

LP

PLANNING COMMITTEE

(18th Meeting)

9th March 2022**PART A (Non-Exempt)**

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

Connétable P.B. Le Sueur of Trinity, Chair (not present for item A9)  
 Deputy G.J. Truscott of St. Brelade, Vice Chair  
 Connétable M. Troy of St. Clement  
 Deputy M.R. Le Hegarat of St. Helier (not present for item A7)  
 Deputy S.G. Luce of St. Martin (not present for items A1 to A6)

In attendance -

G. Duffel, Principal Planner  
 J. Gladwin, Senior Planner  
 G. Palmer, Planner  
 J. Gibbons, Trainee Planner  
 G. Vasselin, Trainee Planner  
 L. Plumley, Specialist Secretariat Officer, States Greffe

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

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| Minutes.   | A1. The Minutes of the meetings held on 2nd and 3rd February 2022, having previously been circulated, were taken as read and were confirmed.   |
| Field No. MY770, La Rue de la Prairie, St Mary: reinstatement of glasshouse plantroom bay, replacement water storage tank, demolition of chimneys and replacement with flues. (RETROSPECTIVE), P/2021/1399 | <p>A2. The Committee, with reference to its Minutes No. A8 and No. A9 of 27th May 2021, considered a report in connexion with an application which sought retrospective approval for various alterations and development on Field No. MY770, La Rue de la Prairie, St Mary. The proposals included the re-instatement of an existing bay of the western glasshouse plantroom bay to the east elevation; the replacement of an existing external water storage tank with a new water storage tank; and the demolition of 2 redundant chimneys and their replacement with 2 flues. The Committee had visited the application site on 8th March 2022.</p> <p>A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies NE7, GD1 and 7 of the 2011 Island Plan were of particular relevance.</p> <p>The Committee noted that the application site was in the rural Green Zone of St Lawrence, and comprised large agriculture glasshouses to the north, a former tourist attraction building known as Tamba Park to the west, and its associated parking to the south. The Committee recalled that the applicant company had previously been granted approval for: the change of use of the former café and shop at Tamba Park to facilitate an agricultural use; an increase in the floor area of an internal store; the replacement of existing air source heat pumps and an air handling unit; the change</p> |

of use of the car park from tourism use to parking in connexion with agricultural use; and the construction of external ancillary elements associated with the existing agricultural glasshouse. It was recalled that the Committee had previously emphasised that it would not wish to see any further retrospective applications in respect of the application site. It was further noted that the applicant [REDACTED] had previously been granted permission for the erection of fencing and gates, in accordance with States of Jersey Police requirements for the operation of the site.

The Committee noted that the application was one of 3 applications for the site (items No. A3 and A4 refer) which would be considered at the extant meeting, and this would provide a holistic view of the development on the built area of the site.

The Committee noted that the site access was off La Rue des Varvots, a narrow rural lane on the southern and eastern boundaries. Immediately adjacent to the application site to the west and south-east were glass houses and to the south was a terrace of residential cottages with associated resident car parking. The north of the application site backed onto an open field, and the east of the site was a mixture of green fields and small residential developments.

With regard to the new replacement water tank, it was noted that this was on the same footprint as the previous water tank, but the height and width had been slightly reduced. Whilst no additional water capacity implications were envisaged, it was noted that an objection had been received in relation reduced water levels in boreholes in the area and it had been suggested that a Planning Obligation Agreement was required to secure infrastructure improvements. The matter had been discussed with the Water Resources Department of the Government of Jersey and the water level of boreholes in the area was being investigated. This was a complex and ongoing issue which related not only to the application site, but to the wider area and it had not yet been resolved. This was considered to be a matter for the Pollution Control Section to consider in the context of the Water Resources (Jersey) Law 2007.

It was noted that retrospective permission was being sought for the demolition of the chimneys and this element of the scheme was considered acceptable on the basis that it improved the appearance of the building and the area.

Policy NE7 allowed for modest and proportionate works to an existing employment site if there was no serious impact on landscape character. The nature of the development proposed was incidental to the operation of the agricultural process on site and satisfied the Policy criteria, causing no serious harm to landscape character. The development was small-scale and was seen within the overall context and backdrop of the glasshouse site and was a reasonable distance away from neighbours and the public realm. It was therefore considered that it would not unreasonably impact the amenities of residents and was in accordance with Policies NE7, GD1 and GD7 of the Island Plan 2011 (Revised 2014). Consequently, approval was recommended.

The Committee noted that there had been 7 letters of objection (including 2 from the same person) and 2 letters in support of the application.

The Committee heard from Mr. [REDACTED] Ashworth, [REDACTED]. Mr. Ashworth highlighted the lack of information submitted in connexion with applications for the site, which, in his view, prevented the Committee from making an informed decision. He believed that an incorrect picture of the environmental assessment had been provided, and referred the Committee to a report by the Economic and International Affairs Scrutiny Panel on the Regulations for the licensing, production and export

of Medicinal Cannabis in Jersey, published on 6th January 2022, noting therein the Panel's strong view that the requirements of the planning process should be aligned with the licence application process to ensure consistency, transparency and fairness. Mr. Ashworth noted that there were a number of unanswered questions about the activities being carried out at the site, including the purpose of the water tank, how and for what the water was to be used, whether pollutants were being discharged into foul water, the capacity of local pumping stations to absorb an increased discharge of foul water, the fact that no waste management plan or flood risk assessment had been provided and the purpose of the boilers associated with the new flues. Mr. Ashworth stated that the application was confusing and difficult to judge due to the lack of information provided, [REDACTED]

[REDACTED] Given the length of time that had elapsed since the initial application for the change of use of the site had been approved, Mr. Ashworth was disappointed that a masterplan for the site had not been provided. In conclusion, Mr. Ashworth urged the Committee to refuse the application on the grounds that insufficient information was available to enable the Committee to reach an informed conclusion.

