

KML/KS

PLANNING COMMITTEE

(24th Meeting)

19th February 2020**PART A (Non-Exempt)**

All members were present, with the exception of Deputies R. Labey of St. Helier, Chairman, G.J. Truscott of St. Brelade, Vice Chairman, J.M. Maçon of St. Saviour and Connétable D.W. Mezbourian of St. Lawrence, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity, Acting Chair  
 Deputy S.M. Wickenden of St. Helier  
 Deputy R.E. Huelin of St. Peter  
 Deputy L.B.E. Ash of St. Clement  
 Deputy K.F. Morel of St. Lawrence

In attendance -

P. Le Gresley, Director, Development Control  
 L. Davies, Planner  
 R. Greig, Planner  
 R. Hampson, Planner  
 A. Parsons, Planner  
 T. Ingle, Principal Historic Environment Officer  
 K.L. Slack, Principal Committees and Panels Officer, States Greffe  
 (item Nos. A2 and A3 only)  
 K.M. LARBALÉSTIER, Secretariat Officer, States Greffe

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

Minutes.

A1. The Minutes of the meeting held on 16th January 2020, having been previously circulated, were taken as read and were confirmed.

St. Bernard's  
 Garage, La  
 Rue de la  
 Hambye, St.  
 Saviour:  
 proposed  
 demolition and  
 redevelopment  
 (RFR).

A2. 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 of some existing sheds to the west of the site known as St. Bernard's Garage, La Rue de la Hambye, St. Saviour and their replacement with a 3 bedroom dwelling with associated landscaping and parking. The Committee had visited the application site on 18th February 2020.

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A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone. Relevant Island Plan Policies were as follows: GD 1 - General Development Considerations, GD 7 - Design Quality, NE1 - Conservation and Enhancement of Biological Diversity, NE2 - Species Protection, NE7 - Green Zone, E 1 - Protection of Employment Land and HE 1 - Protecting Listed Buildings and Places. In addition, the Committee's attention was also drawn to Planning Policy Note 6 – A Minimum Specification for New Housing Developments.

The Committee was advised that the application under consideration proposed the replacement of the existing single storey corrugated sheds (which had previously been used as a workshop and depot for a hire car business; but more recently for low key commercial use).

The Department accepted that redundancy of the sheds had been demonstrated and the principle of their replacement with a dwelling was acceptable under Green Zone Policy. However, contention lay with the demonstrable environmental gains, contributing to the repair and restoration of landscape character. Whilst it was accepted that the existing sheds were unsightly, they sat at a low level within the landscape and were visually unobtrusive. The proposed dwelling would be twice the height of the sheds which, notwithstanding the design (which was considered broadly acceptable on a smaller scale) was deemed too large to achieve the required repair and restoration of the landscape character.

The main view of the proposed dwelling would be from the west across Field No. 454. The former telephone exchange building was located directly to the north and this was Listed at Grade 4. The general context other than this distinct building, comprised bungalow type dwellings. Whilst the proposed landscaping within the scheme delivered some environmental gains and helped to restore landscape character, the mass and height of the proposed two storey building gave it an undue dominance. On balance, by doubling the height of the building on site, the scheme did not sufficiently contribute to the repair and restoration of landscape character.

Whilst the applicant argued that to reduce the height of the building would result in a larger footprint, which would increase build costs, the dwelling exceeded the minimum standards for living space by a third and the Department believed that a smaller, 3 bedroomed house could be built on the same footprint. The proposal also failed to preserve or enhance the setting of the Listed building. Whilst the current sheds compromised the setting, they were low allowing the majority of the building to be viewed. The proposed dwelling would be significantly higher and would interrupt the view of the exchange.

In light of the above, the application had been refused on the grounds that it was contrary to Policies NE7 and HE1 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that the Grade 4 Listed telephone exchange building was a good example of post war architecture and was one of only 4 in the Island. Ms. Ingle advised that concerns related to the prominence of the proposed development in the wider landscape and the likely impact on the setting of the historic building.

The Committee heard from the applicant, Ms. L. Le Cornu and her agent, Mr. J. Dyson. Ms. Le Cornu advised that the application site has been owned by her family for a number of years.

[REDACTED] They had chosen a modular frame construction, [REDACTED].

Mr. Dyson confirmed that a prefabricated structure would be used. With regard to the suggestion that a one and half storey dwelling would be preferable, this had been considered, but a frame form build would be required in order for the dormers to 'work'. Furthermore, in order to achieve minimum room sizes, a larger footprint would be required and the cost of the build would increase by 26 – 30 percent. With

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the proposed development, Mr. Dyson believed that the only prominent view (from the west) would be preserved.

The Committee heard from Mrs. S. Steedman, who advised that whilst a modular build was proposed this had been adapted to fit with the Jersey vernacular. Mrs. Steedman pointed out that the telephone exchange building had been built after the sheds and the applicant found it difficult to accept that the telephone exchange had been compromised by the sheds. In fact, it was considered that the exchange had a greater landscape impact and the proposed development would not compromise the telephone exchange. The proposed dwelling was well designed, modern and efficient and would result in a significant visual improvement.

