

KML

PLANNING COMMITTEE

(33rd Meeting)

17th September 2020**PART A (Non-Exempt)**

All members were present, with the exception of .Deputy R. Labey of St. Helier, Chairman and Deputies R.E. Huelin of St. Peter and L.B.E. Ash of St. Clement.

Deputy G.J. Truscott of St. Brelade, Vice Chairman
 (did not participate it item Nos. A1 and A2)
 Connétable P.B. Le Sueur of Trinity
 Connétable D.W. Mezbourian of St. Lawrence
 (did not participate in item No. A7)
 Deputy S.M. Wickenden of St. Helier
 Deputy J.M. Maçon of St. Saviour
 Deputy R.E. Huelin of St. Peter
 Deputy K.F. Morel of St. Lawrence
 (did not participate in item No. A7)

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.

Affaric and
 Brookewood,
 La Route
 Orange, St.
 Brelade:
 installation of
 fence (RETRO
 SPECTIVE).

A1. The Committee, with reference to its Minute No. A9 of 8th July 2020, considered a report in connexion with an application which sought retrospective permission for the installation of a fence at the properties known as Affaric and Brookewood, La Route Orange, St. Brelade. The Committee had visited the application site on 7th July 2020.

Deputy G.J. Truscott of St. Brelade, Vice Chairman, did not participate in the determination of this application.

P/2020/0199

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 conditions which were to be attached to the permit, the application was re-presented.

The Committee confirmed its decision to grant permission, subject to the imposition of the conditions detailed within the officer report.

Tramonto, La
Route du Petit
Port, St.
Brelade:
proposed
extension/
erection of
fence.
P/2019/0945

A2. The Committee, with reference to Minute No. A2 of 8th July 2020, considered a report in connexion with an application, which proposed the construction of ground floor extensions to the north and south elevations of the garage at the property known as Tramonto, La Route du Petit Port, St. Brelade and the construction of a first floor above. The Committee had visited the site on 7th July 2020.

Deputy G.J. Truscott of St. Brelade, Vice Chairman, did not participate in the determination of this application.

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

The Committee confirmed its decision to refuse permission on the basis that the scale and design of the proposed extension would have an unreasonable overbearing impact on the neighbouring properties, Rose Maris and La Hougue Farm. For this reason, the application failed to satisfy the requirements of Policy GD1 of the 2011 Island Plan.

Bow Cottage,
Hansford
Lane, St.
Helier:
demolition and
redevelopment
(RETRO-
SPECTIVE).
P/2020/0091

A3. The Committee considered a report in connexion with a retrospective application which proposed the demolition and redevelopment of Bow Cottage, Hansford Lane, St. Helier and its replacement with a new 2 bedroom residential development. The Committee had visited the site on 15th September 2020.

A site plan and drawings were displayed. The Committee noted that Bow Cottage was located in the Built-Up Area of the Green Backdrop Zone and that Policies SP1, 2 and 6, H6, GD3, GD1, GD7, BE3, BE6 and NE2 of the 2011 Island Plan were relevant to the application.

The Committee noted that the application site was located on the western side of St. Andrew's Park, with access via a recently added pedestrian gate from Hansford Lane. The application related to a vacant site – the original single storey property having been demolished without the necessary permission approximately one year ago. It was noted that permission had been granted in 2013 for extensions to the original cottage to form an enlarged 2 bedroom house. Permission was now being sought for the redevelopment of the site with a dwelling of the same size and design.

Objections had been received from 4 neighbouring properties, but as the site was located within the Built-Up Area and the proposed dwelling would replace an approved development, which already benefitted from planning permission, the Department had no objection, provided concerns raised by the Parish of St. Helier in relation to the adjoining parkland were addressed. These related specifically to a requirement for the applicant to seek a legal contract with the Parish, for permission for windows, fascias and soffits on the north elevation, which appeared to encroach onto Parish land. Construction could not proceed without this. The Parish authorities also highlighted the fact that foundations should not project under the Parish parkland and that the construction process and site servicing should be discussed with the Parish at development stage. Furthermore, any north facing windows should not open beyond the face of the building and have opaque glazing. Refuse storage, recycling and collection would also have to be agreed with the Parish.

It was recommended that permission be granted, subject to the imposition of certain conditions detailed within the officer report.

In response to a query from Connétable P.B. Le Sueur of Trinity regarding the

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submitted drawings and the lack of detail, it was confirmed that these had been checked against the approved drawings and the size and height of the proposed and approved developments were identical. The Committee was reminded that technical drawings would be required at the Building Bye Laws stage and the Director, Development Control suggested that, if approved, this particular issue could be dealt with by condition.

The Committee heard from Mrs. R. Le Maistre of [REDACTED], who was of the view that the proposed new dwelling was too large. She believed that the proposed new structure would be higher than the previous dwelling and she was concerned that this would result in a loss of light to her property. She also felt that the proposed vehicular access was too narrow for a vehicle to pass through. It was noted that concerns raised by Mrs. Le Maistre in relation to the absence of a site notice had related to the previous application and the Department had photographic evidence of the correctly displayed site notice in relation to the current scheme.

The Committee heard from the applicant, Mr. R. Trenouth-Wood, who informed members that the ridge height of the proposed new dwelling was identical to that shown on the approved permit of 2013. He had prepared the drawings himself and confirmed that the size of the dwelling also remained the same as the approved scheme. He did not believe that the proposed development would result in a loss of light to [REDACTED] as these were to the south of Bow Cottage. He pointed out that fencing associated with [REDACTED] affected the light to Bow Cottage. Mr. Trenouth-Wood believed that an access gate and a wall which had been installed over neighbouring land (to which he had a right of access across for all purposes) at the beginning of the year had been designed as a barrier to the reconstruction of Bow Cottage and the creation of a vehicular access to the same. However, he was confident that the 52 inch vehicular access was sufficiently wide for a vehicle measuring 48 inches (a Renault Twingo). In concluding, Mr. Trenouth-Wood advised that [REDACTED] he required a vehicle.

Mrs. Le Maistre advised that the gate had been erected for privacy and safety reasons.

In relation to comments from objectors regarding overlooking, the case officer advised that all the properties overlooked the gardens of neighbouring properties due to the layout.

Having considered the scheme, the Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report. An additional condition would be imposed to the effect that, prior to commencement of works, the submission of detailed technical drawings to the Development Control Section of the Department would be required and the height of the dwelling would be set as per a surveyed datum point on the site.

Miramar
Hotel, Le Mont
Gras d'Eau, St.
Brelade:
proposed
demolition and
redevelopment.

