

KML

PLANNING COMMITTEE

(1st Meeting)

(Business conducted via video link)10th March 2021**PART A (Non-Exempt)**

All members were present., with the exception of Connétable D.W. Mezbourian of St. Lawrence, Deputies S.M. Wickenden of St. Helier, L.B.E. Ash of St. Clement.

Connétable P.B. Le Sueur of Trinity, Chairman
(not present for item No. A14)
Deputy G.J. Truscott of St. Brelade, Vice Chairman
(not present for item Nos. A8, A10, A14, A15 and A16)
Deputy R.E. Huelin of St. Peter
(not present for item Nos. A12 and A13)
Deputy K.F. Morel of St. Lawrence
Deputy S. G. Luce of St. Martin
Deputy M.R. Le Hegarat of St. Helier
(not present for item Nos A12 and A13)

In attendance -

P. Le Gresley, Director, Development Control
C. Jones, Senior Planner
J. Gladwin, Senior Planner
L. Davies, Planner
A. Parsons, Planner
H. Osman, Planner
S. de Gouveia, Planner
G. Vasselin, Planner
T. Ingle, Principal Historic Environment Officer
T. Stone, Research and Project Officer, States Greffe
K.M. Larbalestier, Secretariat Officer, States Greffe

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

Minutes.

A1. The Minutes of the meeting held on 14th January 2021, of the Committee as previously constituted, having been circulated, were taken as read and were confirmed.

Deputies R. Labey of St. Helier and J.M. Maçon of St. Saviour: resignation from Planning Committee/

A2. The Committee noted the recent appointment of Deputies R. Labey of St. Helier and J.M. Maçon of St. Saviour as Ministers for Housing and Education, respectively and their resignations from the Planning Committee. In accordance with Standing Order 141A - Planning Committee: establishment and constitution – it was recalled that an elected member could not be the chairman or a member of the Planning Committee if he or she was also a Minister. That member could resign during a meeting of the States, by personally informing the States or by giving written notice to the Bailiff.

appointment of
Connétable
P.B. Le Sueur
of Trinity as
Chairman.

The Committee recalled that Deputies Labey and Maçon were long standing members of the Planning Committee and it requested that its appreciation for their hard work and dedication be placed on record.

It was noted that Connétable P.B. Le Sueur of Trinity had been appointed Chairman of the Planning Committee and the States had also approved the appointment of the following members to the Committee –

Deputy G.J. Truscott of St. Brelade, Vice Chairman
Deputy S.M. Wickenden of St. Helier
Connétable D.W. Mezbourian of St. Lawrence
Deputy R.E. Huelin of St. Peter
Deputy L.B.E. Ash of St. Clement
Deputy K.F. Morel of St. Lawrence
Deputy S.G. Luce of St. Martin
Deputy M.R. Le Hegarat of St. Helier

Deputies S.G.
Luce of St.
Martin and
M.R. Le
Hegarar of St.
Helier:
welcome.

A3. The Committee, with reference to Minute No. A2 of the present meeting, welcomed Deputies S.G. Luce of St. Martin and M.R. Le Hegarat of St. Helier, who had been appointed to the Committee on 11th February 2021, following the resignations of Deputies R. Labey of St. Helier and J.M. Maçon of St. Saviour.

Vice
Chairman:
appointment.

A4. The Committee appointed Deputy G.J. Truscott of St. Brelade as Vice Chairman.

Planning
Committee –
Procedures and
arrangements.

A5. The Committee received a report and appendices entitled ‘Planning Committee – procedures and arrangements’ which set out certain statutory requirements under Article 9A of the Planning and Building (Jersey) Law 2002.

The Committee’s attention was drawn to the following -

Article 9A (1A) - required an agreement between the Committee and the Chief Officer of the Department of the Environment over how issues would be referred to the Committee for consideration;
Article 9A (3) - provided for the publicity of Committee meetings and the availability of information to be considered by the Committee in advance;
Article 9A (4) - allowed the Minister to prescribe by Order procedures for the Committee;
Article 9A (5) - allowed the Committee to determine its own procedure, except as provided for elsewhere;
Article 9A (6) & (7) - required the presentation of a report to the States Assembly on an annual basis in the first quarter with comments from the Committee about the policies it has been using to make decisions. In the same report the Minister would respond to those comments.

The Committee noted the details of the existing agreement between the Chief Officer and the Planning Committee – as set out in appendix one - and endorsed the approach adopted. The Committee’s attention was also drawn to a Code of Conduct for members of the Planning Committee, as set out in appendix 2, and members agreed

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to adhere to the same. Finally, the Committee agreed to contribute to the formulation of an annual report to the States Assembly by reviewing the application of policies at Committee meetings during its term of office.

St. Aubin's
Bay
promenade, La
Route de la
Haule, St.
Brelade:
proposed
installation of
railings to sea
wall at La
Haule.

A6. The Committee, with reference to Minute No. A5 of 14th January 2021, of the Committee as previously constituted, considered a report in connexion with an application which sought approval for the installation of railings to the sea wall on the promenade at La Haule, St. Aubin's Bay promenade, La Route de la Haule, St. Brelade. The Committee had visited the application site on 12th January 2021.

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 reasons for refusal, the application was re-presented.

P/2020/0177

The Committee confirmed its decision to refuse permission on the grounds that the proposed railings would restrict uninterrupted views over St. Aubin's Bay and the settlement of St. Aubin. This would have an unreasonable impact on the character of the coast and countryside, thereby failing to satisfy the criteria of Policies SP4 and GD1, and would harm the landscape character of the area, contrary to the requirements of Policy NE 7 of the 2011 Island Plan. Furthermore, the proposed railings would fail to preserve or enhance the setting of the Anti-Tank Wall and La Haule Slipway, both of which were Grade 2 Listed structures, thereby failing to satisfy the requirements of Policy HE1.

Jersey Gas site,
Tunnell Street,
St. Helier:
proposed
redevelopment.

A7. The Committee, with reference to Minute No. A3 of 14th January 2021, of the Committee as previously constituted, considered a report in connexion with a revised plans application in relation to the outline approval for the demolition of the existing gas works, office, showroom and staff accommodation in Tunnell Street, St. Helier and their replacement with a new residential development comprising 122 apartments with underground car parking and landscaping and a public open space with an underground public car park. This scheme proposed a total of 314 car parking spaces as compared to 272 spaces in the approved scheme. The Committee had visited the site on 12th January 2021.

