTED] noted the sensitivity of the site and considered that any replacement hedging and native trees should be evergreen, because deciduous planting would not provide adequate screening.

The Committee heard from Ms. [REDACTED] who requested information in relation to the planning process for applications of this nature. The Planning Applications Manager advised that that the application related to the variation of a condition of the approved application and as such could be submitted at any juncture. Ms. [REDACTED] was disappointed that she had not been able to appeal against the approval of the original application as she did not reside close enough to the application site, and the cost of an appeal was considered prohibitive. Whilst Ms. [REDACTED] was not a neighbour, she considered that permission for the dwelling should have been refused.

The Committee heard from Mr. [REDACTED] of Godel Architects, on behalf of the applicants. He advised that an independent report had been commissioned from Nurture Ecology which showed that the ecological value of the trees was negligible, and the replacement native species would enhance the biodiversity of the site. The landscaping conditions in respect of the approved application were detailed in condition Nos. 5 and 6 of the planning permit and the request was for the removal of condition No. 11, which related to the Leylandii. The removal of the Leylandii had been clearly shown on the original scheme and reference to the same in the design statement highlighted that there was no sea view due to the size of the trees. It was suggested that the new planting scheme might serve to increase coastal views for the neighbouring properties.

The Committee heard from Mr. [REDACTED] of Channel Island Tree Services, the client's Arboriculturist, who advised that replacement planting had been selected in accordance with the recommendations of the Government Arboriculturist. In

response to questions from the Committee, Mr. [REDACTED] advised that planting should take place between the months of October to March, ideally in the Autumn. It was proposed to plant predominantly evergreen Oak, which could be maintained at a suitable height to be agreed with officers. Mr. [REDACTED] added that the current hedge was in a poor condition and would need to be removed at some stage irrespective of the outcome.

In response to a question from the Committee, the case officer advised that the existing access would be widened under the approved permit.

Having considered the application, the Committee, with the exception of Deputy A.F. Curtis of St. Clement, endorsed the recommendation to remove condition No. 11 from the permit and requested that the replacement trees be planted prior to occupation of the dwelling.

Hotel Savoy,
No. 37 Rouge
Bouillon, St.
Helier:
proposed
demolition and
redevelopment.

P/2022/1308

A8. The Committee, with reference to Minute No. A2 of 7th April 2022, of the Committee, as previously constituted, received a report in connexion with a revised application which proposed the demolition and redevelopment of the Savoy Hotel, No. 37 Rouge Bouillon, St. Helier and its replacement with 53 new residential units. The Committee had visited the application site on 16th May 2023.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Green Backdrop Zone and was on the Eastern Cycle Route Network. Policies SP1 - 4, 6 and 7, PL1, GD1 - 3, 5 - 8 and 10, NE1, HE1, EV1, CI6 and 8, H1- 4 and 6, TT1, 2 and 4, WER 1, 2, 6 and 7 and U13 of the 2022 Bridging Island Plan ('BIP') were of particular relevance. Attention was also drawn to the following: Supplementary Planning Guidance ('SPG') Advice Note on the protection of employment land (June 2012), SPG 3 (car parking standards – 1988) and 6 (a minimum specification for new housing developments – January 2009) and draft replacements for SPG 3 and 6 and the St Helier character appraisal review (March 2021). The Committee noted that there were various Listed Buildings within the wider setting of the site, to include No. 45 Rouge Bouillon (Grade 2); Old Town Arsenal (Grade 3); No. 43 Rouge Bouillon (Grade 4); and the former Colesberg Hotel (Grade 4).

It was recalled that a previous application for the redevelopment of the site to provide residential accommodation had been refused on the grounds that it was contrary to Policies HE1, H1, GD1, GD6, GD10, NE1 and WER1.

The Committee was apprised of the details of the scheme and was advised that the redevelopment of the site for residential purposes was considered acceptable in principle due to its location in the Built-Up Area. However, the case for demolition had not been made. Concerns existed regarding the design, scale and mass of the proposed development and it was considered that it would be visually dominant and intrusive in this context. The scheme was not considered to make a positive contribution in the context of place making and the relationship with neighbouring properties was considered problematic, leading to unreasonable impacts on amenities. Heritage and ecological concerns also existed. Consequently, the application was recommended for refusal on the grounds that it was contrary to a number of Policies of the 2022 Bridging Island Plan, as detailed in the Department report.

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

The Committee heard from Ms. [REDACTED] [REDACTED], situated to the north of the hotel. Mrs. [REDACTED] advised that 4 generations of her family had lived at [REDACTED] and she

was concerned about the scale and proximity of the proposed development and its impact on her property. Loss of light to the garden and the house were highlighted as significant concerns, together with loss of views towards Westmount. Mrs. [REDACTED] believed that the proposed development would be oppressive and overbearing.

The Committee heard from Ms. [REDACTED] of K.E. Planning, representing Ms. [REDACTED] who acknowledged the demand for housing, but stated that this should not cause unreasonable harm to neighbouring amenities. In addition to overshadowing, loss of outlook and privacy, reference was made to light pollution and increased activity in the area. The proposal would harm the garden, terrace and interior of Ms. [REDACTED] property. Ms. [REDACTED] had commissioned an independent sunlight analysis from J. Design which illustrated the impact from the proposed development. The extent of excavation required was also highlighted and Ms. [REDACTED] advised that a stream ran through Ms. [REDACTED] garden. She requested details of how waste would be managed during the construction phase and pointed out that vibration from construction works could also have a detrimental impact. Ms. [REDACTED] also asked how the green terraced areas would be maintained, noting that they were hard up against the boundary. She endorsed the view of the Department that the lack of compliance of the application with Policy GD1 of the Bridging Island Plan, as well as other policies concerning amenity, meant that the application should be refused.

