

KML/MH/051

PLANNING COMMITTEE

(23rd Meeting)

16th January 2020PART A (Non-Exempt)

All members were present, with the exception of Deputies S.M. Wickenden of St. Helier, J.M. Maçon of St. Saviour, R.E. Huelin of St. Peter, L.B.E. Ash of St. Clement and K.F. Morel of St. Lawrence, from whom apologies had been received.

Deputy R. Labey of St. Helier, Chairman
 Deputy G.J. Truscott of St. Brelade, Vice Chairman
 Connétable P.B. Le Sueur of Trinity
 Connétable D.W. Mezbourian of St. Lawrence

In attendance -

P. Le Gresley, Director, Development Control
 A. Townsend, Principal Planner
 C. Jones, Senior Planner
 L. Davies, Planner
 G. Duffell, Senior Planner
 T. Ingle, Principal Historic Environment Officer
 K.M. Larbalestier, Secretariat Officer, States Greffe

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

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| Minutes. | A1. The Minutes of the meetings held on 21st November and 19th December 2019, having been previously circulated, were taken as read and were confirmed. |
| Jersey College for Girls Primary School, Claremont Road, St. Saviour: proposed pedestrian bridge between junior and senior schools. | <p>A2. The Committee, with reference to its Minute No. A5 of 21st November 2019, considered a report in connexion with an application which sought permission for the construction of a pedestrian bridge between Jersey College for Girls Preparatory School and the Jersey College for Girls (senior school), Claremont Road, St. Saviour. The Committee had visited the site on 17th September 2019.</p> <p>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 approving the 4 conditions which were to be attached to the permit (as detailed within the officer report), the application was re-presented.</p> <p>The Committee confirmed its decision to grant permission, subject to the implementation of the conditions detailed within the officer report.</p> |
| P/2019/0682 | |
| Rockmount, Le Mont Gras d'Eau and Fisherman's Cottage, Le Mont Sohier, | A3. The Committee considered a report in connexion with an application which sought permission for the demolition and redevelopment of the properties known as Rockmount, Le Mont Gras d'Eau and Fisherman's Cottage, Le Mont Sohier, St. Brelade. The Committee had visited the site on 14th January 2020. |

St. Brelade:
proposed
demolition and
redevelopment.

A site plan and drawings were displayed. The Committee noted that the application site was bisected by the Built-Up Area/Green Zone boundary and was also in the Green Backdrop Zone. Policies GD1, GD7, H6, BE3, NE2, NE4, WM1, NR1, 2, 3 and 7, LWM 2 and 3 of the 2011 Island Plan were relevant.

P/2019/1126

The Committee noted that the application proposed the demolition of the existing Victorian property, the excavation of the site and the construction of a 3 storey house. The top floor would mimic 2 separate Jersey vernacular buildings, clad in copper, sitting atop 2 lower decks faced in granite, giving the impression of a rock face. The scheme also involved the consolidation of a grass path which lead south to Le Mont Sohier to form a paved vehicular access to the basement garage of the new house. All works were within the Built-up Area part of the site. Though much larger in floor area than the existing building, the proposed building design was unique and the structure would be set into the ground. The finished heights of the proposed pitched roofs would be lower than that of the existing house, and the granite facing of the lower 2 floors would meld the building into the landscape. The scheme included a landscaping plan which was considered appropriate in the context of the Green Backdrop Zone.

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

The Committee heard from Ms. M. Scott, Chairman, St. Brelade's Bay Association (SBBA), who advised that the Association supported the recommendation for approval. The scheme reflected the aspirations of the community and it would bring cohesion to the Bay. The proposed development was in accordance with Policies BE3, NE7 and the strategic policies of the Island Plan. The design and materials were considered to be sympathetic in this context. Ms. Scott expressed some disappointment that a condition requiring the use of non-reflective glass had not been proposed, as the use of the same would make the building less obtrusive in the landscape. She concluded by asking that the Committee make a Policy recommendation to the Minister in this regard.