The Committee discussed the application and noted from the case officer that the main concern was the height of the proposed dwelling and there followed some discussion regarding the position of the building on the site and the potential for pushing it further back.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, Acting Chair and Deputy S.M. Wickenden of St. Helier, was minded to support the application, contrary to the officer recommendation. The Committee was persuaded by the applicant's arguments and concluded that the proposed new dwelling would enhance the setting of the Listed Building.

Tyto Alba, La  
Rue du Pont  
Marquet, St.  
Brelade:  
proposed  
extension  
(RFR).

P/2019/1316

A3. 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 construction of a first floor extension at the property known as Tyto Alba, La Rue du Pont Marquet, St. Brelade. The Committee had visited the application site on 18th February 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area. Relevant Island Plan Policies were as follows: SP7 – Better by Design, GD1 - General Development Considerations, GD7 - Design Quality, BE6 - Building Alterations and Extensions and H6 – Housing development within the Built-Up Area. The Committee's attention was also drawn to Planning Policy Note 6: A minimum specification for new housing developments.

The Committee noted that the application sought consent for the erection of a first floor extension above the existing single storey garage. The extension would be approximately 5.5 metres high and it would project forward of the principal elevation of the property by 7.5 metres.

The Department was of the view that the proposed extension failed to respect or compliment the design and detailing of the existing building. It was unsympathetic to the form, scale, mass and proportions of the host dwelling and did not compliment the quality of the surrounding area. It also failed to respect the spaces between buildings that contributed to the character of the surrounding area. As a result, the application had been refused on the grounds that it failed to satisfy the requirements of Policies SP7, GD1, GD7, and BE6 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Mr. A. Searle and his agent, Mr. R. Le Sueur. Mr. Le Sueur stated that the application site was in the Built-Up Area, the existing dwelling was not a historic building and there had been no objections. The proposed extension would be constructed on the existing footprint and the garage was set some 7.5 metres back from the road. Mr. Le Sueur stated that a pitched roof on the extension was not the best solution architecturally and would not be in keeping with surrounding development. It was not unusual to see a flat roofed

extension to a pitched roof dwelling but consideration could be given to a shallow pitched roof if the Committee felt this was appropriate.

The case officer confirmed that there had been no suggestion that a pitched roof would be more appropriate. The issues with the scheme stemmed from the proposed extension being constructed on top of the existing garage and other more appropriate options were believed to exist.

Mr. Searle advised that he and his family wished to remain in the home they loved and in an area where they were very happy. However, the family required additional space, but had no desire to impact on neighbours' enjoyment of their properties. The proposed scheme was considered to represent the best solution.

Having considered the application, the Committee decided to maintain refusal of the application for the reasons set out above.

Arzl, Plat  
Douet Road, St  
Saviour:  
proposed  
demolition and  
redevelopment,

A4. 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 of the property known as Arzl, Plat Douet Road, St Saviour and the construction of 5 x one bedroom residential units. The Committee had visited the application site on 18th February 2020.

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Deputy S.M. Wickenden of St. Helier did not participate in the determination of the application.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and was on the Eastern Cycle Route. Relevant Island Plan Policies were as follows: SP1 - Spatial Strategy, SP2 - Efficient Use of Resources, SP6 - Reducing Dependence on the Car, SP7 Better by Design, GD1 - General Development Considerations, GD3 - Density of Development, GD4 - Planning Obligations, GD7 - Design Quality, GD8 - Percentage for Art and H6 - Housing Development within the Built-Up Area, TT2 - Footpath Provision and Enhancement and Walking Routes, TT3 - Cycle Routes, TT4 Cycle Parking, TT8 Access to Public Transport, LWM2 Foul Sewerage Facilities and LWM 3 - Surface water drainage facilities.

The Committee noted that the existing property was in a poor state of repair and was understood not to have been occupied for a number of years. The application proposed its replacement with a new apartment block. Whilst the replacement of the existing dwelling with a new residential development of a higher density was broadly acceptable, concerns existed with regard to the detailed design of the current proposal, including the overall level of development, and its impact upon neighbouring uses. Accordingly, the application had been refused on the grounds that it was contrary to Policies SP7, GD1, GD3 and GD7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal.

The Committee heard from Mr. P Horsfall, Children, Young People, Education and Skills (CYPES) Department, who advised of concerns regarding the relationship between the proposed development and Plat Douet School. It was noted that the proposed development would overlook the foundation stage play ground and this was considered undesirable from a safeguarding perspective. Mr. Horsfall advised that when this issue had arisen on other sites specific design solutions had been used to avoid overlooking.

Some members expressed the view that objections of the above nature were divisive in a societal context. However, the Director, Development Control drew the

Committee's attention to all of the reasons for refusal.

The Committee heard from the applicant's agent, Mr. R. Godel, who advised that the existing small bungalow was unattractive and the site was in an urban area deemed suitable for intensification of use. There were large buildings to the west and north. The proposed development made the best possible use of the site and complied with residential standards. Mr. Godel stated that he found the assumption odd that residents of the development would malevolently look into the school playground, particularly as anyone wishing to do this only had to stand outside the school gates. He also noted that many residential developments now actually included playgrounds. In any case, he did not believe that the school would be adversely affected by the proposed development and suggested that if the Committee so wished, additional screening could be required.

