

KML/MH/191

PLANNING COMMITTEE(14th Meeting)13th June 2019**PART A (Non-Exempt)**

All members were present, with the exception of Connétables P.B. Le Sueur of Trinity and K. Shenton-Stone of St. Martin, from whom apologies had been received.

Deputy R. Labey of St. Helier, Chairman
 Deputy G.J. Truscott of St. Brelade, Vice Chairman
 Deputy S.M. Wickenden of St. Helier
 Deputy J.M. Maçon of St. Saviour
 Deputy R.E. Huelin of St. Peter
 Connétable D.W. Mezbourian of St. Lawrence

In attendance -

P. Le Gresley, Director, Development Control
 A. Townsend, Principal Planner
 C. Jones, Senior Planner
 G. Duffell, Senior Planner
 L. Davies, Planner
 G. Urban, Planner
 R. Greig, Planner
 A. Parsons, Planner
 R. Hampson, Planner
 S.H. Chang, Trainee 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 16th May 2019, having been previously circulated, were taken as read and were confirmed.

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

A2. The Committee, with reference to its Minute No. A3 of 16th May 2019, 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.

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 conditions which were to be attached to the permit, the application was re-presented and the Committee confirmed its decision to grant permission subject to the imposition of the same.

P/20190136

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

P/2018/1370

A3. The Committee, with reference to its Minute No. A11 of 16th May 2019, considered a report in connexion with an application 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.

The Committee recalled that it had been minded to approve the above application, contrary to the officer recommendation, subject to the entering into of a Planning Obligation Agreement (POA) to tie the new unit to the principal dwelling. For the purpose of formally setting out the terms of the POA, the application was re-presented and the Committee authorised the Director (Development Control) to grant planning permission under the powers delegated to him, subject to the completion of the same. The POA would ensure that the staff unit was used for staff actively employed on the site for the maintenance of the property and/or the care of the residents of the main house. The rooms described within the application as the 'existing staff accommodation', which were accessed via a shared door, may be used for the accommodation of a dependent relative of the residents of the main house, or as an integral part of the main dwelling and not at any time as a separate, or independent, unit of accommodation.

The Committee confirmed its decision to grant permission subject to the entering into of the POA, as detailed above.

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

P/2019/0020

A4. The Committee, with reference to its Minute No. A6 of 16th May 2019, 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.

The Committee recalled that it had been minded to refuse the above application, contrary to the officer recommendation. For the purpose of formally setting out the reasons for refusal, the application was re-presented and the Committee confirmed its decision to refuse permission.

Samuel Le
Riche House,
Plat Douet
Road, St.
Saviour:
proposed
change of use
to residential
accommodat-
ion.
477/5/2(765)

P/2018/1648

A5. The Committee considered a report in connexion with an application, which sought permission for the change of use of Samuel Le Riche House, Plat Douet Road, St. Saviour from office accommodation to 9 x one bed and 13 x 2 bed residential units with associated car parking and landscaping, to include the demolition of part of the existing office block and the construction of an extension on the east elevation. The Committee had visited the application site on 11th June 2019.

Deputies G.J. Truscott of St. Brelade, Vice Chairman and J.M. Maçon of St. Saviour did not participate in the determination of this application.

A site plan, drawings and a 3 dimensional model were displayed. The Committee noted that the application site was located within the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies SP1, 2, 3, 6 and 7, GD1, GD3, GD4, GD7, GD8, NE1, BE6, E1, H4, H6 and TT2, TT3, TT4, TT8, NR2, NR3, NR7, WM1, LWM2 and LWM3 of the 2011 Island Plan were of particular relevance.

The Committee was advised that Samuel Le Riche House was a redundant 3-storey office building located on Plat Douet Road. The building itself was immediately adjacent to the road; however, the site as a whole occupied a far larger area, which included a large surface car park to the rear. The area was characterised by a mix of

existing residential and commercial development, including Waitrose supermarket and Plat Douet primary school.

The application proposed the remodelling and extension of the existing office building, converting it to provide a total of 22 new apartments. The site was located within the Built-Up Area and the proposal was considered to be consistent with the Island Plan, which sought to focus new residential development within the Built-Up Area and optimise the use of sites like this.

It was noted that the existing pitched-roof would be removed and replaced with an additional storey of accommodation under a flat roof and a 4-storey extension would be constructed to the rear. The scale and form of the new extension was considered to be acceptable, taking into account the existing building and site context. Architecturally, the existing building was to be remodelled and updated, improving its overall appearance. Together with the landscaping elements, this would enhance the overall setting and streetscape impact of the site. The new units would comply with the required internal space standards and each had also been provided with a reasonable level of private amenity space. The general fenestration pattern to the roadside elevation remained broadly as existing, with the exception of a few windows becoming doors, in order to allow access out onto the new west-facing balconies. The change of use of the building would reduce its overall level of occupancy, compared with its previous potential occupancy level as a commercial office and the applicants had offered to obscure glaze west-facing balconies to restrict views towards neighbouring properties on the opposite side of Plat Douet Road. On this basis the Department was satisfied that the scheme would not cause unreasonable harm to neighbouring residents, in accordance with Policy GD1. Access arrangements would not change, including the circular route around the site, which was used by the nearby supermarket for deliveries. A transport assessment had concluded that the development would have no material impact upon trip generation, traffic congestion or road safety in the area. The applicants had agreed to contribute towards the Eastern Cycle Route and to improve the public pedestrian footway immediately in front of the application site. However, they did not believe that they could reasonably be expected to contribute towards pedestrian improvements on Bagot Road (as requested by the highway authority), arguing that any issues were pre-existing and not as a result of the proposed development. The level of car parking proposed (one space per unit, plus 4 visitor spaces) was considered to be adequate and this reflected the view of an independent planning inspector, who had considered an appeal in relation to a previous application for the redevelopment of this site. The highway authority had confirmed that it was satisfied with this level of parking provision.