A4. The Committee considered a report in connexion with an application which proposed the demolition and redevelopment of the Miramar Hotel, Le Mont Gras d'Eau, St. Brelade and its replacement with 10 x 2 bedroom and 2 x 3 bedroom residential units with associated car parking and landscaping. The Committee had visited the site on 15th September 2020.

P/2020/0029

A site plan, drawings and a 3-dimensional model were displayed. The Committee noted that the Miramar Hotel was located in the Built-Up Area of the Green Backdrop Zone and that Policies SP1, 2, 3, 5, 6 and 7, GD5, NE1, H4, TT4, TT8, WM1 and LWM2, GD1, GD3, GD7, GD8, BE3, H6 and E1 of the 2011 Island Plan were relevant to the application.

The Committee noted that the application proposed the demolition of all existing buildings on the site and the construction of a new 4 storey residential building (with basement car park) comprising 12 residential units with individual terraces and flat roofs (including green roofs). The building varied in height across the site, increasing in extent to the ground level. The basement car park would provide parking for 11 cars and would include individual stores for each apartment and a communal refuse store. Access to this basement car park would be from the east, off Le Mont Gras d'Eau. To the front of the building a further 6 car parking spaces were proposed with 10 parking spaces further to the north (giving a total of 27).

The site was located in the Built-up Area near to Red Houses/Les Quennevais and a local primary school, in a sustainable location close to local amenities, as well as within walking distance of a bus service, the beach and a park. The Spatial Strategy within the Island Plan 2011 (Revised 2014) directed new housing development towards the Built-up Area to protect the countryside. Policy H6 of the Island Plan stated that new housing would be permitted within the Built-up Area. The principle of a residential development was, therefore, considered acceptable in this location. The site was also located within the Green Backdrop Zone. Due to the topography and landscape of the hillside, views of the site were not widespread. However, certain viewpoints would need to be carefully considered. The proposed development would increase the overall size of the existing building and at present landscaping was limited. New planting was proposed and the Committee was provided with details of the same. The design and use of materials would ensure that the landscape remained the dominant element in the scene and the proposed development would not be visually prominent or obtrusive in the landscape or the skyline. The building would be orientated with the main windows and terraces to the south. The scale and massing of the building would be higher in the central section of the building, but lower than the existing building to the western part of the site. It was considered that the relationship with neighbouring properties was acceptable given the building design, siting and distance, relative levels, as well as existing landscape, including the hedges and trees to all sides.

The Committee was advised that the internal room/apartment sizes met the minimum housing standards and amenity space was provided in the form of individual terraces to all apartments.

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), pursuant to Article 25 of the Planning and Building (Jersey) Law, 2002 (as amended), to secure funding in the sum of £61,538.46 to improve vehicle exit visibility, pedestrian crossing and bus facilities on La Route des Genets.

It was recommended that the Director, Development Control be authorised to grant planning permission under the powers delegated to him, subject to conditions and the completion of the POA referred to above. In the event that this was not completed within a set time frame the application would be re-presented to the Committee.

In response to a question from a member, the Committee was advised that the southern elevation of the building would project further forward by half a metre than the existing building, but the structure would be angled at that point.

The Committee heard from Mrs. N. Ridgard, who expressed concerns regarding loss of privacy. She noted that it was intended to obscure-glaze some of the windows, but did not feel that this would address all of her concerns. Mrs. Ridgard asked the Committee to consider the imposition of an additional condition which would require the second floor windows to be obscure-glazed and the green roofs to be retained in perpetuity and not used as a roof terrace in future. In concluding she added that, [REDACTED], she found it extremely difficult to properly assess the impact of the proposed development on her property from the array of submitted drawings and images. She noted the inclusion of a 3-dimensional model and sun path analysis on 16th September 2020, but these, too, were difficult [REDACTED] to comprehend, so she felt unsure of the real impact of the development.

The Committee heard from Mr. J. Naish, who represented Mrs. Ridgard. Mr. Naish advised that Mrs. Ridgard did not object to the development of the site per se and he expressed appreciation for the amendments which had been made to the scheme in response to representations. However, he advised that whilst the 3-dimensional model was useful, this had only been added to the submission the day before the meeting so a proper analysis had not been possible. The sun path analysis had not been labelled as such, so it had not been immediately evident and this was difficult for a non-industry professional to decipher.

The Committee viewed the second floor windows referred to by Mrs Ridgard and noted that these served non-habitable rooms and that the applicant was willing to fix and obscure-glaze them. Mrs. Ridgard clarified that, having viewed the 3 dimensional model during the course of the meeting, it was not only the central windows on the second floor she was concerned about. It was clarified that there were no bedroom windows facing north on the upper floor. Deputy S.M. Wickenden made reference to 2 windows on the first floor and it was agreed that this issue could be dealt with when the applicant addressed the Committee.

The Committee heard from Ms. M. Scott, Chairman of the St. Brelade's Bay Association. Ms. Scott had found it interesting to see the 3-dimensional model, but felt that technology had some way to go. She advised that the Association looked at 'the big picture' and the visual impact of development on the Bay and on public amenity. The focus was the Green Backdrop Zone and the proposed development was considered to be more obtrusive on the Green Backdrop Zone in some ways. The applicant had been most accommodating in terms of addressing the competing interests of all parties. However, it was not clear how the landscaping plan would be implemented and Ms. Scott stated that it was difficult to fully assess whether it would compensate for the intrusion into the Green Backdrop Zone. She was unclear as to how this had been assessed by the Department and asked whether the Committee might consider recommending the submission of much more specific landscape plans to provide a greater level of understanding and proper analysis (she suggested an artist's impression of the landscape proposals). Returning to the proposed development, Ms. Scott stated that the Association did not favour the 'blockish' appearance of the proposed structure on top of the escarpment as this would interfere with the natural contours of the Bay. Landscaping was crucial in the context of the Green Backdrop Zone Policy. In concluding, she asked the Committee to recommend policy restrictions on the scale and mass of buildings on top of escarpments and for any 'per cent for art' proposals to form part of the public planning consultation process.

On a related matter, Ms. Scott added that signage should also be covered by policy.

At this juncture the Committee viewed the Green Backdrop Zone from the Bay on the 3-dimensional model.

