

KML

PLANNING COMMITTEE

(2nd Meeting)

**(Meeting conducted via video link)**11th March 2021**PART A (Non-Exempt)**

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence and Deputies S.M. Wickenden of St. Helier and R.E. Huelin of St. Peter.

Connétable P.B. Le Sueur of Trinity, Chairman  
 Deputy G.J. Truscott of St. Brelade, Vice Chairman  
 (not present for item Nos. A2 and A11)  
 Deputy K.F. Morel of St. Lawrence  
 (did not participate in the determination of item No. A9)  
 Deputy S. G. Luce of St. Martin  
 (not present for item Nos. A3 and A8)  
 Deputy M.R. Le Hegarat of St. Helier  
 (present for item Nos. A10, A11, A12 and A13 only)  
 Deputy L.B.E. Ash of St. Clement  
 (not present for item No. A10)

In attendance -

P. Le Gresley, Director, Development Control  
 C. Jones, Senior Planner  
 E. Stables, Senior Planner  
 J. Gladwin, Senior Planner  
 S. de Gouveia, Trainee Planner  
 G. Vasselin, Trainee 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.

Jersey Gas site,  
 Tunnell Street,  
 St. Helier:  
 proposed  
 redevelopment.  
 477/5/1(565)

PP/2020/1001

A1. The Committee, with reference to its Minute No. A7 of 10th March 2021, recalled that it had formally confirmed its decision to refuse a revised planning 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. In doing so, it had been noted that whilst Deputy R.E. Huelin of St. Peter had not been present when the above application had originally been determined, he had confirmed that he was satisfied that the reasons for refusal accurately reflected the Committee's position.

The Committee noted that the applicant's planning agent had questioned whether it was appropriate for a member, who had not participated in the original decision making process, to subsequently confirm that the reasons for refusal accurately reflected the Committee's position. Consequently, Deputy K.F. Morel of St. Lawrence, who had participated in the decision making process, confirmed that he

was satisfied that the reasons for refusal accurately reflected the Committee's position.

Hollycroft House, La Rue de Pont Marquet, St. Brelade: proposed conversion of pool and garage to habitable space/construction of extensions/installation of windows/construction of a garage (RFR).

A2. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which proposed the conversion of an existing pool and garage into habitable space and the construction of a first floor extension to the north-east elevation. It was also proposed to construct 2 storey extensions to the south-east and north-west elevations and a new second floor with a terrace. The installation of 2 windows to the north-west elevation and 4 windows to the south-east elevation, the construction of a garage to the west of site, the creation of amenity space to the east and various fenestration alterations were also proposed. 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 Green Zone and that Policies GD1, GD7, BE6, NE7 and NR1 of the 2011 Island Plan were of particular relevance.

P/2020/0934

The Committee was advised that the above application had been refused on the grounds that the design of the proposed extensions and garage would be dominant and intrusive, not appropriate relative to the existing buildings and their context and not in character with the existing area and, therefore, detrimental to the landscape character.

The Committee noted that the proposed extensions, conversion of the existing garage and proposed garage would collectively increase the floor area by a significant amount (43 per cent). The number of bedrooms would increase from five to seven, with various other habitable rooms proposed, such as a gym, office and playroom that could potentially also be used as bedrooms. The number of bathrooms would increase from 3 to 8. This would potentially lead to a significant increase in occupancy, which was contrary to policy.

The application had been refused on the grounds that it was contrary to Policies GD1 and NE7 of the 2011 Island Plan and it was recommended that the Committee maintain refusal.

The Committee heard from the applicant, Mrs. L. Harrison and her agents, Messrs. M. Bridge of Axis Mason and J. Nicholson of MS Planning. Mr. Bridge addressed the Committee, advising that the application proposed the sustainable remodelling of the house in accordance with approved Island Plan Policies. Residents with properties in the Green Zone had a reasonable expectation of improving their properties and there was no moratorium on development in the Green Zone. The current property was a mock Tudor style dwelling with no notable design features and there was a mix of styles of properties in the area, all of which were large in size and footprint. An energy efficient, well-proportioned property, appropriate in its context and not overtly contemporary was proposed. Development would be contained largely within the existing envelope and there would be no increase in the roof height. The removal of the twin gables had the potential to reduce the scale of that particular elevation. The proposed development would not result in an increase in occupancy and the highway authority had referred to it as a very minor intensification. Mr. Knight advised that the neighbouring property had increased by 191 square metres in 2015 under the same policy framework and the relevant Department report had stated that it was proportionate to the main house and

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subservient within the context. Mr. Knight argued that the same applied in respect of Hollycroft. As things stood, the existing house could be used as a 7/8 bedroom home without the need for planning consent. The proposed development would not result in the creation of a separate household and there would be no harm to the landscape character. The front of the house would only be visible through the entrance gates and the rear was not visible from the public realm, would not be any more obtrusive and would not seriously harm the landscape character. A 2 metre wildlife corridor would be created on the southern and eastern boundaries and the existing oil fired heating system would be replaced with an air source heat pump, together with an upgraded drainage system. It was noted that the applicants were willing to make the drainage infrastructure available to neighbours. In conclusion, the scheme complied with the Green Zone Policy.