Mrs. [REDACTED] Butlin addressed the Committee. Mrs. Butlin [REDACTED] regarded all 3 applications before the Committee as retrospective. She reminded the Committee that it had indicated at its meeting of 27th May 2021, that it would not wish to see any further retrospective applications in respect of the site. Mrs. Butlin noted [REDACTED] of what she considered to be 'illegal demolition' works, which she alleged had resulted in injuries to animals, for which significant veterinary care bills had been received. Mrs. Butlin stated that work had continued to proceed on the site, after the applicant had been asked by the Department on 12th July 2021 to halt the work. She believed that the applicant was 'breaching and bypassing' laws. Mrs. Butlin noted that an Environmental Impact Assessment ('EIA') was required as part of the application process for the granting of a medicinal cannabis licence, which the Minister for Health and Social Services and the Chief Pharmacist had apparently reviewed, although it had not been published. Mrs. Butlin expressed concern at the ability of the Minister for Health to grant such licences when, in her view, the Minister was not sufficiently familiar with EIAs. She believed that the EIA should be published and subject to an independent review. With regard to the chimneys in operation at the site, Mrs. Butlin was concerned at the nature of the emissions. In respect of the replacement water tank, Mrs. Butlin believed it to be larger in circumference than the previous one and provided the Committee with 2 printed photographs in support of this assertion. Mrs. Butlin informed the Committee of her belief that the applicant had not registered the borehole on the site for commercial use and therefore did not have a licence for such use. She noted the dramatic effect on borehole levels and felt that the source of the water used on site should be clarified, as well as the provisions being made for wastewater and pollution monitoring. Mrs. Butlin disagreed with the Department's assertion that residents' concerns had been addressed, noting that there was no evidence in her view to support this claim, especially given the proximity of certain neighbours, whose properties lay within one metre of the site. She believed that the applicant's report contained many inaccuracies and that the site was being industrialised, [REDACTED] and was not, in her view, akin to the packaging of lettuces, as suggested in the Department's report. Mrs. Butlin was disappointed by the applicant's failure to produce a masterplan for the site and viewed this as the latest in a series of failed promises. Given the immense distress that she believed was being caused to neighbours, Mrs. Butlin urged the Committee to refuse the application.

The Committee heard from Mrs. [REDACTED] McGinley, [REDACTED]. Mrs. McGinley understood that the Minister

for the Environment had instructed his officers to prepare an amendment to the General Development (Jersey) Order 2011, which led her to believe the development on the site was not covered by permitted developments rights under the Order. She noted that the Environmental Impact Assessment ('EIA') for the site had been provided only to the Minister for Health and Social Services and the Chief Pharmacist, and she had been unable to view the document, having been told that it was confidential. She believed that the applicant intended to apply for an industrial use of the site in future, which would trigger a requirement to publish an EIA. Mrs. McGinley asserted that the applicant's planned expansion of the operations on the site, [REDACTED] constituted an industrial use, which she believed was already occurring. Mrs. McGinley expressed concern at the associated safety risks given the proximity of neighbouring properties to the application site, some of which were within a metre of the site. She believed that machinery referred to as replacement machinery was in fact new and therefore not permitted development under the General Development (Jersey) Order 2011. Mrs. McGinley referred the Committee to a Freedom of Information request published on 25th March 2020, which stated that the Council of Ministers had not, to date, been asked to give specific consideration to the impact on neighbouring residents that may arise [REDACTED]. Mrs. McGinley noted that neighbours had reported issues with regards to nuisance caused by noise emanating from the site. She referred to the Department's report, which stated that the operating hours for the site were 7.30 am to 3.30 pm, noting that this restriction was not specified in the decision notice, thus leaving the applicant free to operate '24/7' and negatively impacting close neighbours. In conclusion, Mrs. McGinley urged the Committee to reject the application.

Mrs. [REDACTED] De La Haye addressed the Committee. Mrs. De La Haye, [REDACTED] was worried about the potential for the continuous '24/7' operation of the site given the nuisance caused by noise which emanated from the site. Mrs. De La Haye stated that the noise, [REDACTED] could be heard from some distance away, sounded like a 'helicopter whirring all the time'. It was, Mrs. De La Haye noted, akin to 'living next to a helipad', with constant noise of varying intensity. Mrs. De La Haye was particularly concerned about the impact of the noise [REDACTED] and urged the Committee not to approve the application.

The Committee heard from Mr. [REDACTED] Bowditch, Environmental Health Officer, who confirmed that the Environmental Health Department had no objection to the proposed development. Mr. Bowditch stated that concerns about noise were a separate matter relevant to application P2021/1705 (item No. A4 refers) which related to generators on the site. In response to a question from the Committee, Mr. Bowditch confirmed that no concerns had been noted from the Environmental Health Department with regard to emissions from the flues or water outfall.

The Committee heard from Ms. [REDACTED] Clover, a barrister representing the applicant company, Northern Leaf. Ms. Clover referred the Committee to her written response submitted on behalf of Northern Leaf and stated that she hoped the Committee had been impressed by the 'state of the art' operation it would have seen during the site visit. Ms. Clover reminded the Committee that the Department had reviewed the application and recommended approval, which she hoped the Committee would endorse. Ms. Clover noted that the 3 applications before the Committee were critical to the ongoing operation of the business and stated that any delay in their determination would be 'disastrous'. She noted the concerns raised by those who objected to the application and countered that the Department had confirmed that the application complied with policy considerations. Regarding potential unreasonable impacts from the development, Ms. Clover asserted that the water tower was empirically smaller than the previous one, based on measurements. Ms.

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Clover informed the Committee that the previous water tank did not comply with current health and safety standards, was not fit for purpose and had been replaced on a like for like basis, with a slightly smaller tank. Similarly, the plinth wall was dangerous and needed removing and the removal of the chimneys had resulted in a visual improvement. Ms. Clover expressed surprise at the nature of the concerns expressed and the fact that these had been attributed to the proposals, particularly as the EIA would have alerted Northern Leaf to any issues that required addressing. Ms. Clover noted that the use of the site for agricultural purposes had been settled as a matter of law and this had been confirmed by the Department. Ms. Clover believed that Northern Leaf could be distinguished from previous operators by its open relationship with the Department. Turning to concerns expressed by neighbours with regard to water usage, Ms. Clover stated that no flooding issues had been identified and the issues relating to boreholes and the water table were noted by the Department to be widespread, with many contributory factors. Ms. Clover informed the Committee that the application had been submitted with a phase 2 water report and the water recycling and capture facilities on the site were 'second to none', providing a net benefit in comparison with the previous use of the site.