On this basis, the Department was recommending approval, subject to the imposition of certain conditions detailed within the officer report and on the basis of the entering into of a Planning Obligation Agreement (POA), pursuant to Article 25 of the Planning and Building (Jersey) Law, 2002 (as amended), in order to guarantee the provision of the following;

the creation of a continuous public footpath/pavement along the roadside frontage of the site (including the frontages of neighbouring Canning Court and Arzl, together with the 2 vehicle access points), as indicated on approved plan 1170 14 Rev 4, to a width of 1.8 metres, to accord with Growth Housing and Environment (GHE) Transport requirement. The work to be undertaken to GHE's specification and at the applicants' expense and, thereafter, any affected land within the application site to be ceded to the public; and,

a financial contribution of £29,700 (£1,350 per new residential unit) towards the development/enhancement of the Eastern Cycle Route.

It was recommended that the Director (Development Control) be authorised to grant planning permission under the powers delegated to him subject to conditions and the completion of the POA referred to above. Alternatively, in the event that a suitable POA was not agreed within 3 months, the application would be re-presented to the Committee for further consideration.

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

The Committee heard from Deputy Maçon, who advised that whilst the scheme represented an improvement over the previously refused scheme, it did not address the view expressed by the independent planning inspector in his report (page 11) that a comprehensive approach to redevelopment in the area would ensure the most efficient use of the land. Impact on the character of the area had also been highlighted by the inspector as an issue and the Deputy referred to the location of the site in terms of the boundary with the town of St. Helier. It was recognised that west of the site higher density levels could reasonably be expected, but the application site was east of the boundary where density levels were traditionally lower. Overlooking, particularly in relation to Apple Tree Cottage, was also highlighted. Finally, Deputy Maçon asked for further clarification on drainage solutions.

The Committee heard from Mr. R. Godel, representing the applicant. Mr. Godel provided the Committee with images of the previously refused scheme. In terms of Deputy Maçon's comments regarding a more comprehensive approach to redevelopment in the area, Mr. Godel stated that the applicant owned only 2 of the neighbouring sites. Furthermore, the independent planning inspector had acknowledged that the previous application could not be refused on these grounds, particularly as no Supplementary Planning Guidance had been issued for the area. The principal reason for the refusal of the previous application had been scale – the proposed development had been much bigger and was closer to the road, with larger west-facing balconies. The current scheme upgraded and re-used the existing building with a new flat roof. With regard to privacy, the applicant was willing to accept a condition requiring all west-facing balconies to be obscure glazed. The inspector had recognised that there would be a 'modest reduction' in privacy to Apple Tree Cottage, but limited weight had been given to this and Mr. Godel highlighted the fact that there was already overlooking from the existing building. In response to a question from a member, it was noted that proposed condition No. 4 required the installation of electric vehicle charging point ducting.

In response to Deputy Maçon's request for clarification on drainage solutions, the case officer confirmed that there had been no objection from the Drainage Section and that surface water would drain to on site soakaways.

Having considered the application, the Committee decided to grant permission, subject to the imposition of certain conditions detailed in the officer report and on the basis of the entering into of a POA, as detailed above.

La Plage, Parc
de l'Oeillere,
St. Brelade:
proposed
greenhouse.
477/5/3(1065)
P/2019/0047

A6. The Committee considered a report in connexion with an application, which sought permission for the construction of a greenhouse to the east of the property known as La Plage, Parc de l'Oeillere, St. Brelade. The Committee had visited the application site on 11th June 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 GD1 and GD7 of the 2011 Island Plan were of particular relevance.

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The Committee was informed that permission was being sought for the construction of a greenhouse for domestic purposes on the eastern part of the site. It was noted that under application reference P/2012/1533, the previous dwelling had been demolished and the existing dwelling constructed. A number of conditions had been attached, to include the removal of Permitted Development rights, which meant that certain development could not be undertaken without planning permission first having been granted. This included, among other things, freestanding buildings within the curtilages of the dwelling. The proposal was considered relatively minor in nature and any impact on the character of the area, or amenities of neighbouring properties, would not be significant or unreasonable. The application was in accordance with policy and was, therefore, recommended for approval.

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

The Committee heard from Mrs. M. Austin, who advised that when the house had been re-built it had been extended by 50 percent and the garage had been built up to the boundary with Mrs. Austin's property. She was concerned about the proximity of the proposed greenhouse to her boundary and the impact it would have on her outlook. She was also concerned about the visual impact looking back from the beach and was worried that if permission was granted this would set a precedent for further development in the future. Mrs. Austin was assured that planning permission would be required for any further development proposed.

The Committee heard from the applicant, Mr. C. McClatchie, who advised the Committee that he had been fortunate enough to benefit from a large greenhouse at his previous property and had enjoyed spending a considerable amount of time tending to his plants to the extent that his wife was not in favour of the proposed new greenhouse on the application site! Mr. McClatchie explained that this was the only place the greenhouse could go, as legal restrictions prevented it from being located on the opposite corner of site and the garage had been constructed in the only other suitable location. The proposed greenhouse would be no closer to the neighbouring property than the oil tank, or garage. The structure would be of a high quality and was being procured from a premier builder of architectural greenhouses in the United Kingdom. From the beach, only the glass balustrade would be visible.

Having considered the application, the Committee, with the exception of Deputy R.E. Huelin of St. Peter, decided to grant permission.

Vale View, La
Profonde Rue,
Trinity:
proposed
conversion of
roof space/
installation of
dormer
window
(RFR).
477/5/2(336)
P/2016/1287

A7. The Committee, with reference to Minute No. A16 of 26th January 2017 of the Committee, as previously constituted, considered a report in connexion with a retrospective application which sought permission for the installation of a fence on top of the western boundary wall at the property known as Vale View, La Profonde Rue, Trinity. The Committee had visited the application site on 11th June 2019.

