

Planning Committee

(20th Meeting)

11th January 2024

**Part A (Non-Exempt)**

All members were present with the exception of Connétables K.C. Lewis of St. Saviour, D. W. Mezbourian of St. Lawrence and M. O'D. Troy of St. Clement, Deputies A. F. Curtis of St. Clement and T.A. Coles of St. Helier South, from whom apologies had been received.

Connétable P. B. Le Sueur of Trinity, Chair  
S.G. Luce of Grouville and St. Martin, Vice Chair  
Deputy M. R. Le Hegarat of St. Helier North  
Deputy A. Howell of St. John, St. Lawrence and Trinity

In attendance –

C. Jones, Planning Applications Manager  
L. Davies, Planner  
W. Johnson, Planner  
G. Vasselin, Planner  
S. Sellors, Planner  
J. Gibbins, Trainee Planner  
A. Elliott, Trainee Planner  
S. de Gouveia, Planner  
T. Ingle, Principal Historic Environment Officer, Historic Environment Team  
L. Plumley, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1 – A10)  
H. Roche, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A11 – A16)

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

Minutes.	A1. The Minutes of the meeting held on 7th December 2023, were taken as read and were confirmed.
Le Chalet (garden of), La Route de Noirmont, St. Brelade: proposed new dwelling.  P/2023/0784	<p>A2. The Committee, with reference to its Minute No. A8 of 7th December 2023, considered a report in connexion with an application which proposed the construction of a new 5 bedroom dwelling with associated landscaping in the garden of the property known as Le Chalet, La Route de Noirmont, St. Brelade.</p> <p>The Committee recalled that it had been minded to refuse permission, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the specific reasons for refusal.</p> <p>The Committee confirmed refusal of the application for the reasons set out in the Department report.</p>
Hameau	A3. The Committee, with reference to its Minute No. A11 of 7th December 2023,

d'Orge, La  
Rue de la  
Robeline St.  
Ouen:  
proposed  
change of use/  
conversion of  
habitable  
accommodat-  
ion to self-  
catering.  
(RFR).

considered a report in connexion with an application which proposed the change of use/conversion of a detached ancillary structure at Hameau d'Orge, La Rue de la Robeline St. Ouen, to facilitate the creation of self-catering visitor accommodation.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision and setting out the reasons for approval, the application was represented.

The Committee confirmed approval of the application for the reasons set out in the Department report.

P/2023/0332

Maison Bel au  
Vent, La Rue  
du Bel au  
Vent, St.  
Lawrence:  
proposed link  
extension to  
east elevation  
(RFR).

A4. The Committee, with reference to its Minute No. A12 of 7th December 2023, considered a report in connexion with an application which proposed the construction of a single storey flat roof link extension to the east elevation of the property known as Maison Bel au Vent, La Rue du Bel au Vent, St. Lawrence.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision and setting out the reasons for approval and the conditions which were to be attached to the permit, the application was represented.

P/2023/0562

The Committee confirmed approval of the application for the reasons set out in the Department report and on the basis of the conditions set out therein.

Field Nos. 26,  
26A, 26B, part  
36, 37, 38, 39  
and 54 La Rue  
de Sorel, St.  
John: proposed  
construction of  
renewable  
energy  
generating  
station.

A5. The Committee considered a report in connexion with an application which proposed the construction of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with a substation, inverter, transformer station, grid connection infrastructure, grid cable route, site accesses, security measures and other ancillary infrastructure, landscaping and biodiversity enhancements on Field Nos. 26, 26A, 26B, part 36, 37, 38, 39 and 54, La Rue de Sorel, St. John. The Committee had visited the site on 9th January 2024.

Deputy A. Howell of St. John, St. Lawrence and Trinity, did not participate in the determination of this application.

P/2023/0408

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area, adjacent to the Coastal National Park. Policies SP1, 2, 4, 5, 7, PL5, GD1, 2, 3, NE1, 2, 3, HE1, 5, ERE1, WER6, ME6, TT2, 5, and UI1, 2 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance relating to landscape and seascape character guidance (2023).