The Committee heard from the applicant's agent, Mr. M. Stein, who advised that there had been a 2 year gestation period for the scheme which had included pre-application discussions with the Department and extensive consultation, to include a Parish meeting. The size and scale of the development had been reduced and the high-quality design and materials finessed by the Architecture Commission. Particular attention had been paid to improving landscaping, which was currently non-existent. The site was in the Built-Up Area where best use of land was encouraged and the proposal made good use of the site, but not at the expense of context or neighbours. The proposed structure would be no higher than the existing hotel and would be 3 metres lower than the immediate neighbour. The building width had been reduced, particularly at the upper levels. Mr. Stein pointed out that the hotel could accommodate 88 guests and the proposed development would reduce occupancy to 50. The scheme met the standards for car parking, internal layout and external amenity space. The application site was in a sustainable location with a bus stop nearby and a good bus service. The scheme accorded with the Strategic Policies of the Island Plan. With regard to the impact on neighbours, it was noted that the existing hotel had windows which overlooked neighbours and these were partly screened by a hedge on the neighbouring land. The windows and balconies within the proposed development which faced the neighbours would be set back and inset from the edges. Mr. Stein stated that it was acknowledged that there would always be some degree of overlooking in the Built-Up Area and that the Policy test was one of unreasonable harm. In this particular case the most relevant Policies were GD5 and BE3. With reference to Policy GD5, the existing hotel was not really visible on the skyline and did not obscure views. The only limited vantage point was from the eastern end of the Bay and the beach when the tide was out. In terms of the impact on the Green Backdrop Zone, the existing hotel had hard surfaced terraces and car parking with no opportunity for soft landscaping. The scheme proposed new planting to the north, the reinstatement of a roadside bank and the planting of 10 new mature trees, together with green roofs. The Green Backdrop was the dominant element and the scheme complied with Policy BE3. In concluding, Mr. Stein described the proposed development as well considered and well designed and he believed that it respected the context and neighbours, with no serious impact on the skyline. He referred the Committee to a plan which illustrated the relationship with properties to south, which had been included within the applicant's submission.

The Committee heard from the applicant's architect, Mr. J. Richards, who provided members with samples of the materials to be used in the proposed development. It was noted that Nissen Richards Studio was an accredited conservation award winning architectural practice. Collaboration and dialogue were central to the methodology employed by the architectural practice and the company had secured planning permission for other schemes in the Island. The existing hotel was of a poor quality and the application proposed a much improved building, which had been endorsed by the Jersey Architecture Commission. Sustainability was a key driver and electric heating and renewable energy air source heat pumps would be used. Thermal efficiency would be improved with the scheme exceeding current requirements in this respect. The building had been designed to reduce the impact on neighbours and improve relationships with increased gaps. The building would be stepped back from the roadside and the boundary and the footprint realigned. The number of car parking spaces at the front of the site had been reduced and 10 new trees were proposed. In terms of the north elevation, the mass had been broken down and a stepped approach taken with deep overhangs and set-backs to roof terraces to

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minimise overlooking. The proposed development would be no higher than the existing hotel and the impact of the scheme had tested by the 3-dimensional model. There would be little or no impact on the Green Backdrop Zone with the palette of materials having been palette refined to take full account of the context. Mr. Richards discussed the materials. which included granite stone walling, reconstituted stone panels and metal panelling in a warm bronze colour which would help the building to recede into the Green Backdrop Zone.

At the conclusion of Mr. Richard's presentation, Deputy K.F. Morel of St. Lawrence clarified that air source heat pumps were energy efficient devices and could not be described as renewable energy.

The Committee heard from Mr. M. Felton, Landscape Architect, who advised that landscaping formed a key part of the scheme. Consultation with relevant stakeholders had been carried out to ensure that suitable plants were selected and more space had been dedicated to landscaping around the public edges of the site, including to the north and east along Le Mont Gras d'Eau. Additional tree planting (Oak and Birch to encourage birds and insects – at varying heights of 3 and a half to 5 metres) was proposed together with soft landscaping, which would reinforce the character of the area and bolster the woodland opposite. The existing hotel site had only 2 Palm trees which offered little contribution to the landscape or ecology. The scheme incorporated terraces with built-in in planters and dense shrubs would provide green privacy screens between these spaces. 6 pre-grown green roofs were proposed and these would incorporate a mix of 22 different species of wildflowers. Further enhancements included a granite wall on the eastern roadside to replace imitation stone blockwork and a number of shrubs that would attract birds. Mr. Felton stated that the scheme was a good fit for the surroundings.

The Committee spent some considerable time viewing the 3 dimensional model and discussing the palette of materials which were proposed.

Having considered the application, the Committee was unable to reach a unanimous decision. Connétable P.B. Le Sueur of Trinity and Deputies K.F. Morel of St. Lawrence and J.M. Maçon of St. Saviour were not in favour of the scheme on the grounds of the scale, mass and design of the development. The building was considered to be too bulky and not in keeping with the local vernacular. Concerns were also expressed regarding the proximity of the development to the boundaries. The remaining members, Deputy G.J. Truscott of St. Brelade, Vice Chairman, Connétable D.W. Mezbourian of St. Lawrence and Deputy S.M. Wickenden of St. Helier endorsed the officer recommendation to grant permission.

In accordance with the Committee's agreed procedures in respect of a tied vote, the application was determined in the negative, contrary to the officer recommendation and it was noted that it would be re-presented at the next scheduled meeting for decision confirmation and to set out the formal reasons for refusal.

Ivy Cottage,
College Hill,
St. Helier:
proposed
demolition and
redevelopment.

A5. The Committee considered a report in connexion with an application which proposed the demolition and redevelopment of Ivy Cottage, College Hill, St. Helier, to provide 5 x 2 bedroom residential units with associated car parking and landscaping. The Committee had visited the site on 15th September 2020.

P/2020/0208

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area of the Green Backdrop Zone and that Policies GD1, GD3, GD7, BE3, H6, NE1, NE2, TT4 and WM1 of the 2011 Island Plan were relevant to the application. The Committee's attention was also drawn to Planning Policy Note No. 3 – parking guidelines, which required a total of 8.5 spaces for the proposed development (to include one visitor space). 5 spaces in total were proposed.

The Committee noted that Ivy Cottage was a 4 bedroomed dwelling with garage located in an elevated position on the outskirts of St. Helier. The application proposed the demolition of the existing dwelling and garage and the construction of a 3 storey apartment block consisting of 5 dwellings. No justification had been submitted to prove that the building was not capable of repair or refurbishment.

The proposed development took the form of a contemporary block and was generally acceptable in scale. However, the larger mass to the west which took the building significantly closer to surrounding properties was considered to have an unreasonable impact on neighbours, with particular reference to balconies to the upper floors.

The scheme was considered to represent an overdevelopment of the site, with car parking and a stairwell dominating the roadside elevation. Further to this, 4 out of the 5 units failed to achieve the minimum private amenity space required. Consequently, the capability of the site to accommodate 5 dwellings was questionable. Furthermore, the site lay within the Green Backdrop Zone wherein the landscape should remain the dominant element. In this instance, the loss of half of the garden was not compensated for by the proposed planting scheme, which did not maintain and strengthen the landscape setting and character of the area. In light of all of the aforementioned, the proposals were considered contrary to the relevant Island Plan Policies and the application was recommended for refusal.