The Committee received the applicant, Mr. M. Smith and his agents, Mrs. S. Steedman and Mr. J. Falla. Mr. Smith addressed the Committee, referring to the excellent projects Mr. Falla had been involved in and noted that the Jersey Architecture Commission had stated that the proposed development could serve as a template for contemporary design.

He understood the sensitivity of the Bay and had sought to work with neighbours and the SBBA.

Mrs. Steedman advised that confirmation had been received that the grass path which lead south to Le Mont Sohier (which would be used to form a paved vehicular access to the basement garage of the new house) was a private road and that Rockmount was permitted to use this access at present. The number of vehicles using the access would not increase. Mr. Steedman discussed other benefits which would arise from the scheme – to include improved vehicular arrangements for a neighbouring property and the provision of a passing place on Le Mont Gras d'Eau.

The Committee discussed the particular materials which would be used and noted that the colour of the copper cladding would not change with time. Samples of the materials were displayed for the Committee's consideration.

Having considered the scheme, the Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report.

23rd Meeting
16.01.2020

Highview, La
Route de
Noirmont, St.
Brelade:
proposed new
dwelling/
replacement
garage roof.
477/5/3(1063)

P/2019/0020

A4. The Committee, with reference to its Minute No. A6 of 16th May 2019, considered a report in connexion with an application which sought permission for the construction of a new 2 storey dwelling in the rear garden of the property known as Highview, La Route de Noirmont, St. Brelade. The Committee had visited the application site on 14th January 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies SP1 and 7, GD1, GD3, GD7, H6 and TT2 of the 2011 Island Plan were of particular relevance.

Highview was a large detached dwelling, with a substantial rear garden and was located on the eastern side of La Route de Noirmont. The property was surrounded by other residential development, including Portelet Drive (a 1950s close of 8 detached dwellings) to the north, as well as recently-constructed dwellings to the south and east. The application proposed the construction of a new 2 storey, 3-bedroom dwelling within the rear garden of Highview, together with the formation of a new footpath along the site's roadside boundary. The application followed on from the rejection of a previous scheme on the grounds of the impact upon neighbouring dwellings – specifically no. 4 Portelet Drive (to the north), and Cicadella (to the east). The applicants had sought to address the Committee's earlier concerns and had re-designed and re-orientated the new dwelling within the site.

Architecturally, the scheme was considered to be well-designed and its wider impact on the character of the area was viewed as acceptable. The formation of a new footpath and improved visibility splays, meant that the scheme would result in significant safety improvements for pedestrians and drivers.

Concerns raised by nearby neighbours were acknowledged, but had to be balanced against the wider requirements of the Island Plan and, in this particular case, the requirement to make best use of land within the Built-Up Area. In the Department's view, the proposed development would not cause '*unreasonable harm*' (the test under Policy GD1) to neighbouring residents. Consequently, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 13 letters of representation had been received in connexion with the application – 4 of which expressed support for the scheme.

The Committee heard from Dr. R. Dodding, of the property known as Cicadella, who believed that the proposed development would cause unreasonable harm to neighbouring properties and that not enough weight had been given to issues raised by objectors. He described the proposals as the fourth attempt at shoehorning an overly large building onto the site. Mr. Dodding was particularly concerned about the impact on his only private amenity space and principal rooms on the western side of Cicadella. He was concerned about loss of outlook and loss of sunlight, given the proximity of the proposed building to the western boundary and went on to state that the height and mass of the proposed dwelling would also be harmful to the amenities of other neighbouring properties. Mr. Dodding also believed that any future occupants of the proposed new dwelling would experience disturbance from the use of the driveway and it was unlikely that existing trees on the application site would survive the construction works. He understood that negative pre-planning advice had been given in 2017 in respect of a proposal for a smaller dwelling, positioned further away from the boundary on the application site. In fact, the case officer had stated unequivocally that he remained to be convinced that the site would be able to take any form of development, given its constraints and based on issues raised by local residents. This was not an affordable residential development, but a single unit of

speculative housing which would be harmful to several adjacent properties and would suffer from amenity constraints. [REDACTED]

The Committee viewed a virtual sun path analysis, noting the impact at various times of the year.