The Committee was advised that the application site comprised a number of fields measuring approximately 31 verges, in an exposed location. Vehicular access was from La Rue de Sorel to the north and Field No. 37 was Listed due to its architectural potential. There were also 2 Grade 4 Listed Buildings in the vicinity of the site, along with a Grade 3 Listed German Occupation site to the north. The Sorel Point Geological Site of Special Interest also lay to the north.

The Committee was informed that permission was sought for the installation of 5,576 ground-mounted, fixed tilt photovoltaic panels for a period of 40 years, with associated infrastructure. The panels would generate approximately 3 Megawatts of power and formed part of proposals designed to accelerate the Island's renewable

energy generation capability. This would support energy sovereignty aims as well as the Carbon Neutral Strategy's low-carbon energy policy. The maximum top height of the solar panels would be approximately 2.5 metres above ground level with a minimum height of 80 centimetres. They would be mounted 4 modules high into metal pilings inserted to a depth of 1.5 metres, with an indicative slope of 22 degrees, and inter-row spacing of 3.5 metres. No external lighting was proposed. The agricultural use would be retained and converted from arable use to grazing pasture for sheep (i.e. agrivoltaics – dual use of solar and agriculture). A Planning Obligation Agreement would be entered into to ensure the continued agricultural use of the land over the 40-year lifespan of the installation. The panels would be monitored remotely post-construction to ensure optimal operation, with twice yearly cleaning and maintenance and routine checks on electrical equipment being undertaken on a quarterly basis. A further POA would be entered into with regard to the eventual decommissioning of the site.

The Committee was advised that the application site was in a sensitive location within the Protected Coastal Area and it was recognised that the land would remain in agricultural use. However, on balance it was considered that the proposed impacts of the development on the landscape character outweighed the public benefits to be derived from the project, with the site analysis failing to demonstrate that there were no other appropriate locations which could accommodate the proposals. In addition, insufficient information had been provided to adequately assess the impact of the proposals on biodiversity, specifically in relation to bats. The application was accordingly recommended for refusal on the basis that it was contrary to Policies SP2, 4, 5, UI1, PL5, NE1, 3, ME6 and HE1 of the Bridging Island Plan and Supplementary Planning Guidance relating to landscape and seascape character guidance (2023).

18 representations had been received in connexion with the application.

The Committee noted that a number of late submissions had been received from the applicant, which members had not had the opportunity to review. Having confirmed that the applicant wished the issues raised to be considered, the Committee decided to defer consideration of the application.

Pumping  
Station Le  
Mont de  
Gouray, Le  
Mont de  
Gouray, St.  
Martin:  
proposed  
demolition and  
redevelopment.  
  
P/2023/0221

A6. The Committee considered a report in connexion with an application which proposed the demolition of a pumping station at Le Mont de Gouray, St. Martin, and the construction on the site of a 3 storey, 3 bedroom dwelling with a roof terrace.

The Committee had visited the site on 9th January 2024.

Deputy S.G. Luce of Grouville and St. Martin, Vice Chair, did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in a Built-Up Area of the Green Backdrop Zone and was on the Eastern Cycle Route Corridor, within Sustainable Transport Zone 4. Policies SP2, 3 and 4, PL3, GD1, 5, 6, and 8, NE1, HE1, H1, ME1, TT1, 2 and 4, and WER1, 6 and 7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance relating to Density Standards, Residential Space Standards and Residential Parking Standards.

The Committee noted the relevant planning history of the site, which included a previous planning application (P/2016/0921 referred) to develop the site for a single dwelling, which had been withdrawn.

The Committee was advised that the application site was located on the north side

of Le Mont de Gouray and comprised a small redundant granite pumping station. A historic set of Parish owned steps wrapped around the site along its west and north sides, providing access to a pathway. The entering into of a Planning Obligation Agreement was proposed to secure the extension of an existing public footpath / pavement along the roadside boundary of the site on Le Mont de Gouray.