9 letters of objection and 6 letters of support had been received in connexion with the application.

The Committee heard from Mr. L. Vandeborn, who believed that his property would be impacted more than any other and that the scheme represented a gross overdevelopment of the site. The existing property was a modest family dwelling with a mature garden and the scheme proposed an intense development of 5 units on a site which was far too small for a development of this nature. Mr. Vandeborn believed that the development would lead to a significant increase in traffic and noise in a quiet private lane. He acknowledged that there was a need for family homes in close proximity to schools in the area, but this development was too dense and was out of character with the surrounding area. College Lane was a private road over which the single dwelling known as Ivy Cottage benefitted from a right of access. The lane was owned by Nos. 1 – 4 The Villas and the current proposal was to use this access for 5 new properties; a proposal, which the owners of the Lane had not consented to. The applicant did not contribute to the maintenance of the Lane and half of its width seemed to have been used in the density calculations. No visitor parking was proposed because there simply was not any available space for this. The applicant had suggested that shared car parking in College Hill Lane could be used for this purpose. However, this car parking was for the sole use of owners of the Lane. Furthermore, Nos. 3 and 4 The Villas had garages and the occupants parked outside these garages and this would be impossible if the new development was approved, because there was insufficient manoeuvring space. Mr. Vandeborn referred to a letter of objection submitted by his neighbour and advised that he, too, shared all of the concerns expressed therein.

In response to comments regarding density level calculation, the case officer advised that, in this particular case, density level calculations had not been undertaken by the Department as the site was too small.

The Committee heard from Mr. D. Crocksford, [REDACTED]. He described Ivy Cottage as an attractive property which had been well cared for, Mr. Crocksford supported his neighbours objections to the development and also raised the issues of loss of light, overlooking, increased noise and added pressure on public services and utilities, traffic intensification and congestion, safety issues – emergency access to the Lane had to be maintained and this was a problem at present with drivers obstructing the Lane making it difficult to enter and exit safely. This would be exacerbated by additional traffic and residents to contend with. Complicated arrangements regarding ownership and rights of access over the Lane existed and the applicant appeared not to have considered these. The proposed development would have a detrimental impact on green space and wildlife. Mr. Crocksford concluded by stating that another development in the vicinity had been sympathetic to the character of the area (he referenced the property known as Serendipity) and he urged the Committee to refuse the application.

The Committee heard from Mr. D. McMeechan, [REDACTED]. Mr. D. McMeechan read from a most comprehensive letter of objection which had been prepared by [REDACTED]. Mr. A. McMeechan did not believe that the application was in accordance with the relevant Island Plan Policies and he, too, questioned the density calculations. Reference was made to the premature removal of a site notice and approaches by the applicant to gain support for the development from non-residents. Mr. A. McMeechan did not believe that a high density development was appropriate for this site and references to other sites which had been developed were viewed as irrelevant as the context was entirely different. The National Trust for Jersey had noted that College Lane was one of most atmospheric in St. Helier and was of the view that it required protection. The proposed development would have a negative impact and would be visually prominent. The garden of Ivy Cottage formed part of the Green Backdrop Zone and played a significant contribution in enhancing this. The application site was located in a quiet rural part of St. Helier and the scheme did not respect the history or the existing pattern of development. The proposed development was described as cramming in a low density private road, resulting in the overdevelopment of the site. Ivy Cottage benefitted from a right of access as a single dwelling and [REDACTED]. The proposed development would make parking virtually impossible. Finally, Mr. McMeechan expressed concerns regarding overlooking to his house and loss of natural light.

The Committee heard from Mrs. E. McMeechan, who confirmed that, if approved, the proposed development would make it extremely difficult to park in front of her house. She, too, was concerned about increased traffic and noise and she felt that the proposed development would be out of character.

The Committee heard from Mr. N. Socrates, representing the applicant. Mr. Socrates stated that a high quality development which would enhance the character of the area and considered the relationship with properties to the east was proposed. A previous application had been withdrawn and the scheme amended to reduce the height and depth. The scheme was described as sensitive and it was not believed that it would cause unreasonable harm. There was considerable support for the application, to including support from the Parish of St. Helier. It was noted that the Natural Environment Section had required an ecological assessment, but this had not been

carried out as the applicant had been advised that the planning arm of the Department did not support the application. However, if approved, a condition could be attached to the permit in this respect. Mr. Socrates believed that contemporary architecture could be accommodated in this area and he referred the Committee to the Jersey Archive building and Sussex Gardens. In terms of the density calculations, it was confirmed that the lane in front of the development had been used and Mr. Socrates stated that this was normal practice. The scheme proposed lower density levels than were usual in the Built-Up Area. Trees would be retained together with a smaller garden area and an additional 10 new trees and shrubs would be planted. The proposed development would be no wider than the existing dwelling and would be roughly the same height with all units being over the minimum size requirement with adequate amenity space and car parking. The site was within walking distance of a park and the town centre. With regard to the impact on neighbours, a degree of overlooking was inevitable, but it was pointed out that a shared amenity deck had been removed and the height of planting screen could be conditioned.

The Committee heard from the applicant, Mr. S. Vowles [REDACTED] [REDACTED] Ivy Cottage 2 years previously and that there had originally been 2 dwellings on the site, with the northern-most property having had an extension all the way down to the garage. This had been demolished in 2008. The original plans had been withdrawn and amended in consultation with the Department so Mr. Vowles had been surprised to learn of the recommendation for refusal. With regard to car parking, Mr. Vowles expressed the view that the proximity of the site to St. Helier meant that it was likely that residents would walk to town as opposed to driving. Mr. Vowles confirmed that the access arrangements had not been discussed with the Department as this was not a planning matter. He reminded the Committee of the aims of the Island Plan in terms of concentrating development in the Built-Up Area.

The Committee unanimously refused the application, in accordance with the Department's recommendation. In doing so Deputy J.M. Maçon of St. Saviour commented that the provision of amenity space was even more critical in St. Helier.

St. Albans, La
Rue Voisin, St.
Brelade:
proposed
conversion and
extension/
construction of
swimming
pool.