The Committee, having noted a number of comments in relation to the absence of a masterplan for the site, clarified that whilst a masterplan would be considered helpful both for the applicant and neighbours, there was no requirement for the applicant to produce one.

Having considered the application, the Committee unanimously endorsed the officer recommendation and granted permission.

Field No. L78,  
La Rue des  
Varvots, St  
Lawrence:  
Construction  
of JEC HV  
switch room,  
access gate and  
fencing.

P/2021/1400

A3. The Committee, with reference to its Minute No. A1 of the present meeting, considered a report in connexion with an application which sought approval for the construction of a single storey JEC HV switch room substation to the east of the eastern glasshouse on Field No. L78, La Rue des Varvots, St Lawrence, adjacent to an existing substation. In addition, approval was sought to install an access gate and to extend the security fence to the perimeter of the site. The Committee had visited the application site on 8th March 2022.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies NE7, GD1 and 7 of the 2011 Island Plan were of particular relevance.

The Committee noted that the application site was in the rural Green Zone of St. Lawrence, and comprised large agriculture glasshouses to the north, a former tourist attraction building known as Tamba Park to the west, and its associated parking to the south. The Committee recalled that the applicant company had previously been granted approval for: the change of use of the former café and shop at Tamba Park to facilitate an agricultural use; an increase in the floor area of an internal store; the replacement of existing air source heat pumps and an air handling unit; the change of use of the car park from tourism use to parking in connexion with agricultural use; and the construction of external ancillary elements associated with the existing agricultural glasshouse. It was recalled that the Committee had previously emphasised that it would not wish to see any further retrospective applications in respect of the application site. It was further noted that the applicant [REDACTED] had previously been granted permission for the erection of fencing and gates, in accordance with States of Jersey Police requirements for the operation of the site.

The Committee noted that the application was one of 3 applications for the site (items No. A2 and A4 refer) which would be considered at the extant meeting, and

this would provide a holistic view of the development on the built area of the site.

The Committee noted that the site access was off La Rue des Varvots, a narrow rural lane on the southern and eastern boundaries. Immediately adjacent to the application site to the west and south-east were glass houses and to the south was a terrace of residential cottages with associated resident car parking. The north of the application site backed onto an open field, and the east of the site was a mixture of green fields and small residential developments.

It was noted that Environmental Health were satisfied that the electro-magnetic field from the switch station was limited and an ICNIRP certificate was not required due to the low exposure level and noise from the switch station. Environmental Health had confirmed that they had no objection to the application.

Overall, it was considered that Policy NE7 allowed for modest and proportionate works to an existing employment site if there was no serious impact on landscape character. The development proposed was incidental to the operation of the agricultural process on site and satisfied the Policy criteria, causing no serious harm to landscape character. The development in this application was small-scale and was seen within the overall context and backdrop of the glasshouse site and a reasonable distance away from neighbours and the public realm. It was therefore considered that it would not unreasonably impact on the amenities of residents and was in accordance with Policies NE7, GD1 and GD7 of the Island Plan 2011 (Revised 2014). Consequently, approval was recommended.

The Committee noted that there had been 8 letters of objection and 16 letters in support of the application.

The Committee heard from Mr [REDACTED] Ashworth, [REDACTED] [REDACTED] Mr. Ashworth reminded the Committee that applications were required to be submitted with all necessary information, without assumptions being made. Noting a political commitment that had been made which required all parties, including the public, to be treated equally, Mr. Ashworth lamented the lack of information provided with the application, which in his view, precluded an informed decision from being made. The piecemeal basis on which applications relating to the site were submitted, as well as the absence of a masterplan, meant that the public were not well informed in relation to what was taking place. Mr. Ashworth questioned why another sub-station was required and expressed concern that its purpose might be to power continuous '24/7' lighting in growing areas or security floodlights, which would have an impact on neighbouring homes, by virtue of light pollution and no assessment of such a proposal had been made. In addition, Mr. Ashworth noted that the applicant had not submitted a noise assessment report, and he was concerned at the noise already emanating from the generators, which in his view constituted a statutory nuisance. If the sub-station was intended to power an air source heat pump, he contended that this would exacerbate the problem. Mr. Ashworth further noted that the application did not include energy or sustainability assessments and he questioned whether the development was likely to help Jersey achieve its target of carbon neutrality by 2030, given the significant power consumption of the operation. Mr. Ashworth believed that the cost of power did not help the economic case for the [REDACTED] industry in Jersey. He noted the disparity in the amount of information provided compared to similar applications [REDACTED] and questioned why the Department had recommended the application for approval without this information. Mr. Ashworth concluded by urging the Committee to reject the application.

Mrs. [REDACTED] McGinley addressed the Committee. Mrs. McGinley, [REDACTED]



Field No.  
MY770, La  
Rue de la  
Prairie, St  
Mary:  
demolition and  
replacement of  
existing  
glasshouse  
with associated  
security fence.

P/2021/1705

A4. The Committee, with reference to its Minute No. A2 of the present meeting, considered a report in connexion with an application in relation to Field No. MY770, La Rue de la Prairie, St Mary, which sought approval for the demolition of the existing glasshouse on the western part of the site and construction of a new glasshouse to link up with the existing eastern glasshouse, with the roof ridges re-orientated from the existing roof form. To the perimeter of the site, it was proposed that the existing security fence be in part retained and repaired as well as in part a new 2.4 metre high security fence constructed. The Committee had visited the application site on 8th March 2022.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies SP1 and 5, GD1 and 7, NE7 and ERE6 of the 2011 Island Plan were of particular relevance.

The Committee noted that the application site was in the rural Green Zone of St. Lawrence, and comprised large agriculture glasshouses to the north, a former tourist attraction building known as Tamba Park to the west, and its associated parking to the south. The Committee recalled that the applicant company had previously been granted approval for: the change of use of the former café and shop at Tamba Park to facilitate an agricultural use; an increase in the floor area of an internal store; the replacement of existing air source heat pumps and an air handling unit; the change of use of the car park from tourism use to parking in connexion with agricultural use; and the construction of external ancillary elements associated with the existing agricultural glasshouse. It was recalled that the Committee had previously emphasised that it would not wish to see any further retrospective applications in respect of the application site. It was further noted that the applicant had secured a licence to cultivate pharmaceutical grade cannabis and had previously been granted permission for the erection of fencing and gates, in accordance with States of Jersey Police requirements for the operation of the site.