The Committee was informed that the proposals presented an opportunity for the construction of a new dwelling which complied with the residential standards on a 'windfall site' within the Built-Up Area, in a sustainable location. The proposed development was not considered to cause unreasonable landscape harm and the character and integrity of the Green Backdrop Zone would be maintained. The area had a diverse built character, and the scale, form and architectural design of the development were considered to be appropriate in this location. Concerns regarding the design were noted but the Department considered the proposed dwelling to be a well-designed and attractive contemporary addition to the streetscape. No concerns existed with regard to the relationship with, and impact upon, neighbouring residential properties. The site was located on a bus route, and the scheme had made generous provision for bicycle parking. Therefore, the lack of on-site car parking was not considered to be problematic, taking into consideration the previous objection of the relevant highway authority (when on-site car parking had been proposed). The application was accordingly recommended for approval, subject to certain conditions detailed within the Department report and the entering into of a suitable Planning Obligation Agreement, pursuant to Article 25 of the Planning and Building (Jersey) Law 2002 (as amended), as detailed within the Department report. In the event that agreement could not be reached within 3 months of the date of approval, the application would be returned to the Committee for further consideration.

31 representations had been received in connexion with the application.

The Committee heard from [REDACTED] who expressed concerns regarding the impact of the proposals on car parking in the area and the structural integrity of both the Parish-owned public steps and a neighbouring property (Bayview). She noted that car parking in the area was already problematic and would be exacerbated by the approval of the application. The consent of the Parish was required for the proposed underpinning of the public steps, and [REDACTED] was concerned that structural integrity and safety could not be guaranteed. Reference was made to a report which had been submitted to the Parish by a Consulting Engineer in this connexion and it was noted that the Committee had not had sight of the same. [REDACTED] concluded by stating that the site was too constrained for the proposed development.

[REDACTED] addressed the Committee and outlined concerns regarding the lack of on-site car parking within the proposed development. Whilst a previous proposal had included on-site car parking and this had attracted objections, it was perverse, in his view, for parking to be omitted entirely as a result. He added that it was unrealistic to believe that the occupants of the property would not require car parking at all. Attention was drawn to Appendix 3C of the Supplementary Planning Guidance relating to Residential Parking Standards, which indicated that a 3 bedroom home in Sustainable Transport Zone 4 should include one car parking space and also to policy TT4 of the Bridging Island Plan [REDACTED] was of the view that the proposals did not meet existing guidance and would lead to indiscriminate parking, making an already difficult situation worse. He highlighted the value of the public steps to the local community and noted that views from the same would be lost, particularly if privacy screening was erected, for which permission would not be required. He agreed with [REDACTED] view that the site could not comfortably accommodate the proposed development.



The Committee heard from [REDACTED]

[REDACTED] Whilst he did not object to the redevelopment of the site per se, he was concerned with a number of issues, to include the lack of on-site car parking. It was unclear where visitors and tradespeople would park to access the property and the proposals would exacerbate existing car parking issues in the area. [REDACTED] also drew attention to the potential loss of views from the public steps, which were enjoyed by both locals and visitors to the Island.

[REDACTED] addressed the Committee, echoing concerns about the lack of on-site car parking and highlighting that the proposed flat roof was not in keeping with the design of surrounding properties. [REDACTED] also concurred with objections regarding the potential loss of views from the public steps and drew attention to Policies GD1 and 9 of the Bridging Island Plan in this connexion. Concern was expressed regarding the roof terrace, which was considered to be overbearing compared to neighbouring terraces and balconies and could be developed further in future. [REDACTED] was also worried about the impact of the construction work on neighbouring properties, although it was acknowledged that this was not a planning matter.

The Committee heard from the applicant's agent, [REDACTED] Limited, who advised that the application sought to address concerns arising from previous proposals, including car parking and highway safety. It was accepted that the required visibility splays could not be achieved due to the site constraints so on-site car parking was no longer proposed. The site was in a sustainable location on a bus route with a bus stop directly outside and generous provision had been made for active travel. [REDACTED] further advised that Supplementary Planning Guidance allowed for 'car-free' developments and the proposals had been carefully designed to take account of concerns raised by neighbours with regard to both car parking and privacy issues. The proposed development was limited in nature and reasonable in size and the Historic Environment Team and the highway authority had no objections. In summary, the proposals would provide a new home in the Built-Up Area whilst maintaining the character and integrity of the Green Backdrop Zone.

[REDACTED] addressed the Committee and stated that the proposals had been informed by responses in relation to the previously withdrawn application. Improvements had been made to the design including a reduction in the size of the proposed dwelling, setting the development further back from the road, and the removal of on-site car parking. [REDACTED] highlighted the Historic Environment Team's comments in respect of the application and urged the Committee to grant permission.