Mr. Nicholson addressed the Committee, expressing the hope that the Committee had viewed an overlay image submitted with the application. He went on to state that this was a detached house in a large plot. The property was 'leaking energy' and required attention to provide a long term sustainable family home. He reminded the Committee that the Island Plan did not encourage the demolition of buildings. The scheme proposed an over-cladding system with some extension and conversion of the pool and garage and the provision of extra space above the garage in the loft area. The extension would result in a 40 per cent increase, with the majority of development being constructed within the existing building envelope. Mr. Nicholson repeated points made above regarding a reduction in mass arising from the removal of the twin gables and the potential for an internal reconfiguration without the need for planning permission. The proposed development would provide a well-proportioned, high quality dwelling appropriate to its context whilst delivering a package of environmental gains, to include connection to the main foul sewer network and the ability for neighbouring properties to take advantage of this. There had been no objections to the application.

Mrs. Harrison advised that she [REDACTED] [REDACTED] had been surprised to receive the refusal notice, as they had not felt that the proposed development was controversial. Consideration had been given to Policy GD1.1(a) and it had been decided not to demolish the property. The house was thermally inefficient at present and fuel bills were significant. The increased floor space would meet [REDACTED] personal needs and the proposed development would be in keeping. A 95 per cent increase in floor space had been permitted at the neighbouring property under the same policies.

Having considered the application, the Committee was unable to reach a majority decision. Connétable P.B. Le Sueur of Trinity, Chairman and Deputy S. G. Luce of St. Martin were convinced by the arguments made and felt that the benefits outweighed the issues raised by the Department in this case. However, Deputies Deputy K.F. Morel of St. Lawrence and L.B.E. Ash of St. Clement endorsed the Department's recommendation to maintain refusal for the reasons set out above. Consequently, in accordance with agreed procedures, the status quo was maintained and the application was refused.

La Forge, La Grande Route de Rozel, St. Martin:  
proposed porch/creation of 4 car parking spaces/alteration of

A3. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which proposed the construction of a porch extension to the west elevation of the property known as La Forge, La Grande Route de Rozel, St. Martin. It was also proposed to create 4 car parking spaces on part of the existing garden and alter the vehicular access to the west of site. The Committee had visited the application site on 23rd February 2021.

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

vehicular  
access (RFR).

P/2020/0965

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, GD7, BE6, NR1 and BE8 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the above application had been refused on the grounds that the Department was of the view that the creation of a car parking area in front of the property, similar to the neighbouring properties, would be detrimental to the street scene and would unreasonably affect the character of the area. It was noted that 3 mature trees, which were important to the rural landscape and setting, would be lost to facilitate the proposals. Furthermore, the proposed development would not encourage the use of alternative modes of sustainable travel. Whilst it was recognised that the neighbouring properties, Les Pommiers and Winkleigh, both benefitted from large areas of roadside car parking, this arrangement had occurred pre-1997 and had ultimately been approved under earlier Island Plans. Such an arrangement did not accord with the policies of the current Island Plan. The visibility splays proposed all passed through existing parking spaces and would be impaired by parked vehicles. The proposed hardstanding would need to increase from 5.5 metres deep to 7 metres deep to ensure that parked vehicles did not block or compromise visibility. This increased depth would only exacerbate the issues set out above. Consequently, the application had been refused on the grounds that it was contrary to Policies GD1, GD7 and BE8 of the 2011 Island Plan.

The Committee heard from the applicants, Mrs. D. Marett and her agent, Mr. I. Marett of Morris Architects. Mr. Marett referred to amended drawings, which reduced the depth of the proposed car parking spaces, which had been submitted after the refusal notice had been issued. However, it was noted that the Department did not accept revised drawings after the refusal of an application and the Committee was being requested to reconsider the refused scheme and not revised proposals.

Mr. I. Marett advised that this was a simple and reasonable application. The applicants had not previously been in a position to finance the creation of car parking at their property when neighbouring properties had done so. At present they parked at a neighbouring property and reversed into the road when they had to move vehicles around. This presented a highway safety issue and Mr. Marett advised that the highway authority had agreed to support the scheme on the basis of the safety benefits. With regard to the trees, these were not protected by a preservation order so could be removed tomorrow – one was in poor condition, another was a young specimen and one was of sentimental value. It was proposed to reconstruct a granite wall 6 metres further back and Mr. Marett believed that the proposal would improve the setting of La Forge and would enhance the street scene. There would be no increase in the number of cars and approval of the scheme would be most beneficial to the family and would improve their lives.