The Committee noted that the application was one of 3 applications for the site (items No. A2 and A3 refer) which would be considered at the extant meeting, and this would provide a holistic view of the development on the built area of the site.

The Committee noted that the site access was off La Rue des Varvots, a narrow rural lane on the southern and eastern boundaries. Immediately adjacent to the application site to the west and south-east were glass houses and to the south was a terrace of residential cottages with associated resident car parking. The north of the application site backed onto an open field, and the east of the site was a mixture of green fields and small residential developments.

The Committee was advised that the existing glasshouse subject to this application was formerly in agricultural use and used internally for plant growing, office and welfare facilities and for storage and packing ancillary uses. The Department had previously acknowledged that the use of the glasshouse for the growth of hemp crops was considered an agriculture use and did not need a change of use application. This viewpoint had been endorsed by the Land Controls Department.

The Committee was informed that the floor area of both the existing and proposed glasshouse was calculated by the applicant at 18,182 square metres. The height of the roof eaves and ridgeline of the existing and proposed glasshouses were the same. The proposed glasshouse would replace an existing poor-quality glasshouse, which had partly been damaged by fire, to a similar overall extent and improve the look of the site. Environmental Health had confirmed they had no objection and did not consider that the proposal would cause any unreasonable harm to neighbouring properties and accorded with Policy GD1. The proposed glasshouse would use the existing road access and parking area, which was not considered likely to lead to

unacceptable problems of traffic generation, safety or parking. The Infrastructure, Housing and the Environment Department therefore had no objection to the like-for-like replacement of the glass house as no material change in trip generation was likely, taking into account the previous use when operational, and had commented that the proposed new fence did not interfere with the existing access, including being set back sufficiently from the carriageway. The applicant had confirmed that it was planned to supplement the existing mature landscaping that existed on part of the site. A condition was recommended for detail of the landscaping including to the boundaries.

The Committee was advised that the application included proposed generators within the proposed glasshouse, which would provide emergency back-up power in the event of a power outage. Environmental Health had concluded that in terms of environmental health issues such as noise, smells, lighting and usage, the proposal was acceptable and therefore had no objection, subject to a condition that the generators be used for emergency purposes only (namely in the event of power outage from the main electricity supply to the sub-station and switch station on site) and fully enclosed by blockwork to full height.

Overall, it was noted that the proposed development was for the replacement of the existing poor-quality glasshouse with a new modern glasshouse to a similar size, scale and height. The replacement glasshouse was considered essential to the proper function of the farm holding, would contribute to the viability of the Island agricultural industry providing jobs and was of general economic benefit. It was considered best to replace an existing glasshouse on the site of an existing agricultural business, rather than relocate to an alternative site with the attendant traffic generation between the sites. The proposal was considered to be in accordance with Policy NE7 as did not create undue noise, disturbance or a significant increase in travel and trip generation and would not cause unreasonable harm to neighbouring properties. In addition, the proposal gave rise to demonstrable environmental gains including visually in replacing the existing poor-quality glasshouse with a modern purpose designed glasshouse to meet current environmental standards and in the re-orientation of the roof to maximise solar gain, contributing to the repair and restoration of landscape character. It was therefore considered that the proposal would not cause serious harm to landscape character. The proposal was considered to be in accordance with Policies ERE6 and GD1 and Policy SP5 which gave a high priority to the maintenance and diversification of the economy and support for existing businesses such as this, particularly where development could attract high value business from elsewhere and foster innovation. Consequently, it was recommended that permission be granted, subject to the imposition of certain conditions detailed within the officer report.

The Committee noted that there had been 11 letters of objection and 25 letters in support of the application.

The Committee heard from Mr. [REDACTED] Ashworth, [REDACTED] Mr. Ashworth noted that the information accompanying the application was sparse and many details had not been provided to the public. Mr. Ashworth was critical of the applicant's 'piecemeal approach' to the site, noting that the extant application made no reference to lighting in the glasshouse. He referred the Committee to a comment made by the applicant's representative in respect of one of the applications considered (Minute No. A3 refers), that power would be deployed to existing uses on site, which would undoubtedly, in his view, include lighting within the glasshouse, no details of which had been provided. Similarly, Mr. Ashworth noted that security measures for the site were likely to include security lighting, however he was not aware of any details having been submitted in this respect as part of the application. Mr. Ashworth

believed that the generators were a major issue and that those currently in operation on the site were causing disturbance to neighbours and constituted a statutory nuisance. Regarding the proposed condition which required work to enclose the generators to be completed within 3 months of the commencement of works, Mr. Ashworth asserted that the Department was aware of its own poor record in enforcing such conditions, so he expressed doubts as to its value. Mr. Ashworth wished for the noise abatement measures to be in place prior to the proposed generators becoming operational. In respect of the generators currently running on the site, Mr. Ashworth informed the Committee that they had been in operation for 4 months, which was not, in his view, 'an emergency use', and he believed that operations had begun on the site without the required approvals and abatement measures. Mr. Ashworth expressed disappointment that neighbours were expected to tolerate 'noisy' generators until the applicant gained approval for a sub-station (Minute No. A3 refers). Mr. Ashworth felt that the application failed to consider the implications of replacing the glasshouse in ecological terms and expressed concern about protected species that might be present on the site, stating that he was not aware of any inspection, ecological survey or species protection plan having been carried out. Similarly, he was not aware of a plan or crime impact statement in respect of the security measures for the site. Once again, Mr. Ashworth questioned the overall economic case for the [REDACTED] industry in Jersey and lamented the lack of a masterplan for the site, in contrast with similar applications [REDACTED]. In conclusion, Mr. Ashworth urged the Committee not to grant permission for the application.