[REDACTED] advised that a method statement had been prepared which would ensure that existing structures would not be undermined by the proposed development. He referenced a number of developments in the area which had successfully employed similar methods of construction.

[REDACTED] addressed the Committee, outlining his longstanding connexion to the area, [REDACTED] and the challenges faced in developing the proposals. A multi-disciplinary project team had been assembled to address community concerns and draw up proposals which complied with planning policy and heritage guidelines. It was acknowledged that whilst the site constraints were challenging, they could be overcome, as evidenced by the method statement and [REDACTED] emphasised his desire to create a modern, sustainable 3

bedroom home on an unused site.

Having considered the application, the Committee unanimously refused permission, contrary to the Department's recommendation. Concerns were expressed regarding the sustainability of the location and lack of on-site car parking; the potential loss of public views from the Parish-owned public steps; and the standard of accommodation for future occupants due to a lack of private amenity space and single aspect outlook.

As the Committee's decision was contrary to the Department's recommendation, the application would be re-presented at the next scheduled meeting for formal decision confirmation and to set out in detail the reasons for the refusal.

Elizabeth  
Terminal,  
Elizabeth  
Harbour, La  
Route du Port  
Elizabeth, St.  
Helier:  
proposed  
removal of  
existing ATM  
and projecting  
sign.

P/2023/0711

A7. The Committee considered a report in connexion with an application which proposed the removal of an automated teller machine (ATM) and associated projecting signage located at Elizabeth Terminal, Elizabeth Harbour, La Route du Port Elizabeth, St. Helier. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area, in the Port of St. Helier, on the Eastern Cycle Route Corridor and in a medium risk coastal flooding zone. Policies GD1, 6, and WER2 of the 2022 Bridging Island Plan were relevant.

The Committee was informed that the removal of an existing ATM and associated signage on a commercial unit at Elizabeth Terminal was proposed. The ATM's aperture would be infilled and covered with a steel plate while the sign's fixings would be made good. The proposed works were appropriate in scale and nature and would not result in any unreasonable harm to the amenities of nearby users by virtue of loss of light, outlook or privacy. The proposal would not have any detrimental impact upon the character of the site or on the character of the surrounding area. Whilst concerns were noted regarding the loss of the ATM, there was no planning policy basis on which to refuse the application and the applicant was under no obligation to continue to operate or supply the ATM. The provision of ATM's was not a material consideration in the planning process. In light of the above, the proposal was considered to satisfy the requirements of the relevant policies of the 2022 Bridging Island Plan and was recommended for approval subject to certain conditions detailed within the Department report.

24 representations had been received in connexion with the application, which had been presented to the Committee on the basis of the number of adverse representations.

No persons present wished to speak for or against the application.

The Committee, with the exception of [REDACTED] St. Lawrence and Trinity, decided to grant permission, subject to the imposition of the conditions set out in the Department report and on the basis of an additional condition which required the ATM aperture be infilled with granite rather than steel. [REDACTED] highlighted the important public service provided by ATMs and bank branches.

No.1 Traders  
House,  
L'Avenue le  
Bas, St.  
Saviour:  
proposed  
demolition of

A8. The Committee considered a report in connexion with an application which proposed the demolition of existing structures known as No. 1 Traders House, L'Avenue Le Bas, St. Saviour and the construction of a new unit with vehicular access onto Longueville Road. Various landscape improvements were also proposed. The Committee had visited the site on 9th January 2024.

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

existing  
building.  
Create trade  
centre with  
new access.

P/2023/ 0305

site was a Protected Industrial Site situated in a Local Centre in the Built-Up Area, on the Eastern Cycle Route Corridor. Policies SP1, 2, 3, 4, 5, 6, PL3, GD1, 2, 3, 5, 6, 10, NE1, 2, 3, EI1, TT1, 2, 4, WER1, 2, 6, 7, and ME1 and 3 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, which included a number of previous planning applications (P/2013/1175, P2013/1129, P2012/1676, P2009/1956 and P2004/2048 referred), the most recent of which had involved the change of use of the building on the site to a Warehouse (Class E) use.