The Committee heard from Mrs. Marett, who stated that the family [REDACTED] [REDACTED] had always wanted to create a dedicated parking area but had been unable to afford to do the work. Over the years the family had carried out works to improve the property. Mrs. Marett felt that the visual appearance/street scene had been over emphasised by the Department. [REDACTED] [REDACTED] the area and the character had changed considerably, with the streetscape now being broken up by properties. There was no viable parking nearby and Mrs. Marett stated that if the property were to be constructed now, parking would be required. Whilst she would be sad to lose the apple tree, one of the other trees was young and the other was coming to the end of its life. It was, however, intended to plant more trees and there was no intention of increasing the amount of cars on the site. The applicants parked on a neighbouring property, [REDACTED]

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and the situation was likely to change. It was not easy to negotiate the shared driveway arrangement and it presented highway safety issues. [REDACTED]

In concluding, she stated that the car parking on neighbouring sites and many other locations in the Island did not allow vehicles to turn around on site.

Mr. Marett confirmed that the revised drawings had been sent to the highway authority for comment and the advice had been that 6 metre deep spaces would be acceptable. The point was again made that the Committee had to determine the plans submitted with the refused application. The Director, Development Control suggested that if the Committee was minded to approve the application it could condition the permit to require the submission of a further plan.

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

Cedar House,  
La Rue du  
Cerf, St. John:  
proposed car  
port with home  
office above.

A4. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which proposed the construction of a car port with home office above to the west elevation of an existing garage at Cedar House, La Rue du Cerf, St. John. The Committee had visited the application site on 23rd February 2021.

P/2020/0905

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies GD1, GD7, HE1 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee noted the planning history of the site, to include the grant of planning permission in respect of a single storey extension to the north-west elevation, the construction of a first floor pitched roof extension to the east elevation, the replacement of a first floor flat roof with a pitched roof and various other material alterations. The demolition of the existing stable block and the construction of a detached double garage to the south of the dwelling had also been permitted.

The Committee was advised the above application had been refused on the grounds that it proposed the creation of habitable accommodation within an outbuilding, which was not permitted under Policy NE7, which specifically stated that 'proposals for the creation of habitable accommodation in detached ancillary buildings will not be supported.' The scheme would extend the mass of the large detached garage by a further 3.5 metres towards the roadside, which would not satisfy the criteria set out in Policy NE7. Visually, the proposed increase in scale, mass and the siting of the detached garage, together with the larger sized dormer, which would be highly visible from the public realm, would create a more built-up feel to the site, which was out of character with, and considered seriously harmful to, the Green Zone, contrary to the criteria of Policy NE7.

Furthermore, although not proposed under this application, the access through the 30 square metre existing first floor store above the detached garage to the relatively small home study proposed would likely encourage the habitable use to spill out into the large store area, which could have the potential to lead to the establishment of a new unit of accommodation within the Green Zone, contrary to Policy NE7.

During the life of the application the applicant had been advised that, should the habitable accommodation element of the proposal be removed, there might be scope to add a simple single storey height car port to the west elevation of the existing garage, subject to appropriate design, given the sensitive Green Zone location.

The application had been refused on the grounds that the scheme was contrary to

Policy NE7 and it was recommended that the Committee maintain refusal.

The Committee heard from the applicant, Mr. P. Cadoret and his agent, Mr. M. Collins of MAC Architectural Services. Mr. Collins advised that the applicant [REDACTED] used the roof space of the garage for storage. Mr. Cadoret [REDACTED] required a private work space. The scale of the extension was modest and would not have a detrimental impact.

Mr. Cadoret confirmed that he wished to create a small, one desk, office for his personal use and this would be accessed via a store (this was to maintain the car parking provision). The office could be accessed via an external staircase if this was considered preferable and Mr. Cadoret suggested conditioning the use so that it could be used as an office.

The Director, Development Control reminded the Committee that the application had to be reviewed on the basis of the submitted drawings. With regard to the proposal to condition the use, the Director advised that this would be unreasonable and unenforceable.

Having considered the application, the Committee, with the exception of Deputy G.J. Truscott of St. Brelade, Vice Chairman, concluded that the scheme was acceptable and decided to grant permission, contrary to the Department's recommendation. It was 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.

Les Bouleries,  
La Route de  
St. Jean, St.  
Mary:  
proposed  
demolition of  
extensions/  
construction of  
new extension  
(RFR).