Deputy G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and was a Grade 3 Listed Building. Policies HE1, SP4, GD1 and GD7 of the 2011 Island Plan were relevant to the application.

The application sought to regularise the unauthorised installation of a 1800 millimetre high close-boarded timber fence on top of an existing 740 millimetre high wall on the roadside boundary in front of a Grade 3 Listed Building. The Historic Environment Team objected to the application.

Whilst the applicant's desire for privacy and to provide a safe and secure space was understood, other forms of boundary treatment were available, which would be more sympathetic to the location and the Listed Building. The design, material and height of the fence were such that its retention would unreasonably affect the character and amenity of the area and the setting of the historic building and, therefore, seriously harm the Island's historic environment. The application was contrary to Policies GD1, GD7, SP4 and HE1 and was recommended for refusal on this basis.

47 representations had been received – 45 of which were supportive of the application.

The Committee heard from the Principal Historic Environment Officer, Ms. T. Ingle, who advised that this 1837 simple country house retained its historic character and many of its original features. The Grade 3 Listing also included the interior of the property. Permission had previously been granted for a generous rear extension. The fence was considered to have a suburban feel and it impacted upon the traditional gateway access on to the road, which it ran across. The Historic Environment Section could not support the scheme.

The Committee heard from the applicant, Mr. P. Livesey, who discussed the extent of the work which had been carried out at the property and the cost of the same. The fence was necessary to ensure his children's safety and maximise privacy. Mr. Livesey believed that the Listing referred mainly to the windows and interior woodwork. He did not agree that installing a fence impacted upon the listing and was perplexed by this suggestion. He explained that he and his wife were both teachers and privacy was very important to them. This was their only private amenity space and they also used it for drying laundry. [REDACTED]

[REDACTED] The road outside the property was very busy, with 2 road traffic accidents having occurred in the last 12 months and a number of buses passed close by en route to the zoo. Mr. Livesey had sought advice from the Department on an acceptable solution and had been told that a metal railing fence at a height of 1.1 metres, with a hedge behind it, would be appropriate. This would not provide the safety, security and privacy required. In concluding, Mr. Livesey stated that he was aware of other historic buildings with fences of the same height within a 2-mile radius of his property.

In response, the Principal Historic Environment Officer advised that each application had to be considered on its own merits. In this particular case, the garden had been included within the Listing.

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

Springside
Industrial
Estate (land to
the north of
entrance), La
Rue de la
Monnaie,
Trinity:
proposed
installation of
electricity sub-

A8. The Committee considered a report in connexion with an application, which sought permission for the installation of an electricity sub-station at Springside Industrial Estate (land to the north of entrance), La Rue de la Monnaie, Trinity. The Committee had visited the application site on 11th June 2019.

Deputy G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

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

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station.
477/5/2(796)

P/2019/0405

Island Plan were relevant.

The application sought permission for the installation of an electricity sub-station and associated area of hard standing to the north-west of the site and the creation of a new internal vehicular access onto Springside Industrial Estate – to serve the sub-station only. The Committee was advised that the applicant had been informed by the Jersey Electricity Company that the existing sub-station did not have sufficient capacity.

The Committee noted that the application was considered to satisfy the relevant policies and was, therefore, recommended for approval. A request from both the Parish of Trinity and the Natural Environment Section for a Planning Obligation Agreement (POA) to secure the creation of a footpath through the site to Le Petit Pres – a Site of Special Interest – and the ‘Riley field’ – both in the ownership of the Parish - was noted but was considered to be unjustified on the grounds that there was no policy basis for the same. The Committee recalled that Policy GD4, together with the Supplementary Planning Guidance (SPG), allowed for POA’s where, as a direct consequence of a proposed development, additional infrastructure or amenities were required. Under Policy TT2 – Footpath Provision and Enhancement and Walking Routes - a contribution could only be requested for the following scale of development -

- 10 or more houses;
- more than 250 square metres of office space;
- more than 250 square metres of retail space;
- more than 250 square metres of mixed use/other accommodation;

The installation of a JEC substation and access road fell significantly below these scales of development and, therefore, there was no policy basis to require the applicant to fund a footpath. Whilst such a contribution might be desirable to the Parish and the Natural Environment Section, this did not override the need for a robust and defensible policy basis for requesting it. To request an applicant to make a financial contribution, for which there was no policy basis, would be entirely unreasonable.

One letter of representation had been received in connexion with the application.

The Committee heard from Mr. F. Benest, who favoured the creation of a footpath. Mr. Benest understood that the applicant had spoken to the Director, Development Control, about the possibility of creating a footpath outside the industrial estate and he expressed support for this. Mr. Benest added that both the Parish of Trinity and the Natural Environment Section were keen to enter into constructive talks with the applicant.

The Committee received Messrs. J. Worthington and S. Buckley, representing the applicant. Mr. Worthington advised that the proposed new sub-station was required to enhance the network in the industrial estate and provide power for the wider Trinity area.

Mr. Buckley described attempts to secure a POA on an earlier application for 6 new units on the estate as opportunistic and an abuse of process. There had been no direct contact from the Natural Environment Section, or the Parish of Trinity, in spite of an offer to discuss an alternative route. Mr. Buckley understood that the Parish Connétable had written to the Department, expressing disappointment that the applicant had not been required to provide a footpath through the site as part of the approval for the new units. Subsequently, when an application had been made for the new electricity sub-station, a second attempt at getting a footpath had been made

and whilst the applicant had expressed a willingness to explore options for this, no guarantees could be given and there had been absolutely no communication at all from the parties proposing the footpath. Mr. Buckley stressed that there was clearly no policy basis for requiring a POA to secure the footpath. In terms of the proposed new internal access, which had been requested by the Jersey Electricity Company, Mr. Buckley stated that the existing entrance to the estate was not in the applicant's ownership and was owned by the States of Jersey – Growth Housing and Environment Department.