Mrs. [REDACTED] McGinley addressed the Committee. Mrs. McGinley, [REDACTED] recalled with some distress [REDACTED] what had gone on at the site, [REDACTED]. She felt that conditions had not been complied with, [REDACTED] with no Environmental Impact Assessment ('EIA') having been submitted as part of the various planning applications relating to the site. She believed that an EIA would have resolved many of the complaints about the site and could not understand why this had not been provided.

The Committee heard from Mrs. [REDACTED] Butlin, [REDACTED]. Mrs. Butlin informed the Committee that [REDACTED] she believed that the site plan displayed was inaccurate. She contended that the demolition taking place on the site was affecting wildlife in the area and that there had been no assessment made in relation to traffic, which she felt had increased noticeably, with instances of large heavy goods vehicles blocking La Rue des Varvots. Mrs. Butlin stated that a greenhouse had been demolished without notice being given to neighbours, that no site photos had been submitted and that foundations appeared to be in place. Mrs. Butlin noted that the plans showed the 're-instatement' of a plant area to the north of the site, which she believed to be a misleading and inaccurate representation, as, to her mind, the plant area in question had never existed. Mrs. Butlin also believed that industrial machinery had been placed on the site in 2021 without permission. She informed the Committee that the response from the Environmental Health Department to similar applications [REDACTED] had been to indicate that further details were needed, and she believed that should also be the case in relation to the application under consideration. Mrs. Butlin again [REDACTED] [REDACTED] questioned why the same criteria were not being applied to this application. Mrs. Butlin asked that the operating hours for the site be stipulated on the decision notice (if permission was granted) for the avoidance of doubt and the benefit of neighbours. She expressed concern at the potential for light pollution, noting that it currently felt like 'living next to an airport' and she was afraid that the situation would become worse if the application was approved. Combined with the noise from the generators,

which had been in operation for some months, Mrs. Butlin described the situation as 'horrendous'. Turning to the EIA, Mrs. Butlin noted that she had not had sight of the document and she was concerned about odours emanating from the site. She believed that the applicant intended to move into the business of the extraction and formulation of medicinal [REDACTED] in future, involving flammable processes and if this was the case, an 'honest' site plan, a long-term masterplan and details of all emissions and pollutants as well as operational times should be provided. She indicated that she would welcome some transparency and honesty from the applicant and urged the Committee to refuse permission.

Mrs. [REDACTED] De La Haye addressed the Committee. Mrs. De La Haye, [REDACTED] questioned why the generators were needed and currently operational, noting that they were extremely loud and there was no recourse for neighbours. Mrs. De La Haye stated that she had very little faith in the imposition of planning conditions, given that they were not always adhered to and were rarely enforced due to a lack of Departmental resources. Mrs. De La Haye felt that what had been a 'lovely place to live' was now one where neighbours no longer enjoyed peace and quiet and she found the present situation quite distressing.

The Committee heard from Mr. R. Bowditch, Environmental Health Officer, who confirmed that the Environmental Health Department had requested and received additional information from the applicant and subsequently had no objections, subject to the generators being for emergency use only.

The Committee heard from Ms. [REDACTED] Clover, a barrister representing the applicant company, Northern Leaf. Ms. Clover informed the Committee that she did not consider the replacement of the western glasshouse to be problematic, given that the existing glasshouse was in a state of disrepair and structurally unsound following both fire and storm damage. Ms. Clover noted that the applicant had written to the Department in May 2021, outlining the work that would be taking place along with a schedule of the necessary work which it had been understood could be undertaken in accordance with permitted development rights and professional advice. Upon being informed of the Department's contrary view in August 2021, following a site visit, the applicant had complied with the Department's requests by promptly submitting planning applications for the work. Ms. Clover noted that there was a desire by the applicant to prepare a master plan, however the context of the applications under consideration had precluded this and no disrespect was intended. Turning to considerations in relation to the lighting element within the proposed glasshouse, Ms. Clover noted that the impact had been considered in May 2021, and there were no further proposals over and above that which already existed. She confirmed that the security deployment would remain as it was. It was not accepted that the generators were giving rise to the impacts previously described and it was hoped that the Committee would reach its own conclusion following the site visit. The applicant refuted the suggestion that the generators were in continuous operation, and that the noise was equivalent to that generated by a 'helipad', as had been claimed. Ms. Clover stated that the generators had been used proportionately and she noted that no action had been taken by the Environmental Health Department in relation to the purported 'nuisance' referred to by certain neighbours. Ms. Clover noted a conundrum in that the generators, in any case, did not fall within the remit of this application, and informed the Committee that the applicant's preferred approach had been to work closely with the Department to find an acceptable solution. Ms. Clover emphasised the co-operative nature of the applicant's approach with the Department and recalled the economic benefit associated with the applicant's business, [REDACTED] which was likely to be doubled in the next few years, and the provision of employment for between 40 and 60 people. She concluded by commending the application to the Committee.

Having considered the application, the Committee unanimously endorsed the officer recommendation and granted permission.

Field No 658,  
Les Marais, La  
Route du  
Marais, St  
Ouen:  
proposed  
installation of  
solar panels.

A5. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the installation of 2 solar panels to the north-east of Field No 658, La Route du Marais, St. Ouen. The Committee had visited the application site on 8th March 2022.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone. Policies NE7, GD1 and GD7, ERE1 and TT13 of the 2011 Island Plan were of particular relevance.

P/2021/1636

The Committee recalled that whilst there was a presumption against development within the Green Zone, minor development (Policy NE7, paragraph 12) could be permissible where it was incidental to the primary use of the land; was well-sited and designed and did not cause serious harm to the landscape character of the area. The Field in question was classed as agricultural land and there was a presumption against the use of such land for other purposes. The impact on the viability of the holding, the nature of the proposed use and the visual impact were important considerations (Policy ERE1 refers). The field was located in a rural area of St. Ouen, to the west of a property known as Les Marais, which was currently under construction. The application proposed the installation of 2 sections of solar panels (measuring approximately 4 x 10 metres each) to the north-east of the field. The Environmental Land Control Section had objected to the proposal on the basis that the field was subject to agricultural restrictions. The location of the solar panels within the field would prevent the use of the field for agricultural/horticultural practices and the proposed development would not be incidental to the permitted primary use of the field for agricultural purposes. Both the size and siting of the solar panels were considered problematic, and the proposal was also likely to have a detrimental impact on the wider setting of the site and on the landscape character of the area. Consequently, the application had been refused on the grounds that it was contrary to Policies NE7, GD1 and ERE1 of the 2011 Island Plan. It was recommended that the Committee maintain refusal.