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 reasons for refusal, the application was re-presented.

The Committee confirmed its decision to refuse permission on the grounds that the proposed works to facilitate the creation of car parking would have a significant impact on archaeological remains and would not preserve or enhance the special interest of the Grade 1 Listed Place known as L'Avenue et Dolmen du Pre des Lumieres. The proposal was, therefore, contrary to Policies SP4, HE1 and HE5 of the 2011 Island Plan.

It was noted that whilst Deputy R.E. Huelin of St. Peter had not been present when the above application had been determined, he confirmed that he was satisfied that the reasons for refusal accurately reflected the Committee's position.

No. 31 Le Clos
St. Sampson,
La Route des
Quennevais,
St. Brelade:

A8. The Committee considered a report in connexion with an application which sought approval for the construction of a 2 storey extension at No. 31 Le Clos St. Sampson, La Route des Quennevais, St. Brelade. The Committee had visited the application site on 23rd February 2021.

proposed
extension.

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

P/2020/0778

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies GD1, 7, BE6 and H6 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the application sought permission for the extension of a dwelling in the Built-up Area. The proposed extension would accommodate a kitchen/living room on the ground floor and a fifth bedroom with en-suite bathroom on the first floor. The existing kitchen and dining area would be converted to a room described on the floor plans as a “cinema room”. The application was an identical re-submission of an earlier scheme (2007), for which the permit had lapsed.

The proposed extension would project 5.3 metres from the south elevation of the property and would be 8.6 metres wide at ground floor level and 5.3 metres wide at first floor level. The extension would have a hipped roof which replicated that of the main building in its shape and design. The roof ridge would be 1.25 metres lower than that of the main building, making the extension visually subservient. The ground floor of the extension had a wider footprint than the first floor, and this would be covered by a flat roof with a roof lantern. Save for one small first floor window (which would be obscure glazed), there would be no windows or doors on the east elevation of the extension. Whilst this might give this elevation a somewhat bland appearance, it would avoid any overlooking to the neighbouring garden to the east.

The proposed extension would bring the building closer to the southern site boundary. The neighbouring properties to the south would be approximately 16 - 20 metres from the south elevation of the proposed extension. The gardens of these properties were closer, but were currently separated from the application site by a 1.5 metre high close boarded timber fence. The main garden of the property was on the west side of the building and the proposed extension would not extend any closer to the western site boundary than the existing building. The proposed development was, therefore, not considered to unreasonably harm the amenities of nearby neighbours. In order to avoid a loss of privacy to the garden of neighbouring properties to the south and east, the previous permission (P/2007/3003) had been subject to conditions requiring that the flat roof element of the extension must not be used as a balcony or sun terrace; that the first floor window in the east elevation be fitted with obscure glazing and that no other window or door openings be inserted in the southern and eastern elevations, other than those shown on the approved plans. It was considered prudent that any permit for the current proposal should also be subject to the same conditions.

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

5 representations had been received in connexion with the application and the Committee had received copies of the same. The case officer also summarised the nature of the concerns which had been raised.

The Committee unanimously approved the application, subject to the imposition of certain conditions detailed within the officer report. In doing so Deputy S. G. Luce of St. Martin commented that he felt that it was unlikely that an existing cherry tree would survive.

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Field No. 642,
La Fosse
Tauraude, St.
Ouen:
construction of
stables and
tack room
(RETRO-
SPECTIVE)
(RFR).

P/2020/0902

A9. The Committee considered a report in connexion with a request for the reconsideration of a retrospective application which had been refused by the Department under delegated powers and which sought approval for construction of stables and a tack room to the south west of Field No. 642, La Fosse Tauraude, St. Ouen. The Committee had visited the application site on 23rd February 2021.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies NE7, SP1, ERE1, GD7 and GD1 of the 2011 Island Plan was of particular relevance.

The Committee was advised that the above application had been refused on the grounds that the stables and tack room were not incidental to any authorised primary use of the land, and their retention would serve to support an unauthorised use of the field. The scheme did not satisfy the criteria set out in the exceptions listed in Policy NE7. Consequently, the proposal failed to satisfy the policy test. In addition, the retention of the buildings would result in the loss of agricultural land and there was no justification for the use of the buildings in this location. Whilst the loss of agricultural land would be limited, it would nevertheless be unjustified and contrary to Policy ERE1. Finally, the retention of the stables would lead to an intensification in the use of the site access off La Rue de la Mare, which had substandard visibility. No access dimensions or visibility splays had been submitted so the application failed to demonstrate to the satisfaction of the Department that a satisfactory means of access could be provided. Consequently, the application failed to meet the requirements of Policy GD1(5).

It was recommended that the Committee maintain the decision to refuse permission on the above grounds. The Committee's attention was drawn to the comments of the Land Controls and Agricultural Development Section, who advised that the field had been sold to the applicant in 2003 with full agricultural restrictions, and that at the time of the sale it was a good field with good access. Records indicated that the field had been used for the growing of potatoes until 2009/2010 and then for the growing of grass/hay until 2017. Permission had not been granted for the equine use and the Department's position regarding the unauthorised principal use of the field and the requirements of Policy NE7 remained unchanged.

The Committee heard from the applicant, Mr. I. Benest and his agent, Mr. S. Osmand who advised that the field access was not suitable for large modern agricultural machinery. There was evidence that the previous tenant had relinquished the land for these reasons. However, a change of use was not proposed and it was intended that the field would be leased to a bonafide agriculturalist. There would be no intensification in the use of the site access as the stables were owned and used by the applicant, who lived next door to the field and stables. It was noted that the applicant had been unaware of the need to obtain planning permission for the construction of the stables. Mr. Osmand assured the Committee that there was no intention of seeking consent in the future for a dwelling on the site of the stables. The applicant considered the decision to refuse permission to be unfair, having regard to the constraints of the field and the number of stables that had been approved in similar circumstances.