A6. The Committee considered a report in connexion with an application which proposed the conversion and extension of 2 residential properties at St. Albans, La Rue Voisin, St. Brelade to provide one x 5 bedroom dwelling with associated car parking and landscaping. It was also proposed to construct a swimming pool to the south of the site. The Committee had visited the site on 15th September 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located in both the Coastal National Park and the Green Zone and that Policies GD1, GD7, NE7, NE6, NE1 and NE2 of the 2011 Island Plan were relevant to the application. The Committee's attention was also drawn to Planning Policy Notes No. 3 – parking guidelines and No. 6 – a minimum specification for new housing developments.

P/2020/0293

The Committee noted that St. Albans was sited in a coastal location overlooking Portelet Bay, adjacent to the contemporary Portelet Bay development. There were currently 2 sub-standard dwellings on the site, which were dated in appearance. The application sought to extend and convert the 2 dwellings into one, whilst renovating the existing building and upgrading the site as a whole. The mass and form of the building remained much the same. All of the proposed development was within the Green Zone, whilst the curtilage, which was located within the Coastal National Park, remained as garden. The extensions and modifications were appropriately designed relative to existing buildings and context and the proposal did not facilitate a significant increase in occupancy. The restoration and enhancement of landscape and wildlife habitats along with the use of sympathetic materials, would ensure that the development did not seriously harm landscape character.

The remodelled dwelling would create an attractive family sized home in line with the contemporary surrounding properties, whilst restoring and enhancing landscape character. The proposals were considered to satisfy the requirements of the relevant Island Plan Policies and the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

7 letters of objection from 6 separate addresses had been received in connexion with the application.

The Committee heard from Mr. G. Le Quesne, who expressed concerns about potential traffic congestion during the construction period and indiscriminate parking by construction workers at the apartments known as The Dunlin. Mr. Le Quesne also wanted assurances that an existing tennis court and green area did not form part of the development and that the applicant would be responsible for cleaning all dust and dirt arising from the construction process.

The Director, Development Control advised that matters relating to the construction work had to be addressed by the contractor and were non planning related.

The Committee heard from another resident of The Dunlin, who expressed concerns about the potential for indiscriminate car parking and also asked whether the roadside wall would be retained.

The Committee heard from Mr. B. Francisco, representing the applicant. With regard to construction traffic, noise and dust, a plan had been prepared by the contractor which would deal with these issues. The applicant also welcomed the imposition of a specific condition requiring a demolition/construction environmental management plan, if permission was granted. There was sufficient parking on site for construction traffic and the roadside wall would be retained at the same height but would be straightened, as it was stepped at present. In response to a question regarding the ridge height, the roof would be constructed 250 millimetres above the existing ridge line. No trees would be removed.

The Committee received the landscape architect for the scheme who advised that the intention was to restore the area of land between the site boundary and the Coastal National Park, restore natural habitats and soften the edges of the site by removing white walls and replacing them with granite cladding. The proposals integrated landscaping and ecology.

Having considered the application, the Committee noted that Deputy K.F. Morel of St. Lawrence felt unable to support the scheme on the basis of the increase in the scale and mass. The remaining members endorsed the officer recommendation to grant permission, subject to the imposition of certain conditions detailed within the

officer report.

Field No. 771
and Retreat
Farm, La Rue
de la Frontiere,
St. Mary:
proposed staff
accommodat-
ion.

A7. The Committee considered a report in connexion with an application which proposed the construction of a 3 bedroom staff accommodation unit on Field No. 771 and Retreat Farm, La Rue de la Frontiere, St. Mary. The Committee had visited the site on 15th September 2020.

Connétable D.W. Mezbourian of St. Lawrence and Deputy K.F. Morel of St. Lawrence did not participate in the determination of this application.

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A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies SP1, SP2, SP4, SP7, GD1, GD7, NE7, H9, ERE1 and 2, NR1, LWM2 and LWM3 of the 2011 Island Plan were relevant to the application.

The Committee noted that the application proposed the erection of a single storey building measuring 19.746 metres long x 7.8 metres wide x 3.4 metres high and comprising principally of 3 bedrooms, a kitchen, lounge, dining room and bathroom. The building would have a floor area of 125 square metres and would provide agricultural staff accommodation at Retreat Farm in association with the business operations of the applicant company and the requirement for site supervision and security at all times. As such, the accommodation could not be located remotely from the site. In addition, there were no existing buildings on site that could be used, adapted or sub-divided for this purpose. The applicant had also confirmed that attempts to secure accommodation near the site had been unsuccessful.

Whilst the site was located within the Green Zone, wherein there was a general presumption against all forms of development for whatever purpose, Policies NE7 and H9 set out exceptions for staff accommodation units based on a proven need. Where exceptions were made every effort was required to ensure that the impact of the proposed development on the character and appearance of the area was minimised.

In this instance, the Department believed that the applicant had made the case for a new agricultural staff accommodation unit and had produced a development which was well designed and located on a site which was well screened to reduce its impact.

The application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 16 letters of objection had been received in connexion with the application. The application was supported by the Rural Economy Section.

The Committee heard from Mrs. A. McGinley, who objected to the application. Mrs. McGinley spoke most comprehensively about the planning history of the site, to include various unauthorised works which continued to be carried out under the guise of permitted development. She understood that the applicant company was

[REDACTED]
[REDACTED] Therefore, she asked whether the staff accommodation aligned with
[REDACTED] . [REDACTED]
[REDACTED]
[REDACTED]

There was also some confusion over who and what the accommodation was for and the structures currently on the site were described as garden sheds. The site itself

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was used as an unauthorised staff car park and if the application was refused, Mrs. McGinley argued that the hard standing which had been laid should be removed. The area regularly flooded and the hard surface treatment exacerbated the problem.

Mrs. McGinley advised that her cottage was [REDACTED] in close proximity to the application site, [REDACTED]. In addition, she believed that a neighbouring property was used to house agricultural workers.

In concluding, Mrs. McGinley urged the Committee to refuse permission and require the submission of holistic proposals for the whole site to be reviewed by an Independent Planning Inspector.

The Committee heard from Mr. P. Guthry, who referred to the refusal of a similar application in 2017, and questioned why the Department was now recommending approval. Mr. Guthry stated that, contrary to the applicant's stated desire to improve the natural habitat, the applicant had, in fact, significantly and detrimentally altered the landscape, contrary to approved Island Plan Policies. He, too, was of the view that the hard core which had been laid should be removed and he referred to the flooding which occurred in the area and the need for the restoration of the natural wet meadow. Mr. Guthry understood that there were plenty of properties in the immediate vicinity which could be used for the stated purpose and he highlighted the fact that the proposed new dwelling did not appear to be in close proximity to the glasshouse. In terms of security he asked why it was not possible for security cameras to be used and suggested that there was not clear purpose for the proposed unit of accommodation. Mr. Guthrie urged the Committee to refuse the application on the grounds that it was contrary to the Green Zone Policy and Policy E6 of the 2011 Island Plan.