The Committee heard from Mr. [REDACTED] of J. Design, representing Ms. [REDACTED]. Mr. [REDACTED] advised that J. Design had undertaken a sunlight analysis which had showed that the garden enjoyed sunlight in spring and autumn and that the development would result in the garden being in complete shadow at those times of year. The potential for overlooking also existed.

The Committee heard from Ms. [REDACTED], on behalf of the residents of [REDACTED]. Ms. [REDACTED] stated that the proposed buildings would 'hem in' [REDACTED] and advised that there were concerns about the maintenance of planters.

The Committee heard from the applicant, Mr. [REDACTED] who advised that in Autumn 2022, positive pre-application advice had been received from the Department and from neighbours (excluding the immediate neighbour to the north who had not participated in the consultation). The application had subsequently been reassigned to a new case officer who had suggested that it should be withdrawn on the basis of a number of policy related concerns. Mr. [REDACTED] advised that every effort had been made to work with the Department and significant sums of money had been spent on progressing the plans.

The Committee heard from the applicant's architect, Mr. [REDACTED] of PF+A, who advised that changes had been made to the scheme following the previous refusal of the outline planning application. Mr. [REDACTED] highlighted the importance of the project and advised that the units had been designed for family occupancy, with 106 bicycle parking spaces and an Evie car sharing scheme, as well as a dedicated area for refuse and recycling. The ground floor consisted of town houses with pedestrian and wheelchair access and the maisonettes and houses benefitted from a yard area. The units had been designed so that they could be easily adapted to suit the changing needs of residents. Most of the units were dual aspect and all met the minimum standard requirements. A swimming pool featured in the model had now been removed from the scheme. Solar panels would generate enough power for the public areas and the car charging facilities. 2 public consultations had taken place and involvement with the residents at [REDACTED] had increased. Mr. [REDACTED] stated that changes had been made to mitigate the concerns of the

Department and contended that one of the plans provided to the Committee was incorrect. Regarding the concerns of the resident to the north, Mr. [REDACTED] advised that there would be no overlooking, whereas presently the property was overlooked by hotel rooms. Mr. [REDACTED] also referenced the 2022 Building Research Establishment (B.R.E.) Guidelines on daylight and sunlight and noted that these placed a greater emphasis on daylight in internal living areas. He stated that these areas would not be impacted by the proposed development. This was an urban area and expectations in terms of the provision of year-round sunlight in a garden were considered to be unrealistic. In concluding, he stated that the proposed development sought to focus on the provision of family accommodation in St. Helier.

The Committee heard from Mr. [REDACTED], who noted that the application site was relatively large and was in a sustainable location. Following the previous refusal of the outline planning application, the current application sought to address the issues raised. The proposal was in accordance with minimum density requirements and included a high number of 3 and 4 bedroom units. Government aspirations in relation to the provision of housing reinforced the need to achieve maximum density levels on larger sites like this in order to avoid re-zoning green fields. Finally, Mr. [REDACTED] added that the existing relationship between the hotel building and neighbouring properties was challenging and the proposed development would result in an improvement.

In response to a question from the Committee, the case officer confirmed that the drawings provided were as submitted.

The Committee noted apparent anomalies in the plans, including an apartment which appeared to have 3 bedrooms rather than the 2 stated, amenity space without means of access, a wall drawn through a window, an apartment which did not appear to have a kitchen and bedrooms with no windows. In response, Mr. [REDACTED] advised that the Committee should view the enlarged floor plans for the detail. The Planning Applications Manager advised that this should not be necessary and that the floor plans should be identical.

Having considered the application, the Committee endorsed the recommendation to refuse the application for the reasons set out in the Department report and on the basis that the drawings contained inconsistencies.

La Verte Rue,
La Rue Du
Rondin, St.
Mary:
proposed
alteration and
extension of
glasshouse.

P/2022/1283

A9. The Committee considered a report in connexion with an application which proposed the alteration and extension of a redundant glasshouse at La Verte Rue, La Rue Du Rondin, St. Mary. Alterations to the vehicular access and access road were also proposed, together with the creation of a car parking area and the installation of fencing around the site. The Committee had visited the site on 16th May 2023.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area and that Policies SP1 – SP6, PL5, GD1, GD6, NE1, NE2 and NE3, HE1, ERE2 and 5, WER5, 6 and 7 of the 2022 Bridging Island Plan were relevant to the application. Attention was also drawn to the Integrated Landscape and Seascape Assessment and Supplementary Planning Guidance No. 3 (car parking).

The Committee was advised that the application site was not in a sustainable location and the proposed development would not contribute positively to this rural location in the Protected Coastal Area. The application failed to demonstrate that the proposed development was essential to the efficient operation of the holding and was considered to result in harm to the landscape character of the area. In addition, the design, size and siting of the proposed extensions and the fencing were

considered to cause an unreasonable overbearing impact on residential properties and cause harm to the setting of Listed Buildings to the South. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP3, SP4, SP6, PL5, GD1, GD6, HE1, NE1, NE2, NE3, ERE5 and WER6, of the Bridging Island Plan.

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

The Committee heard from Ms. [REDACTED], Principal Historic Environment Officer. Ms. [REDACTED] discussed the extent of the Listing and advised that the proposed increase in mass and scale through the extension and the security fencing was considered to negatively impact the setting of the Listed farm group, contrary to policy HE1 of the 2022 Bridging Island Plan.