The Committee heard from the applicants, Mr. and Mrs. ■ German and their agent, Mr. M. Collins of MAC Architectural Services. Mr. Collins advised that the installation of the proposed solar panels would not preclude the field from being used for agricultural purposes, due to the panels being raised off the ground and therefore not impacting on the use of the land at ground level. Mr. Collins noted that the proposed panels would provide green energy for the applicants' nearby property, Les Marais, which was currently under construction. The solar panels would not be visible from the public road, being situated behind the tree line. Mr. Collins urged the Committee to support the application, which would have a positive impact in terms of supplying renewable energy to the property.

Mr. German addressed the Committee, stating that he understood the reasons for protecting fields in agricultural use and advised that the field was used by a local farmer for cattle grazing. The appearance of the field during the Committee's site visit was attributed to regrading work in preparation for reseeded and the applicant was in discussion with the tenant regarding how drainage could be improved. Mr. German informed the Committee that he ■ had been pleased to offer the use of the field to a local farmer and recognised the range of benefits which arose from the same. Turning to the specification of the proposed solar panels, Mr. German advised that they would be

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40 per cent more efficient and far smaller in size than an equivalent static array, due to their ability to follow the course of the sun through the day, which required them to be mounted above the ground in an elevated position. He stated that although large in size, they would be set sufficiently far from the ground to allow grass to grow and animals to graze underneath them and therefore, he contended, there would be no loss of agricultural land as a result. Mr. German advised that the installation of solar panels on the roof of his nearby property had been explored, but this was not possible as the south facing roof would include thermal solar panels for heating water for the house and pool. Mr. German viewed the installation of the proposed solar panels as a positive environmental contribution, noting that ongoing maintenance would be required and reduced operating costs would not be achieved for another 12 years. Mr. German informed the Committee that the installation of the proposed solar panels would eliminate the need for 2 oil fired boilers and associated fuel tanks, thus reducing the property's carbon footprint and that their location had been carefully considered to ensure that they were obscured from view.

The Committee considered the application and the points which had been raised. Whilst members recognised the role of solar panels in producing clean, renewable energy, the Committee was concerned about the installation of solar panels on agricultural land. Consequently, the Committee endorsed the officer recommendation to refuse permission for the reasons set out in the Department's report.

Les Marais, La  
Route du  
Marais, St  
Ouen:  
proposed pool  
house.

A6. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the construction of a pool house at the property known as Les Marais, La Route du Marais, St. Ouen. The Committee had visited the application site on 8th March 2022.

P/2021/1625

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

The Committee recalled that whilst the Green Zone Policy presumed against development, certain exceptions may be permissible, including the development of ancillary buildings, as set out in Policy NE7.2, but only where the following criteria were met:

- the building was modest and proportionate to other buildings on the site;
- the building was well-sited and designed, relative to other buildings, the context, size, material, colour and form; and,
- the building did not seriously harm the landscape character.

The Committee was advised that the design of the single storey, shallow roof pool house and the proposed materials were considered appropriate. However, its size (12.9 metres x 4.6 metres) was considered disproportionate to other buildings on the site and the structure would be positioned away from other buildings, resulting in a detrimental impact on the landscape character. Most importantly, the building (shown provided with a kitchen and bathroom) would be capable of habitable use and the proposed floor area was of a size that exceeded the minimum standards for a 2-person flat. Paragraph 2.126 of the Green Zone Policy preamble stated that the creation of habitable accommodation in detached ancillary buildings would not be supported. On this basis the pool house was considered contrary to Policy NE7. Ultimately, the application had refused on the basis that the scheme was contrary to Policy NE7, GD1, GD7 and BE6 of the 2011 Island Plan and it was recommended that the Committee maintain refusal.

The Committee heard from the applicants, Mr. and Mrs. ■ German and their agent, Mr. M. Collins of MAC Architectural Services. Mr. Collins advised that his clients ■ wished to make alterations to the property to improve the facilities. The pool plant had been located in a shed with an associated timber pool house, and Mr. and Mrs. German wished to provide a seating area, changing facilities and a small kitchenette to enhance their enjoyment of the pool area. He stated that an eco-friendly approach would be adopted in the construction of the pool house and that it would be situated in the same location as the previous building, around 15 metres from the main house. Mr. Collins advised that the proposed footprint of the pool house would be 41 square metres, which was equivalent to 6.4 per cent of the size of the main house and was therefore proportionate. He asserted that there would be no harmful impact on the landscape character due to the design, size and location of the proposed building, which would be screened by planting. Turning to the potential for habitable use of the building, Mr. Collins believed this to be unrealistic given the nature and size of the main property. He informed the Committee that a significant area of the proposed pool house would be used to house plant and filtration equipment for the swimming pool, which reduced the useable area to around 33 square metres. The proposed building had a low profile, would be constructed using high quality materials, was in a suitable location and no objections to the application had been received. In conclusion, Mr. Collins referred to a number of applications for pool houses ■ all of which had been approved, some of which were the same size or significantly larger and located further from the main property than that which was proposed. The Committee was urged to reconsider the Department's refusal.

Mr. German addressed the Committee, noting that members had been made aware of the location of the pool house during the site visit. Mr. German informed the Committee that his family greatly enjoyed the use of the pool and wished to upgrade the facilities to enhance the experience. There was no intention of using the pool house as a separate habitable unit and it was noted that it would be almost entirely glazed to the front and western gable. Given the size of the main house, Mr. German stated that no additional habitable accommodation was required. He repeated that a large portion of the proposed building was given over to storage and plant for the swimming pool, which would enable the pool to be heated using an air source heat pump and thermal solar power. The storage area was accessible only from the outside of the building and was designed to store furniture and inflatables, and therefore did not form part of the internal floor area of the proposed building. Similarly, the toilet would be accessible from the outside of the building for practical purposes. In conclusion, he stated that the proposed building was logically positioned at the shallow end of the pool, in the same location as the previous structure and that it would be beneficial from an energy efficiency perspective.