Deputy R.E. Huelin of St. Peter advised that he had understood that the authorised primary use of the land was relevant and that the stables and tack room were not incidental to any authorised use and their retention would serve to support an unauthorised use of the field. The case officer confirmed that this was correct and the Director, Development Control advised that the use was controlled by agricultural legislation.

Having considered the application, the Committee endorsed the officer recommendation to refuse permission for the reasons set out above.

Purbeck Lodge, Park Estate, St. Brelade: proposed demolition and redevelopment.

A10. The Committee considered a report in connexion with an application which sought approval for the demolition and redevelopment of the property known as Purbeck Lodge, Park Estate, St. Brelade. The Committee had visited the application site on 23rd February 2021.

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

P/2020/0838

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Green Backdrop Zone and that Policies SP1 and 7, GD1, 7, BE3, NE2, H6, LWM2 and LWM3 of the 2011 Island Plan were of particular relevance.

The Committee was advised that Purbeck Lodge was a detached, one and a half storey dormer bungalow, located within the Park Estate. The property was understood to have been constructed in the mid to late 1960s, and was unremarkable in character.

The site formed part of the Green Backdrop Zone to St. Brelade's Bay and the application site was substantial and sat on the edge of an escarpment, which enjoyed views of the Bay. Other properties within the vicinity of the site were of similar age and scale.

The application proposed the comprehensive redevelopment of the site, involving the demolition and replacement of the existing dwelling on broadly the same footprint. Owing to its age and condition, the demolition of the existing dwelling was considered to be justified. The proposed new dwelling included a principal 2 storey flat roofed building with single-storey extensions alongside. It would be 710 millimetres higher than the existing building ridge line and the overall floor area would increase by around 61 per cent. A contemporary architectural design approach was proposed which incorporated a simple palette of materials (including white stone cladding and painted white render, with bronze-coloured aluminium fenestration). The base level of the building and the garden walls were to be formed in Jersey granite. In the Department's view, the architectural design was of a high quality and would enhance the site, which could comfortably accommodate the structure without causing harm to the character of the area, or having an adverse impact on the wider landscape character (having regard to the site's location within the Green Backdrop Zone).

Concerns raised by nearby residents had been noted. Taking into account the scale of the development and the distances between the properties concerned, the Department did not consider the relationship between the new dwelling and neighbouring properties to be unreasonable and the proposal would not cause unreasonable harm to neighbouring amenities. On this basis, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 9 letters of representation had been received in connexion with the application. Members had received a late representation after the publication of the agenda.

The Committee heard from Mr. P. Darley, who advised that he had submitted a written representation. Mr. Darley was concerned about the potential for noise from

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the large 20 metre swimming pool and the associated pump, which would be located on the boundary with the property known as Highcliffe. Mr. Darley suggested that the pump could be located on the other site of the application site. To illustrate the size of the pool, he advised that the swimming pool at Les Quennevais measured 25 metres. Mr. Darley also pointed out that the removal of trees on the eastern boundary would result in a loss of privacy and would have a detrimental impact on the Green Backdrop Zone. He asked for these trees to be retained.

The Committee heard from Ms. K. Edge and Mrs. G. Ellis. Ms. Edge advised that she had submitted a written representation. Whilst she accepted the need for redevelopment, she objected to the increase in the size of the proposed dwelling and the fact that it would be positioned further forward and to the east. Ms. Edge had submitted a photo montage of Highcliffe, which was Mrs. Ellis' house, with a 'mock-up' of the proposed new building in an attempt to illustrate the impact of the proposed development on Highcliffe. She believed that the extension [REDACTED] would be overbearing. She also concurred with Mr. Darley's comments regarding the swimming pool pump. In concluding, she stated that there were other ways to develop this site with a lesser impact.

Mrs. Ellis had no objection to the redevelopment of the site, but was extremely concerned about the size of the proposed development and the extensive use of glass, all of which she believed would adversely affect [REDACTED] privacy. She, too, had submitted her concerns in writing. The raising of the garden area would have a wide-ranging impact and she was opposed to the removal of trees. Mrs. Ellis concluded by repeating concerns regarding noise from the swimming pool pump.

Mr. M. Ellis addressed the Committee, echoing concerns regarding the size of the property, its position on the site and the large windows, all of which would have an impact on [REDACTED] privacy. Mr. Ellis believed that the proposed development would be visible from the eastern side of St. Brelade's Bay. Mr. Ellis made reference to agreements made between property owners to remove trees to take advantage of views over the Bay.

The Committee heard from Mrs. S. Steedman, representing the owners of the property known as Tramonto. Mrs. Steedman advised that her clients were concerned about loss of outlook and this was illustrated by images which showed the estimated view change. Purbeck Lodge was situated in front of Tramonto and the proposed development would result in an increase in mass and height. Policy GD7.1 protected outlook. Concern was also expressed about the implications of construction work and waste generation and Mrs. Steedman referenced Policy GD1.1(a), which required the repair or refurbishment of properties where possible. She did not believe that the case had been made for demolition as there was no economic assessment. In recent appeal cases concerning properties known as Ville à l'Eveque and Morningside, specific tests had been set out in the Royal Court judgements and these tests had not been met in this case.

The Committee heard from the applicant, Ms. S. Kampe, his architect, Mr. N. Socrates and Mr. J. Nicholson of MS Planning. Mr. Kampe advised that he had listened to the concerns expressed and understood the anxieties around the construction work. However, he believed that it was only a matter of time before other sites in the vicinity were redeveloped. He advised that he had fallen in love with the Island after visiting for many years. However, it had been difficult to find the right house. Purbeck Lodge presented the applicants with an exciting opportunity to construct an eco-friendly house. He concluded by stating that he had sought to consult with all neighbours, with the exception of the owner of Highcliffe, due to Covid restrictions.

Mr. Socrates advised that positive pre-application advice had been received and, on the strength of the same, the applicant had purchased Purbeck Lodge. The applicant had appointed a landscape architect and the design was informed by the landscaping proposals. There had been good feedback from neighbours and the scheme had been altered to address certain issues. This had included the omission of windows and the re-positioning of the building on the site to improve relationships. The 2 storey element of the scheme would be roughly on the same footprint and the proposed development would not impede existing views. The application site was on lower ground than its northern neighbours. The scheme provided sufficient space between boundaries and a planted buffer was proposed. Mr. Socrates alleged that the images presented by the southern neighbour (Highcliffe) were inaccurate and sensationalised. He also pointed out that planting on the submitted application drawings was indicative. He concluded by advising that asbestos was evident throughout the ground floor slab of the building and demolition was, therefore, necessary.