The Committee discussed the application and expressed some concern about the need to create a new access where one already existed and it as suggested that the applicant should have approached the States of Jersey with a view to using the existing access. The Director, Development Control, stated that it was not appropriate to rely on the goodwill of an adjacent landowner to provide access for another landowner. Furthermore, the planning system could not be used to force a landowner to provide access to another and he was anxious to avoid the Committee becoming involved in land ownership issues. However, the Committee was concerned that the creation of the proposed new access would result in the loss of some existing greenery. Mr. Buckley interjected at this point, alleging that the planning process was being thwarted and that members had been influenced by the Connétable of Trinity, who was intent on securing funding for a footpath by unfair means. Members refuted this suggestion and stated that the main issue was the creation of another access and the resultant loss of greenery.

The Committee, with the exception of Deputy R.E. Huelin of St. Peter, concluded that it could not support the application for the reasons set out above. Consequently, the application was refused, contrary to the officer recommendation. It was noted that it would be re-presented at the next scheduled meeting for decision confirmation and to formalise the specific reason for refusal. It was also suggested by a member that the Chairman should write to the Minister for the Environment and the Jersey Electricity Company, urging them to seek a solution which did not involve creating a new access.

Milden, Alma
and Alma
Cottage, La
Route de St.
Aubin, St.
Helier: revised
plans (RFR).
477/5/3(993)

A9. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought to revise the approved plans for the properties known as Milden, Alma and Alma Cottage, La Route de St. Aubin, St. Helier (application reference P/2017/0593). The Committee was advised that it was proposed to construct a new pitched roof gable extension to Alma and a new flat roofed dormer to Alma Cottage. The Committee had visited the application site on 13th June 2019.

RP/2018/0129

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Alma was a Grade 4 Listed Building. Policies GD1, GD7, HE1 and BE6 of the 2011 Island Plan were of particular relevance.

The Committee noted the details of the approved applications, which facilitated certain conversion/alteration works and the creation of 2 new detached dwellings. The current application proposed the formation of a new gable extension to the Listed Building, together with the construction of a new flat roofed dormer window to the roof plane to the end terrace unit of Alma Cottage. The Department was of the view that this would be visually incongruous in the row of terraces and harmful to the integrity and character of the affected Listed Building. Consequently, the application had been refused on the grounds that it was contrary to Policies GD1, GD7, HE1 and BE6 of the 2011 Island Plan.

The Committee was advised that whilst a previously approved dormer window to Alma House (application reference P/2016/1471) was of a similar design to that which was proposed, this had been set at a lower level to the ridge line. The Committee noted the various alterations and extensions to the ground, first and second floors of the rear elevation of Alma House and was informed that the approved flat roofed dormer window insertion had been considered acceptable in this context. However, the proposed new flat roofed dormer to Alma Cottage would encompass the vast majority of the roof plane to the rear elevation of the building, with the top of the dormer almost level with the ridge line of the adjoining hipped roof building to Watkin Villa directly to the east. This was considered visually detrimental to the character and appearance of the building and the area in general.

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

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that 2 out of 3 buildings in the terrace were Listed Buildings and these had a group value. The proposals were considered detrimental to the character and setting of the historic buildings.

The Committee received the applicant, Mr. T. Bidmead and his agent, Mr. M. Dennis. Mr. Dennis advised that the aim was to replace the existing derelict windows and maximise the space at roof level. It was understood that the historic interest in Alma related specifically to the Route de St. Aubin façade. Significant alterations had already been carried out at the rear and permission had previously been granted for a flat roofed dormer window insertion at Alma. The proposed development would not be visible from the public realm, as Alma and Alma Cottage would be obscured from view by the 2 new buildings which had been approved at the rear. Mr. Dennis argued that, given the close proximity of the adjacent approved dormer, the proposed development would not be harmful to the historic buildings or the amenities of neighbours. The design took cues from the gables of neighbouring properties and the scheme was in accordance with Policies GD1, GD7, HE1 and BE6.

Mr. Bidmead expressed frustration at the amount of time it had taken to process the application and the fact that positive pre application advice had preceded a recommendation for refusal. Mr. Bidmead was critical of the lack of communication from the Department, particularly as he felt this might have allowed for some discussion on the scheme. The delay had affected his ability to bring the remainder of the building back into use. In terms of design, there appeared to be no uniformity in area and the approved dormer on Alma set a localised precedent. Mr. Bidmead did not believe that the proposed development would be detrimental to character and appearance of the historic buildings, particularly as Alma and Alma Cottage would be obscured by the new buildings when viewed from Victoria Avenue.

The case officer advised that the Department received a large number of applications and these were dealt with as quickly as possible. In terms of the visual impact, the roof planes of both Alma and Alma Cottage would be visible after the new dwellings had been constructed. Ms. Ingle added that the Listing encompassed the front and rear of the buildings (including the roof).

The Chairman stated that he was sorry to learn of the difficulties Mr. Bidmead had encountered with the process, but this was not a material planning consideration.

Having considered the application, the Committee unanimously refused permission for the reasons set out above.

Les Hetres, La
Route des
Hetres, St.
Peter:
proposed
conversion of
car port to
garage/
extension.
477/5/3(1066)

RP/2019/0432

A10. The Committee considered a report in connexion with an application which sought permission for the conversion and extension of an existing carport at the property known as Les Hetres, La Route des Hetres, St. Peter. The Committee had visited the application site on 13th June 2019.

As he was the applicant, Deputy R.E. Huelin of St. Peter did not participate in the determination of this application. Deputy G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and that Les Hetres was a Grade 3 Listed Building. Policies GD1, GD7, HE1 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee recalled the planning history of the site, to include, most recently, the approval of a scheme for the construction of an extension to the west elevation, a garage with terrace above to the east elevation, the conversion of a basement to create a one-bedroom unit and the demolition of various extensions.

