

KML/MH/161

PLANNING COMMITTEE

(12th Meeting)

16th May 2019PART A (Non-Exempt)

All members were present, with the exception of Deputies R. Labey of St. Helier, Chairman, S.M. Wickenden of St. Helier, R.E. Huelin of St. Peter, Connétables D.W. Mezbourian of St. Lawrence and K. Shenton-Stone of St. Martin, from whom apologies had been received.

Deputy G.J. Truscott of St. Brelade, Vice Chairman  
Deputy J.M. Maçon of St Saviour  
Connétable P.B. Le Sueur of Trinity

In attendance -

J. Nicholson, Principal Planner  
(item Nos. F.A.T.)  
A. Townsend, Principal Planner  
(item Nos. F. A. T.)  
J. Gladwin, Senior Planner  
G. Duffell, Senior Planner  
L. Davies, Planner  
R. Greig, Planner  
T. Ingle, Principal Historic Environment Officer  
K.M. Larbalestier, Committee Clerk, States Greffe

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

Minutes.	A1. The Minutes of the meeting held on 4th April 2019, having been previously circulated, were taken as read and were confirmed.
Field No. 14, Willow Farm, Le Hucquet, St. Lawrence: proposed agricultural staff accommodat- ion. 1070/2/1/3 (156) P/2016/1773	<p>A2. The Committee, with reference to its Minute No. A8 of 4th April 2019, considered a report in connexion with an application which proposed the construction of 8 x 2 bedroom and 2 x 3 bedroom agricultural staff accommodation units to the north of Field No. 14, Willow Farm, Le Hucquet, St. Lawrence. The Committee had visited the application site on 21st August 2018 and, more recently, on 2nd April 2018.</p> <p>The Committee recalled that it had been minded to approve the above application, contrary to the officer recommendation. For the purpose of formally setting out the reason for approval, the application was re-presented and the Committee confirmed its decision to grant permission, subject to the implementation of a Planning Obligation Agreement to limit the occupancy of the units to persons employed by Woodside Farms Limited as agricultural workers.</p>

La Vielle  
Maison, La  
Rue de  
Grantez, St.  
Ouen:  
proposed  
demolition of  
outbuilding/co  
nstruction of  
dwelling/store/  
terrace.  
477/5/3(1062)

P/20190136

A3. The Committee considered a report in connexion with an application which sought permission for the demolition of some existing outbuildings at the property known as La Vielle Maison, La Rue de Grantez, St. Ouen and its replacement with a new 2 bedroom dwelling with associated car parking. It was also proposed to construct a store with a terrace above for the principal dwelling. The Committee had visited the application site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and that La Vielle Maison was a Grade 4 Listed Building. Policies NE7, SP1, 4, 6 and 7, GD, GD7, HE, NE1, NE2 and LWM2 of the 2011 Island Plan were of particular relevance.

The Committee was advised that a modern design approach had been adopted in respect of the proposed new dwelling. It would replace an existing assortment of outbuildings which were of limited architectural merit, but which did not negatively impact on the character of the area. The applicant had stated that the existing outbuildings on the site totalled 167 square metres and the proposed 2 bed bungalow would measure 98 square metres (with an additional storage room and terrace for the existing house).

The Committee recalled that Policy NE7 afforded the Green Zone a high level of protection from development and there was a general presumption against all forms of development. None of the listed exceptions within the Policy were considered to apply and for this reason the application failed to pass the policy test and was, therefore, recommended for refusal.

5 letters of support for the application had been received. The Committee also noted that the Historic Environment Section had no objection to the proposal.

The Committee heard from the applicants, Mr. and Mrs. S. Warner. It was noted that Mrs. Warner was also the architect. Mr. Warner advised that his parents-in law had lived at the property since 1990 and that his father-in-law was approaching retirement. He had offered Mr. and Mrs. Warner the opportunity to build a family home on the application site and it was intended that Mrs. Warner's brother would construct the property. Mr. Warner stated that his wife had worked hard to create a sympathetic proposal.

Mrs. Warner stated that the proposed development would not result in any harm to character of the area or the setting of the Listed Building. There had been no objections from the Historic Environment Section and the creation of a 1.5 metre wide footpath to the north of the site was supported by the Highways Section of the the Department. The application had been recommended for refusal on the basis of the Green Zone location of the site. However, Mrs. Warner believed that the scheme represented a sensitive proposal for a modest family home which would result in a 41 percent reduction in footprint. The proposed development would be set back from buildings on either side and from an existing granite wall on the south side. The scheme included car parking and amenity space for the property. Similar development had been approved in close proximity to the application site and there had been no objections from neighbours.

The Committee discussed the application and noted that it was intended that the applicant's brother would take over the family building business when his father retired. The Committee asked whether the proposed development would displace the business. Mrs. Warner advised that only a limited amount of materials were currently stored on site and that her brother wished to secure a more central location for the business.

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Having considered the application, the Committee concluded that this was a well thought through scheme which would result in a number of improvements, as well as reduction in the intensity of the use of the site due to the relocation of the business. Consequently, the Committee was minded to approve the application, contrary to the officer 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.

Herupe House,  
Le Chemin de  
Herupe, St.  
John: proposed  
demolition of  
extension to  
north/construct  
ion of new  
extension and  
garage/replace-  
ment of box  
dormers.  
477/5/3(1052)

A4. The Committee, with reference to its Minute No. A5 of 7th February 2019, considered a report in connexion with an application which sought permission for the demolition of an extension to the north of the property known as Herupe House, Le Chemin de Herupe, St. John and its replacement with a new 2 storey extension and garage. It was also proposed to replace 2 existing box dormers on the south and north elevations with 2 new dormer windows. The Committee had visited the application site on 14th May 2019.

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

The Committee recalled that the application related to a traditional farm house, which had been heavily extended on its northern side, and which was set within a large site, located within rural St. John in the Green Zone. The scheme sought to demolish a large range of unsympathetic extensions to the north of the traditional granite farm house and replace them with a 2 storey extension attached to the main house by a 2 storey glazed link; with a further single storey garage and car port wing to the east. These additions would equate to in excess of 600 square metres of floor space. There was a “*general presumption*” against, but not an absolute moratorium on, development within the Green Zone. Policy NE7 allowed for the extension of a dwelling and minor development, thereby accommodating the reasonable expectations of residents. However, a number of tests had to be satisfied and in this particular instance, the proposals, by virtue of their excessive scale and bold, contemporary form, were considered to overwhelm the traditional characteristics and proportions of the existing farm house. As such, it was considered that the scheme failed to deliver a design which was appropriate to the existing building and its rural context (the relevant test being set out under Policy NE7, paragraph 1a). Accordingly, the presumption against development within the Green Zone prevailed and the application was recommended for refusal on this basis.