Mr. Nicholson described Purbeck Lodge as 'a tired 4 bedroom dwelling'. The submitted reports detailed the asbestos issue and made the case for demolition. Mr. Nicholson stated that the scheme complied with Policies GD1.1(a) and GD3. The application site was situated in the Built-Up Area and presented a 'spatially appropriate' location for new development. A high quality design approach had been adopted and the proposed dwelling would be constructed on the existing footprint (moved slightly south) with a maximum height increase of 70 centimetres. The new height was still very much lower than that of neighbouring properties and the dwelling would sit comfortably within this well sized plot with substantial landscaping. The scheme retained space around the building and the open aspect of neighbouring properties was maintained. There would be no unreasonable loss of privacy or overbearing impact. The scheme would enhance the Green Backdrop Zone with complimentary planting and the removal of tarmacked areas. Additional trees would be planted and a pond installed. The scheme was supported by the Natural Environment Section.

The Committee discussed the application and Deputy R.E. Huelin of St. Peter sought assurances that every effort had been made to protect the privacy of the property known as Highcliffe. The case officer advised that the driveway to Highcliffe was on the northern site and any views would be over that area. The Director, Development Control reminded the Committee that the application site was located in the Built-Up Area and the threshold for the protection of neighbouring amenity under Policy GD1 was one of unreasonable harm. The Department had assessed the application and did not believe that the scheme would result in unreasonable harm. In response to a further question from Deputy Huelin regarding the swimming pool pump, Mr. Socrates advised that for every metre away from the pump, there was a 10 decibel decrease in sound. He therefore did not believe that noise from the pump would be an issue.

Having considered the application, the Committee endorsed the officer recommendation to grant permission, subject to the imposition of certain conditions detailed within the officer report.

Oaklands, Le
Chemin des
Maltieres,
Grouville:
proposed
demolition and

A11. The Committee considered a report in connexion with an application which sought approval for the demolition and redevelopment of the property known as Oaklands, Le Chemin des Maltieres, Grouville. The Committee had visited the application site on 23rd February 2021.

A site plan and drawings were displayed. The Committee noted that the application

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redevelopment.

P/2020/0681

site was situated in the Green Zone and was on the Eastern Cycle Route Corridor. Policies GD1, GD7 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee was advised that Oaklands was a detached, 2-storey dwelling located at the southern end of a row of dwellings on the north-west side of Le Chemin des Maltieres in Grouville. The existing dwelling was a fairly unremarkable 1970s dwelling positioned towards the rear of the site and built up against a wooded hillside. A Building Condition Report, commissioned by the applicants and undertaken by a chartered surveyor, had identified a number of structural problems with regard to the existing building - these included significant rising and penetrating damp, subsidence and cracking (in part, as a result of the house being built into the bank). In the surveyor's view, the property should be demolished and replaced.

The application under consideration proposed the demolition and replacement of the existing dwelling with a new 4 bedroom dwelling. In principle, this was permitted under the provisions of the Green Zone Policy. The applicants had previously submitted and withdrawn an application in 2019, for the redevelopment of the site owing to the Department's concerns in relation to the design, landscape and neighbour impact of the proposed dwelling. However, the Department had indicated that it believed that the case had been made for demolition and replacement. Accordingly, the applicants had submitted a re-designed scheme, which sought to address the concerns identified. As with the existing dwelling, the new property would be a 4 bedroom family home, providing a similar level of accommodation overall. Architecturally, the new dwelling had been designed in a style reminiscent of early twentieth-century dwellings (including influences from the Arts and Crafts movement). In the view of the Department, the proposal represented a marked improvement when compared with the existing rather dated and unremarkable dwelling. The repositioned building footprint broadly aligned with the general building line of properties along Chemin des Maltieres and the overall landscape impact was similar to that of the existing dwelling. The new building would be approximately 7.5 metres away (gable to gable) from its immediate neighbour, Maison Les Maltieres, and approximately 1.9 metres further forward. It was not considered that this relationship would cause unreasonable harm to the amenity of this neighbour. The objections from nearby residents were noted. However, in the Department's view, the scheme was acceptable and the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 7 letters of representation had been received in connexion with the application.

The Committee heard from Mr. M Harrison, who expressed considerable disappointment at the recommendation for approval. He felt that the scheme would result in unreasonable harm to neighbours and a loss of light. A first floor balcony would be extended and a Willow tree lost to facilitate this. He believed that the scheme would result in a 60 per cent increase in habitable space and stated that the property had been a 3 bedroom house. When it had been extended his agreement had been sought because of the distance to the boundary. Mr. Harrison was adamant that there had been no fourth bedroom and he alleged that the applicants had 'brought in a bed' when the application had been made. He was curious to know how the property was classified under the Parish rates system. [REDACTED]

The Committee heard from Mr. J. Nicholson of M.S. Planning, who represented Mr. Harrison. Mr. Nicholson argued that the case for demolition was overly simplistic and the report brief. It did not, in his view, pass the policy test or comply with previous Royal Court case rulings, which had led the Minister to confirm prescriptive guidance. No cost analysis had been provided and in Mr. Nicholson's professional opinion, the scheme did not comply with Policy GD1.1(a). This was a Green Zone site and the relevant tests applied. In terms of increased occupancy, there would be a 63 per cent increase in habitable floor space. Turning to environmental gains, no information had been submitted to demonstrate the same. The proposed dwelling would be larger and more visually prominent with its only landscape feature being a mature Willow tree, which was to be being removed. Therefore, the application failed the Green Zone Policy test. Furthermore, it appeared that the property was being moved away from the bank to facilitate the creation of additional car parking, which did not align with sustainable travel initiatives. The first floor balcony failed to accord with Policy GD1.1(a) and the scheme was contrary to Policies NE7 and SP6. Mr. Nicholson concluded by stating that the proposed development was 'rude to the neighbouring house' and whilst the design might be pleasing, this did not override the Policy issues. Therefore, the Committee should refuse the application.