The Committee heard from Mr. [REDACTED] of Green View Limited, who advised that the family had been involved in agriculture for over a century and were now seeking to diversify by growing medicinal cannabis. The proposal would bring back economic value to the site and an organic approach would be adopted with the use of geothermal heating and solar power. Water would be collected by dehumidifiers and sent back to a mat system where the plants would be grown. Hydraulic power units would be cited below ground and the site would be enclosed to ensure that noise levels did not cause a nuisance. Carbon filters would be installed to prevent odour and internal rooms would be sealed with air locks and air handling units to purify the air. Neighbours supported the application and the site would be screened by a 150-metre indigenous hedge to improve landscape character and biodiversity.

The Committee heard from the applicant's agent, Ms. [REDACTED] of K.E. Planning, who referred to correspondence received from the Group Director for the Economy, Government of Jersey, which supported diversification of the rural economy. She also drew attention to Policies RD2c 'Alternative Crops' and RD5 'Rural Built Environment' of the Economic Framework for the Rural Environment 2022, together with application reference P2021/1988, which related to the refurbishment of glasshouses at [REDACTED] for the purpose of growing medicinal cannabis. Ms. [REDACTED] advised that the applicant's business plan had been reviewed by Jersey Business and the application aligned with the policies of the Bridging Island Plan. There were no objections from statutory consultees, with the exception of the Historic Environment Team. The site measured 641 square metres and there would be 4 employees. The location of the site in the Coastal National Park had been highlighted by the Department and it was noted that hedging would screen the building.

The Committee heard from Mr. [REDACTED] [REDACTED], who wished to offer his support to the [REDACTED] family, whom he described as good and respectful neighbours. The site was well maintained and Mr. [REDACTED] had no concerns with regard to the screening of the building.

The Committee heard from Mr. [REDACTED] of [REDACTED], who was in full support of the application. He believed the scheme would enhance the site, ensuring that it would not fall into disrepair and would be well maintained. He had no concerns about the new fence and considered the impact to be minimal.

In response to a question from the Committee, Ms [REDACTED] advised that the hedge had been included in the landscaping plan but was outside of the application site so did not form part of the proposal under consideration. She suggested that if permission was to be granted, a condition could be attached to the permit requiring the retention of the hedge. The Committee noted that the business plan which had

been referenced had not been received by the Department and Ms. [REDACTED] advised that whilst the plan contained sensitive information, it could have been supplied to the Department. The case officer advised that had the business plan been received, it would have been published in a redacted form. In response to a question from the Committee, Ms. [REDACTED] stated that the proposed use of the site was classed as agricultural and the applicant added that it was hoped to achieve Good Cultivation and Harvesting Practice for Medicinal Plants certification.

The Committee noted the proposed use of solar panels and geothermal heating and asked why the application did not include these elements or reference to the pump and any plant room required. Mr. [REDACTED] advised that the solar panels had not been included in the drawings, but reference had been made to the same in the business plan. The pipes required for the heating would run north into the fields. Mr. [REDACTED] advised that he would be responsible for the management of the site, subject to approval from the U.K. Home Office.

Whilst the Committee considered the application to represent a good use of redundant glasshouses, concerns were expressed about the possible impact of the scheme on historic buildings and the size of the extension was also raised. It was noted that submissions had been received from Jersey Business and the Rural Economy Team the day before the meeting, making it extremely difficult for members to digest the information ahead of the public meeting.

Having considered the application, the Committee, with the exception of Deputies S.G. Luce of Grouville and St. Martin and Deputy M.R. Le Hegarat of St. Helier North, endorsed the recommendation to refuse the application, for the reasons set out above and in the officer report.

Field No. 770,
La Rue de la
Prairie, St.
Mary:
proposed LPG
compound.

A10. The Committee, with reference to its Minute No. A3 of 23rd February 2023, considered a report in connexion with an application which proposed the construction of a liquid petroleum gas (LPG) compound to the north-west of Field No. 770, La Rue de la Prairie, St. Mary. The Committee had visited the site on 16th May 2023.

P/2022/1022

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies SP2, 3, 4, 7, PL5, GD1, 6, NE1, NE3, TT1, 2, WER4, ERE2 and 5 of the 2022 Bridging Island Plan were relevant to the application.

Deputy A. Howell of St. Lawrence, St. John and Trinity, did not participate in the determination of this application.

The Committee recalled the details of the planning history of the site, which included the approval of an application for the demolition of the existing glasshouses and the construction of a new glasshouse with a 2.4 metre high security fence.

The Committee had previously deferred consideration of the above application on the basis that the position of the tanks did not accord with that shown on the submitted plans. The applicant had been invited to consider positioning the tanks in accordance with the plans or to submit a revised application. Amended plans had now been received which accurately reflected the layout. The States of Jersey Fire and Rescue Service had advised that the location of the fire hydrants and means of access were considered satisfactory.

The Committee recalled that the application proposed the construction of a compound to house tanks for the storage of natural gas used in connexion with the heating of the existing buildings on the wider site. Although the tanks were in situ,

they had not been connected to the gas heaters/boilers within the site. They were to be located adjacent to some existing agricultural buildings. There would be a total of 8 tanks, all of which would be mounted above ground with a maximum overall height of 1.65 metres. There would be a 2 metre high block wall separating the tanks into 2 separate blocks of 4 with a perimeter security fence measuring 2.4 metres high on the western boundary of the site. The gas would then be piped via new pipework to the existing heating boilers within the site. The gas would be distributed through underground piping along the northern boundary of the site towards existing plant rooms located on the eastern boundary.