Having considered the application the Committee was unable to reach a majority decision with Connétable P.B. Le Sueur of Trinity, Acting Chair and Deputy L.B.E. Ash of St. Clement endorsing the officer recommendation to refuse and Deputies R.E. Huelin of St. Peter and K.F. Morel of St. Lawrence being minded to approve the application. In accordance with agreed procedures, the application was determined in the negative and permission refused for the reasons set out above.

La Brecque, Le  
Mont de Rozel,  
St. Martin:  
proposed  
demolition of  
existing  
extension/  
construction of  
new  
extensions/  
conversion of  
garage (RFR).

P/2019/1138

A5. 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 of an existing extension at the property known as La Brecque, Le Mont de Rozel, St. Martin and the construction of a new extension with a terrace above to the north-east elevation. It was also proposed to construct an extension to the south-west elevation; raise the roof to extend the first floor and install cladding to all elevations; convert part of the existing garage to form additional habitable accommodation and construct an extension to the north-west elevation. The Committee had visited the application site on 18th February 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area. Policies HE1 - Protecting Listed Buildings and Places, BE6 - Building Alterations and Extensions, GD1 - General Development Considerations, GD7 - Design Quality, NE1 - Conservation and Enhancement of Biological Diversity and NE2 - Species Protection were of particular relevance.

The Committee noted that La Brecque was a single storey dwelling which occupied an elevated position above the Grade 1 Listed Rozel Harbour. Permission was being sought for the remodelling of the existing dwelling by means of a series of extensions and alterations, inclusive of the construction of a new raised roof structure; extensions to the north east and south west; and the cladding of the exterior with a combination of horizontal timber siding, stone tiling and a zinc roof covering.

Notwithstanding the Built-Up Area designation and the presumption in favour of development, the proposals markedly changed the characteristics of the existing property, increasing the visual weight of the building within the context of the neighbouring dwelling to the south and in the setting of Rozel Harbour. The bulk and massing of the remodelled 2 storey dwelling, inclusive of its large flat roof expanse, was not considered to preserve or enhance the setting of the Grade 1 Listed Rozel Harbour or the Grade 3 Listed Rozel Barracks. Moreover, the visual weight of the remodelled dwelling was considered to have an unacceptable overbearing impact upon the near neighbours to the south. Consequently, the application had been refused on the grounds that it was contrary to Policies HE1, GD1, GD7 and BE6 of the 2011 Island Plan. It was recommended that the Committee maintain

refusal of the application.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that whilst the principle of the extension and refurbishment of the existing building was acceptable, the materials proposed did not accord with the strong vernacular setting. The solid to void ratios were entirely modern and the articulation of the building made no reference to the local character. A more tempered, fragmented building with natural materials was the preferred option for the site.

The Committee heard from Ms. G. Simon, who advised that she would lose all of her privacy if the proposed development was approved. The upper level balcony would be level with her own balcony and the entire development would be very close to her property. She concluded by stating that the proposed development was far too large, unattractive and completely out of context.

The Committee heard from the applicant's agents, Messrs. M. Stein and I. McDonald. Mr. McDonald advised that the proposed alterations were quite modest. The existing building was of poor quality and had a detrimental impact on the Bay. The scheme would enhance the building and positively contribute to the character of the Bay and the wider environment. The impact on the amenity of adjacent residential properties and the setting of the Listed structure had been carefully considered. The proposed development would be 640 millimetres taller than the existing dwelling so it would be substantially lower than the property to the immediate west and subservient to Rozel Fort, which was the dominant structure. The development would transform a poor quality building. It was accepted that there would continue to be a degree of mutual overlooking, as currently existed. Mr. McDonald concluded by advising that the proposed development would be read in 3 distinct forms which would break it down visually.

Mr. Stein provided the Committee with photographs of the existing building. He stated that the application had been refused following positive pre-application advice and that an alternative scheme had been withdrawn on the strength of this advice. Scope for improvement was limited due to the constraints of the site. The proposed works would result in a marginal increase in height and Mr. Stein drew the Committee's attention to the extensive flat roof at Rozel Barracks, which he believed to be more prominent. High quality materials would be used throughout and the scheme would result in a significant visual improvement. The Department report referred to most of the properties having gables on to the harbour, but Mr. Stein noted that this related to only 3 dwellings, with the remainder having their principal elevation facing it. It would be extremely difficult to remodel the existing dwelling to form a gable on to the harbour. It concluding he stated that the scheme would enhance the setting of the barracks and that there would be a significant gap between the re-modelled gable and a neighbouring property, which was on higher ground.

The Committee discussed the application and viewed images which illustrated the increase in mass and volume. The Committee concluded that the proposed development would have an overbearing impact on the near neighbours to the south. Members agreed that the application should be refused for this reason alone and directed that the first reason for refusal (as detailed within the Department report and as set out above) should be struck out.

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