The case officer advised that the Green Zone Policy test did not relate to a percentage figure. The existing house was a 4 bedroom property and whilst it might have been a 3 bedroom house in the past, planning permission was not required to convert part of the integral garage to create a fourth bedroom. The application provided a similar level of accommodation with a larger floor area, but would not result in significant increase in occupancy. Therefore, the policy test was met.

Mr. Nicholson interjected asking the case officer to brief the Committee on a Royal Court case pertaining to a property known as Windermere. The case officer advised that he was not familiar with this case and asked the Committee to assess the application on its own merits.

The Committee heard from the applicant's architect, Mr. M. Bravery. Mr. Bravery advised that the applicant understood the resistance to the proposed new development, but it was believed that the relationship between the 2 properties was entirely reasonable, as confirmed by the recommendation for approval. Mr. Bravery stated that if it was judged that 2 side-by-side, well-spaced houses was unreasonable, this would set a most onerous precedent for future development in the Island. The scheme would not result in a significant increase in occupancy and the footprint would be just 11 per cent larger than the existing one. The scale and impact had been reduced by lowering roof levels and the use of sympathetic materials (members were referred to the submitted drawings, which Mr. Bravery advised illustrated the success of the approach adopted). In terms of the re-positioning of the house, it was noted that, with the exception of Oaklands, all of the houses on Chemin des Maltieres were set away from the bank and this had caused problems. The bank contained large trees which overhung the house so it was considered reasonable to site the new house away from bank, roughly in line with neighbours. This had the added benefit of facilitating car parking at the rear and providing a safer access. The proposed new dwelling would be of a high quality and would enhance the area. The Department believed that the case for demolition had been made and Mr. Bravery referenced comments made by a Departmental officer in relation to Policy GD1.1(a) during a recent planning appeal hearing, when it had been indicated that this was one line of one paragraph of the entire Policy. Mr. Bravery argued that the Policy contained 'a light presumption' which must be considered in the context of all other Island Plan Policies and should not be interpreted as a moratorium on demolition. The existing

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dwelling was very inefficient/poorly insulated and the proposed new dwelling would be energy efficient and sustainable. The property suffered from rising damp, subsidence and penetrating damp through the retaining walls abutting the steep hillside. It was unreasonable to ask the applicant to spend vast sums of money on rectifying a bland house built at a time when Mr. Bravery believed that the quality of construction in the Island had been at an all-time low.

Having considered the application, the Committee endorsed the officer recommendation to grant permission, subject to the imposition of certain conditions detailed within the officer report.

Mount Martin,
Old St. John's
Road, St.
Helier:
proposed
refurbishment
and extension.

A12. The Committee, with reference to Minute No. A5 of 19th September 2019, of the Committee as previously constituted, considered a report in connexion with an application which sought permission for the demolition of the property known as Mount Martin, Old St. John's Road, St Helier and its replacement with 2 x 3 bedroom dwellings with associated car parking and landscaping. The change of use of a section of Field No. 1550 was also proposed to facilitate the creation of a new access on to Westmount Road. The Committee had visited the site on 23rd February 2021.

P/2020/0611

Deputies R.E. Huelin of St. Peter and M.R. Le Hegarat 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 in the Built-Up Area and the Green Zone and included land designated as Protected Open Space. Policies SP1, SP4, SP7, GD1, GD7, NE1, NE2, NE7, HE1, HE5, H6, SCO4 of the 2011 Island Plan were relevant.

The Committee noted that Mount Martin was a detached 2 storey dwelling, with associated outbuildings, located to the immediate south of Mont à l'Abbé Cemetery. The site was accessed via an entrance from Old St. John's Road and the applicants also owned a field to the south. The applicant proposed to demolish the existing dwelling and outbuildings and construct a pair of detached dwellings. It was proposed to extinguish the existing access from Old St. John's Road and replace it with a new access from Westmount Road. Owing to the structural condition of the existing dwelling, the principle of its demolition and replacement were considered to be acceptable. Also, in purely architectural terms, the scheme was considered to be acceptable. However, the Department remained concerned with the overall scale and landscape impact of the new development.

The Committee was advised that the site of the existing dwelling formed part of the of Built-Up Area. However, in addition to this, it was also zoned as Protected Open Space (POS). This POS designation added an additional layer of protection against development, as set out within Island Plan Policy SCO4, and any increase in built form was likely to be problematic. Moreover, the new development would extend beyond the Built-Up Area/POS boundary into the Green Zone. Indeed, a significant proportion of the eastern-most unit, including its garden area, would be in the Green Zone on what was currently agricultural land.

It was also considered that the development would negatively affect the setting of the adjoining cemetery (a Grade 2 Listed Place) by obscuring public views to and from its southern boundary. The relocation of the vehicle access would involve the loss of a strip of agricultural land along the northern boundary of the site (albeit this would be offset to a degree by the removal of the existing access). Both Old St. John's Road and Westmount Road were administered by the Parish of St. Helier and support from that authority had been expressed for the application on the grounds of

highway safety and improved visibility. Therefore, on balance, the Department did not object to this aspect of the proposal, but was unable to support the application for the reasons set out above. Consequently, the Committee was being recommended to refuse permission on the grounds that it was contrary to Policies SCO4, NE7, SP4 and HE1 of the 2011 Island Plan.

It was recalled that a previous application for the redevelopment of the site had been refused on the grounds that it was contrary to Policies SCO4, NE7, SP4 and HE1 of the 2011 Island Plan.

A total of 13 letters of representation had been received in connexion with the application – 6 of which were letters of support.

The Committee heard from Mr. N. Socrates, representing the applicant. He advised that this was a much reduced scheme which proposed 2 well designed houses in place of 2 dilapidated buildings on a site within the Built-Up Area. There was a 'small overlap' into the Green Zone but it was highlighted that the scheme proposed the removal of a dilapidated building in the middle of the field. The Land Controls and Environment Development Section had not objected to the application. The Parish of St. Helier was satisfied with the proposed new entrance and supported the formation of a new footpath on Old St. John's road. In terms of the archaeological value of the site, a 'watching brief' would be adopted if permission was granted. The Historic Environment Section had raised no objections in relation to the setting of the cemetery. Mr. Socrates stated that the planning assessment was based on the existing POS zoning and the Island Plan Strategy Team had stated that this zoning had arisen as a result of the erroneous definition of land outside of the cemetery (this had been confirmed in writing and Mr. Socrates apprised the Committee of the details of the written comment). It was noted that the Listing Schedule associated with the cemetery did not include any part of the application site. It was recognised that the entire field had been earmarked for buildings and car parks associated with the future hospital project, but it was stressed that the application had been made prior to the shortlisting of the Overdale site.