A5. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought approval for the demolition of some existing single storey extensions and the construction of a new 2 storey extension to the east elevation of the property known as Les Bouleries, La Route de St. Jean, St. Mary. 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 SP1, GD1 and BE6 of the 2011 Island Plan were of particular relevance.

P/2020/0493

The Committee noted that the above application had been refused on the basis that the design of the proposed extension would not be appropriate relative to the existing buildings on the site by reason of its size, scale, massing and dimensions. Therefore, the proposed development failed to satisfy the requirements of Policies GD1, GD7 and NE7 of the 2011 Island Plan. In addition, the proposed development would facilitate a significant increase in occupancy, contrary to the requirements of Policy NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicants, Mr. and Mrs. R. Milner and their agent Mr. M. Collins of MAC Architectural Services. Mr. Collins advised that information contained within the original Departmental report had been incorrect and misleading. He stated that the existing house provided 343 square metres of floor space and that there were no 'outbuildings', as stated in the report – these were, in fact, fundamental parts of the house. The proposed extension would not provide the same amount of accommodation as the existing main house (as stated in the report) – there would be a 22 per cent increase in gross floor area, and this was in line with other permitted extensions in the Green Zone. The building footprint would be reduced by 13 per cent and no additional bedrooms were proposed. Existing rooms would be improved and the accommodation redistributed over a smaller footprint.

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External refurbishment was also proposed and the scheme would result in a cohesive design which would see the replacement of the existing array of extensions with a new extension over 2 floors, which would be subservient to the principal dwelling and would reduce the visual mass. There had been no objections to the application.

Mr. and Mrs. Milner advised that [REDACTED]. They too stated that the building footprint would be reduced and that the number of bedrooms would not increase. The existing extensions had not been well planned and one was so damp that it was unusable. The applicants wished to replace the extensions with something more practical and eco-friendly. They were aware that permission had been granted for more substantial development on the same road and they did not believe that the proposed development would impact on the character of the area as the plot was large and private. Considerable time and effort had gone into responding to issues raised by the Department and there were only 2 reasons for refusal, one of which was contested by the applicants (the contention that the scheme would facilitate an increase in occupancy). The Committee was urged to approve the application.

For the avoidance of doubt, and in response to a question from a member, the Director, Development Control confirmed that whilst there would be an increase in floorspace, there would be a reduction in the overall footprint.

Connétable P.B. Le Sueur of Trinity, Chairman, Deputies K.F. Morel of St. Lawrence and L.B.E. Ash of St. Clement expressed support for the scheme on the basis that it would result in a visual improvement and a reduced footprint. Deputy G.J. Truscott of St. Brelade, Vice Chairman and Deputy S. G. Luce of St. Martin supported the officer recommendation to maintain refusal. Consequently, the application was approved, contrary to the officer recommendation. It was noted that the application would be re-presented for formal decision confirmation and the approval of any conditions at the next scheduled meeting.

Mayfair, La  
Rue de la Mare  
Ballam, St.  
John: proposed  
extension/  
widening of  
access.

A6. The Committee considered a report in connexion with a request for the re-consideration of an application, which had been refused by the Department under delegated powers and which sought approval for the construction of 2 storey extensions to the east and south elevations of the property known as Mayfair, La Rue de la Mare Ballam, St. John to facilitate the creation of a new residential unit. The Committee had visited the application site on 23rd February 2021.

P/2020/0809

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies GD1, GD7, BE6, TT13, NE7 and NR1 of the 2011 Island Plan were of particular relevance.

The Committee noted that the above application had been refused on the basis that the size, design and siting of the proposed extensions would be dominant and intrusive in the rural landscape and therefore harmful to the landscape character of the area, contrary to Policies GD1, GD7 and NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Mr. D. Troy, who advised that his agent was unable to attend. He informed the Committee that [REDACTED]. The ancillary unit would be reintegrated into the house at a later stage [REDACTED].

Mr. Troy stated that he had found the planning process stressful and was disappointed that the application had been refused by the Department without the benefit of a site visit. This would have afforded an opportunity to view the extension at the neighbouring property. Mr. Troy had consulted with neighbours to the south-west

and they had not objected to the application. It was also proposed to improve the access arrangements. Mr. Troy understood the constraints of the Green Zone Policy but he asked the Committee to consider the immediate context and pointed out that the Fencing Centre and Regal Construction were both in vicinity of the application site. He concluded by stressing just how important the application was to the family.