The Committee heard from Mrs. J. Butlin, [REDACTED], and had witnessed significant deleterious changes to the landscape. The application site had formerly been a beautiful unspoilt wet meadow with a humble wooden shack on it. It had been completely destroyed with the inception of Tamba Park and the water course had been [REDACTED] redirected with severe consequences for residents. The site was now a waste ground and the impact on the biodiversity had been catastrophic. Ms. Butlin urged the Committee to take the views of residents into account and consider the precedent which would be set if permission was granted. She reminded members that the application site was located in a rural countryside location and not in an industrial area. She, too, believed that the piecemeal approach being taken to the development of the site was wholly inappropriate and she was astonished at the number of unauthorised works which had been carried out. She also reminded members that a large part of the land had been used for the creation of a residential development and that one of those dwellings was currently for sale, together with other properties in close proximity to the application site. Mrs. Butlin could see no valid reason for more development which would only result in the further spoliation of the site. She did not believe that the applicants had made the case for the proposed new unit, in accordance with the Island Plan Policies and she added that there were highway safety issues associated with the exit. [REDACTED]

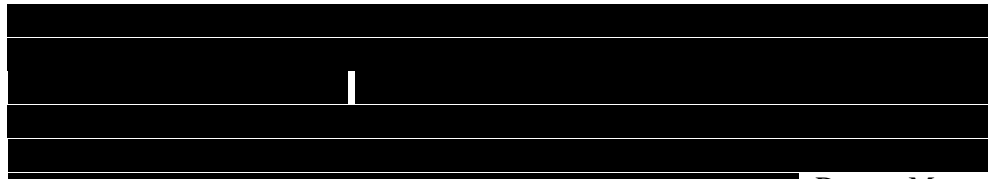
The Committee heard from Mr. P. Ashworth, who stated that the previous application had been refused for good reason. He, too, argued that the need for the accommodation had not been proven and stated that it was not clear who would live in the property, what that individual's role would be or why a 3 bedroom unit was required for one individual. Mr. Ashworth repeated Mrs. McGinley's points

[REDACTED]
[REDACTED] . Mr. Ashworth argued that security could easily be provided without the need to live on site. He understood that the proposed unit was legally classified as ‘a caravan’ and he referred to the proposed siting of the same, which he alleged would involve land outside of the applicant’s ownership. The site would not be screened as Mr. Ashworth stated that vegetation would be ‘hacked down’. The field had previously acted as natural flood plain for the adjacent stream and whilst the applicant stated that the proposed development would result in a visual improvement, the parlous state of the field could be attributed to the unauthorised works which had been carried out. A bund had been built alongside the stream and hardstanding laid. This had created problems with surface water and hard core had been dumped into the stream, which had also been diverted, resulted in flooding on neighbouring land and the main road. The Government had repeatedly failed to take enforcement action in respect of unauthorised works on the site and Mr. Ashworth stated that if compliance matters had been properly dealt with in the past, the Committee would not be considering an application to build on a natural wet meadow in the Green Zone. Mr. Ashworth stated that certain statements made in the applicant’s submission were misleading and he challenged the description of the site as an under used yard. The proposed development would lead to the intensification of use of an already dangerous access in area which was regularly flooded. In this context the Committee was shown a photograph taken 6 months previously which demonstrated the extent of flooding in the area. Mr. Ashworth urged the Committee to refuse permission and require the return of the application site to its natural state.

The Committee heard from Mr. M. Dennis, representing the applicant. Mr. Dennis advised that the proposed building would not be a caravan and that the development was required to meet the needs of the applicant company’s business. The proposed accommodation would replace buildings which had now been demolished and would be well screened by existing landscaping. There would be no detrimental impact on the landscape or on neighbouring properties and a high quality design which would enhance the appearance of site was proposed. The majority of the existing hard surface would be replaced with a permeable surface and a green roof was proposed on the staff accommodation – this would result in less rainwater run-off. Policy H9 allowed for staff accommodation and the application complied with this as well as Policies LWM2 and 3 and ERE1 and 2. Mr. Dennis concluded by stating the applicant company’s business delivered diversification in the form of the production of an alternative crop.

The Committee heard from Mr. K. Cooper, Chief Operation Officer for the applicant company. Mr. Cooper described the proposal as forming part of a ‘proof of concept’, which the applicant company had proven that it was now viable to move on to the next stage. [REDACTED]

[REDACTED] The existing facility was rated as world class and there was much interest in the applicant company’s operations. Jersey had a good regulatory reputation and it was envisaged that this could be transposed to this new industry, with a vision of Jersey being a world class leader. The risks to the business were recognised and these extended beyond the physical security of the 23 acre site. Recent failures with water and electricity supplies had meant that staff had been repeatedly called on to the site. Consequently, the need to have a member of staff on site all times had been identified. Whilst one person would live in the proposed dwelling, 2 individuals would act as a back-up to for cover for annual leave/days off or sickness. This all formed part of the bigger picture and was expected by the company’s clients. Mr. Cooper clarified that a back path from the proposed dwelling led to the facility.



. Deputy Maçon commented that efficiency did not equate to an essential need for staff accommodation. It was noted that there had been no specific comment from the Land Controls and Agricultural Development Section in relation to the proposal other than to highlight the need for permission for any changes. The Director, Development Control advised that the Department considered the proposed use to be agricultural and, therefore, able to be considered under Policy H9. It was for the Committee to decide whether the application met the policy test on the basis of the applicant’s submission.

Based on Mr. Cooper’s submission, Deputy Maçon suggested that even with a staff member on site utility failures would likely lead to the need to call out a qualified tradesperson to deal with the problem. Mr. Cooper acknowledged that this might be the case in certain circumstances, but it was intended to train staff on how to deal with a whole range of potential issues on site.

Having considered the application the Committee, with the exception of Deputy S.M. Wickenden of St. Helier, unanimously refused permission on the basis that the scheme did not pass the tests set out in Policy H9 in that the need had not been clearly demonstrated and that insufficient justification existed.

Having recognised that its decision was contrary to the officer recommendation, it was noted that the application would be re-presented at the next scheduled meeting for decision confirmation and to set out the formal reasons for refusal.

On a related matter, the Director, Development Control confirmed that the Department would address compliance matters which had been raised in respect of unauthorised works on Field No. 771.

Le Chalet Roux, La Route de L’Isle, St. Brelade: proposed conversion of dwellings to form single dwelling/ external alterations construction of new dwelling (RFR).