The Committee recalled that, having previously considered the application and the views of individual members – some of whom were supportive of the scheme and others were not, it had been decided to defer consideration of the application so that the views of the Jersey Architecture Commission (JAC) could be sought. It was recognised that the Committee was not bound by those views. The Committee noted that the application had subsequently been presented to the JAC on 12th April 2019. Whilst the JAC had welcomed the restoration of the older building, the following comments had been made -

- that the extension appeared as a large pavilion addition to a traditional rural house;
- no other design strategies had been investigated;
- the extension did not respond to its orientation;
- the primary rooms faced north and were accessed via a long corridor;
- daylight quality, especially at ground floor level, was a concern;
- the building did not express a strong relationship to its landscape or the host dwelling;
- the west and east elevations had a commercial feel;

- the internal plan form relied upon a long corridor;
- the rear glazed link was perhaps not the spatially exciting entrance cited; and,
- the sun path to the glazed link was blocked by the proposed garages.

In conclusion, the JAC had concluded that it supported contemporary extensions to existing buildings if designed sensitively. However, in this case, the grain of development needed to be finer than the proposed large, square, pavilion building; and, any extension should respect the existing building. The Commission had recommended a 'step back' to review alternatives with an option to use buildings around a central courtyard or courtyards to offer high quality internal and external spaces which helped track the sun around the north facing site. It was felt that a more sensitive touch, informed by a review of farmhouse extensions, could provide a better design strategy.

The Committee was advised that the Department's recommendation to refuse the application remained unchanged.

The Committee received the applicant, Mr. J. Taylor and his agents, Messrs. B. Francisco and M. Waddington. Mr. Waddington addressed the Committee stating that he believed that the JAC was generally supportive of the design approach and had no problem with the scale of the proposed development. Mr. Waddington stated the suggestions made by the JAC had been carefully considered and it had been concluded that the proposed development was understated and would only be glimpsed from outside the site.

Mr. Francisco addressed the Committee, outlining the design process and discussions with the Department about the scheme. Initially there had been no opposition from the Department to the contemporary design approach and the scheme had been amended to take into account suggestions made by the case officer. Neighbours supported the scheme and this was borne out by written representations. The scheme had been assessed against the Green Zone Policy tests and it was believed that it complied with the Policy, which permitted replacement buildings. The proposed development represented a 5 percent increase in floor area and would not result in significant harm to the landscape character of the Green Zone. The scheme also proposed the repair and refurbishment of the principal dwelling; would not result in landscape harm and would only be glimpsed from outside the site. In concluding, Mr. Francisco stated that views of Commissioners on the JAC had varied, but that the ultimate test was one of visual impact and impact on landscape character.

Mr. Taylor advised that he had attending the JAC meeting and had listened to discussions which centred around design and daylight quality. He did not believe that any concerns had been expressed about scale or the contemporary nature of the design. Neither had there been any comment on views from outside the site. Mr. Taylor repeated that it would be almost impossible to see the proposed development from the road.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, in her capacity as Executive Officer to the JAC, who advised that the views of Commissioners had been accurately reflected in the notes of the meeting which had been included within the Committee's agenda packs. She felt that it was unfair to suggest that Commissioners had offered individual solutions based on their own preferences. The JAC, had reviewed the orientation of the structure, raised the issue of scale and had suggested that alternative design solutions be explored.

Having considered the application and the advice received from the JAC, the Committee decided to endorse the officer recommendation to refuse the application

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on the grounds set out above.

No. 11  
Museum  
Street, St.  
Helier:  
proposed  
demolition and  
redevelopment.  
477/5/1(650)

A5. The Committee considered a report in connexion with an application which sought permission for the demolition of an existing warehouse at No. 11 Museum Street, St. Helier and its replacement with 4 x one bedroom and 2 x 2 bedroom residential units. The Committee had visited the application site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies SP1, 2, 3, 6, 7, GD1, GD3, GD7, GD8, E1, H6, TT2, TT4, LWM2 and LWM3 of the 2011 Island Plan were of particular relevance.

P/2018/0934

The Committee noted that the application site comprised a disused 2-storey warehouse building (dating from the Victorian era), on the western side of Museum Street, a short distance from the town centre. The building was in a poor structural condition and had not been occupied for many years. The application proposed the redevelopment of the site, to create a new 5-storey building, containing six apartments. In principle, the redevelopment of the site for residential purposes was considered to be acceptable. The height of the proposed new building was to be set slightly below that of the large neighbouring Nat West Bank headquarters building (which was to the immediate south), but above that of the neighbouring building (No. 15 Museum Street) to the north. This would not be perceived significantly from the street and, overall, the scale of the new development was considered to be acceptable in this context.

The Committee was advised that the scheme had been amended in response to comments from immediate neighbours to the north (along Belmont Road) and the scale and design was now considered to be acceptable in terms of the impact on neighbours. Architecturally, the building was considered to be a well-designed contemporary structure (which would be finished in a mix of glazed bricks and painted render), which was considered acceptable in terms of streetscape impact. The units complied with the required residential standards and each one was to be provided with a small designated terrace or balcony area. Owing to the physical constraints of the site it was not possible to establish any car parking. In view of the central location, and the provision of designated cycle parking for residents, the Department was recommending approval, subject to the imposition of certain conditions detailed within the officer report.

2 letters of representation had been received in connexion with the application.

The Committee heard from Ms. P. Kearns, an immediate neighbour, who lived at No. 10 Belmont Road. Ms. Kearns advised that she was worried about the impact of the development on the structural integrity of her property and the potential for damage. She was also concerned about loss of sunlight.

The Committee heard from the applicant's agents, Mrs. S. Steedman and Mr. C. Dunne. Mr. Dunne addressed the Committee, stating that as part of the building works a condition survey of immediately adjacent properties would be undertaken prior to commencement. This would highlight any issues which would require monitoring and appropriate insurances would be put in place. Turning to the proposed development, the scheme had been amended in response to concerns from neighbours and Mr. Dunne detailed the changes which had been made. The scheme made the best use of a neglected site in the Built-Up Area and Mr. Dunne urged the Committee to approve the application.