The Committee discussed the application and noted that whilst the creation of accommodation [REDACTED] was permissible in the Green Zone, subject to certain caveats, the application under consideration proposed a significant increase in floor space [REDACTED]. The Director, Development Control advised that there was also the question of reintegration into the principal dwelling and the connections in this 2 storey extension were considered to be somewhat tenuous. It was evident that the unit could easily become a separate household in the future, contrary to the Green Zone Policy. Deputy S.G. Luce of St. Martin noted that it was not proposed to have a bathroom or w.c. at ground floor level. The applicant advised that this was because he did not wish the occupant of the unit to have to go downstairs in the night to use the facilities.

The Committee, with the exception of Deputy Luce, endorsed the officer recommendation to maintain refusal for the reasons set out above.

Nos. 13 – 15  
Charing Cross,  
St. Helier:  
proposed  
signage (RFR).

A/2020/1126

A7. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought retrospective approval for the display of 2 non-illuminated fascia signs to the north-east and south-west elevations and one non-illuminated fascia sign to the south-east elevation of Nos. 13 – 15 Charing Cross, St. Helier. 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 Built-Up Area and that Policies GD1, GD9 and TT13 of the 2011 Island Plan were of particular relevance.

The Committee noted that the above application had been refused on the grounds that the design, size and location of the proposed signage on this prominent corner of St. Helier would detract from the visual amenity of the building and would be detrimental to the character of the area, particularly given the historic context. As such, the proposal failed to satisfy the requirements of Policies HE1, GD7 and GD9 of the 2011 Island Plan.

It was recommended that the Committee maintain refusal of the application.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that whilst the building was not Listed, it was in a prominent position in the street scape, situated in one of the earliest parts of St. Helier in a sensitive setting. The challenge was to ensure vitality to allow business growth, so the Historic Environment Section worked with applicants to ensure advertisements were appropriate. In this particular case, whilst the non-illumination was positive, the proportions and location of the signs were supported. The approach was described as ‘visually strident’ and one which impacted on the sensitivity of the setting. Consequently, a more subtle and sensitive approach was preferable.

The Committee heard from Mr. J. Pountney, Chief Executive, Santander International. Mr. Pountney advised that the applicant company had been keen to work with the Department to identify an appropriate solution and, in this context, had agreed not to use illuminated signage. It was felt that the signage complimented the building and was not any more excessive than that used at the nearby Premier Inn. Positive feedback had been received from members of the public and customers



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and the applicant company was very proud of the regeneration of the building and this part of St. Helier. In response to a question from a member regarding the decision to install the signage without first obtaining planning permission, Mr. Pountney advised that the signage had already been ordered and the applicant company took the decision to have the signs erected.

Having considered the application and having viewed the signs in-situ, the Committee, with the exception of Deputy K.F. Morel of St. Lawrence, was satisfied that the signage was acceptable in this context. Consequently, permission was granted, contrary to the officer recommendation. The Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and approval of any conditions which were to be attached to the permit.

St. Ebremond,  
Palace Close,  
St. Saviour:  
proposed  
demolition and  
redevelopment  
(RFR).

A8. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought approval for the demolition of the property known as St. Ebremond, Palace Close, St. Saviour and its replacement with one x 4 bedroom and 2 x 3 bedroom dwellings with associated car parking and landscaping. The Committee had visited the application site on 23rd February 2021.

P/2020/1185

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area, the Green Backdrop Zone and was on the Eastern Cycle Route Corridor. Policies GD1, GD3, GD7, H6, TT3 and TT5 of the 2011 Island Plan were of particular relevance. The Committee's attention was also drawn to Planning Policy Note No. 3 - Parking Guidelines, Planning Policy Note No. 6 - Specification for New Housing Developments, a transport publication entitled - Access onto the Highway - Standards and Guidance and a document entitled - Technical guide for the preparation of planning applications (August 2019).

The Committee noted the planning history of the site, which included 2 previous applications for redevelopment, both of which had been withdrawn.

It was also noted that the highway authority had objected to the scheme on the basis that the proposal would intensify the use of the site, which was served by sub-standard access points on the main public highways. The recent history of road traffic incidents had been highlighted and the proposal would intensify the use of the site by 200 per cent.

The Committee noted that the above application had been refused on the grounds that it was prejudicial to highway safety and therefore contrary to Policies GD1 and TT5 of the 2011 Island Plan. It was recommended that the Committee maintain the decision to refuse permission.