A8. The Committee, with reference to its Minute No. A10 of 19th December 2019, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the conversion of 2 residential units - one x 4 bedroom and one x 3 bedroom - to form a 5 bedroom dwelling at Le Chalet Roux, La Route de L’Isle, St. Brelade. It was also proposed to demolish an existing garage and construct one x 2 bed dwelling with associated car parking and landscaping. Various external alterations to the main house were also shown, to include replacement cladding and the enlargement of 2 roof lights to the south elevation. The Committee had visited the application site on 15th September 2020.

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

The Committee recalled that Le Chalet Roux was a 2 storey, detached property which formed part of a cluster of predominantly-residential properties, located on the north side of La Route de L’Isle. The existing dwelling benefitted from a large garden to its south and west, as well as a hard-surfaced driveway/parking area to the north, where a timber garage/store building was located. There were neighbouring properties to the east and west and an agricultural field to the immediate north.

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The property had originally been a single dwelling, but had been sub-divided without consent into 2 apartments (one on each floor). This had subsequently been regularised, in 2003, with the approval of a retrospective application. It was now proposed to combine the 2 units within the property to create a larger single dwelling - in effect, re-establishing the original layout. A new dwelling would then be constructed along the northern boundary of the site in place of the garage/store. The applicant argued that there would be no increase in the overall number of residential units on the site - a crucial consideration, given the Green Zone location. The Department did not accept this argument because, in this instance, the existing dwelling was not being removed. The floorspace of both units was simply being combined to create a single larger unit. An entirely new dwelling would then be created in place of a smaller outbuilding on an otherwise undeveloped part of the site. This did not comply with the policy requirements around the replacement of dwellings within the Green Zone - which anticipated demolition and replacement and required environmental gains to be achieved. Furthermore, there was no provision within the policy for new dwellings in place of outbuildings.

The Committee noted that the application was a re-submission, following a refusal in December 2019, when the Committee had considered a previous application for a similar development. That application had proposed a part 2 storey development and, in addition to the concerns with regard to the principle of development, the detail of the scheme had also been deemed problematic, with specific regard to the impact on the neighbouring property to the west. The current application proposed a new single-storey dwelling, and as such, the issue of neighbour impact had been resolved. However, in the Department's view, the application remained unacceptable with regard to the principle of development. Consequently, the application had been refused on the grounds that it failed to satisfy the requirements of Policies SP1, GD1 and NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal.

The Committee heard from the applicant's agent, Mr. R. Godel, who argued strongly against the Department's interpretation of the Green Zone Policy, which he described as erroneous. Mr. Godel quoted extensively from the Policy and referred the Committee to the 3 exceptions set out therein. He strongly believed that the proposed new unit was permissible in the context of the Policy. The revised design was considered to be acceptable in terms of the impact on neighbours and there would be significant environmental gains. References by the Department to an independent review of an application relating to a property known as Belmont were discounted as this was viewed as an entirely different scenario and each application had to be judged on its own merits. The application proposed the same amount of accommodation in a far more sustainable manner and the proposed new unit would replace the unit which would be lost in the main house. There would potentially be a 'slight' increase in occupancy.

Whilst the Director, Development Control felt that it was unlikely that Mr. Godel would accept the Department's interpretation of the policy, he challenged Mr. Godel's position and pointed out to the Committee that the 2 units in the main house were being combined to create one larger residential unit. There was no loss of a unit at all - the existing volume was simply being reconfigured. If Mr. Godel's argument were to be followed through to its conclusion, single dwellings in the countryside could be sub-divided then reinstated as a single unit with the added benefit of being able to construct a new unit to 'replace' the so called 'lost' unit. Mr. Godel argued against this stating that this was not a valid argument as the hypothetical scenario painted by the Director would not be permissible under the existing policy.

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The Committee received the applicant, Ms. J. Barons, [REDACTED]
[REDACTED] She explained that it was intended to provide accommodation [REDACTED] on the site.

Having considered the application, the Committee was satisfied with the Department's interpretation of the policy position and agreed to endorse the officer recommendation to maintain refusal of the application for the reasons set out above. Deputy S.M. Wickenden of St. Helier suggested that there might be some scope for testing the provisions of the policy at a higher level.

No. 2 Belle
Terre Close,
La Vielle Rue,
Grouville:
proposed
demolition of
garage/
construction of
extension
(RFR).

A9. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the demolition of an existing garage at No. 2 Belle Terre Close, La Vielle Rue, Grouville and the construction of single storey front and rear extensions and a 2 storey side extension. The Committee had visited the application site on 15th September 2020.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and was on the Eastern Cycle Route Corridor. Policies GD1, GD7, NE7 and BE6 of the 2011 Island Plan were of particular relevance.

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The Committee noted that the application had been refused on the grounds that the design and bulk of the proposed extensions were considered to be inappropriate to the existing building. In general terms, extensions to buildings should be subordinate to the host building. This could be achieved through reducing the height of roof ridges and adapting the dimensions of the extension. In this particular case, the western single storey extension of the proposed development would be a prominent feature on the elevation of the building. The Department was of the view that the proposed scheme did not satisfy the requirements of Policies GD1(6), GD7, BE6 and NE7 of the 2011 Island Plan and it was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Mr. and Mrs. A. Roberts. Mr. Roberts explained that the intention was to extend their [REDACTED] home. They were aware that permission had been granted for similar schemes and believed that the proposed development complimented the existing dwelling and was in accordance with the relevant Island Plan Policies. Mr. Roberts discussed the design of the proposed extension and the care which had been taken to ensure that the scheme had little or no visual impact. The Committee viewed a series of images which were designed to illustrate this point and noted that it was not intended to create a fourth bedroom.

The Committee, with the exception of Deputy J.M. Maçon of St. Saviour, who was concerned about the increased mass, was persuaded by the applicants' arguments and had particular regard to the size of the garden area. Consequently, it was decided to grant permission, contrary to the officer recommendation. The application would be re-presented at a future meeting for confirmation of the decision and consideration of any conditions which were to be attached to the permit.

On a related matter, Deputy J.M. Maçon of St. Saviour asked whether all of the garden area was classed as domestic curtilage and whether any agricultural conditions were attached to the west facing garden area. The Director, Development Control undertook to investigate this issue.

Greencliff, La
Rue de Fliquet,
St. Martin:
proposed
raising of roof/
installation of
rooflights
(RFR).

P/2017/1614

A10. The Committee, with reference to Minute No. A8 of 19th March 2020, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated authority and which sought permission for the replacement of the roof at the property known as Greencliff, La Rue de Fliquet, St. Martin. It was also proposed to install 2 dormer windows and one rooflight on the south elevation, one rooflight on the east elevation, 2 roof lanterns and one rooflight on the north elevation and one rooflight on the west elevation. The Committee had visited the application site on 17th March and 15th September 2020.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Green Zone and that Greencliff was a Grade 4 Listed Building. Policies NE7, GD1, GD7, HE1 and BE6 of the 2011 Island Plan were relevant to the application.