The Committee heard from Mr. R. Denton of No. 4 Portelet Drive, which property shared its southern boundary with the application site. Mr. Denton believed the scheme would have a significant impact on his private garden and conservatory. He too felt that the application sought to 'shoehorn' a property onto the site, compromising the amenities of neighbours. He was concerned about loss of daylight and sunlight and light pollution from the proposed development and he pointed out that the car parking area would be only 4 paces away from his property and the development only 20 paces away. The proposed development would seriously erode any sense of privacy and would be detrimental to the quiet enjoyment of neighbouring properties. In concluding, he stated that the scheme would have an overbearing impact on neighbouring properties, all of which would also suffer unreasonable harm. Mr. Denton felt that priority was being given to commercial property development over existing residents. In response to a question from the Chairman, Mr. Denton confirmed that he rejected the notion of the site as a building plot and he added that, in the last few years, it had been turned into a builder's yard.

The Committee heard from Mr. D Harrison of No. 3 Portelet Drive, who concurred with the views of previous speakers in terms of the overbearing impact of the proposed dwelling. He added that he was particularly concerned about the proposed car parking area and the impact this would have on his enjoyment of his garden in terms of noise and pollution from cars. He also doubted whether the proposed footpath would actually be constructed – the case officer confirmed that the construction of the same would be required prior to occupation of the dwelling.

The Committee heard from Mr. J. Corfe of No. 7 Portelet Drive, who advised that recent developments had incrementally filled in all gaps, with each of these developments being deemed to have a small enough impact as to be reasonable. By way of metaphor, increasing the temperature of the water in one's bath once might be reasonable, but when this was repeated multiple times the absolute temperature reached became intolerable at a certain point – so it was with recent and proposed development. [REDACTED]

[REDACTED] and it was existing residents who would have to live with this development. He too stated that this was the fourth attempt at gaining approval for development on the site, thus demonstrating the difficulties. Approval of the application would effectively result in a loss of amenity for any prospective occupant, given the proximity to neighbouring sites. Mr. Corfe referred to the price bracket and affordability of the proposed dwelling, but it was pointed out that these were not material planning considerations. He concluded by repeating the point made by Mr. Dodding regarding the negative pre-planning advice given in 2017 and the case officer's view that he remained to be convinced that the site would be able to accommodate any form of development, given its constraints.

The Committee heard from Mr. A. Layzell of No. 8 Portelet Drive. He too referred to the pre-application advice previously provided by the Department in respect of an earlier scheme and the marked contrast between this advice and the current recommendation for approval. All previous attempts to develop the site had been resisted and the most recent application had been unanimously refused by the Committee. The current scheme was even worse than the previously refused scheme

and would be more damaging to Cicadella, which relied upon its western outlook for light. The current application also failed to consider the effect on Highview and vice versa. Mr. Layzell questioned the practicality of the provision of a footpath, which, effectively, led nowhere – 2 others had been constructed in the vicinity and he believed that these posed pedestrian safety risks. He was also concerned that the designated garden area for Highview would be very small and would likely be used for car parking. Whilst the need to make the best use of sites in the Built-Up Area was understood, this should not result in ‘cramming’, as recently stated by an Independent Planning Inspector. Mr. Layzell urged the Committee to reject the application.

The Committee heard from the applicant’s agent, Mr. M. Collins, who advised that the position of Cicadella had been incorrectly shown on the images displayed, so the relationship between the application site and that property was misleading. In this connexion, the Committee viewed an aerial photograph taken in 2019.