The Committee heard from the applicant's agent, Mr. M. Stein of MS Planning, who began by referring to the 200 per cent increase in the intensification of use, which was referred to in the Department's report. It was noted that the access points currently served 129 houses and the proposed development sought permission for the replacement of a single dwelling with 3 new houses; a net increase of 2 houses and a one and a half per cent increase in the intensification of the use of the access points, as opposed to the 200 per cent quoted in the report. Both of the access points ultimately led onto Bagatelle Road and access from the proposed development was onto Claremont road to the south then onto Bagatelle Road. Claremont Road was administered by the Parish of St. Saviour, and there had been no objection from the Parish authority. The access onto Claremont Road was formed within a 'bell mouth' so there was good visibility. Mr. Stein argued that the refusal of the application was unreasonable, as it was possible for a vehicle to access the highway safely from the

site via Claremont Road and he suggested that the applicant should not be penalised because the next road access (Bagatelle Road) onto the highway was sub-standard. He added that the northern access from Palace Close benefitted from a very wide pavement and visibility was perfectly good. Mr. Stein expressed the view that refusal on the basis of such a small increase in traffic was unreasonable. There were no other obvious opportunities for development which would rely on these access points and he felt that this should also be taken into account.

The case officer [REDACTED], advised that she had received information from the Infrastructure, Housing and Environment (IHE) Department (Highways) to the effect that, although the road network within the estate was private and IHE did not have formal responsibility for access onto Claremont Road, as professionals the Department had a duty of care to the travelling public to point out safety issues; hence the objection.

Having considered the application and having been persuaded by the arguments made, the Committee decided to grant permission, contrary to the officer recommendation. In doing so, Deputy K.F. Morel of St. Lawrence suggested that as IHE had responsibility for Bagatelle Road, consideration should be given to addressing the safety concerns raised.

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

Les Ruches  
Farm, La Rue  
de la Ville au  
Bas, St.  
Lawrence:  
proposed self-  
catering unit  
(RFR).

A9. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought approval for creation of a one bedroom self-catering unit to the south-west of Les Ruches Farm, La Rue de la Ville au Bas, St. Lawrence. The Committee had visited the application site on 23rd February 2021.

Deputy K.F. Morel of St. Lawrence did not participate in the determination of this application.

P/2020/0382

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and was in Airport Noise Zone 3. Policies SP1 – SP7, GD1, GD7, NR1, EVE1, TT16, NE7 and ERE5 of the 2011 Island Plan were of particular relevance.

The application involved the demolition of an existing single storey blockwork building, which had been constructed in the 1950's as an agricultural store in association with the agricultural land on which it was sited and adjacent farm and fields. The proposal was to replace the existing building with a single storey one bedroom self-catering unit with timber cladding and zinc roof. The Land Controls and Agricultural Development Section had no record of the existing building on their agricultural records and had made no comment in relation to the proposals.

The Committee noted that the above application had been refused on the grounds that the location, use, appearance and impact of the proposed development would be harmful to the character of this part of the Green Zone, contrary to Policies SP1, SP4, GD1, EVE1 and NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Deputy Morel, representing the applicant. The Deputy advised that whilst he fully understood the constraints of the Green Zone Policy, he was very familiar with the site and it was well screened. If approved, the application would result in the removal of a structurally unsound building and its replacement

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with a useful new building, without impinging on the field. Consequently, he felt able to support the application.

The Committee heard from the applicant, Mr. N. Le Quelenec and his agent, Mr. M. Stein of MS Planning. Mr. Stein referred to the reasons for refusal and advised that the scheme proposed a one-bedroom self-catering unit broadly occupying the same footprint, but with a smaller floor area and better materials. The presumption against development was understood, but there were permissible exceptions, to include the redevelopment of former employment uses. The proposed design and materials meant that the scheme would result in a significant visual improvement. Mr. Stein referred members to a comment from Mr. K Beecham of Visit Jersey which related to the demise of the tourism bed stock and the demand for self-catering accommodation. He urged the Committee to approve the proposed development, which would create a new employment use. It was confirmed that the access track was capable of accommodating large vehicles and that there was a turning area on site.

The Committee discussed the application and sought assurances that approval of the application would not lead to the use of the accommodation as a permanent residence. The Director, Development Control advised that planning consent would be required for such a change of use.

Having considered the application, the Committee, with the exception of Deputy G.J. Truscott of St. Brelade, Vice Chairman, was persuaded that the proposed development would result in an improvement and would not be harmful to the character of the Green Zone. Consequently, permission was granted, contrary to the officer recommendation. The application would be re-presented at a future meeting for formal decision confirmation and the approval of any conditions which were to be attached to the permit.

Badger's  
Cove, La Rue  
du Pontlietaut,  
St. Clement:  
proposed new  
dwellings to  
west (RFR).

P/2020/0664

A10. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought approval for the construction of 2 x semi-detached 2 storey, 3 bedroomed dwellings to the west of the property known as Badger's Cove, La Rue du Pontlietaut, St. Clement. The Committee had visited the application site on 23rd February 2021.