The Committee recalled that a previous application to raise the roof to extend the loft space and install 2 lantern rooflights to the north elevation had been refused.

The property was a historic Grade 4 mid-19th century villa retaining an interesting historical character and contributing to the rural setting. The amended scheme did not address the issues which had previously been raised and the Historic Environment Section had always objected to the replacement of the roof. There was no clear justification for the loss of the existing roof structure and no additional information to demonstrate that the replacement of the roof would not have an adverse impact on protected species. The impact was, therefore, still considered to be unacceptable.

The Historic Environment Section acknowledged that sensitive alterations to the existing roof could be acceptable. The Department's position was that the replacement of the roof would result in an unacceptable loss of the historic fabric of the building, and the scale, size and proportions of the proposed dormers on the south elevation and the rooflight on the north elevation would cause harm to the character of the Listed Building.

The applicant's agent had suggested that permission could be granted with conditions regarding the works to the roof and protected species. Whilst the Department often conditioned a requirement for additional information regarding protected species, this was only where the application was acceptable in all other respects. It was not appropriate in this case to approve permission for a new, larger, roof without adequate justification.

The Committee had previously decided to defer consideration of the application pending the receipt of advice from the Principal Historic Environment Officer, who had been self-isolating in accordance with Government advice in respect of Covid-19.

The Committee noted that it was recommended that refusal be maintained for the following amended reasons –

the proposed dormer windows and roof light on the northern elevation, by virtue of their scale, proportions and size would be dominant and intrusive, thereby causing harm to the character of this Listed Building, contrary to Policies GD7 and HE1 of the Island Plan;

insufficient information had been submitted to justify the replacement of the roof structure and associated loss of historic fabric, contrary to Policy HE1 of the Island Plan; and,

Insufficient information had been submitted to demonstrate that the proposed development would not have an adverse effect on protected species, contrary to Policy NE1 of the Island Plan.

The Committee heard from the applicant, Mrs. K. Hickling and her agent, Mr. C. Buesnel of Dyson and Buesnel Architects. Mr. Buesnel stated that the application was not simply about replacing the roof, but proposed the full sympathetic repair and restoration of the external fabric of the building, as well as internal alterations. The existing 2 rooms in the roof space were completely uninhabitable as a result of water ingress through roof lights and this had impacted on the primary exterior walls. The applicants wished to regain full use of those rooms and redecorate the first floor and this formed part of the wider refurbishment proposals. [REDACTED] [REDACTED] securing the longevity of the building and the applicants believed that this should be welcomed. During the Listing process in 2016, the applicants had provided documentary evidence to show the extent of the changes which had been made to the original fabric of the building, to include the removal of chimneys, changes to the roofscapes, blocking of doors and extensions; none of these alterations appeared to have been recognised by the Department. It was believed that the original roof had been replaced and this was evidenced by roofing felt under the slates. Reference was also made to conflicting advice which had been received from the Department in terms of what would be deemed acceptable and this changing position was felt to have frustrated attempts to move forward.

Structural engineering advice had confirmed that a combined steel and timber roof structure could be used and the applicants were willing to reuse as many of the existing timbers as possible. Mr. Buesnel suggested that the Committee might consider permitting the removal of the roof structure to facilitate investigatory works and to identify the source of problems. In terms of resolving the details of the roof structure, this could be done in conjunction with the Historic Environment Section. Similarly, with regard to protected species and the requirement for additional information, the applicants had set out mitigation measures in their submission and were asking for a specific condition to be attached to the permit to deal with this matter.

It was noted that whilst the Department often conditioned a requirement for additional information regarding protected species, this was only where the application was acceptable in all other respects.

Mr. Buesnel urged the Committee to approve the application and break the current impasse.

Mrs. Hickling advised that despite attempts to repair the roof, problems with water ingress continued to damage the fabric of the building. The applicants wished to commence the wider repair and restoration works and the replacement of the roof was crucial in this context. Greencliff was situated immediately adjacent to another Listed Building which shared a number of similarities in terms of its size, scale and general arrangement. The notable difference was that the neighbouring property had a pitched roof with gables and 2 modern dormers on the main roadside elevation. Mrs. Hickling concluded by stating that the aim was to carry out the sympathetic repair and restoration of the property without destroying its integrity or causing harm to the locality and the refusal of the submitted schemes was preventing this.

The Committee discussed the application and Deputy K.F. Morel of St. Lawrence asked why the applicants had not chosen to make an application for investigatory works to the roof in the first instance. Mr. Buesnel stated that once the roof was stripped back to facilitate the investigatory works there would inevitably be a period in the interim where the roof was left 'open' while a further application was submitted to determine how it was to be replaced or repaired.

The Director, Development Control suggested that the applicants could have applied for the removal of the roof to facilitate investigatory works, rather than incorporating this in an application which covered a wide range of works and sought the wholesale replacement of the roof. Mr. Buesnel repeated his suggestion regarding the imposition of a specific condition, as detailed above, but the Director advised that this would mean the Committee would have to approve the whole scheme as submitted. The case officer added that the Principal Historic Environment Officer had also expressed the view that the structural engineering report was not sufficiently thorough and the submission of a more detailed report might provide a good starting point for discussions.

Having considered the application, the Committee expressed sympathy for the applicants' situation, but it was suggested that the roof covering might be the issue and not the structure itself. The Committee concluded that the applicants should work with the Department to identify an appropriate solution and that the application should be refused in line with the recommendation for the reasons set out above.

Following the determination of the application, Connétable D.W. Mezbourian of St. Lawrence asked whether it might have been possible for the Principal Historic Environment Officer to attend the meeting via a video link so that members could seek advice from her. It was agreed that this could be arranged for future meetings if the Committee wished to seek specific advice from the officer during the course of the meeting.

Planning and Building (Jersey) Law 2002: recommendations in accordance with Article 9A. 410/99(1)

A11. The Committee considered the making of 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.

It recalled that, during her address to the Committee in relation to item No. A4 of the present meeting, Ms. M. Scott, Chairman of the St. Brelade's Bay Association had requested that –

the Committee recommend policy restrictions on the scale and mass of buildings on top of escarpments;
that per cent for art proposals form part of the public planning consultation process;
and,
that signage should also be covered by policy.

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The Director, Development Control was requested to investigate these matters further, with a view to making recommendations to the Minister where appropriate.