The Committee noted that there was no objection to the principle of the development and that the gas tanks would replace existing inefficient gas cylinders and would support the approved agricultural use of the site. Detailed matters relating to the landscape impact and residential amenity had been considered and, if permission was granted, detailed landscaping proposals could be required by condition. With regard to the impact on the amenities of neighbouring residential development, it was noted that there would be no noise or odour and that the number of vehicular movements would be less than at present as the existing tanks were much smaller. The Health and Safety Inspectorate had no objections and had confirmed that the proposal complied with best practice guidelines. With regard to ecology, the installation of biodiversity enhancement features such as a bat or nesting boxes on the existing building could be secured by way of a planning condition. Finally, with regard to transportation, visitors to the site would continue to use the main entrance and car park. Delivery lorries would access the site via [REDACTED], with fewer trips being made, as detailed above. It was understood that, based on current usage, gas tanks were delivered twice per week and a small 5 tonne vehicle was used for this purpose. Deliveries to other residential and commercial customers in the area were made at the same time. In conclusion, the proposal was not considered to result in any harm to residential amenity and was recommended for approval, subject to the imposition of certain conditions detailed within the Department report.

11 representations had been received in connexion with the application.

The Committee heard from Mr. [REDACTED], a resident of the area, who expressed concern about the dangers of LPG gas. He considered the transfer of the gas from lorries to be an issue and expressed concern about the risk of a gas leak, particularly given the proximity of the site to residential properties. Mr. [REDACTED] asked whether the tanks could be located elsewhere on the site.

In response to Mr. [REDACTED] comments, it was noted that the Committee was unable to specify the location of the tanks and the case officer advised that the Health and Safety Inspectorate had no objection to the proposals.

The Committee heard from Mr. [REDACTED] of Northern Leaf, who advised that consideration had been given to the comments and recommendations of the Committee at the previous meeting. Northern Leaf and Island Energy had consulted with the Health and Safety Inspectorate and had discussed access for fire appliances. In response to recommendations arising from the same, 2 fire hydrants had been installed.

In response to questions from the Committee, Mr. [REDACTED] advised that the tanks had not yet been connected and commissioned by Island Energy and certain components were awaited to facilitate the same. Mr. [REDACTED] reminded Members that the tanks had been delivered prior to permission being granted as they had been ordered well ahead of commissioning to secure the purchase. He also added that there were 4 access points, 2 for each compound, to allow the tanks to be filled. The tanks were

bolted to the floor for security purposes and for health and safety reasons.

Having considered the application, the Committee endorsed the recommendation to grant permission, subject to the imposition of the conditions set out in the Department report.

La Porte, La
Rue du Pont,
St. Saviour:
proposed
change of use
to residential.

P/2022/1488

A11. The Committee considered a report in connexion with an application which proposed various works at the property known La Porte, La Rue du Pont, St. Saviour, to the change of use a building to the north of the site from Class E (dry storage) to facilitate the creation of one 2 bedroom and 2 x 3 bedroom units of residential accommodation; the change of use of a building from Class C office accommodation to facilitate the creation of 2 x 3 bedroom units; and, the refurbishment and alteration of existing residential units to form one 2 bedroom, 2 x 3 bedroom and one 4 bedroom units to the south of the site, with associated garaging, landscaping and alterations to the vehicular access onto La Rue du Pont. The Committee had visited the site on 16th May 2023.

Deputy A.F. Curtis of St. Clement did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site included a Grade 3 Listed Building and was situated in the Green Zone. Policies SP1 - 7, PL5, GD1, 3 and 6, HE1, ERE3, H1 - 4 and 9, NE1 - 3, ME1, TT1 - 4, WER1, 5, 6 and 7 and U13 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted the extensive planning history of the site and the established commercial and residential uses. Members were apprised of the details of the proposals and noted that the Department was of the view that the scheme represented an appropriate re-use of the existing buildings. Whilst the creation of new dwellings outside of the Built-Up Area was discouraged by the land use strategy of the Bridging Island Plan 2022, identifying long term viable uses for existing buildings was supported. The delivery of 5 additional dwellings would make an important contribution to the housing stock and the removal of the commercial use from the site, coupled with environmental benefits meant that there were no objections to the proposed residential development. Matters of detail in relation to the extent of the alterations to the Listed Building, the impact of the proposed additional built form, the impact on the highway network and details of the site layout would be addressed by condition. In conclusion, the application had been assessed against the relevant policies of the Bridging Island Plan and was considered to accord with same. Consequently, it was recommended that the Committee grant permission, subject to the imposition of certain conditions detailed in the Department report and on the basis of the entering into of a Planning Obligation Agreement to secure a financial contribution towards off-site cycling network improvements and the provision of a bus stop in close proximity to the application site.

21 representations had been received in connexion with the application.

In response to questions from the Committee, it was noted that a pigsty wall would be retained and, whilst the size of some of the units would not accord with the draft Supplementary Planning Guidance for residential accommodation, current standards were generally met, taking account of the limitations of redeveloping a Listed Building whilst avoiding making unnecessary new openings.