The Committee considered the application and the points which had been raised. Whilst members understood the applicant's desire to improve the swimming pool facilities, the Department's concerns were understood. Consequently, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department's report.

La Guillerie,  
La Route de  
Trodez, St  
Ouen:  
proposed pool  
house, glass

A7. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the construction of a pool house and glass house with a surrounding wall and a car port at the property known as La Guillerie, La Route de Trodez, St. Ouen. The Committee had visited the application site on 8th March 2022.

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house/glass  
house/car port.

Deputy M.R. Le Hegarat of St. Helier did not participate in the determination of this application.

P/2021/1303

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

The Committee recalled that whilst the Green Zone Policy presumed against development, certain exceptions may be permissible, including the development of ancillary buildings, as set out in Policy NE7.2, but only where the following criteria were met:

- the building was modest and proportionate to other buildings on the site;
- the building was well-sited and designed, relative to other buildings, the context, size, material, colour and form; and,
- the building did not seriously harm the landscape character.

The Committee was advised that the design of the single storey, shallow roof pool house was considered appropriate, and it would be screened from the public road to the north by mature hedging. However, its size (5.2 metres x 10 metres) was considered disproportionate to other buildings on the site, and this would be compounded by a retractable covered area which would extend the width to 16 metres. Most importantly, the building (shown provided with a kitchen and bathroom) would be capable of habitable use. Paragraph 2.126 of the Green Zone Policy preamble stated that the creation of habitable accommodation in detached ancillary buildings would not be supported. On this basis the pool house was considered contrary to Policy NE7.

The Committee noted that there were 3 separate aspects to this scheme: the carport, greenhouse and pool house. During the life of the application the Department had negotiated a reduction in the size of the carport (by the removal of a store) making that aspect of the scheme acceptable. The glasshouse was also considered to be non-contentious and acceptable. However, the Department had been unable to secure amendments to the pool house and the application had refused on the basis that the scheme was contrary to Policy NE7, GD1, GD7 and BE6 of the 2011 Island Plan and it was recommended that the Committee maintain refusal.

The Committee heard from the applicant, Mr. [REDACTED] Maccabe and his agent, Mr. T. Skudder of TS Associates. Mr. Skudder believed that there were errors in the Department's report in relation to the measurements for the proposed pool house. He clarified that the pool house would measure 4 metres x 7 metres and not 5.2 metres x 10 metres as stated and that a retractable covered area was not proposed. He contended that the Department had interpreted an open frame timber pergola as a retractable cover. Turning to the Department's assessment of proportionality in relation to other buildings on the site, Mr. Skudder believed that the proposed building was proportionate in size compared to the main house and well sited away from the house and suitably screened from public view. Mr. Skudder noted that a number of similar applications had been approved in the recent past, including one which proposed a significantly larger pool house [REDACTED] and he asked for consistency of approach.

The Committee heard from Mr. Maccabe, who sought to illustrate the setting of the application site. He stated that the proposed building would be contained within a large private garden, located on an exposed and windy site which lay 400 feet above sea level. He confirmed that the proposed pool house measured 4.5 metres by 7 metres and included a pergola and not a retractable covered area. Mr. Maccabe [REDACTED]

████████████████████  
████████████████████ urged the Committee to maintain a level playing field for the determination of such applications. Mr. Maccabe advised that the proposed pool house was intended for the benefit of his family, ██████████ ██████████ shelter the pool area from the wind and increase the safety of the pool. He noted that the application included other elements which were not contentious and that an offer to include a covenant ensuring that the building was not used for habitable purposes had been rejected by the Department. Mr. Maccabe assured the Committee that he had no intention of using the proposed pool house as habitable accommodation and that its proximity to the main house would make this an unattractive prospect for privacy reasons. The purpose of the proposed building was to enhance the surrounding environment of the house and pool area. Mr. Maccabe ██████████ ██████████  
████████████████████ concluded by bringing the Committee's attention to the absence of any objections to the application, including from the neighbouring National Trust for Jersey.

Having considered the application, the Committee endorsed the officer recommendation and refused permission as it did not accord with the Green Zone Policy due to its size and the potential for habitable use.

La  
Maisonnette,  
La Rue de  
Haut, St.  
Lawrence:  
proposed  
swimming  
pool and pool  
house.

A8. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the construction of a swimming pool, terrace and pool house with retaining wall and associated landscaping at the property known as La Maisonnette, La Rue de Haut, St. Lawrence. The Committee had visited the application site on 8th March 2022.

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

P/2021/1673

The Committee recalled that whilst the Green Zone Policy presumed against development, certain exceptions may be permissible, including the development of ancillary buildings, as set out in Policy NE7.2, but only where the following criteria were met:

- the building was modest and proportionate to other buildings on the site;
- the building was well-sited and designed, relative to other buildings, the context, size, material, colour and form; and,
- the building did not seriously harm the landscape character.

The Committee was advised that the design of the single storey, shallow roof pool house was considered appropriate, and it would be screened from the public road to the south and the private driveway to the west by mature hedging. However, its size (3.8 metres x 7.7 metres) was considered disproportionate to other buildings on the site. Most importantly, the building (shown provided with a seating area and bathroom) would be capable of habitable use. Paragraph 2.126 of the Green Zone Policy preamble stated that the creation of habitable accommodation in detached ancillary buildings would not be supported. On this basis, the pool house was considered contrary to Policy NE7. Furthermore, the pool house was likely to have a detrimental impact upon the wider setting of the site and the landscape character. For completeness, it was clarified that the swimming pool, retaining wall and paving was non-contentious and acceptable. However, these elements of the scheme could not be approved in isolation as the application included a pool house which was

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considered unacceptable. Consequently, the application had been refused on the grounds that it was contrary to Policy NE7, GD1, GD7 and BE6 and it was recommended that the Committee maintain refusal.

The Committee heard from Mr. J. Gallaher of Gallaher Architects, acting as agent on behalf of the applicants, Mr. and Mrs. ■ Haslehurst. Mr. Gallaher stated that he believed the scheme would have constituted Permitted Development if the host building had been set 400 millimetres further to the north as it could not have been defined as a principal elevation situated within 20 metres from the public road. He argued that notwithstanding this, the proposed pool house would not be detrimental to the landscape as the garden was well screened from the public road and he therefore questioned the reason for the Department's refusal.