Mr. Collins refuted statements that this was the fourth attempt at securing permission for development on the site and stated that this was, in fact, the third application which had been submitted – one had actually been withdrawn and the pre-application advice had been issued to another individual who had developed around the site. In terms of the comments made, Mr. Collings confirmed that there was no problem with erecting a fence to provide privacy on the driveway. With regard to the impact on No. 4 Portelet Drive, the whole building had been moved away from that property so that there was no overbearing impact. Mr. Collins was of the view that, given the tone of the objections, neighbours would object to any development on the application site. The application had been reviewed and assessed by the Department and had been deemed to be in accordance with the relevant Island Plan Policies. The previous scheme had been refused on the grounds of the impact on neighbours and it was believed that the revised scheme addressed those concerns by re-siting the dwelling, so that it was 15 metres away from neighbouring properties. The mass had been reduced and the proposed dwelling would face east to reduce the impact on the parking area at Cicadella. Mr. Collins discussed the benefits which would arise, to include the introduction of a footpath on the main road and improved access. The proposed new dwelling would be lower than neighbouring dwellings and sufficient car parking and amenity space had been provided. There was a recognised need for housing in the Island and this site, in the Built-Up Area, provided the opportunity to construct a new dwelling. Comments regarding the size of the rear garden at Highview were noted, but Mr. Collins pointed out that the property benefitted from a large front garden. In response to a question from the Chairman regarding the blank gable facing Cicadella, Mr. Collins stated that this could be addressed by the use of materials.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, felt unable to support the application, contrary to the officer recommendation. The Committee was concerned about the overbearing impact on and the loss of light to the property known as Cicadella and the impact on No. 4 Portelet Drive. Consequently, the application was refused.

It was noted that the application would be re-presented at the next scheduled meeting for confirmation of the decision and to set out the reasons for refusal in detail.

Bella Rocca,
Roussel Street,
St. Helier:
proposed
demolition and
redevelopment.

A5. The Committee considered a report in connexion with an application which sought permission for the demolition of a lodging house known as Bella Rocca, Roussel Street, St. Helier and its replacement with 8 x one bed and 11 x 2 bed residential units with associated parking and landscaping. The Committee had visited the application site on 14th January 2020.

P/2019/0571

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area of the Green Backdrop Zone and that Policies SP1, 2, 3, 6 and 7, GD1, GD3, GD4, GD7 and GD8, BE3, H1, 4 and 11 and TT2, 3, 4 and 8, NR1, 2, 3 and 7, WM1, LWM2 and 3 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the application proposed the demolition of a poor quality lodging house, located close to the centre of town within a residential area. The proposed design of the replacement building and the living accommodation were of a high quality. The scheme had been amended during the life of the application to address certain concerns and the number of units and windows had been reduced and the design refined. The scheme included communal garden areas and parking for cars and bicycles. Funding for public realm improvement works had been agreed in consultation with the Parish of St. Helier. The application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a Planning Obligation Agreement (POA), to secure the following –

a financial contribution totalling £11,750, payable to the Parish of St. Helier, towards improvements to the highway network and general public realm in the vicinity of the site, such as paving, cycle stands and trees at the discretion of the Parish;

an agreement to provide for and finance a revised pavement alignment at the corner of Roussel Street and Roussel Mews.

It was recommended that, in the event that the POA was not agreed within 3 months, the Director, Development Control be authorised to refuse the grant of planning permission.

4 letters of representation objecting to the initial proposal had been received. No further comments had been received in response to the amended scheme.

The Committee received the applicant, Mr. S. White and his agents, Messrs. M. Stein and J. Richards. The Committee focussed on the nature of the objections which had been received and noted from Mr. Stein that the number of windows on the east elevation had been reduced from 9 to 3 and the height of the roof element closest to Primrose Court reduced. No further objections had been received in response to the amended scheme.

Having considered the application the Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a POA, as detailed above.

Gouray Lodge,
Le Mont de
Gouray, St.
Martin:
proposed
conversion of
workshop to
form guest
accommodat-
ion (RFR).