Mrs. Steedman stated that the application accorded with the aims of the Island Plan and the Spatial Strategy to make the best use of land in the Built-Up Area. The

existing building had come to the end of its life and this was confirmed in a structural engineering report which concluded that it was not fit for re-use. Nor would the existing building present a viable commercial return. The approval of 6 new homes on the site would contribute to the provision of much need housing in the Built-Up Area. The scheme complied with Policies SP1, SP2, GD1 and GD3 and had been amended to address concerns expressed by neighbours. The application was recommended for approval and there were no objections from statutory consultees.

The applicant's agents responded to a number of questions posed by members in relation to materials, drainage and the lift within the development.

Having considered the application, the Committee endorsed the officer recommendation to grant permission, subject to the imposition of the conditions detailed within the officer report. In concluding, the Committee stressed that it was imperative that the necessary insurances were in place and condition surveys carried out to protect the neighbouring buildings.

Highview, La  
Route de  
Noirmont, St.  
Brelade:  
proposed new  
dwelling/  
replacement  
garage roof.  
477/5/3(1063)

A6. The Committee considered a report in connexion with an application which sought permission for the construction of a new 2 storey dwelling in the rear garden of the property known as Highview, La Route de Noirmont, St. Brelade. The Committee had visited the application site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies SP1 and 7, GD1, GD3, GD7, H6 and TT2 of the 2011 Island Plan were of particular relevance.

P/2019/0020

The Committee noted that Highview was a large detached dwelling, with a substantial rear garden and was located on the eastern side of La Route de Noirmont. The property was surrounded by other residential development, including Portelet Drive (a 1950s close of 8 detached dwellings) to the north, as well as recently-constructed dwellings to the south and east. The application proposed the construction of a new 2-storey, 3-bedroom dwelling within the rear garden of High View, together with the formation of a new footpath along the site's roadside boundary. Architecturally, the scheme was considered to be well-designed and its wider impact on the character of the area was viewed as acceptable. The formation of a new footpath and the improved visibility splays, meant that the scheme would result in significant safety improvements.

The applicant had erected a scaffold profile of the proposed development on the site, enabling the Committee to assess the scale and impact of the proposed dwelling. Concerns raised by nearby neighbours were acknowledged, but had to be balanced against the wider requirements of the Island Plan, and, in this particular case, the requirement to make best use of land within the Built-Up Area. In the Department's view, the proposed development would not cause '*unreasonable harm*' (the test under Policy GD1) to neighbouring residents. Consequently, the application was recommended for approval, subject to the imposition of certain conditions detailed within the officer report.

A total of 20 letters of representation had been received in connexion with the application – 5 of which expressed support for the scheme. The Committee noted that reference had been made to the '25-degree test', which established the effect a proposed building would have on existing properties with regards to obstructing daylight to windows/rooms. This test was carried out when the proposed new building was opposite an existing building and a reference line was taken at 2 metres on the existing building. This was the assumed position of the top of windows in the existing building. A 25-degree line was then drawn towards the proposed building. If the whole of the proposed development fell underneath the line drawn at 25

degrees, there was unlikely to be a detrimental effect to daylight on the existing property. Whilst this test had not formally been adopted in the Island, reference had been made to it by independent planning inspectors in planning appeals.

The Committee heard from Dr. R. Dodding, of the property known as Cicadella, who believed that the proposed development would cause unreasonable harm to neighbouring properties and that not enough weight had been given to issues raised by objectors. Mr. Dodding was particularly concerned about the impact on his only private amenity space and principal rooms on the western side of Cicadella. He was concerned about loss of outlook and loss of sunlight given the proximity of the proposed 2 storey building to the western boundary and went on to state that the height and mass of the proposed dwelling would also be harmful to the amenities of other neighbouring properties. Mr. Dodding understood that negative pre-planning advice had been given in 2017 in respect of a proposal for a smaller dwelling positioned further away from the boundary on the application site. In fact, the case officer had stated unequivocally that he remained to be convinced that the site would be able to take any form of development given its constraints and based on issues raised by local residents. Mr. Dodding did not think that this advice could be ignored as this would render the pre-application advice service offered by the Department worthless. The only reason Mr. Dodding could see for siting the proposed dwelling in such close proximity to the boundary with Cicadella was to move further away from Highview so as not to impact on that property. Mr. Dodding did not believe that the scheme could be fairly compared with development on a neighbouring site known as Lismore. There had been many objections to the Highview application and he was of the firm view that new developments should respect existing developments in order to avoid a reduction in the quality of life of residents. In concluding, Mr. Dodding stated that the scheme did not accord with Policy GD1 of the 2011 Island Plan and should be rejected on this basis.

The Committee heard from Mr. R. Denton of No. 4 Portelet Drive, which property shared its southern boundary with the application site. Mr. Denton advised that he had been dismayed to learn of the Department's recommendation for approval as he believed the scheme would have a significant impact on his private garden and conservatory. He was concerned about loss of daylight and sunlight and light pollution from the proposed development and he pointed out that the north elevation of the proposed development was only 9 metres away from his conservatory door and would 'tower above' his property. The properties at Portelet Drive had been constructed in a staggered arrangement to reduce overlooking, but the proposed development would seriously erode any sense of privacy and would be detrimental to the quiet enjoyment of neighbouring properties. In concluding, he stated that the scheme would have an overbearing impact on Nos. 3, 4 and 5 Portelet Drive and the properties known as Cicadella and Highview would also suffer unreasonable harm. Mr. Denton felt that priority was being given to commercial property development over existing residents.

The Committee heard from Mrs. A. Layzell, who represented Mr. and Mrs. J. Corfe of No. 7 Portelet Drive. Mrs. Layzell advised that Mr. and Mrs. Corfe were unable to attend the meeting and had asked that she read a submission to the Committee on their behalf, as follows –

'We are dismayed that the general presumption for development outweighs the rights of existing residents and that consideration does not appear to have been given to the impact of the development on the character of the area and the amenity of existing neighbours. Prior to 2015, the nature and character of the area had been one of reasonable open space with the application site being the garden of the property known as Highview, with a neighbouring bungalow (Cicadella) to the east and another neighbouring property (Lismore) to the south. Recent developments had

incrementally filled in all gaps with 3 new properties replacing one on the Lismore site and the sheer volume of development increasing (including a multi-storey building replacing the original Cicadella bungalow). Each of these developments had been deemed by the Department to have a small enough impact as to be reasonable. By way of metaphor, increasing the temperature of the water in one's bath once might be reasonable, but when this was repeated multiple times the absolute temperature reached became intolerable at a certain point – so it was with recent and proposed development. The Department had shared neighbours' concerns in respect of a previous scheme proposed on the application site and as it did not appear that there was anything material to change that view, the application should be refused and the Committee urged to take a holistic view of the impact of development on the area.'