It was noted that the current application proposed the conversion of the existing carport to provide a 4-car garage at basement level and the construction of a lean-to extension to the north-east corner of the main house. The Committee noted that the applicant was not currently in a position to commission the approved east wing works, so wished to carry out some interim works which would secure enclosed garaging in a relatively simple manner. The proposed extension would comprise a lean-to wood store and w.c.. The Historic Environment Section had assessed the scheme and had raised no objection, save for expressing a preference for a low retaining wall to be constructed in granite. The applicant had amended the scheme to include the same. Consequently, the application was recommended for approval.

The Committee received the applicant, Mr. R.E. Huelin and his agent, Mr. C. Riva. Mr. Riva explained that whilst the overall masterplan for the site remained intact, a phased approach would be taken to the works.

Having considered the application the Committee endorsed the officer recommendation to grant permission.

Apartment No.
5, The Atrium,
Le Mont Gras
d'Eau, St.
Brelade:
proposed roof
top enclosure
to terrace.
(RFR).
1070/2/1/3(331)

P/2018/1772

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, which sought approval for the construction of a roof top enclosure to an existing roof terrace at Apartment No. 5, The Atrium, Le Mont Gras d'Eau, St. Brelade. The Committee had visited the application site on 13th June 2019.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area of the Green Backdrop Zone and that Policies GD1, GD7, H6, BE6 and BE3 of the 2011 Island Plan were of particular relevance.

The Committee noted that, due to the elevated position, scale and projection forward of the proposed enclosure, it was considered to increase the apparent scale of the existing building and diminish views through to, and the landscape benefits of, the green backdrop to the site, which formed an important part of the character of the Bay. Therefore, it had been concluded that the development would have an unacceptable impact upon the character of the area and that the scheme failed to satisfy the requirements of Island Plan Policies BE3, BE6, GD1 and GD7. It was recommended that the Committee maintain refusal of the application.

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The Committee heard from Ms. M. Scott, representing the St. Brelade's Bay Association. Ms. Scott stated that the proposed development was a step too far and that many residents had been opposed to the existing development. She added that not enough consideration was given to the impact of development on the green backdrop of the Bay generally and that much more resolve was needed in applying the relevant policy criteria.

On a related matter, Ms. Scott asked if the Department could review its public consultation process for planning applications, as this did not appear to be working as well as it should be.

The Committee heard from Ms. C. Burgess, who stated that St. Brelade's Bay was a very beautiful, natural environment, but it did not appear that the relevant Island Plan Policies designed to protect the Bay were always adhered to. She felt that each new building which was constructed was worse than the last and that a proper framework for development was urgently required. Ms. Burgess likened some of the recently constructed buildings in the Bay to Duplo models and feared that St Brelade's Bay was in danger of becoming Jersey's Costa del Sol.

The Committee heard from the applicant's agent, Mr. R. Godel, who referred the Committee to images of the development as it existed and as proposed. In terms of what existed at present, the space was very constrained and not very user friendly. The application opened up the room to create a pleasant space. Mr. Godel considered the impact of the development to be minimal and he felt that the long views would be improved. In terms of the amount of protection afforded to the Bay, Mr. Godel outlined the rigorous application process, which had involved a series of detailed discussions before arriving at an acceptable scheme. Whilst he accepted that the existing building was not to everyone's taste, the former Minister for Planning, Senator F.E. Cohen had been most excited about the architecture and had eagerly awaited the completion of this high quality development. In concluding, Mr. Godel stated that he believed the proposed development would enhance the existing building.

The Committee discussed the application and recalled the issues which had been explored during the determination of the original application for The Atrium building. The case officer advised that these had related to the scale of the development and views through. The solution arrived at had been to reduce the width of the lower levels of the building, rather than reduce the height.

Having considered the application, the Committee, with the exception of the Chairman, Deputy R. Labey, endorsed the officer recommendation to refuse permission for the reasons set out above.

Le Chene, La Petite Commune, St. Brelade (garden to the south of):
proposed new dwelling (RFR).
477/5/3(1067)

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 approval for the construction of a new 3 bedroomed dwelling to the south of the property known as Le Chene, La Petite Commune, St. Brelade. The Committee had visited the application site on 13th June 2019.

Deputies R.E. Huelin of St. Peter, G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

P/2018/1230

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies GD1, GD7, H6 and

LWM3 of the 2011 Island Plan were of particular relevance.

The Committee noted that, notwithstanding the Built-Up Area designation of the site and the presumption in favour of residential development, the Department had concluded that the scheme would cause unreasonable harm to the amenities of the neighbouring property to the west (Willow End) and failed to deliver a satisfactory means of access to the new dwelling. Furthermore, the proposed driveway (set between the gable end/roof overhang of Le Chene and the dividing timber fence to the neighbouring land users) was narrow and constrained and failed to provide a satisfactory means of access to the proposed dwelling. Consequently, the application had been refused on the grounds that it was contrary to Policies GD1 and GD3. It was recommended that the Committee maintain refusal of the application.

The Committee heard from Mr. M. Orbell, the nearest neighbour to the application site. Mr. Orbell explained that his father's property would also be affected by the proposed development. The key concerns related to the vehicles access, which was adjacent to Mr. Orbell senior's property and was a very narrow space which ran between the 2 properties. Mr. Orbell questioned whether the access would be suitable for larger vehicles and he noted that both sides of the house and garden would be exposed to increased traffic movements and noise and disturbance from vehicles entering and leaving. The boundary fence would also be vulnerable. Mr. Orbell went on to state that the proposed development would result in a loss of outlook, light and privacy. He concluded by stating that there appeared to be no obvious or compelling reason for constructing the proposed development so close to his property and suggested that it could be positioned towards the eastern part of site.