A6. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers by the Department and which sought permission for the conversion of an existing workshop at Gouray Lodge, Le Mont de Gouray, St. Martin to provide a one bedroom unit of guest accommodation. The Committee had visited the application site on 14th January 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and that Policies SP1, 2 and 3, GD1, NE7 and H6 of the 2011 Island Plan were of particular relevance.

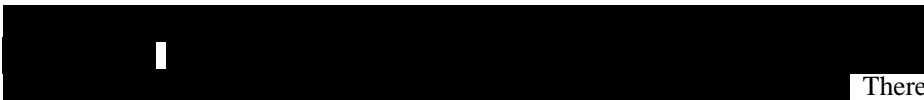
P/2019/1281

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The Committee was advised that the application under consideration followed on from a recent refusal for the construction of a detached 2 bedroom unit of guest accommodation in the Green Zone (application reference P/2017/0237 refers). At appeal, an Independent Planning Inspector had found that although the landscape impact would have been limited, the development would have resulted in a new 2 bed dwelling in a location outside the Built-Up Area, which was deemed unacceptable in planning terms. Furthermore, the Inspector had concluded that there were no exceptional circumstances that would provide sufficient justification for departing from Island Plan Policy. Both the Committee and the Planning Inspector had found that the previous proposal failed to satisfy the requirements of the Green Zone Policy.

The Committee noted that the current application also failed to satisfy the requirements of the Green Zone Policy and the relevant exceptions set out in Policy NE7, which were clear and precisely defined. Consequently, the application had been refused on the ground that it was contrary to Policies SP1, GD1 and NE7. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Mr. S. Roberts, the applicant and his agent, Mr. R. Godel. Mr. Godel summarised the recent history of the site, which included the conversion of an integral one bedroom flat with its own external entrance to create toilets and a snug and the re-organisation of the main house entrance such that a one bedroom unit with its own external entrance had become an integral guest suite. The point being made was that 2 units on the site, with their own external entrances, had been converted to ancillary space. Mr. Godel invited the applicant to discuss the specific requirements for the proposed unit of accommodation.

 There would be no impact on the landscape or the setting and the scheme provided a sustainable approach to the re-use of redundant space.

Mr. Godel added that the alternative to that which was proposed was to create the necessary accommodation in a location remote from the property, which would be unsustainable in terms of removing a residential unit from the housing market and increase trip generation.

The Committee was persuaded by the arguments made and decided to grant permission, contrary to the officer recommendation, on the basis that the existing workshop was located on that part of the site which was closest to the Built-Up Area.

The Furnishing
Centre, 2 – 4
Victoria Street,
St. Helier:
proposed
demolition and
redevelopment
(RFR).
P/2019/0614

A7. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused under delegated powers by the Department and which sought permission for the demolition and redevelopment of the retail premises known as The Furnishing Centre, 2 – 4 Victoria Street, St. Helier and its replacement with 3 x one bed and 8 x 2 bed residential units with associated parking and alterations to the vehicular access onto Victoria Street. The Committee had visited the application site on 14th January 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies GD1, GD5, GD7, HE1 and H6 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the demolition and redevelopment of the existing building for residential use had largely been agreed in principle by the Department. However, the 4 storey building proposed was considered to be insensitive in this

context and would result in the overdevelopment of the site. The mass and scale of the building would be dominant, impacting on the street scene and thereby affecting the setting of Listed buildings which surrounded the site. These included St. Thomas's Church (Grade 2), which was an iconic landmark in St. Helier, and the view of the church from Stopford Road/Victoria Street, which was an 'important set piece view', as noted in the Design Guidance for St. Helier. The Historic Environment Team had objected to the application.

The residential properties in Winchester Street would be especially affected by the proposal, which would replace a part single/part 2 storey building with 4 storeys across the full width of the site. 8 of the 11 flats proposed would have windows facing modest Listed properties on Winchester Street and balconies within 1- 4 metres of the boundary. The resultant overlooking and loss of privacy, compounded by the height of the proposal relative to these houses, was considered unreasonable.