It was noted that the applicant had wished to address the Committee, but had been unable to do so due to technical problems.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, Chairman, expressed support for the application on the basis that the positives of the scheme outweighed the negatives in this particular case. Having recognised that its decision was contrary to the officer recommendation for refusal, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any conditions which were to be attached to the permit. It was confirmed that a series of pre-commencement conditions would be prepared to address a requirement for further information from the Natural Environment Section and a desk based archaeological assessment.

At this juncture, the Committee was advised of unsuccessful attempts by Mr. N. Aubin to join the virtual meeting.

Thorpe
Cottage,
Westmount
Road, St.
Helier:
proposed new

A13. The Committee, with reference to Minute No. A10 of 11th July 2019, of the Committee as previously constituted, considered a report in connexion with an application which proposed the construction of a one bedroom dwelling with associated parking and landscaping on an area of land to the south of the property known as Thorpe Cottage, Westmount Road, St. Helier. The Committee had visited the application site on 23rd February 2021.

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dwellings.
477/5/1(654)

P/2019/0354

Deputies R.E. Huelin of St. Peter and M.R. Le Hegarat 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 in the Built-Up Area and the Green Backdrop Zone. Policies SP1, SP7, GD1, 3 and 7, BE3, NE2, HE1, H6 and WM1 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the application sought consent for the construction of a dwelling to the south of Thorpe Cottage, a Grade 3 Listed Building. It was recognised that the site was within the Built-Up Area. However, at present, it formed a valuable green 'buffer strip' (part of the Green Backdrop Zone) which separated the historic Listed Building from the Overdale site. The loss of this space would be regrettable and at odds with policy BE3. The site was also narrow and the new dwelling was to be constructed from the north to south boundary, filling the site width, leading to a cramped form of development. The lack of available space was evident from the small rear garden which, at approximately 40 square metres was below the Department's required minimum standard of 50 square metres. The front parking area was also constrained and could potentially come under pressure for use as additional amenity space in future. This area could not be deemed private amenity space, as required by policy. Concerns also existed with regard to the relationship with Overdale Hospital and the William Knott Day Care Centre and the impact on the amenities of both users of that facility and the future occupants of the proposed new dwelling.

In pure architectural terms, this was a simple, low-key designed dwelling which did not compete architecturally in terms of design, scale and massing with the host dwelling. Finally, the submitted plans indicated a sub-standard layout for on-site car parking and manoeuvring and there was insufficient off-side visibility.

Overall, the Department had concerns regarding the appropriateness of using this piece of land for new housing and was recommending that the Committee refuse permission on the grounds that the application was contrary to Policies BE3, GD1 and H6 of the 2011 Island Plan.

It was recalled that 2 previous applications for the development of the site had been refused.

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

The Committee received Ms. T. Ingle, Principal Historic Environment Officer, who discussed the impact of the proposed development on Thorpe Cottage. It was noted that the Listing Schedule included the cottage range to the west, the garden to the east and the surrounding granite walls. The existence of another Listed Building to the east was also noted and this formed part of the wider setting of Thorpe Cottage. Ms. Ingle advised that it was undeniable that the historic setting of the cottage had been damaged by the construction of Overdale Hospital. There was an argument to suggest that the proposed development might offer a buffer and, on balance and because the scheme had been redesigned to remove the worst elements of protrusion, it was felt that the setting would not be detrimentally impacted, predicated on the retention of the garden walls.

The Committee heard from the applicant's architect, Mr. N. Socrates, who advised that all of the concerns previously expressed by the Historic Environment Section had been addressed and a waste management plan submitted. A Structural Engineer

had prepared a method statement to demonstrate that the proposed development would not affect the existing garden walls and Nurture Ecology had shown that the southern verge was not of interest. Mr. Socrates contended that the proposed development would enhance the setting of the Listed Building and would create a farmstead type group. It would also shield the site from Overdale Hospital. It was recognised that the site had been earmarked for compulsory purchase to facilitate the future hospital project, but it was stressed that the application had been made prior to the shortlisting of the Overdale site.

It was noted that the applicant had wished to address the Committee, but had been unable to do so due to technical problems.

Having considered the application, the Committee endorsed the officer recommendation to refuse permission for the reasons set out above.

Field No. 934,
La Rue des
Cateaux,
Trinity:
proposed
removal of
condition
No. 3.

A14. The Committee, with reference to Minute No. A13 of 29th May 2014, of the former Planning Applications Panel, considered a report in connexion with an application which proposed the variation of condition No. 3, which had been attached to the permit in respect of the use of Field No. 934, La Rue des Cateaux, Trinity by Jonathan Le Maistre Tree Surgery Limited. The Committee had visited the application site on 23rd February 2021.

Connétable P.B. Le Sueur of Trinity, Chairman did not participate in the determination of this application. Deputy S. G. Luce of St. Martin acted as Chairman for the duration of this item.

RC/2020/0767

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policy GD1 of the 2011 Island Plan was of particular relevance.

The Committee noted that the application proposed the variation of condition No. 3 to permit the use of chainsaws in a specific area referred to as 'equipment location 2' on the submitted documentation. Permission had been granted in 2010, for the use of the field for the processing of logs in conjunction with the applicant's tree surgery business. This permit had been granted based on the assumption that no power tools were to be used on site, as this would be detrimental to the residential amenity enjoyed by nearby neighbouring properties.

The Committee noted the planning history of the site, to include a previous refusal for the variation of the condition. This application had been refused on the grounds that the use of power tools would have an adverse and harmful impact on the residential amenity of neighbouring properties.

The current application had been amended throughout its life, from the original request to remove the condition altogether, to the current proposal to vary the condition in order to use power tools in a specific location on site. Despite these changes, the data submitted with the applicant's noise impact statement suggested that the proposal would result in serious adverse impact upon the residential amenity of neighbouring properties. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policy GD1 of the 2011 Island Plan.