The Committee heard from Mr. [REDACTED] of K.E. Planning, on behalf of Mr. and Mrs. [REDACTED], who did not object to the principle of redevelopment, but had concerns regarding the density of the proposals. The scheme was considered to

represent the overdevelopment of the site at the expense of space and safety standards. The site was presently used for commercial purposes and abandoned vehicles and unauthorised car storage took place and the view was expressed that the applicants should not be rewarded with a planning permit for removing unauthorised uses. Long-term residents of the area attested that the figures provided did not provide an accurate assessment of vehicular traffic on the substandard roads. The road junction was below the required safety standards for visibility and as it was outside of the application site no improvements were proposed. The narrow, unlit roads were considered to present a risk to pedestrians and vehicular traffic and it was considered unacceptable to create 9 new houses on the site without addressing these issues. The development included pathways and various refuse and bicycle stores, creating a somewhat urban feel which would undermine the character of the area, whilst also failing to offer suitable living arrangements. The following additional points were made –

- the drainage network did not have sufficient capacity for the development;
- the development did not respect or reflect the landscape character and did not safeguard the health of residents and protect the environment in accordance with policy requirements;
- a reduced amount of development offered an opportunity for good design, acceptable levels of vehicle movement and higher quality homes for future residents;

In conclusion, it was considered that the application should be refused to protect the interests of the local community.

The Committee heard from the applicant, Mr. [REDACTED], who was a local resident currently renovating his own property in St. John and was aware of the benefits of living in the countryside. He specialised in building sustainable homes in the U.K. and had delivered similar, energy efficient renewable schemes. It was noted that an existing wind turbine on the site would be utilised to produce low carbon, communal energy. Mature trees would be retained and the commercial use removed.

The Committee heard from the applicant's agent, Mr. [REDACTED] of M.S. Planning, who advised that the plans had been assessed on 2 separate occasions by the Historic Environment Team and amendments had been made to address issues raised. Benefits to safety and surface water drainage were highlighted, together with the high quality of design and landscaping. There had been no objections from the Highway Authority and safety would be enhanced through the removal of heavy commercial traffic and a dangerous access. The transport statement concluded that the proposed development would improve road safety for all users. The smaller units proposed were existing dwellings and would be improved by the replacement of staircases and the provision of dedicated amenity spaces. The scheme would not result in the overdevelopment of the site and would allow for the protection and enhancement of the Listed Buildings.

In response to questions from the Committee, it was noted that the use of part of the site as a scaffolding yard was authorised by a planning consent and scaffolding was evident on the site.

Having considered the application, the Committee endorsed the recommendation to grant permission, subject to the imposition of certain conditions detailed in the Department report and on the basis of the entering into of a POA, as detailed above.

Clement's
Road, St.
Saviour:
proposed
extension.

Normandie, St. Clement's Road, St. Saviour. Various minor external alterations and alterations to the vehicular access onto La Grève d'Azette were also proposed. The Committee had visited the site on 16th May 2023.

Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this item.

P/2022/1387

A site plan and drawings were displayed. The Committee noted that the application site was within the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies SP1 - 7, PL1, GD1, 6 and 7, NE1, ME1, TT1, 2 and 4, WER1, 6 and 7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that permission was sought for an additional storey of accommodation to provide 10 new hotel bedrooms across part of the eastern portion of the site. Drawings indicated that an additional 306 square metres of internal floor space would be created, in addition to the existing 5,368 square metres of internal floorspace. The extension would be positioned against the eastern site boundary, with the upper portion being finished with a Mansard style roof. The existing flat roof measured 8.9 metres above ground floor level, the latter being elevated from the street level by approximately one metre. The proposed extension would increase the height to 13.9 metres above ground floor level. The creation of a balcony area on part of the existing roof area, referenced as a minor alteration in the application description, would be located immediately to the west of the proposed extension and accessed via the roof extension. Ancillary work also included an external staircase to the west of the proposed extension to give access to the proposed roof terrace and a further 'service area', which included the provision of air sourced heat pumps close to the eastern street elevation. Whilst the benefits of the scheme were recognised, significant concerns existed with regard to the impact of the development on the character of the area and on the amenities of neighbouring occupants. Consequently, the benefits were not considered to outweigh the harm that would arise from the proposed development and it was recommended that the application be refused on the grounds that it was contrary to Policies GD1, GD6, GD7, GD10, SP3, 4, 5 and NE1 of the Bridging Island Plan.

The Committee heard from the applicant, Mr. [REDACTED], who advised that the Hotel de Normandie was an extremely busy family-run business with up to 50 staff. In January 2023, the hotel had been 89 per cent full and he anticipated that rooms could be sold twice over in the summer months. There had been a significant reduction in visitor beds in the Island and this generated additional demand. Mr. [REDACTED] believed that the hotel had always strived to be a good neighbour and wished to continue to invest and grow the business.

The Committee heard from the applicant's agent, Mr. [REDACTED], of M.S. Planning who advised that the Chief Executive Officers of the Jersey Hospitality Association and the Jersey Chamber of Commerce had wished to address the Committee, but had been forced to leave the meeting due to time constraints. Mr. [REDACTED] advised that the proposed development would provide much-needed additional tourism accommodation. The Department report failed to refer to Policy EV1 of the Bridging Island Plan, which specifically related to visitor accommodation and which stated that proposals which contributed to the quality and range of Jersey's visitor accommodation would be encouraged. The policy also supported proposals for the extension or alteration of existing visitor accommodation throughout the Island and particularly in the identified tourist destination areas. The Hotel de Normandie was situated at Havre des Pas, a designated tourist destination. More than 15,000 tourist beds had been lost over a period of 30 years and a threshold was being reached that could have an impact on travel connections. In terms of the height of the proposed extension, Mr. [REDACTED] referred the Committee to the St. Helier Urban Character

Appraisal, which recommended a maximum of 5 storeys in this area. He also drew attention to a ruling of the Royal Court in respect of a Third Party appeal in connexion with the [REDACTED] ([2012]JRC036 refers), which stated that expectations as to privacy must be relative to the environment (in this case the Built-Up area). The judgement considered that if the objections made were deemed reasonable, then the potential for development in such locations would be severely restricted, which would not be in the public interest. There had only been 6 objections to the application under consideration, some of which had been received from individuals who did not live near to the site, or whose properties would not be unduly affected. Conversely, there had been 21 letters of support. The scheme proposed increasing the height of the building, as opposed to replacing it entirely with a taller building. Percentage for Art could be accommodated and the requirement for an Environmental Impact Assessment had been received 22 weeks after the application had been submitted. Mr. [REDACTED] stated that it was difficult to understand the nature of the ecological concerns given the particular context.