The Committee heard from Mrs. E. Perkins, who had lived with her parents at No. 8 Portelet Drive and then at No. 6 Portelet Drive with her husband and family. Mrs. Perkins felt very strongly about the changes which had occurred in the area as a result of new development. She asked the case officer to explain the Department's change in position as it had clearly been stated less than 2 years before that the site was not suitable for development. She urged the Committee to refuse the application in order to facilitate the retention of the last remaining open space.

The Committee heard from Mr. A. Layzell of No. 8 Portelet Drive. Mr. Layzell extended apologies for absence from the residents of No. 3 Portelet Drive. He too referred to the pre-application advice previously provided by the Department in respect of an earlier scheme and the marked contrast between this advice and the current recommendation for approval. He asked the Committee to consider the challenges presented by tandem development, which was generally discouraged by local authorities in the UK and had long been held as a tenet of bad planning practice. He noted that the officer report did not consider the effect the proposed development on Highview, the principal dwelling and Mr. Layzell found this astonishing. Whilst the properties were currently in the same ownership it was likely that if approval was forthcoming the proposed new dwelling would be sold on completion so the relationship between the 2 structures had to be considered. Mr. Layzell went on to state that a delegated authority decision by the Department to approve development on the Lismore site had been a very poor one and had been acknowledged as finely balanced by the Department. In his opinion, this decision should not be relied upon or viewed as setting any sort of precedent, and, in this context, Mr. Layzell made reference to the case of Caesar Investments versus the Minister for Planning where the appellant's case had been based on precedent, but had not stood up. In concluding, Mr. Layzell stated that over maximising the use of the Built-Up Area was having a significant impact on those who lived there and those who lived in new developments. Mr. Layzell urged the Committee to reject the application.

The Committee heard from the applicant, Mr. C. Sutton and his agents, Mrs. S. Steedman and Mr. M. Collins. Mr. Sutton advised that he had lived in St. Brelade all his life and owned businesses in the Parish. He was of the view that the proposed development made the best use of land and would facilitate the provision of a much needed affordable home. He had sought to engage with neighbours on the application, but felt that this had been particularly difficult because of other developments in the vicinity and the previously withdrawn scheme for the application site. If permission was granted, Mr. Sutton was prepared to work flexibly to minimise any disruption. The proposed new dwelling would be lower than existing dwellings and Mr. Sutton believed there would be little or no loss of light. Planting on the boundary would be supplemented and this would enhance privacy. The scheme would facilitate improved access and better visibility, which would benefit the property known as Cicadella. Mr. Sutton asked the Committee to approve the application.

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Mr. Collins advised that he was aware of the pre-application advice which had been provided in respect of an earlier scheme and had used this to inform the design of the proposed new dwelling. The application site was very large and was situated in the Built-Up Area. Mr. Collins believed that the scheme complied with all relevant Island Plan Policies and he stated that the proposed new dwelling would be lower than existing properties. Any views out would be from roof lights so there would be no overlooking. A proposed balcony was situated sufficiently far from properties to the north to avoid any prejudice and a bank of trees and a hedge would be planted to increase screening. The existing garage roof would be replaced to open up coastal views. The style of the proposed new dwelling took cues from neighbouring development and the scale was considered to be appropriate in this context. The development would not harm the outlook of existing properties and would not cause overshadowing – a shadow analysis had been provided to demonstrate this. Both the proposed and existing property (Highview) would benefit from ample car parking and amenity space.

Mrs. Steedman stated that the scheme accorded with the aims of the Island Plan to provide homes in the Built-Up Area and in support of this argument she referred the Committee to pages 17 and 19 of the 2011 Island Plan. Mrs. Steedman also stated that the proposed development was in accordance with Policies SP1, SP2, GD1 and GD3, although she noted that objectors challenged compliance with Policy GD1. In terms of the pre-application advice offered on a previous scheme, Mrs. Steedman felt that the application under consideration should be considered on its own individual merits. A single dwelling was proposed on a large site in the Built-Up Area and the proposed dwelling had been designed to avoid any unreasonable harm, overlooking, loss of sunlight or overbearing impact. The scheme proposed additional planting and vehicle access improvements. Great care had been taken to respect existing local character and the build-to-plot ratio was consistent with others in the area. In terms of tree planting on the boundary, Mrs. Steedman assured the Committee that trees would be managed in order to ensure that they remained at a sensible height. Mr. Layzell interjected advising that the trees would not be covered by existing high hedge legislation and that the tree planting appeared to be a means of disguising the fact that the scheme did not work.

Having considered the application, the Committee expressed considerable concern regarding the impact of the development on the property known as Cicadella and No. 4 Portelet Drive. Consequently, members were minded to refuse the application, contrary to the officer recommendation. It was noted that the application would be re-presented at the next scheduled meeting for confirmation of the decision and to set out the reasons for refusal in detail.

Nos. 48 – 50  
New Street, St.  
Helier:  
proposed part  
demolition/  
construction of  
new residential  
units.  
477/5/1(645)  
P/2018/0967

A7. The Committee, with reference to its Minute No. A10 of 13th December 2018, considered a report in connexion with an application which proposed the part demolition of Nos. 48 – 50 New Street, St. Helier and the construction of 12 x one bedroom residential units. Various external alterations were proposed. The Committee had visited the site on 13th December 2018, and, more recently, on 14th May 2019.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located in the Built-Up Area. Policies SP1 – 3, SP6 and SP7, GD1, GD3, GD4, GD7, GD8, NE1, HE1, E1, H6, TT2, 4 and 5, WM1 and LWM2 of the 2011 Island Plan were relevant.