Deputy L.B.E. Ash of St. Clement did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies GD1, GD3, GD7 and H6 of the 2011 Island Plan were of particular relevance. The Committee's attention was also drawn to Planning Policy Note No. 3 - Parking Guidelines, Planning Policy Note No. 6 - Specification for New Housing Developments, a transport publication entitled - Access onto the Highway - Standards and Guidance and a technical guide for the preparation of planning applications (August 2019).

The Committee noted the planning history of the site (1988), which pre-dated Badger's Cove and the property known as L'Avenir to the east. At that time the site had been less constrained by neighbouring development and permission had been granted for the construction of a chalet bungalow. This permit had never been implemented. In 2000, permission had been granted for the demolition of the property known as Suncote and its replacement with 2 semi-detached houses, which had now been constructed. The application site under consideration had been formed from the remainder of the original garden of Suncote.

The Committee was advised that the application had been refused on the grounds that the proposal was considered to be an overdevelopment of the site, demonstrated by a compromised design, inadequate car parking and the unreasonable harm that would be caused to the occupants of L'Avenir, by reason of overbearing impact, loss of privacy and shadowing. In addition, the application site was overlooked to the extent that it was not possible to provide private amenity space for potential occupants. The proposal was, therefore, contrary to Policies GDI, GD3, GD7 and H6 of the 2011 Plan. The proposal would also intensify the use of a narrow private lane, which had poor visibility at the junction with the main road, La Rue du Pontlietaut. This would increase highway safety concerns, contrary to Policy GD1.

It was recommended that the Committee maintain refusal of the application.

6 representations had been received in connexion with the application.

Prior to hearing from members of the public, Deputy S.G. Luce of St. Martin asked whether the scheme was compliant with Building Bye-Laws, with particular regard to the fenestration details. The Director, Development Control advised that, if planning permission was granted, applicants were required to seek Building Bye-Laws permission afterwards. If the scheme did not comply with the Building-Bye Laws the scheme would need to be amended and planning permission sought for the revised proposal. However, it was acknowledged that a good designer would ensure compliance with the Bye-Laws.

The Committee heard from Mr. C. Neil, [REDACTED]. Mr. Neil supported the Department's recommendation for refusal and stated that the proposed development would result in a loss of light and view and would be overbearing.

The Committee heard from Mr. J. McAteer, who expressed considerable concern about the impact of the development [REDACTED] property and, in particular, the loss of light. He described the proximity of the proposed development to [REDACTED] property as 'overwhelming' and advised that light to [REDACTED] property was already compromised by existing trees and a hedge. He believed that the proposed development would result in a 95 per cent reduction in light. Mr. McAteer was also concerned about the potential for further development on the site in the future (in the form of conservatories). He advised that the proposed development had caused him [REDACTED] significant stress.

The Committee received the applicant, Mr. A. Guiton and his agent, Mr. S. Osmand. Mr. Osmand reminded members of the desperate need for new homes in Jersey and stated that the application site was a 'windfall site'. Development of such sites often meant accepting small compromises which, in turn, ultimately protected green fields from development. Mr. Osmand turned his attention to the reasons for refusal and stated that there was no evidence to suggest that the scheme would result in the overdevelopment of the site. He advised that rooflights had been proposed to reduce the number of first floor windows to address perceived overlooking. In terms of the provision of car parking, the scheme complied with the guidelines, which were very outdated and conflicted with current initiatives to reduce reliance on private vehicles. The application site was also on a good bus route and there had been no objection from the Parish Roads Committee. With regard to the impact on L'Avenir, this property benefitted from both front and rear gardens and was compromised by an extension and a recent lowering in levels. The existing situation was that the first floor windows of L'Avenir would be prejudicial to the privacy of the proposed new dwellings and Mr. Osmand suggested that planting could be supplemented to increase privacy. A garage sat directly to the rear of the amenity space associated

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with L'Avenir and Mr. Osmand suggested that this already caused shadowing. He argued that there would be loss of light at the time of day when the occupants of L'Avenir were most likely to be enjoying their garden. In response to concerns regarding intensification of use, Mr. Osmand felt that this was unavoidable and he pointed out that there had been no objections from the highway authority. He concluded by stating that every site would have challenges but this had to be balanced against the positives, which he believed outweighed the perceived privacy issues.

Having considered the application, the Committee maintained refusal of the application for the reasons set out above, describing the proposals as 'shoehorning' and harmful to L'Avenir.

St. Jude, La  
Rue du Pont  
Marquet, St.  
Brelade:  
proposed new  
dwelling  
(RFR).  
P/2019/1607

A11. The Committee considered a report in connexion with a request for the re-consideration of an application which had been refused by the Department under delegated powers and which sought approval for the construction of a new dwelling with associated car parking, garage and landscaping to the south of the property known as St. Jude, La Rue du Pont Marquet, 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.