The Committee received the applicants, Mr. and Mrs. J. Russ and their agent, Mr. C. Buesnel. In terms of the proposed access, Mr. Buesnel stated that most cars did not exceed 2 metres wide and many roads in the Island were no more than 2.6 metres wide. With regard to overshadowing, the proposed new dwelling would be located in the south-east corner of the site, so any overshadowing would be in the early morning when the sun rose. Mr. Buesnel referred the Committee to an illustration which showed a notional 45-degree line from the proposed development to the neighbouring property and which demonstrated that there would be a marginal impact as the morning sun tracked around. Furthermore, the applicants had offered to replace the proposed pitched roof with a flat roof and the kitchen window at first floor level could be removed completely, or obscure glazed.

Finally, turning to the space between the buildings, Mr. Buesnel stated there were no minimum standards for space separation between buildings and the first floor of the proposed dwelling would be 9.800 metres away from habitable rooms within Willow End and 5.300 metres away from the private garden.

The Committee acknowledged that there appeared to be scope for some development on the application site, but felt unable to support the application as presented. Consequently, members endorsed the officer recommendation to refuse permission for the reasons set out above.

Daisy Hill
House, Field
No. 7A and 7,
La Chevre
Rue,
Grouville:
change of use

A13. The Committee considered a report in connexion with a request for the reconsideration of a retrospective application which had been refused by the Department under delegated powers and which sought approval for the change of use of part of Field No. 7A, La Chevre Rue, Grouville to facilitate the creation of a hardstanding area in connexion with Daisy Hill House. The Committee had visited the application site on 13th June 2019.

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of field
(RETRO-
SPECTIVE).
(RFR).

477/5/2(797)

P/2019/0048

Deputies R.E. Huelin of St. Peter, G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

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

The Committee was advised that the parcel of agricultural land in question measured approximately 26 metres by 12 metres and had been delineated by green hedges to the north and east sides. The applicant had indicated that the hardstanding area was needed to store top soil/compost and a green waste skip whilst the maintenance of the hedgerows of the surrounding field was carried out. Complaints had, however, been received with regard to the misuse of the hardstanding area for car parking purposes.

The size of the hardstanding area was considered substantial and it created a formal and domesticated area within a green field, which was considered to result in the loss of agricultural land, erode the landscape character and result in the domestication of the countryside, contrary to Policies NE7 and ERE1. The Land Controls and Agricultural Development Section had objected on the grounds of the loss of agricultural land and the Department did not believe that there were any exceptional circumstances which would justify a departure from policy. Consequently, the application had been refused and it was recommended that the Committee maintain refusal of the application.

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

The Committee heard from Mr. S. Bliss, Estate Manager, Daisy Hill House. Mr. Bliss acknowledged that the hardstanding area was too large and that it had been used for car parking on one occasion for a specific event. The land was typically used as an area for turning tractors and other machinery. Mr. Bliss asked whether the Committee would consider supporting the retention of a smaller area of hardstanding about a quarter of the size of that which had been created. However, the Director, Development Control, advised that the Committee had to determine the application as submitted.

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

Field No.
650A, Les
Fonds de
Longueville,
Grouville: re-
profiling of
eastern part of
field (RETRO-
SPECTIVE)
(RFR).

477/5/2(800)

P/2018/1847

A14. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the re-profiling of the eastern part of Field No. 650A, Les Fonds de Longueville, Grouville. The Committee had visited the application site on 13th June 2019.

Deputies R.E. Huelin of St. Peter, G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

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

The Committee noted that the unauthorised excavations were concentrated in 2 areas, set towards the upper eastern end of the field and these were not considered incidental to the agricultural use of the land. The scale of the excavations was

considered to cause serious harm to the landscape character of the Green Zone, contrary to Policy NE7. It was acknowledged that the land was of limited value to the commercial agricultural industry. Nonetheless, it was agricultural land set within a sensitive rural landscape. There was considered no tangible link between the excavations and the permitted agricultural use of the land, as highlighted by the Land Controls and Agricultural Development Section and the potential to work the land had been significantly diminished by the excavations. Moreover, the prominent hillside setting was such that the scale of the unauthorised excavations were considered to have an unreasonable impact upon the character of the countryside, contrary to Policy GD1. Finally, the Department was unaware of any compelling grounds which might provide sufficient justification to permit development which was inconsistent with the Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Ms. N. Miller and her agent, Mr. M. Stein. Mr. Stein advised that 3 small cuts into the field had been made to level the land to make it easier to manage. The re-profiling was only apparent on the upper levels of the field itself, so it was difficult to understand how the proposal caused serious harm to landscape character. Ms. Miller added that she merely wished to make the land more useable and accessible and she wished to create raised beds for planting. She had been surprised to learn that permission was required for this type of work and Mr. Stein confirmed that he had not dealt with any applications of this nature before. Ms. Miller went on to state that she understood that it would be in order for her to erect a shed on the field without the need for planning consent – she had no intention of doing so, but her point was that the land would have to be re-profiled to facilitate this. The Director, Development Control, advised that only a field shelter measuring a maximum of 15 metres was permissible without the need for planning consent. Furthermore, the creation of raised beds for planting on agricultural land was not permissible. Ms. Miller revised her position and gave an undertaking that she would not carry out any unauthorised works.

Having considered the application, the Committee recognised the benefits of the scheme in terms of making the land easier to manage. Consequently, permission was granted, contrary to the officer recommendation. However, members cautioned against any unauthorised works and requested that the applicant be made fully aware of the restrictions on agricultural land, as set out in the relevant legislation.

The Committee noted that the application would be re-presented at the next scheduled meeting for formal confirmation of the decision.

VARs
Limited,
Princes Tower
Road, St.
Saviour:
proposed
conversion of
commercial
premises to
residential.
(RFR).
477/5/2(798)

A15. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the conversion of the ground floor of the premises known as VARs Limited, Princes Tower Road, St. Saviour to form a parking area, the demolition of the first floor and the construction of new first and second floors with a roof terrace above to form one x one bedroom and one x 2 bedroom residential units. The Committee had visited the application site on 13th June 2019.