The Committee recalled that the application related to a large 3-storey building fronting onto New Street. The application site extended to the west and had a second road frontage at the northern end of Union Court (a narrow ‘dead-end’ street). The

site was essentially rectangular in shape, but with a protrusion along its southern elevation. The existing building on the site dated from the 1970s, and comprised a large covered car park at ground level with a completely open frontage onto New Street, save for a couple of pillars. The parking spaces were currently rented out commercially. There was office accommodation at first floor level, along the front part of the building, with three flats above at second floor level. The majority of the first floor was used as archive storage (currently vacant).

The Committee recalled that the front part of the building was to be retained and remodelled and converted to residential accommodation. The remodelling of the principal façade along New Street (which included re-rendering, enclosing part of the wide ground-level open frontage and a percentage for art installation) would significantly enhance the appearance of this rather dated building. To the rear, a large warehouse was to be demolished down to the level of the first-floor slab and redeveloped. The ground level of the building was to be retained for car parking, with a total of 12 x 1-bedroom units being constructed at first and second floor above. Once complete, there would be a total of 14 new residential units and the 4 existing units would be retained. It was accepted that the employment use of the site was redundant and its redevelopment for an alternative use (in this case residential) was considered appropriate and acceptable in principle – especially in view of the central St. Helier location. The scale, form and design of the proposed development was also considered to be acceptable, having regard to the immediate site context. The concerns of immediate neighbours had been taken into account and the scheme had been modified in response, including the addition of some landscaping and privacy screens to ensure neighbouring privacy was preserved. With these measures in place, the Department was satisfied that neighbouring privacy would be sufficiently protected. At the request of the highway authority, the applicants had agreed to make a financial contribution towards pedestrian safety improvements in the immediate vicinity of the site. The Department had initially recommended approval on the basis that the applicants provide 10 car parking spaces for the exclusive use of new residents of the development (to be secured by a Planning Obligation Agreement (POA)). The applicants were resistant to this as it would reduce the number of commercially-available parking spaces. The application had, however, been recommended for approval on the basis of the imposition of certain conditions detailed within the office report and on the basis of the entering into of a POA to secure the following –

- a financial contribution of £21,000 towards a pedestrian safety enhancement scheme on New Street (between Craig Street and Beresford Street) to address an identified accident cluster;
- the ceding to the public of the area of land immediately in front of the existing building along New Street which adjoined the existing public footpath;
- 3‘Sheffield-type’ cycle stands for visitors and the general public, within the area of land to be ceded, to address an identified local on-street shortfall on New Street; and
- the provision of 10 car parking spaces within the existing car park, to be specifically allocated for the exclusive use of residents of the development, thereby removing these spaces from the wider pool of commercially-available parking on the site. A new plan would have to be provided, prior to commencement, to indicate which spaces these were.

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In the event that the POA was not finalised within 3 months, it had been recommended that the Director, Development Control be authorised to refuse the granting of planning permission.

4 letters of representation had been received in connexion with the application.

The Committee recalled that it had been satisfied with all aspects of the scheme except the car parking, as it had wished to see some dedicated parking provided. Consequently, the application had been deferred to allow the applicant further time to consider and discuss this issue with the Department. It was reported that as part of the subsequent discussions, the Department had shifted its position slightly, to propose the following;

- the number of parking spaces required to be allocated to the new residential use be reduced from 10 to 8; and
- the imposition of a planning condition to secure the above (rather than a POA), thereby affording the applicants the option to appeal – or seek to vary the condition – at a later stage, if there was evidence to suggest that there was very little demand from residents for parking.

The applicants had considered this revised position, but had ultimately concluded that it remained unacceptable to them on commercial/viability grounds. Therefore, with reference to Policy GD1 (5 b. and 5 c.), the Department had revised its recommendation to one of refusal.

The Committee received Mr. S. Van Neste, representing the applicant company. Mr. Van Neste stated that the existing car parking spaces were not private parking spaces but were ‘commercially available spaces’. If these spaces could not be let, the whole scheme became unviable. He felt that the Committee should view the scheme in a similar manner to redevelopment proposals for redundant office space, where flexibility on car parking had been shown where it was difficult to provide dedicated car parking. Releasing 8 car parking spaces meant that the applicant company would have no control over the use of the spaces and this could be detrimental to the parking rental business operated by the applicant. It was possible that residents who owned a space might lease it commercially and this could lead to abuse of commercially let spaces. If the spaces were sold with the apartments this would also render the use of the ground floor for car parking in perpetuity, preventing its future redevelopment for another use. Furthermore, the Department’s requirement for car parking did not discourage private car parking in St. Helier, which appeared to run contrary to the stated policy. In concluding, Mr. Van Neste reminded the Committee of the planning gains which would arise from the scheme.

Having considered the application, the Committee endorsed the Department’s recommendation to refuse permission, as detailed above.

Haute Rive, Le  
Mont de la  
Rocque, St.  
Brelade:  
proposed  
variation of  
standard  
condition.  
477/5/3(1064)

A8. The Committee considered a report in connexion with an application which proposed the variation of a standard condition attached to the permit in respect of the property known as Haute Rive, Le Mont de la Rocque, St. Brelade to permit the extension of the permit for a further 3 years. The Committee had visited the site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area. Policies GD1, GD7 and BE6 of the 2011 Island Plan were relevant.

RC/2019/0307

The Committee was advised that in 2009, permission had been granted for alterations to the existing property, to include the addition of a pitched-roof

extension at first-floor level above the existing car port, with a new terrace on the existing flat roof alongside. In 2013, an application to extend the life of the permit to 2019 had been approved. Permission was once again being sought to extend the original permission for a further 3 years.

In the Department's view, the form and design of the proposed extension remained acceptable having regard to the relevant planning policies and it was not considered that there would be any unreasonable impact on neighbouring amenity. Therefore, the application was recommended for approval.

The Department had received a total of 5 letters of representation.

The Committee heard from Mr. S. Burgess, who lived adjacent to the application site at the property known as Clos des Pins. Mr. Burgess stated that he had some sympathy for the applicant as the property had limited amenity space and this appeared to be the driver for the scheme. However, when the application had originally been approved Clos des Pins had been vacant – Mr. Burgess had moved into his property in 2017. In addition, 2 major developments had been undertaken in the immediate vicinity so these properties had also been vacant when the application had been approved. These factors would have impacted on the number of objections raised.