The scheme offered only 9 car parking spaces for the 11 flats and the Parish of St. Helier had objected to the application on the grounds of inadequate car parking. Other issues relating to the access and proposed road alterations were also unresolved and of concern to both highway authorities.

The Department had met the applicant and was willing to assist in achieving an improved scheme to meet the requirements of the relevant Island Plan Policies. The applicant had, however, requested that the application be determined as submitted.

It was recommended that the Committee maintain refusal on the grounds that the application was contrary to Policies GD1, GD7 and H6 of the 2011 Island Plan.

The Committee heard from Drs. Hill and Jones of No. 6 Winchester Street. Dr. Jones expressed concern about loss of privacy and noise from the proposed balconies. Dr. Hill was concerned about noise from the car park and, in particular, a ventilator.

The Committee heard from Mr. A. Day, who stated that whilst he acknowledged the need for housing in the Island and was not opposed to the development of the site per se, the sheer size and scale of the building and the impact on neighbours was of considerable concern. Mr. Day felt unable to comment on the car parking provision, but concurred with the other 2 reasons for refusal. In terms of the submitted images, he felt that these had been taken from a low angle and did not fully illustrate the impact in terms of loss of privacy. Mr. Day also referenced a party wall, which it was proposed to demolish and noted that this required the permission of the owner of a neighbouring property (No. 10) .

Mrs. H. Day addressed the Committee, expressing concerns about overlooking and loss of privacy which, in turn, would devalue neighbouring properties. The Director, Development Control advised that this latter point was not a material planning consideration.

The Committee heard from Mr. R. Godel, representing the applicant. Mr. Godel addressed the reasons for refusal in some considerable detail. With regard to the objections regarding the provision of car parking, 11 flats with 10 car parking spaces – one was a Smart Car space – were proposed. Mr. Godel believed this to be in excess of the provision of car parking on a number of other approved schemes in St. Helier. He also stated that the provision of car parking had not been raised as an issue during pre-application discussions, except in the context of possible adjustments to parking on Victoria Street. Mr. Godel believed that the scheme would lower speeds on Victoria Street and he added that the concept of reducing the size of a loading bay had been agreed in principle – subject to further discussion. He

refuted suggestions in the Department report that on street car parking spaces would be lost and noted that the Parish of St. Helier had stated that the loading bay was rarely used by residents for the purpose of parking due to the time limited parking restrictions. He understood that the Parish of St. Helier had objected on the basis that the scheme did not provide one space per unit – an objective the Parish was independently aiming to achieve. Mr. Godel believed that this should be addressed through the Island Plan review process. Turning to the impact of the proposed development on the street scene and, in particular, St. Thomas's church – Mr. Godel did not feel that enough weight had been given to the urban analysis document, which made a good case for a building of this scale in this location. There were precedents for a building of this height and scale on the street and reference was made to an office building at the eastern end. Mr. Godel also asked the Committee to consider the scale of development in the north of town. He found the idea that the proposed development would impact upon St. Thomas's Church bizarre and asked the Committee to review submitted drawing No. 13, which showed other buildings in the immediate vicinity of the church, which were of a similar height to that which was proposed on the application site. Mr. Godel went on to state that, visually, the church had such presence that it was difficult to conceive of anything that would affect the view. In terms of the proposed new building, this would be set further back on the site. He took issue with what he perceived to be the pejorative terms in which the proposed new building had been described and stated that there were a number of buildings in the Island with a vertical emphasis and this was part of what made the urban environment interesting. The proposed development would enliven the street and would not affect the setting of the church, or any other Listed Buildings and was not without precedent. Mr. Godel lamented the lack of continuity in terms of the Departmental officer dealing with the application and stated that this had caused some issues. At several points throughout the process, overlooking to the south had been discussed and a 3 dimensional model had been commissioned, together with a survey of the elevations of properties to the south. There had been extensive discussions with the Department and site visits to assess the impact. Mr. Godel acknowledged that there would be an increased impact on the properties to the south because they currently looked out onto a blank wall and a smaller building. However, the site lent itself to residential development and had outlived the commercial use. The distance from the rear elevation to the windows of the properties to the south was believed to be 19 and a half metres, which was not considered particularly onerous in the urban environment. This was an urban situation and lower levels of privacy had to be expected, but it had been understood that sufficient steps had been taken to address overlooking issues. Finally, in relation to the vent associated with the car park, this would be installed on the ceiling, would operate sporadically (being activated by concentrations of CO₂) and would not be particularly noisy – Mr. Godel compared it to the noise from an air source heat pump. Natural ventilation also existed via the garage door.