It was confirmed by the case officer that the Department did not consider that the proposed pool house constituted Permitted Development under Schedule 1 of the Planning and Building (General Development) (Jersey) Order 2011 due to the potential for habitable use.

The Committee considered the application and the points made. Whilst recognising that the proposed pool house was of a modest size and close to being proportionate in relation to other buildings on the site, it did not accord with the Green Zone Policy due to its size and the potential for habitable use. Therefore, the Committee decided to endorse the recommendation to refuse the application for the reasons set out above.

Maison de Bas,  
La Rue  
d'Egypte,  
Trinity:  
proposed  
formation of  
guest  
accommodat-  
ion.

A9. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the refurbishment of an existing detached music room at the property known as Maison de Bas, La Rue de Egypte, Trinity to facilitate the creation of guest accommodation. The Committee had visited the application site on 8th March 2022.

Connétable P.B. Le Sueur of Trinity, Chair did not participate in the determination of this application and Deputy G.J. Truscott of St. Brelade acted as Chair for the duration of this item.

P/2021/1327

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

The Committee noted that it was proposed to form habitable accommodation within the existing detached structure. It was recalled that Policy NE7 presumed against development in the Green Zone and the creation of habitable accommodation within detached ancillary buildings was not supported. Given that the proposal would facilitate the creation of habitable accommodation within a detached ancillary building, the proposal would be directly contrary to Policy NE7, specifically section 2.126. In addition, permission for the building in question had been conditional upon it not being used for habitable purposes or as a separate dwelling unit (application reference PB/1998/2540 refers). In light of the above, the scheme did not satisfy the necessary Island Plan Policy criteria and had been refused on this basis. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Mr. A. Roberts of Godel Architects, acting as agent on behalf of the applicant, Mr. ■ Dobson. Mr. Roberts informed the Committee that his client wished to add a kitchenette and shower room to the music room in order to form guest accommodation therein. Following the Department's approval in 1998, which Mr. Roberts believed had been granted on the basis of the building

being used for recreation, enjoyment and habitation, the music room had been used as habitable space. In his view, any argument that the application would facilitate the creation of habitable space was redundant as this was currently the case with the structure being heated, insulated and having a fireplace, which accorded with the Department's definition of habitable space. Mr. Roberts stated that the application would not lead to the creation of a separate dwelling unit, as the music room, though detached, was located in the grounds of the principal dwelling and situated above its garage. There was, he contended, no opportunity to create a separate entrance to serve the detached building and in addition, it depended on the infrastructure of the principal dwelling for all services and utilities. Mr. Roberts indicated that his client would readily accept a condition requiring the building to remain ancillary to the principal dwelling. In conclusion, he stated that residents in the Green Zone should be allowed to improve their homes without harm to the landscape character and the intention was not to form a separate dwelling unit.

It was confirmed that a condition could be added to the permit, as suggested by the applicant's agent, if the Committee was minded to approve the application. It was clarified that the application did not relate to an extension of existing habitable space but proposed the creation of habitable accommodation within a detached ancillary building, which did not accord with Policy NE7.

Having considered the application, the Committee was unable to reach a majority decision. Connétable M. Troy of St. Clement and Deputy S.G. Luce of St. Martin were minded to approve the application, both having agreed that it did not constitute new development. Deputies G.J. Truscott of St. Brelade, Vice Chair and M.R. Le Hegarat of St. Helier supported the Department's recommendation for refusal on the grounds that the application was contrary to Policy NE7.

Consequently, in accordance with agreed procedures where a vote was tied, the application was determined in the negative and was refused.

Avonmore  
Cottage, 9 Les  
Cappelain  
Cottages, La  
Rue des  
Landes, St  
Peter:  
proposed  
conversion of  
garage to  
create  
dwelling.

P2021/0637

A10. The Committee considered a report in connexion with an application which had been refused by the Department under delegated powers and which sought approval for the conversion and extension of a garage at the property known as Avonmore Cottage, No. 9 Les Cappelain Cottages, La Rue des Landes, St. Peter. The Committee had visited the application site on 8th March 2022.

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

The Committee noted that it was proposed to raise the walls and roof of the existing garage, which was situated in the garden of the host property. In the Department's view the increase in the scale of the existing garage and the proposed use as a separate independent unit of accommodation, would result in a cramped development, which would be harmful to the character of the area and the amenities of the occupiers of the host property and the property immediately to the west. Consequently, the application had been refused on the grounds that it was contrary to Policies GD1, 3, 7 and H6 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Mr [REDACTED] Caunce and his agent Mr. C. Dunne of Dunne Architects. Mr. Dunne noted that protracted discussions with the Department had not resulted in a satisfactory outcome for his client, who wished to create a small cottage [REDACTED]

[REDACTED] Mr. Dunne informed the Committee that the overall

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development site measured 320 square metres and was located in the Built-Up Area, where such development was actively encouraged. He stated that the site was capable of reasonably accommodating 7 to 8 habitable rooms, rather than the current 4 to 5 and that this intensification of use accorded with policy. Mr. Dunne advised that the proposed development would repurpose the existing garage structure by raising the roof by 1.4 metres, which he considered to be reasonable. The Department's request that the roof be raised by no more than one metre would make the proposed design unworkable due to minimum space standards not being met. In conclusion, Mr. Dunne noted that no objections had been received and he believed that the proposed development was acceptable and in accordance with the relevant policy context.

Mr. Counce addressed the Committee, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] He informed the Committee that he had no intention of selling the proposed independent unit of accommodation as he wished to retain it for his own use.

In response to a question from the Committee regarding the provision of parking, Mr. Dunne confirmed that 3 spaces would be provided (2 for the existing unit and one for the proposed unit) and that an additional 2 spaces were allocated for the existing unit on the road in front of the site.

The Committee, having considered the application, unanimously endorsed the recommendation and maintained refusal for the reasons set out in the Department's report. Deputy S.G. Luce of St. Martin remarked that moving the 2 parking spaces for the existing unit would go some way to alleviating his concerns about the cramped nature of the development.