Mr. Burgess noted that there were 3 soil pipes which projected through the existing roof which did not appear to have been shown on the plans. Furthermore, no rainwater goods were shown and he questioned whether these would encroach on to the neighbouring property. In addition, the terrace appeared to be too close to the neighbouring chimney and emissions from this could be harmful to the occupants. Mr. Burgess questioned whether the scheme complied with the relevant Building Bye Laws. He was also concerned about proposals to phase the work. He believed that the scheme would have a detrimental impact on privacy and would create the potential for noise nuisance – perhaps not from the applicant, but maybe from future residents. Car parking on Mont de la Rocque was also at capacity and it appeared that the scheme might result in the loss of a car parking space by virtue of the fact that the access stairs could eliminate a car parking space. In concluding, Mr. Burgess added that amendments to the Island Plan in 2014, required the design and scale of extensions to be subservient to the principal dwelling and this did not seem to be the case.

The Committee heard from the applicant's agent, Ms. J. Blakely. Ms. Blakey advised that whilst she was now the appointed architect for the scheme, she had not produced the submitted drawings. She went on to address the issues raised in the written representations, specifically the question of how many times a permit could be renewed and stated that she understood this to be permissible under the relevant legislation as long as the scheme complied with current planning policy. In terms of the construction of the proposed extension, Ms. Blakely stated that there would be no increase in height, as suggested by Mr. Burgess' agent in a written representation. However, she reminded the Committee that, in planning terms, there was no right to a view and she pointed out that the nearby La Rocque apartments and Le Jardin properties were considerably higher than the proposed extension. With regard to chimney fumes, Ms. Blakely understood that the scheme complied with the Building Bye Laws. She did not believe that noise from the roof terrace would be an issue due to the distance between the application site and neighbouring properties. In terms of loss of privacy, Ms. Blakely noted the existence of a roof terrace at the property known as Beaumont and she confirmed that there would be no loss of car parking.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, endorsed the Department's recommendation to grant

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permission, subject to the imposition of certain conditions detailed within the officer report and on the basis that the porthole window on the west facing elevation was obscure glazed.

Hotel de  
France, St.  
Saviour's  
Road, St.  
Saviour:  
proposed  
residential  
development.  
1070/2/1/1(173)

A9. The Committee considered a report in connexion with an application which proposed the demolition of 3 buildings at the Hotel de France, St. Saviour's Road, St. Saviour (including the south wing of the hotel, the dining hall and car parking structure, associated staff accommodation and services building) and their replacement with 62 x one bed and 62 x 2 bedroom residential units with associated structures, services, car parking and landscaping. Alterations to the vehicular access onto Wellington Road and the restoration of a roadside wall were also proposed. The Committee had visited the site on 14th May 2019.

P/2019/0193

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located in the Built-Up Area and the Green Backdrop Zone that Policies SPI, SP2, SP3, SP6, SP7, GD4, NEI, TT4, TT8, WMI and LWM2 of the 2011 Island Plan were relevant.

The Committee was advised that the main hotel building at Hotel de France (which ranged from 5 to 7 storeys) would be retained, with all proposed development to the south. The proposed new units would be spread mainly across two residential blocks on the northern half of the site orientated east-west with views across St Helier to the west. The 2 blocks would be set in a staggered arrangement extending up to 6 storeys in height to the east. They would be linked by a central structure (which would include a resident's lounge with flats above) and a central landscaped courtyard would also be incorporated. The 2 main blocks would have white rendered elevations with metal panels, stone cladding and powder coated aluminium windows and glazed balustrades. Beneath the 2 main blocks there would be a ramped access from Wellington Road leading to car parking for 124 vehicles for residents of the development (one space per unit) and 6 spaces for visitors. There would also be a designated parking area for 43 cars for hotel residents. To the south-west part of the site (off Wellington Road) a 4 (part 5) storey residential block was proposed.

The Committee noted that the site was located close to the town centre in a highly sustainable location near to amenities and employment opportunities, as well as within walking distance of the bus station and/or bus stops, the Town Park and public car parks. The Island Plan stated that new housing would be permitted within the Built up Area and the principle of a housing development was considered to be acceptable in this location. The internal room/flat sizes met the minimum housing standards and amenity space was provided in the form of a communal courtyard and private balconies to many of the apartments. The oppressive nature of the existing buildings on the site, which were in closer proximity than the proposed buildings to neighbouring properties, with existing overlooking windows, was noted. The relative heights of the proposed new structures (taking into account the set back and land levels) between the proposed development and neighbouring properties and the conclusions of the daylight and sunlight report submitted by the applicant, suggested that there would not be an unreasonable loss of light or overbearing impact on neighbouring uses. Consequently, the application was recommended for approval, subject to the imposition of certain conditions detailed in the office report and on the basis of a Planning Obligation Agreement (POA), pursuant to Article 25 of the Planning and Building (Jersey) Law 2002, (as amended) to secure the following -

- a new bus shelter on Wellington Road;
- a pedestrian link to Wellington Road;
- footway widening on Wellington Road;
- a contribution of £165,644 towards the provision of local bus services;
- a contribution of £83,621 for cycle and/or walking routes in the vicinity of

the site within St Helier;

- a contribution of £300 for the installation of three cycle stands;
- a contribution of £16,500 for a bus shelter at the Lido de France;
- a contribution of £75,000 to fund a pedestrian crossing in the vicinity of the site within St Helier, and;
- a contribution of £11,500 for the provision of a bus shelter on St Saviours Road.

It was recommended that the Director, Development Control be authorised to grant planning permission under the powers delegated to him, subject to conditions and the completion of the POA within a defined period.

The Department had received a total of 8 letters of objection and 3 letters of support in connexion with the application.

The Committee heard from Connétable S. A. Le Sueur-Rennard of St. Saviour, who advised that the applicant company had worked with the Parish to arrive at a mutually acceptable scheme. The parish fully supported the application – which had been amended to address certain issues raised.

The Committee heard from Mr. R. Parker, the owner of Hotel de France who advised that the proposed development would help support the existing hotel business, which was no longer commercially viable, and would allow for investment in and development of the wellness aspect of the business. The scheme would also considerably improve car parking on the site.

The Committee received Messrs. M. Stein, MS Planning, I. McDonald, Axis Mason and A. Huckson, Dandara representing the applicant. Mr. Stein stated that the scheme was in accordance with the relevant Island Plan Policies, would improve the relationship between the application site and neighbouring properties and would result in an overall visual improvement. Mr. McDonald added that there had been extensive consultation with residents throughout the process. The scheme was appropriate in the context and would result in a number of benefits. Mr. Huckson concluded by outlining the robust process which had been followed in terms of liaison with relevant public authorities and local residents.