In response to Mr. Godel's comments, the acting case officer advised that she had been advised by the case officer that it had been made clear during discussions that the scheme was not supported by the Department.

Having considered the application, the Committee unanimously refused the application. In doing so, the majority of members concluded that the provision of car parking proposed was acceptable. Furthermore, the impact on the street scene was not considered to be an issue. Consequently, it was agreed that these reasons for refusal should be struck out and the application was refused solely on the grounds of the impact on neighbouring properties in Winchester Street.

Grouville Co-operative
Locale store,
La Rue à Don,
Grouville:
proposed
change of use
land to
north/alteration
of access.

P/2019/0910

A8. The Committee, with reference to Minute No. A6 of 19th September 2018 considered a report in connexion with an application which sought permission for the change of use of an area of land to the north of the Co-operative Locale store, La Rue à Don, Grouville, to facilitate its use as a car park for shoppers. A number of small scale alterations to the vehicular access into the car park from La Rue à Don were also proposed. The Committee had visited the application site on 14th January 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within both the Built-Up Area and the Green Zone and that Policies H1, GD1, GD7, TT2 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee recalled that it had refused permission for a very similar scheme in 2018 on the grounds that it was contrary to Policy H1.

The Committee noted that the application sought permission for the change of use of a parcel of land which had been re-zoned for Category A Housing, and which was located to the north of the Co-operative car park. It was proposed to create additional car parking spaces and make a number of small scale practical alterations to the vehicular access into the car park from La Rue à Don to improve both pedestrian and vehicular access. Although there was much support and good reason for the proposed alterations to the car park entrance, the extension of the car park onto land specifically zoned (previously Green Zone) for affordable housing was contrary to Policy H1 of the 2011 Island Plan. Consequently, the application had been refused and it was recommended that the Committee maintain refusal.

The Committee noted that the area of land had been purposely divided off from the larger part of the housing site (now developed), although it was capable of accommodating at least one unit of residential accommodation. Access could be achieved either from Paddock End, or through the car park. The site was not considered to be 'landlocked' and 3 existing units above the shop were accessed via the car park (through a door on the eastern side of the building). There was no planning reason why a dwelling(s) on the land in question could not also use the car park as an access route, if access from Paddock End proved problematic.

The Committee heard from Mr. J. Plumley, representing the applicant company and the agent, Mr. M. Bridge of Axis Mason. Mr. Plumley explained that the applicant company wished to improve the existing car parking arrangement and access and address the build-up of traffic on the road. He believed that the proposed use was the only one suitable for the application site, in spite of the zoning restrictions. The applicant company had been refused permission to access the site from a private road, so the only way in was through the main car park of the store, which was not considered to be suitable for private residents. The access was used 7 days a week by shoppers and was regularly gridlocked. Unless the application site could be used as an additional car park, it would remain 'derelict' as the applicant company had no intention of constructing a residential property on the site. He urged the Committee to release the site for the proposed use, whilst at the same time alleviating the traffic problem.

It was recognised that the land had been re-zoned for the sole purpose of providing affordable housing. Whilst the applicant company could not be made to develop it for this purpose, the Committee could prevent its loss to another use. Consequently, members, with the exception of Deputy G.J. Truscott of St. Brelade, decided to endorse the officer recommendation for refusal for the reasons set out above. In doing so, the applicant was advised to engage with the Island Plan review process as a means of addressing the re-zoning of the land.