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, GD3, GD7 and H6 of the 2011 Island Plan were of particular relevance.

The Committee noted that a pitched roof 2 bedroomed dormer bungalow was proposed. The existing ground levels would be raised by 450 millimetres to enable the provision of a new underground garage. The new dwelling would be sited 3 metres away from the closest extension to St. Jude. This was a single storey hipped roof structure with windows facing into the garden. The proposed new dwelling within the garden area would present itself as a blank gable wall to the extension. Given the height differences (accentuated by the proposal to raise ground levels), the new dwelling would be 2.51 metres higher than the existing extension, resulting in an overbearing development which would be to the visual detriment of the existing property. In addition, the new dwelling would be 1.23 metres higher than the existing dwelling. Overlooking to a neighbouring property was also an issue.

The application had been refused on the grounds that, given its height, size and scale, the proposed development was considered to result in the over-development of the site, leading to unacceptable overlooking and overbearing to the immediately adjoining properties, contrary to the requirements of Policies GD1, GD7 and H6 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The case officer read from a letter which had been received from Mrs. K. Liron after the publication of the agenda. Mrs. Liron wished to reiterate her objections and support the recommendation for refusal on the basis of the size and overbearing nature of the development. She highlighted the difficulties with accessing the existing garages and stated that this problem would only be exacerbated by the approval of the application. She was particularly concerned about the proximity of the proposed development and the potential for vehicles to parallel park laterally along the lane. Mrs. Liron went on to state that there would be an increase in traffic, noise and congestion and she feared flooding because of increased hard surfaces.

[REDACTED]. Mrs. Doleman pointed out that permission had been granted for the construction of a dwelling in the garden of a neighbouring property and, whilst she had initially been opposed to this, she had 'learned to live with it' and the family now wished to do likewise. Mrs. Doleman expressed a willingness to discuss the development of the site with the Department and stated that this had not been an option due to the Covid-19 restrictions. The scheme had been amended to improve the access arrangements for everyone's benefit. Mrs. Doleman believed that [REDACTED] [REDACTED], St. Jude, was the only one which would be affected by the proposed development and she stated that there had been no objections from adjoining properties. She concluded by stating that the approval on the neighbouring site had set a precedent and she remained committed to working with the Department to identify a mutually acceptable solution.

The case officer advised that the neighbouring property benefitted from a slightly larger garden area and, because it was a corner plot, borrowed light and space from the road.

[REDACTED]. The Director, Development Control advised that the issue was one of relationships, rather than ownership, as properties could be sold.

Mr. J. Dyson, representing the applicant, addressed the Committee, making reference to the Department's comments regarding the proposal to raise ground levels and the height difference between the proposed and existing dwelling. Mr. Dyson stated that raising the level would, in fact, return the land to its natural level. There would be open space between the garden areas and the dormer windows would be 9 metres away to the west, so privacy would not be an issue. Boundary planting would be supplemented. Mr. Dyson drew the Committee's attention to a property to the west which was 5.2 metres away from its neighbour. He also stated that a revised plan had been submitted, which proposed the replanting of a hedge further back to improve safety. He noted that this drawing had not been posted until after the refusal notice had been issued.

Having considered the application, the Committee endorsed the officer recommendation to refuse permission.

Mr. P. Le  
Gresley,  
Director,  
Development  
Control:  
Committee  
thanks.

A12. The Committee noted that this would be the last meeting at which Mr. P. Le Gresley, Director, Development Control would be present, having recently been appointed to the position of Head of Development and Land within the Regulation Directorate.

The Committee expressed its appreciation for the invaluable expert advice and guidance Mr. Le Gresley had provided to successive Committees over decades in his role as a Planning Officer and, ultimately, as Director. Members recognised that the policy advice provided by officers at meetings was essential in terms of informing the decision making process. Mr. Le Gresley's professionalism, knowledge and understanding was inestimable. The Committee wished Mr. Le Gresley much success in his new role and looked forward to working with Mrs. G. Duffel, Principal Planner, who would act as the lead officer at future Planning Committee meetings.

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Mr. Le Gresley thanked members for their kind words and stated that he had very much enjoyed supporting Planning Committees over the years. However, he emphasised the significant contribution made by all Planning Officers who attended Committee meetings and provided the Committee with professional planning assessments.

Mr. T. Stone,  
Research and  
Project  
Officer, States  
Greffe: thanks.

A13. The Committee expressed its gratitude for the invaluable assistance provided by Mr. T. Stone, Research and Project Officer, States Greffe in facilitating this video conference meeting of the Planning Committee.

The Committee recalled that, due to Government restrictions in response to the pandemic, it had been necessary to hold the meeting via video link and Mr. Stone's expertise was much appreciated.