Having considered the application, the Committee endorsed the Department's recommendation to grant permission, subject to the imposition of the conditions detailed within the officer report and on the basis of the entering into of a POA, as detailed above.

La Croisic  
(Field No.  
J227), La Rue  
des Landes, St.  
John: change  
of use of  
agricultural  
shed to vehicle  
workshop  
(RFR).  
477/5/3(17)

A10. 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 sought permission for the change of use of an agricultural shed to a vehicle workshop at the property known as La Croisic (Field No. J227), La Rue des Landes, St. John. The Committee had visited the site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone that Policies NE7, ERE5, ERE1, GD1 and H9 of the 2011 Island Plan were relevant.

P/2018/1313

The Committee was advised that the application related to a large modern agricultural building located within the Green Zone. Permission had been granted for this building in 1996 as an acceptable exception to the strong presumption against development within the Green Zone, and on agricultural land, because the intended use (to store seed potatoes and house agricultural workers) was directly associated with agriculture. The original permission had, therefore, been conditioned so that if

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the shed was no longer required for agricultural purposes, it had to be removed from the field upon which it had been constructed and the land returned to its former food production use. Various applications had been submitted seeking to remove this condition, but all attempts had been resisted.

Permission was now being sought for the change of use of the building to a vehicle repair and MOT testing facility. Internal alterations would facilitate the creation of office areas and staff facilities, with the existing agricultural worker accommodation to be used for mechanics and office staff. The Committee noted that the building was in a good state of repair with a large area of hard surfacing around it. It was not considered to be redundant from the agricultural industry as a whole, but in any event should be dismantled if this was the case, commensurate with the original permission. Re-use for general industrial purposes was not acceptable within the policy context.

As well as being within the Green Zone, where industrial uses were not appropriate, access to the site was via narrow country lanes and visibility at the point of access into the site was inadequate for an intensified use. A number of residential properties were adjacent to the site access and close to the shed, and would likely suffer from any increase in activity, noise and fumes generated by the proposed use. Consequently, the application had been refused on the basis of the restrictions governing this site and this particular building, redundancy was not proven and the proposed use unacceptable for the reasons set out above. It was recommended that the Committee maintain refusal of the application.

Objections had been received from the Parish of St. John and the Land Controls and Agricultural Development Section as well as the National Trust for Jersey and 7 local residents. It was claimed that the site was already being used for non-agricultural purposes.

The Committee heard from the applicants, Messrs. M. and N. Cotillard and their agent, Mr. M. Stein. Mr. M. Cotillard advised that careful consideration had been given to progressing the proposed scheme. He discussed the intensity of use of the site and the level of activity when the family had operated one of the largest farms in the Island. When he had retired from farming, Mr. Cotillard had leased the shed to other agriculturalists but there was no longer any demand for the shed. An advertisement had attracted no interest from the agriculture industry. The proposed scheme would generate significantly less traffic movements at more sociable hours and with quieter vehicles. Whilst the access road was a green lane, it had been used by farm vehicles for a number of years as the road was sufficiently wide for 2 vehicles to pass. In terms of the restrictions on the existing shed, Mr. Cotillard believed that the Island Plan had to be a living document which evolved to take account of changes in different sectors and he believed that this was particularly relevant in the context of redundant agricultural buildings.

Mr. N. Cotillard addressed the Committee, advising that he lived on site with his wife and family and they currently operated Jersey Van Sales from the site. The intention was to carry out MOT inspections from the shed. Mr. Cotillard had absolutely no desire to cause any nuisance to neighbours and he too believed that the proposed new use would be much less intensive than the previous farming operation. There was a high wall between the application site and neighbouring residential development and Mr. Cotillard stated this would act as a visual barrier and would block out noise. In any case, the proposed layout of the site meant that the offices would be closest to neighbours. Mr. Cotillard urged the Committee to support the application and stated that he would be prepared to remove the spray booth facility proposed.

The Committee heard from Mr. Stein who pointed out that whilst the shed was in the Green Zone, the site itself was in the Built-Up Area as opposed to a remote rural location. Unlike most applications which proposed the re-use of a redundant shed, the scheme envisaged a new employment use and not a residential one. The proposed use would be much less intense than the previous agricultural use of the site and the applicant had proved that there was no demand for the shed from agriculturalists. The application complied with Policies SP1, SP5, GD1 E1, NE7(8) and ERE1 and 5 of the 2011 Island Plan. Whilst the original permit had included conditions requiring the removal of the shed if it was no longer required for agriculture, Mr. Stein understood that these had subsequently been deemed to be ultra vires – this was refuted by the case officer. He referred the Committee to a recently approved application for a vehicle workshop at Seaward Farm, which he stated was in a more rural location. In the case of the application site, it was close to St. John's village, the use was less intense and the access road sufficiently wide. Mr. Stein suggested that some residents might be unfamiliar with the intensity of use of the site when the applicant had been farming and had become accustomed to the shed being vacant. Mr. Stein stressed that there was nothing to prevent the applicant from using the shed as a workshop for agricultural machinery without any restrictions on the hours of operation.

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

Waverley  
Farm, Le Mont  
Arthur, St.  
Brelade:  
proposed staff  
unit (RFR).  
1070/2/1/3(410)  
  
P/2018/1370

A11. 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 sought permission for the construction of a staff unit above the garage at Waverley Farm, Le Mont Arthur, St. Brelade. The Committee had visited the site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Policies NE7, GD1, GD7, H9, LWM2, NE1 and NE2 of the 2011 Island Plan were relevant.

The Committee was advised that the application proposed the creation of a detached one bedroom unit of staff accommodation above an existing garage, set within the grounds of the property known as Waverley Farm. The proposed accommodation was for a staff member, who currently lived within an existing flat in the main house. It was intended that a dependent relative would move into the existing flat.

The Committee was advised that the creation of staff accommodation fell to be considered under Policy H9, which directed development to the Built-Up Area. In instances where staff accommodation was being sought outside of the Built-Up Area, the application had to satisfy the relevant tests of Policy H9 – which the proposal failed to do. The unit of accommodation was for a staff member (serving a private household) which was also contrary to Green Zone policy (NE7) given that it did not meet the requirements of Policy H9.