Deputies R.E. Huelin of St. Peter, G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

P/2018/1847

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area and that Policies SP5, GD1, GD7, E1 and H6 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the application site comprised a two-storey detached building with a pitched roof, which was currently in commercial use, with workshops and a garage on the ground floor and a number of offices on the first floor. It was proposed to convert the building from commercial to residential use by demolishing the existing first floor and constructing new first and second floors, with a 2 bedroom flat on the first floor and a one bedroom flat on the second floor. A flat roof with a roof terrace, which would serve both units, was also proposed. The ground floor would be converted into a tandem garage to serve the 2 bedroom flat. A single parking space to serve the one bedroom flat would be created at the rear (south side) of the property. This would be accessed via a private access on the east side of the building.

The Committee noted that the application had been refused for the following reasons

–

the layout of the proposed car parking spaces had the potential to require the double manoeuvring of vehicles on a road carrying high volumes of traffic, which would lead to highway safety issues. The proposal therefore failed to satisfy the requirements of Policy GD1;

the application failed to demonstrate that the site was no longer appropriate for the continuation of an employment land use, having regard to market demand, or that the overall benefit to the community outweighed any adverse effect on employment opportunities and the range of available employment land and premises. The proposal therefore failed to satisfy the requirements of Policy E1; and,

the design, size, scale and position of the proposed development would be dominant and intrusive, thereby causing harm to the character of the street scene in which it was located, thereby failing to satisfy the requirements of Policies GD1 GD7 and BE6.

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

The Committee heard from the applicant, Mr. S. Walker and his agent, Mr. P. Davey. Mr. Davey advised that the existing building was no longer fit for purpose, with a leaking roof, steep step access to the first floor and would not be financially viable to update. The overall height of the proposed building would be 270 millimetres higher than the existing neighbouring block of flats to the west and the access to the roof terrace was set back from the road by 3300 millimetres. The proposed development was in keeping with existing apartments on Princes Tower Road and converting the building from a commercial to a residential use would decrease the number of vehicle movements. The application site was in a sustainable location, with easy access to St. Helier.

Mr. Walker added that he had worked in the building for 7 years and did not consider it suitable for employment purposes. He advised that, before his father had sold the business, he had been looking for more suitable premises. Mr. Walker was not a property developer and merely wished to create some residential accommodation which was close to amenities. He had consulted with neighbours and had sought to address any concerns raised.

The Committee acknowledged the constraints of the site, but concluded that it could not support the scheme. Consequently, the application was refused for the reasons set out above.

Rosa, La
Grande Route
de Mont a
l'Abbe, St.
Helier:
proposed
alteration of
access (RFR).
477/5/1(652)

P/2018/1585

A16. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the alteration of the vehicular access associated with the property known as Rosa, La Grande Route de Mont a l'Abbe, St. Helier. The Committee had visited the application site on 13th June 2019, and recalled that, during the site visit, it had been evident that the work had already been undertaken.

Deputy G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was located within the Built-Up Area of the Green Backdrop Zone and that Policies GD1, GD7, BE3 and BE8 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the application sought to regularise the removal of a section of roadside wall to enlarge an existing car parking area to a semi-detached 2-storey dwelling. During the site visit, it had been evident that the work had already been undertaken.

The Committee was advised that permission was being sought for the removal of a 2.7-metre section of roadside wall, leaving a 1.4-metre section of wall to the northern boundary. With approximately the same length of wall stretching from the boundary along the neighbouring property, the remaining roadside section of wall between both properties measured 2.8 metres. It appeared that the neighbouring property did not have planning permission to reduce the wall (the work had been carried out sometime between 2003 and 2006 according to historic aerial photographs). The majority of front gardens in the row had been converted to provide car parking areas, but the roadside walls had been retained and parking was accessed from the original driveway, which did not require planning permission.

The Parish of St Helier had objected to the application on visibility grounds and the cumulative impact of the removal of both sections of the wall was considered unacceptable and detrimental to the street scene. Policy BE8 sought to protect front gardens and their boundary walls from removal for the creation of car parking where there was a detrimental impact on the character and appearance of the street scene, or on highway safety. The proposal failed the tests of Policy BE8 along with that of Policy GD1(5) where proposed development should 'not lead to unacceptable problems of safety'. The application had, therefore, been refused and it was recommended that the Committee maintain refusal.

On a related matter, it was noted that another section of wall at the application site had been removed over 8 years ago (according to the aerial map) and this was immune from compliance action.

The Committee heard from the applicant, Mrs. L. Baker, who advised that some of the works had been carried out prior to her purchasing the property. However, she acknowledged that the builder she had employed had carried out certain works prior to gaining permission – she had assumed that this would not be a problem. Mrs. Baker pointed out that the wall on the neighbouring property had been removed and many other houses in the vicinity had carried out similar works. The garden area had previously been overgrown and was not used as an amenity space and reconstructing the wall to the same height would make manoeuvring difficult and would reduce visibility. The Director, Development Control, advised that if the Committee was minded to refuse the application and enforcement action was taken,

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the applicants would not be required to re-build the wall to its original height as this would clearly obscure visibility. Advice would be sought from the Parish of St. Helier as the highway authority. In concluding, Mrs. Baker stated that parking on the road itself presented challenges in terms of highway safety.

Having considered the application the Committee endorsed the officer recommendation to refuse permission on the grounds detailed above.

La Hauteur, La
Rue Freule, St.
Ouen:
proposed
conversion of
swimming
pool and
garage to
residential
accommodat-
ion (RFR).
477/5/3(1068)

A17. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the conversion of an existing indoor swimming pool and garage at La Hauteur, La Rue Freule, St. Ouen to provide 3 x one-bedroom residential units. The Committee had visited the application site on 13th June 2019.

Deputies R. Labey of St. Helier, Chairman, G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application. Deputy S.M. Wickenden of St. Helier acted as Chairman for the duration of this item.