25 representations had been received in connexion with the application.

The Committee heard from Mr. [REDACTED], who read from a statement prepared by Mr. [REDACTED], Chief Executive Officer of the Jersey Chamber of Commerce. It was noted that the Chamber of Commerce supported the application and the provision of more tourist beds in the Island. There were approximately 9,000 tourist beds in the Island and 2,000 people working in the sector. The value to the economy as a whole could not be underestimated as it contributed to the provision of a greater offering for residents with viable flight routes at lower costs.

The Committee heard from Mr. [REDACTED], Co-Chief Executive Officer of the Jersey Hospitality Association, and a graduate of Cornell University's School of Hospitality Management. Mr. [REDACTED] stated that reinvestment in the sector was essential to its continued growth. He, too, highlighted the risks associated with a lack of investment in the context of connectivity. The significant economic impact on the Island of a dwindling hospitality sector was highlighted and the Department recommendation to refuse permission was concerning. There had been a major reduction in hotel beds arising from the change of use of many former hotel sites. Mr. [REDACTED] expressed the view that Government support for the sector was required and he pointed out that it had been many years since an application of this nature had been submitted.

In response to questions from the Committee, Mr. [REDACTED] discussed the many ways in which the Percentage for Art contribution could be made.

Having considered the application, the Committee concluded that whilst the proposed development would not give rise to a visual improvement, highway improvements and benefits to the tourism sector and the economy as whole were recognised. On the strength of Policy EV1, the Committee, with the exception of Deputy A.F. Curtis of St. Clement, decided to grant permission, contrary to the Department recommendation on the basis that a privacy screen should be erected on the terrace.

The Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any conditions which were to be attached to the permit.

Chalet
Engelberg, La
Grande Route
des Sablons,
Grouville:
proposed
replacement
balcony/windo
w/door to
south-west
elevation.
Install cladding
to all
elevations.

P/2023/0118

A13. The Committee considered a report in connexion with an application which proposed the replacement of an existing balcony with a new timber structure and one window with a door to the south-west elevation of Chalet Engelberg, La Grande Route des Sablons, Grouville, and to install cladding to all elevations. The Committee had visited the site on 16th May 2023.

Deputies S.G. Luce of Grouville and St. Martin, A. Curtis of St. Clement and T. Coles of St. Helier South did not participate in the determination of this application. Deputy M.R. Le Hegarat of St. Helier North acted as Chair for the duration of this item.

The Committee noted as the applicant was a member of staff the application had been referred to the Committee for determination, in accordance with agreed procedures.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies GD1 and 6 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the application sought to replace the existing balcony to the south-west elevation with a new timber balcony with alterations to the fenestrations to all elevations and, with the exception of the increase in the size of the south-west first floor window, the fenestration alterations were permissible under the Planning and Building (General Development) (Jersey) Order 2011 - Permitted Development. The application also sought permission for the replacement of the cladding to the south-west and north-east elevations. The replacement of the existing balcony and alteration of the first-floor window were not considered harmful to the amenities or privacy of surrounding neighbouring properties and the proposal to install replacement cladding was in-keeping with the character of the dwelling and the surrounding Built-Up Area. Consequently, the Department considered that the proposals satisfied the requirements of the relevant policies of the Bridging Island Plan 2022, and the application was recommended for approval.

The Committee unanimously approved the application.

Plémont
Magazine,
Plémont Point,
La Route de
Plémont, St.
Ouen:
proposed
temporary
fencing.

P/2023/0091

A14. The Committee considered a report in connexion with an application which proposed the erection of a 15-metre-long section of predator fencing for a trial period to the east of the Grade 2 Listed Plémont Magazine, Plémont Point, La Route de Plémont, St. Ouen. The Committee had visited the site on 16th May 2023.

Connétable R.A.K. Honeycombe of St. Ouen did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was within the Coastal National Park, the Protected Coastal Area and the Marine Zone. Policies GD6 and 9, SP5, PL5, NE1 and 3 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that the application proposed the erection of a 15-metre-long section of predator fencing which would be 2 metres high with welded wire mesh every 5 metres between posts. The erection of the fence would facilitate consultation in relation to potential future proposals for the erection of a fence around the whole proposed sea bird reserve (it was noted that an application had yet to be submitted). The limitations of erecting a short section of fence in the context of assessing future proposals were recognised, but it was felt that this would at least give some indication of the impact. The Department was of the view that the

proposed fence would have a minimal impact on the landscape and the benefit in terms of the assessment of potential future proposals was considered to outweigh any concerns in relation to views and seascape character. Consequently, the application was recommended for approval, subject to the imposition of a condition detailed within the Department report.

The Committee was in receipt of all representations which had been submitted in relation to the proposals.