The design of the unit was also considered to be incongruous and significantly altered what was currently a modest garage building. The large dormer window and balcony, by virtue of their form and design, were considered to be at odds with the simple garage building.

Whilst the Department was sympathetic to the applicant's personal situation and desire to rehome the staff member, the principle of creating staff accommodation for a private household, outside of the Built-Up Area, ran counter to Island Plan Policies. The Department did not believe that there was any justification for making an exception to Policy in this case and was recommending that the Committee

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maintain refusal of the application.

The Committee heard from the applicant's sister, Ms. C. Rothwell and the agent, Mr. M. Stein. Mr. Stein advised that it was proposed to extend the roof of the existing triple garage upwards to create a modest one-bedroom domestic staff unit to accommodate a staff member who currently lived in the main house. This would allow the applicant's elderly mother to move into the existing staff accommodation in the main house so that she could be provided with the degree of care and support she required. Mr. Stein believed that the Department had incorrectly assessed the application against Policy H9, which related to agricultural and tourism staff accommodation. He went on to state that accommodating domestic staff in the Built-Up Area was counter intuitive and there were many large residences in both the Coastal National Park and the Green Zone which benefitted from staff accommodation. Mr. Stein referred to approvals under the current Island Plan for domestic staff accommodation at Highfield House, St. Clement, Domaine de St. Laurent, St. Lawrence and Woodside Farm – all of which had been assessed against Policy H9. However, at a recent appeal in respect of Malorey House, St. Lawrence an Independent Planning Inspector had stated that the aforementioned applications should not have been assessed against this particular Policy. Mr. Stein believed that the application under consideration should be viewed in the context of Policy NE7(2) which allowed for the development of an ancillary building. In this case the ancillary building existed in the form of the garage. The preamble to Policy NE7 clearly stated that there was a need to provide for the reasonable expectation of residents to improve their homes without serious harm to the landscape character. For larger properties it was reasonable to expect that domestic staff would live on site and raising the roof of the existing garage would not cause serious harm to the landscape character. Policy NE7(1) allowed for the creation of accommodation for an elderly relative who required a degree of care and/or support for their health and wellbeing. As the existing staff accommodation was at ground floor level, it was necessary for the staff member to relocate to the proposed new unit. The applicant was willing to enter into a Planning Obligation Agreement to tie the proposed new staff unit to the principal residence to prevent it from being occupied independently of the main house.

The Committee heard from Ms. Rothwell on behalf of her sister, the applicant. She advised that the family wished to bring their elderly mother to the Island to look after her, but also wished to continue to provide suitable accommodation on site for a staff member. Ms. Rothwell's father had died in 2013 and had been interred in the Island and Ms. Rothwell's mother would derive great comfort from being closer to her late husband and her family.

Having considered the application, the Committee was persuaded by the arguments put forward in this particular case. Consequently, members decided to grant permission subject to the entering into of a Planning Obligation Agreement to tie the new unit to the principal dwelling. Having recognised that its decision was contrary to the officer recommendation, the Committee noted that the application would be represented at the next scheduled meeting for confirmation of the decision and approval of any conditions which were to be attached to the permit.

Mont Cochon  
Farm, Rue de  
Trachy, St.  
Helier:  
proposed  
enlarged door  
to south  
elevation

A12. 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 sought permission for a revision to the approved plans in respect of a development at Mont Cochon Farm, Rue de Trachy, St. Helier. The Committee had visited the site on 14th May 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area of the Green Backdrop Zone and was a Grade

(RFR). 4 Listed Building. Policies SP4, GD1, GFD7, BE6, H6, HE1 and BE3 of the 2011  
477/5/1(651) Island Plan were relevant.

RP/2018/1622 The Committee was advised that permission was being sought to enlarge a door on the south elevation of a barn for which permission had been granted for conversion to a residential dwelling. The barn formed part of an historic farm group and was a Grade 4 Listed Building. The Historic Environment Section had, therefore, been consulted and strongly objected to the proposal on the grounds that *'The impact of the larger screen on the important gable of this barn was significant as it removed the historic fabric and changed the simple vernacular form to a more modern open form. This impacted on both the host Listed Building, the ensemble and setting of adjacent Listed Buildings and the setting of the Listed Place opposite (St. Andrew's Park), in that the simple vernacular form was lost'*.

The Committee noted that the approved conversion and refurbishment had been carefully and extensively negotiated with the Historic Environment Section in order to arrive at a mutually acceptable scheme. The current proposal went against the professional advice given and was not considered to preserve or enhance the special interest and setting of the Listed Building. Consequently, the application had been refused and it was recommended that the Committee maintain this decision.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer. Ms. Ingle advised that, from a conservation perspective, the approved solution represented the best option. The room would be sufficiently lit from new and existing openings.

The Committee received the applicant, Ms. P. Webster and her agent, Mr. J. Dodd. Mr. Dodd advised that the applicant had originally wished to glaze the entire gable because this would be the only vertical fenestration upstairs other than the roof lights. The application under consideration did not seek to revert to the original proposal, but proposed a slightly wider version of what had been approved. Mr. Dodd stated that the approved roof lights would be more visible from the public domain than the proposed opening and the applicant was willing to omit the roof lights from the scheme in order to reduce the impact on the historic fabric of the building if the door could be made slightly wider.

The Committee heard from Ms. Webster, who advised that it would not be possible to see the new opening from outside the site. She repeated that she was prepared to omit the roof lights from the scheme if the Committee was minded to approve the revised drawings.

Having considered the application, the Committee decided to maintain refusal on the grounds detailed above.

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

410/99(1)

A13. The Committee decided to make the following recommendation to the Minister arising from its assessment of the application of planning policy, in accordance with Article 9A of the Planning and Building Law (Jersey) 2002 –

that the Minister give some consideration to Policy GD3. The Committee recalled that during its deliberations in relation to item No. A6 of the present meeting (Highview, La Route de Noirmont, St. Brelade), whilst the application met the policy tests, the Committee felt that it was harmful to neighbouring properties.

On a related matter, the Committee requested that the Department seek to clarify whether applications which sought to extend the life of a permit were reviewed to ensure compliance with up-to-date Building Bye Laws (Minute No. A8 - Haute Rive, Le Mont de la Rocque, St. Brelade refers).

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The Committee also discussed the value of having full size drawings in terms of assessing applications and asked that the Department consider the merits of the same.