P/2018/1635

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and that La Hauteur was a Listed Building. Policies SP1, GD1 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee was advised that Le Hauteur was a traditional farm group located in rural St Ouen, forming part of the Green Zone. The group had been sub-divided into a series of individual units. The application under consideration related to a modern extension (approximately 15 years old) to the south-west of the main house, bordering the neighbouring field to the south. The extension comprised a swimming pool, gymnasium and double garage at ground floor with a playroom above. The application proposed the conversion of the modern extension into 3 new individual units of accommodation (3 x one-bedroom flats).

The Committee recalled that, within the Green Zone, there was a strong presumption against development and the application was not in accordance within any of the allowable exceptions to Policy NE7 and had been refused for this reason. It was recommended that the Committee maintain refusal of the application.

The Committee received the applicant, Mr. K. De Gruchy and his agent, Mr. J. Dodd. Mr. Dodd stated that this was essentially a brownfield site and as the scheme proposed the conversion of an existing building there would be no landscape impact. He added that if the site was in the Built-Up Area permission would be granted. He referred the Committee to Policy NE7 and the preamble and stated that the policy did not impose an absolute moratorium on development. The key policy test was one of landscape harm and Mr. Dodd listed the permissible exceptions to the policy – all of which he believed would have a visual impact on the landscape. The scheme under consideration would, ironically, have zero impact on the landscape and would enhance the historic building. There would be no unreasonable harm from intensification of traffic and the proposed new units complied with internal space standards and car parking provision. Mr. Dodd did not believe that the application was contrary to Policy GD1 and he referred the Committee to the specific wording of that policy. The applicant had lived at La Hauteur for over 30 years and had 3 grown up children for whom he wished to provide homes. The swimming pool was no longer used and the scheme presented a rare opportunity to create new units without any intrusion. Mr. Dodd stated that the neighbouring property had been permitted to construct an extension, which doubled the footprint of the building. Mr. Dodd felt that consideration should be given to re-wording the Green Zone Policy,

so that applications such as this could be supported.

Mr. De Gruchy referred to a property known as Edgefield, which was in the vicinity of the application site, where 3 houses had been permitted in place of an agricultural shed and a new shed had been constructed behind the dwellings.

Having considered the application, the Committee, with the exception of Deputy R.E. Huelin of St. Peter, concluded that it could not support the scheme as it was clearly contrary to the Green Zone Policy and was not in accordance with the aims of the Spatial Strategy. Consequently, the application was refused for the reasons set out above.

Bella Vista, La
Rue Militaire,
Trinity:
proposed
demolition of
garage/
construction of
extension
(RFR).
477/5/2(799)

A18. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers, which sought approval for the demolition of the existing garage and the construction of a 2 storey extension with balcony to the east elevation of the property known as Bella Vista, La Rue Militaire, Trinity. The Committee had visited the application site on 13th June 2019.

Deputy G.J. Truscott of St. Brelade, Vice Chairman and Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.

P/2019/0275

A site plan and drawings were displayed. The Committee noted that the application site was located within the Green Zone and that Policies SP6 and SP7, GD1, GD7 and NE7 of the 2011 Island Plan were of particular relevance.

The Committee was advised that the proposed 2-storey extension would comprise a replacement double garage and a kitchen/dining/utility space at ground floor level, a master bedroom/en-suite and a dressing room at first floor level. In addition to this, it was proposed to erect a timber balcony to the northern elevation of the proposed extension. The proposed extension would have a pitched roof, with a ridge and eaves height significantly taller than those of the host dwelling. The proposed balcony would form a raised platform 3.2 metres above ground level. In an attempt to maintain the privacy currently enjoyed by Haute Croix house to the north, a 1.9-metre high privacy screen on the eastern side of the balcony was proposed.

The Committee was informed that it was considered that the scheme failed to respect the scale and design of the host dwelling. The significant increase in floor space from 137 square metres to 256 square metres would facilitate a significant increase in occupancy and, therefore, did not meet the criteria for permissible exceptions to the presumption against development within the Green Zone. In addition, the proposal would result in an intensification of the current residential use, leading to an increase in trip generation. The existing access was below the minimum standards set out in the Access Standards for Small Housing Developments 2016 - technical guidance. With this in mind, the proposed development was likely to result in an increase in risk to the safety of the highway, which was part of the Primary Route Network. In light of the aforementioned, it was considered that the proposal failed to meet the requirements of Policies GD1, GD7 and NE7 of the 2011 Island Plan. It was recommended that the Committee maintain refusal of the application.

The Committee heard from the applicant, Mr. M. Costiford and his agent, Mr. G. de Sousa of Page Architects. Mr. de Sousa advised that the scheme had been formulated on the basis of positive pre-application advice. He discussed the details of the scheme and pointed out that the proposed development negated the need to extend into the garden area by using the roof space. A simple elevation form was proposed, with materials which were in keeping with the principal dwelling. The scheme

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maintained privacy levels and would not result in a significant increase in occupancy. Mr. De Sousa stated that there was a proven shortage of 4 bed houses in the Island and he referred to a number of similar applications, which had been approved. In terms of the comments received from the highway authority, there had been no opportunity to respond to these as the application had been processed extremely quickly. In concluding, Mr. de Sousa stated that this would provide much needed space for the family, whilst preserving the garden area.

Mr. Costiford explained that he merely wished to add a fourth bedroom to his property and he felt that the proposed development was respectful and neighbourly.

Having considered the application, the Committee was persuaded by the arguments made and decided to grant permission, contrary to the officer recommendation and on the basis that permitted development rights were removed to ensure that an application would be required for any further extension of the property. The Committee stated that it did not wish to restrict rights in terms of the construction of fences, walls, pathways or detached non-habitable buildings. The Committee requested that a condition be attached to the permit requiring the access details to be agreed with the highway authority.

The Committee noted that the application would be re-presented at the next scheduled meeting for confirmation of the decision and the approval of any conditions to be attached to the permit.