6 letters of support and 4 letters of objection had been received in connexion with the application. The Environmental Health Department objected to the application on the basis that the submitted noise report identified noise levels which would exceed the recommended limits.

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The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that Les Cateaux (Le Chastel Sédement) was an extensive earthwork monument, which lay to the north of the site, and was of great archaeological potential. The site was an important early medieval defence which was of special interest to the heritage of Jersey. Whilst the Historic Environment Section had initially believed that the application would have no impact on the heritage interest, it had subsequently learned of ground works and unauthorised works carried out to facilitate the application. These works had been undertaken without archaeological consent or oversight and represented a lost opportunity. Consequently, the Historic Environment Section objected to the application.

In connexion with the above comments in relation to unauthorised works, the Director, Development Control advised that the installation of an electricity sub-station did not form part of the application and was being addressed separately with the applicant.

The Committee heard from Mr. R. Phelps, [REDACTED]. Mr. Phelps objected to the application and supported the recommendation for refusal. He stated that the noise impact statement suggested that the proposal would result in a serious adverse impact upon the residential amenity of neighbouring properties. Furthermore, the height of the stock pile of wood chippings had exceeded the permitted amount on the day the analysis had been carried out; Mr. Phelps suggested that the physical dimensions of the mulch pile should have been surveyed. He added that these stock piles were subject to removal at any time and could not be used to satisfy any condition pertaining to sound mitigation. [REDACTED]

The Committee heard from Ms. F. De Gruchy of Aura (Sound and Air) Limited, who clarified that whilst the noise impact assessment noted that noise levels would exceed the limit of minus 5 decibels, given the intermittent and irregular nature of noise sources, it would not have a significant impact.

The Committee heard from Mrs. S. Steedman, representing the applicant, who advised that the applicant had operated from the site for many years and she described it as a 'rural business in the countryside'. The existing permit allowed for logs to be split on site by a hydraulic splitter, which generated noise. There was no intention of breaking earth as part of the proposal. It was noted that the applicant had previously cut logs on site in consultation with their residential neighbours. They had asked for permission to do more cutting during the pandemic and had been advised to submit an application. Mrs. Steedman referred the Committee to Policy SP5, which she believed supported the existing business operation. Jersey Business also supported the operation and Mrs. Steedman highlighted the value of the business to the Island economy. She informed the Committee that the applicant had been unable to cut logs since the summer of 2020 and had been importing logs, which was not sustainable in the longer term. A noise impact assessment had been carried out and, subject to certain measures the application could be approved (it was proposed that the applicant would cut logs with chain saws 30 days per year - 4 days per calendar month, between 9 am and 6 pm on weekdays on an area south of a woodchip bund). Mrs. Steedman advised that the woodchip would be in place permanently and the applicant would be required to keep a record of activity for review. She turned her attention to Policy GD1.3 and the test of unreasonable harm and stated that this test could be satisfied with the proposed measures in place.

In response to questions from Deputy R.E. Huelin of St. Peter in relation to the

testing methodology, Ms. De Gruchy advised that she had visited the site on 3 occasions and had taken noise measurements on 2 occasions. Noise levels varied based on climate conditions and measurements had been taken at the boundary of nearest affected receptor. The applicant had been asked to cut logs in 2 different locations and measurements had been taken at source and at the nearest sensitive receptor. She confirmed that at the northern end of the field in a no wind situation the measurement taken was plus 23 decibels over the background noise rating. The noise would not, however, be constant and would be assessed over an hour. Behind the bund, the noise rating had been plus 13 decibels. It was confirmed that a petrol chain saw had been used and that this type of machinery would be used going forward.

In response to Ms. De Gruchy's comments, Deputy K.F. Morel of St. Lawrence asked how the Committee could be assured of the objectivity of the testing methodology, given that Aura had been appointed by the applicant. Ms. De Gruchy stated that as a professional she was not in the business of 'trying making things work' for clients. This was not a black and white assessment - other factors had to be taken into consideration, such as the duration of the noise, the number of annual occurrences and what already occurred on site – the noise from the hydraulic splitter was not lower than that of the chain saw and the former could be operated every day under the existing permit. Ms. De Gruchy asked how it could be perceived that operating the splitter was any different from using a chain saw. However, Deputy Morel advised that the Committee had received demonstrations of both a chain saw and a log splitter in action in connexion with another application and he believed there was a difference in noise levels. He added he was not in any way seeking to impugn the impartiality of the advice being provided.

In response to a further question from Deputy Huelin in which he asked for an example of machinery with an equivalent sound level, Ms. De Gruchy stated that she had not undertaken such an exercise whilst on site. However, she noted that the hydraulic splitter was run off a tractor and this level of noise was offered as a comparison.

Mrs. Steedman emphasised that the woodchip bund was a permanent feature which was used for storage by the business. Deputy Morel questioned whether such a permanent fixture required planning permission and the case officer confirmed that this was correct. The Director, Development Control reminded the Committee that the application under consideration merely sought to vary a condition of the permit and the Committee could not require the provision or retention of additional development as part of the application. However, Mrs. Steedman believed that the terms of the 2010 planning consent incorporated the bund. The case officer expressed the view that the bund on the approved drawings was not in the same location, but advised that he did not have the relevant drawings to hand. Mrs. Steedman advised that she had discussed the possibility of putting a more permanent structure on the site for noise attenuation purposes, but had been advised that there was not enough space to do so. The bund was maintained as part of the business operation. In response to a further question from Deputy Huelin, the applicant advised the woodchip was stored in wind rows – the mulch could not be sold until it had 'broken down'. As soon as 2 wind rows were built up work began on taking one away. This was done on a rotation basis and there was never a point when all of the woodchip was removed. The applicant also had other sites where woodchip was stored and the product was taken from there to the application site. He confirmed that he was willing to comply with condition which required the retention of the woodchip bund. The Director advised that this was not something the Committee could require and that if the applicant was seeking to find a device by which to mitigate noise levels then an application should be submitted on this basis. The

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variation of a condition was not the correct vehicle by which to require additional development and presented the Committee with no other option than to make a binary decision.