The Committee heard from a number of objectors, some of whom made reference to written representations which had been submitted. The following points were made –

- that the proposed fence would be intrusive and approval would set an undesirable precedent;
- studies in relation to the efficacy of predator fences revealed that success was limited;
- there was little evidence to suggest that predator fences restored communities or eco functions;
- all predator fences ‘leaked’, allowing cats and rats access;
- alternatives had not been fully explored;
- environmental protection policies of the Bridging Island Plan had to be observed;
- a balance had to be struck between conservation and the impact on the natural environment;
- the case had not been made for approval on policy grounds;
- the proposed fencing would not provide an accurate representation in the context of future proposals;
- whilst Puffins were vulnerable, they were not facing extinction;
- traffic movements could increase as a result of the proposal;
- the installation of the fence would cause irreparable damage; and,
- a bio-diversity impact statement had not been submitted.

The Committee heard from representatives of the National Trust for Jersey, who stated that the application should be assessed on its own merits and not on the basis of any future proposals. It was stressed that the fence would be temporary and would be removed at the end of the 6-month period. The purpose of the fence was to inform wider consultation and this was likened to the erection of a scaffold profile of a proposed development. The erection of a predator fence was considered to represent the best solution. References to an alternative approach adopted on Lundy Island off the north coast of Devon were considered irrelevant in this context due its size and population when compared with Jersey. It was noted that research revealed that monitored sea bird populations had reduced by 70 per cent since the middle of the 20th century and this was an indication of the state of the health of marine ecosystems. Whilst there were no predator fences in the UK, evidence from other countries showed that they presented a viable and realistic safeguarding option to enable population recovery. A feasibility study had concluded that a predator fence was the only realistic option and this had been recommended by the Environment Department in 2008.

Having considered the application, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, decided to grant permission for the erection of the fence for a 6-month period to facilitate consultation, on the basis of the condition detailed within the Department report.

No.1514, La
Rue de
Dielament,
Trinity:
proposed
agricultural
shed (RFR).

P/2022/1449

reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the construction of an agricultural shed to the south of Field No. 1514, La Rue de Dielament, Trinity in association with [REDACTED]. The Committee had visited the site on 16th May 2023.

Deputies A. Howell of St. John, St. Lawrence and Trinity and A. Curtis of St. Clement did not participate in the determination of this application.

A site plan and drawings were displayed. The application site was located within the Green Zone and that Policies SP2 - SP7, GD1 and 6, NE1 and 3, ME1, ERE5, TT1, 2 and 4, WER1, 2, 4, 5 and 7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that the applicants considered the proposed agricultural building essential to the long-term future of the business, the nature of which precluded the use of land and buildings which were not certified for organic farming. It was noted that whilst agricultural buildings in the countryside were considered acceptable in principle, this had to be balanced against the importance of protecting the landscape from excessive or otherwise unacceptable development. In this particular case, the Department was not satisfied that the case had been made for the proposed development and that all alternatives had been explored. The design of the building was also considered to be unacceptable and insufficient information had been received in relation to water pollution. Consequently, the application had been refused on the grounds that it was contrary to Policies SP3, 4, 6, PL5, ERE5 and WER5 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal.

4 letters of representations had been received in connexion with the application.

In response to a question from the Vice Chair, it was confirmed that the applicants had submitted a Business Case.

The Committee heard from the applicants, [REDACTED] and [REDACTED] and their agent, [REDACTED].

Messrs. [REDACTED] made the following points –

- the applicants were young farmers trying to succeed in a struggling industry;
- the proposed development would allow the applicants to bring unproductive land back into use;
- the traditional methods employed at [REDACTED] were designed to preserve Jersey's rural heritage;
- the proposed building was essential to the future of the business and the size of the herd could not be increased without it;
- the light-weight equipment used at the farm had to be stored inside;
- a comprehensive evidence-based report had been submitted in support of the application;
- none of the sites within one kilometre of [REDACTED] which had been considered had proved viable;
- the application site was considered to be the best location for the proposed building and it would not be prejudicial to neighbouring amenities;
- the application was supported by the Rural Economy Department and the Jersey Farmers Union (the latter having advised on alternative sites based on spatial requirements);
- livestock was integral to the business and appropriate facilities were required for the animals;

- the application site was situated in close proximity to the applicants' homes;
- the applicants were the only providers of specialist crops, including wheat, and played a major role in food security; and,
- the building was required for the processing of crops.

Mr. [REDACTED] addressed the Committee, advising that the application aligned with the Rural Economy Strategy and the Bridging Island Plan (Policy ERE5). Reference was also made to the support which had been received for the application from various bodies and the Connétable of Trinity. In particular, the comments of the Economic Development, Tourism, Sport and Culture Department, which Mr. [REDACTED] shared with the Committee, were highlighted. He stated that it was regrettable that the Committee had not had sight of some of the comments submitted until after the application had been refused. He added that it was abundantly clear that this was a genuine agricultural operation, which had taken 7 years to establish and he repeated that the shed was essential to the future success of the business. Mr. [REDACTED] questioned the Department's view that a traditional design approach should be adopted on the basis that it was accepted that such buildings were not suitable for modern agriculture and this was reflected in Supplementary Planning Guidance. The Committee was urged to approve the application and consider the future of the industry.

The Committee heard from Mr. [REDACTED] of Jersey Business, who advised that the applicants' business plan had been carefully scrutinised and the proposed development was supported. Mr. [REDACTED] added that there was currently an over-reliance on the importation of foods, which was expensive and unsustainable. This view was supported by another speaker, who advised that market research on behalf of the Government prior to the adoption of the Rural Economy Strategy had revealed strong support for farming.