Mr. C. Buesnel, also representing the applicant, advised the Committee that his client felt frustrated by the situation as the bund was already on site and he believed it had been permitted under the 2010 permit. The Director reiterated that the Department needed to be able to require it to be there and the application under consideration did not provide a device by which to do that. He added that he had sought to guide the applicant through the correct process.

The Committee concluded that it could not support the application for all of the reasons set out above. Consequently, the application was refused in accordance with the Department’s recommendation. Deputy G.J. Truscott of St. Brelade, Vice Chairman abstained from voting on the basis that he was not in full receipt of all of the facts, having not been present for the entire discussion.

On a related matter, the Director noted that unauthorised works referred to at the outset of the discussion would require resolution and would be addressed with the applicant.

La Chasse transmitter, Le Chemin de l’Eglise, St. Ouen:
proposed removal of microwave dishes/installation of 5G antennas.

A15. The Committee considered a report in connexion with an application which proposed the removal of 4 microwave dishes and their replacement with 3 antennas with 5G capability at La Chasse transmitter, Le Chemin de l’Eglise, St. Ouen. The Committee had visited the application site on 23rd February 2021.

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

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies GD1, NR9 and NR10 of the 2011 Island Plan were of particular relevance.

S/2020/1262

The Committee was advised that the primary considerations for this application were the impact of the proposals upon the visual amenity of the area and concerns over the risk of electromagnetic levels upon the health and safety of the public.

The proposal sought to remove 4 existing large microwave dishes and install 3 x 5G antennas to carry out 5G trials. The application site housed telecommunications facilities and was shared and operated by Airtel, JT and Sure and was in relatively close proximity to residential uses.

With regard to health and safety concerns in relation to electromagnetic emissions produced by the equipment, the combined existing and proposed equipment was estimated to result in levels of up to 2 percent of the recommended limit. In addition, it was noted that the proposal would utilise frequencies already in common use for mobile and broadband technology, as opposed to the new 5G millimetre wave technology. As with all applications for telecommunications equipment, a post-commissioning test was required to confirm the exact electromagnetic levels. If the test indicated the level exceeded the International Commission on Non-Ionizing Radiation Protection (ICNIRP) requirements, then the permission would cease to be valid.

The proposals and the removal of the existing microwave dishes would result in a visual improvement and the electromagnetic emission levels indicated within the documents submitted in support of the application were well within allowable

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

23 representations had been received in connexion with the application.

The Committee heard from Mr. T. Knights, representing JT. Mr. Knights was disappointed that those who had objected were not present as he wished to allay fears. He advised that he was responsible for mobile networks and had considerable experience in design and safety. This application was one of 2 related applications in addition to an existing 5G site at Fort Regent and the proposals would be of great benefit to Jersey. There was a need to continue providing high qual services and 5G was a very misunderstood technology. He explained that 5G operated in 2 frequency bands - normal and higher (called millimetre wave). Whilst the latter had caused concerns it was only deployed in the United States of America where no spare frequency bands were available. The normal frequency band used the same technology as was used by 4G and WIFI so there was nothing new in the type of signal used. Mr. Knights referred to the licencing requirements, which involved testing after 3 months. The JCRA also provided independent testing of mobile sites. Ariels were positioned high up and signal levels degraded rapidly with distance – the latest test results for the Five Oaks and La Chasse sites revealed that La Chasse measured a thousand times less than the allowable standard and Five Oaks 3000 times less. In conclusion, the addition of 5G would make very little difference. There was only one residential property that bordered the mast at Five Oaks and that property was occupied by Mr. Knights.

The Committee heard from Mr. B. Francisco, representing the applicant company. Mr. Francisco advised that approval of the application would result in a visual improvement as the new antennae would be quite insignificant when compared with the existing microwave dishes. There had been no objections on the grounds of visual impact from the Department and no objections from the Environmental Health Department. Approval was recommended, subject to a condition pertaining to the testing regime.

Having considered the application, the Committee endorsed the officer recommendation grant permission, subject to the imposition of certain conditions detailed within the officer report.

Telecomm-
unications
tower on La
Grande Route
de St. Martin,
St. Saviour:
proposed
installation of
5G antennas.
S/2020/1244

A16. The Committee considered a report in connexion with an application which proposed the installation of 3 x antennas with 5G capability on an existing telecommunications tower on La Grande Route de St. Martin, St. Saviour. The Committee had visited the application site on 23rd February 2021.

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

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies GD1, NR9 and NR10 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the primary considerations for this application were the impact of the proposals upon the visual amenity of the area and concerns over the risk of electromagnetic levels upon the health and safety of the public.

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The proposal sought to introduce 3 x 5G antennas on an existing 25 metre high telecommunication tower in order to provide 5G capabilities. The immediate vicinity of the application site housed commercial/employment uses and the Department did not consider that the proposal would have any significant impact upon the visual amenity of the area.

With regard to health and safety concerns in relation to electromagnetic emissions produced by the equipment, the combined existing and proposed equipment was estimated to result in levels of up to 2 percent of the recommended limit. In addition, it was noted that the proposal would utilise frequencies already in common use for mobile and broadband technology, as opposed to the new 5G millimetre wave technology. As with all applications for telecommunications equipment, a post-commissioning test was required to confirm the exact electromagnetic levels. If the test indicated the level exceeded the International Commission on Non-Ionizing Radiation Protection (ICNIRP) requirements, then the permission would cease to be valid.

The proposal was not considered to have an unreasonable visual impact on the locality and the electromagnetic emissions levels indicated on the documents submitted in support of the application were within allowable tolerances. Subject to the imposition of conditions relating to post-commission testing and the grant of a temporary consent (3 months), the impact of the proposal was considered acceptable. It was, therefore, recommended that permission be granted, subject to the implementation of certain conditions detailed within the officer report.

18 representations had been received in connexion with the application.

All comments made by Mr. T. Knights and Mr. B. Franciso in relation to the application in connexion with the installation of 3 antennas with 5G capability at La Chasse transmitter, Le Chemin de l'Eglise, St. Ouen were also relevant in the context of the current application (Minute No. A15 refers).

Having considered the application, the Committee endorsed the officer recommendation to grant permission, subject to the imposition of certain conditions detailed within the officer report.