The Committee also heard support from the Jersey Farmers' Union for the application and attention was drawn to correspondence from Mr. [REDACTED], Sector Lead, Rural and Marine, Department for the Economy.

Deputy A. Howell of St. John, St. Lawrence and Trinity expressed support for the application.

The Vice Chair advised that whilst there was nothing to prevent the Committee from considering 'late papers', it was challenging when these were received immediately preceding the public meeting.

Having considered the application, the Committee concluded that, in this particular case, it had been convinced of the need for the proposed development. The Committee was mindful of the exceptional circumstances associated with the organic nature of the business, which meant that identifying appropriate alternative accommodation on other sites in the vicinity was extremely difficult. Consequently, permission was granted, contrary to the Department recommendation. It was noted that the application would be represented at the next scheduled meeting for formal decision confirmation.

10 Les
Verrières, Le
Mont de la
Grève de Lecq,
St. Ouen:
proposed roof
terrace (RFR).

A16. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the replacement of an internal staircase, the installation of a sliding sky box and a glass balustrade at No. 10 Les Verrières, Le Mont de la Grève de Lecq, St. Ouen. The Committee had visited the site on 16th May 2023.

P/2022/1258

A site plan and drawings were displayed. The application site was located within the Coastal National Park and a Protected Coastal Area. Policies GD1, GD6, NE1, NE3 and H9 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that permission had previously been granted for a roof terrace at the above property (application reference P/2021/1729 refers) and the current application sought consent for amendments to the approved scheme which introduced revisions to the staircase, the erection of a balustrade and the installation of a sliding sky box.

The Department was of the view that the proposal did not comply with Policy GD6, which required a high quality of design. Concerns existed regarding the proposed design in this context and the height of the structures, with particular reference to the impact on the existing window pattern and roof composition. It was noted that the structures would be highly visible from the southwest. Consequently, the application had been refused on this basis and it was recommended that the Committee maintain refusal.

No representations had been received in connexion with the application.

The Committee heard from the applicant, Mr. [REDACTED] and his agent, Mr. [REDACTED] o. The applicant advised that he had purchased the property in 2020, and the permit for the roof terrace had been a major deciding factor. Mr. [REDACTED] explained the ethos behind the approach which had been adopted and stated that the sky box would only be visible from distant views. The design and materials had been carefully considered in the context of the character of the wider area.

Having considered the application, the Committee, with the exception of Deputy S.G. Luce of Grouville and St. Martin, endorsed the recommendation to refuse permission for the reasons set out above. Particular reference was made to the visual impact of the sky box.

No. 7 Bonne
Nuit
Apartments,
Les Charrieres
de Bonne Nuit,
St. John:
proposed
extensions.

A17. The Committee received a report in connexion with a request for the reconsideration of an application which had been determined by the Department under delegated powers and which proposed the construction of first floor extension to the north-west elevation of No. 7 Bonne Nuit Apartments, Les Charrieres de Bonne Nuit, St. John. The Committee had visited the site on 16th May 2023.

Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application.

P/2022/1704

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Coastal National Park and the Protected Coastal Area. Policies GD1, GD6 and NE3 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application proposed the replacement of 3 rooflights with dormer windows to the north-west elevation and the primary concern arose from the overbearing nature of the proposed dormers on the neighbouring unit on the ground floor. It was noted that concerns related to loss of privacy and overbearing impact. The proposed box dormer was also considered to disproportionately increase the mass of the roof and negatively impact the character of the building by virtue of the design. The application had been refused on the grounds that it was contrary to Policies GD1 and NE3 of the 2022 Bridging Island Pan and it was recommended that the Committee maintain refusal.

7 representations had been received in connexion with the application.

The Committee heard from the applicant, Ms. [REDACTED] and her agent, Mr. [REDACTED]. Mr. [REDACTED] considered the Department's description of the application to be incorrect and highlighted references to dormer windows in the Department report and on the decision notice. He stated that no dormer windows were proposed and that all windows would be obscure glazed and fixed closed.

The applicant explained that the proposed development would facilitate the creation of additional space and would allow more sunlight into the property.

It was recalled that during the site visit the Committee had been approached by officers of another Government Department seeking confirmation as to whether permission had been granted for a doorway to the right-hand side of the proposed extension. The applicant believed that permission had been granted for this doorway and some discussion followed in relation to this matter, with the Committee concluding that officers should investigate this matter.

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

Planning and
Building
(Jersey) Law
2002: Article
9A(5).

A18. The Committee, with reference to its Minute No. A2 of 29th September 2022, recalled that it had previously discussed and agreed procedures and arrangements which set out certain statutory requirements under Article 9A of the Planning and Building (Jersey) Law 2002. In doing so the Committee had noted that Article 9A(5) allowed the Committee to determine its own procedure, except as provided for elsewhere in the Law. In this context the Committee had decided to trial certain arrangements with effect from October 2022, for a period of 6 months, to include an agreement whereby 6 representations would trigger the referral of an application to the Planning Committee for determination.

Having noted that the 6-month period had now elapsed, the Committee agreed to extend the trial so that it encompassed a 12-month period and requested that statistics be presented for consideration at the end of this period. The Planning Applications Manager highlighted the difficulties associated with existing information technology systems and the challenges this presented in terms of obtaining meaningful data.

Planning and
Building
(Jersey) Law
2002:
recommenda-
tions in
accordance
with Article
9A(5).

A19. The Committee considered whether it would wish to make any 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 Law (Jersey) 2002. In this context Members highlighted the impact of the significant loss of tourism beds in the Island and requested that consideration be given as to how best to address this issue.