The Committee was advised that the existing building had been constructed in as office accommodation the 1970's. The site had parking and access to the north-west and included a vacant area to the north-east which was landscaped but predominantly overgrown and which contained mature trees. The demolition of the existing building and construction of a new warehouse with ancillary retail was proposed, along with creation of a new vehicular access onto Longueville Road and various landscaping enhancements. The site would operate 7 days a week (7.30am to 5pm Monday to Friday and 8am to 12 noon on Saturdays, Sundays and Bank Holidays). A Planning Obligation Agreement ('POA') was proposed to secure the sum of £50,987 towards the Eastern Cycle Route Network and a bus enhancement subsidy.

The Committee was informed that no concerns existed regarding the redevelopment of the site in the context of highway safety, impact on the environment and amenities of neighbouring properties. The application was considered appropriate in the context of the relevant Bridging Island Plan Policies and was recommended for approval, subject to the imposition of certain conditions detailed within the Department report and the entering into of a suitable POA, pursuant to Article 25 of the Planning and Building (Jersey) Law 2002 (as amended), to secure the aforementioned financial contribution. In the event that agreement could not be reached within 6 months of the date of approval, the Department would be authorised to refuse the application.

27 representations had been received in connexion with the application.

The Committee heard from Connétable K.C. Lewis of St. Saviour, who advised that the Parish Roads Committee had objected to the application in June 2023, on the grounds of highway safety; this had been recorded as a late submission for reasons which were unclear. The Honorary Police had also objected to the proposals. Connétable Lewis noted that the exit from New York Lane (located opposite the site) was extremely hazardous and residents were concerned about the impact of the proposals on road safety in the area. Concerns were noted regarding excessive speeds on Longueville Road and attention was drawn to 4 recent road traffic collisions. Connétable Lewis believed that the exit to the site should be located on L'Avenue Le Bas and noted that the proposals would result in the loss of mature trees on the site.

The Committee heard from [REDACTED] and expressed serious concern regarding the road safety implications of the proposals. [REDACTED] of engagement in this regard, given that a Freedom of Information request had revealed 54 accidents in the area in the last 15 years. A recent accident had required the attendance of 3 emergency service crews and Parish staff and attention was drawn to the significant public cost of such incidents. [REDACTED] currently relied upon a roadside mirror to safely enter and exit the property and no consideration had been given to the impact of the proposals on their safety. [REDACTED]

further expressed concerns regarding the size of the proposed ancillary retail area and the potential 7 day a week operation of the site. He urged the Committee to refuse permission on the basis of the impact on local residents.

The Committee heard from which had been severely affected by Storm Ciaran in November 2023. He advised that a tree housing a roadside mirror used by residents to assist with entering and exiting the property had been destroyed and access was extremely difficult. Approval would result in serious safety impacts and the Committee was urged to reject the proposals.

outlined concerns regarding the proposed ancillary retail use, which was excessive in size and contrary to Policies ER2 and EI1. Reference was made to restrictions in the size of ancillary retail areas which had been imposed at a similar facility within St. Peter's Technical Park in St. Peter.

Limited addressed the Committee and highlighted 3 areas of concern: inadequate highway arrangements, environmental impacts and the size of the proposed ancillary retail area. The site could not safely accommodate large goods vehicles and deliveries were likely to take place outside the specified hours of operation of the site, impacting local residents. 18 trees would be removed, with new planting squeezed into a reduced site area, contrary to Policies NE1, 2, and SP3 and 5. An existing nature corridor linking the site to a nearby Site of Special Scientific Interest would also be interrupted. With regard to the proposed new trade unit, noted that this was not a defined planning use class and no restrictions were proposed in relation to occupancy or customer numbers. The size of the proposed retail unit precluded it from being ancillary in nature, making it akin to a large retail shop. He concluded by stating that the proposals did not comply with the relevant policies of the Bridging Island Plan and urged the Committee to refuse the application.

The Committee heard from the applicant's agent Limited. She highlighted that the site was one of only a few Protected Industrial Sites in the Island, so it was imperative to make best use of the same. The proposed trade unit met the requirements of Policy EI1 and maximised the site's potential. The case for demolition had been made, in accordance with Policy GD5, and addressed to the satisfaction of statutory consultees. advised that the representation of the St. Saviour's Roads Committee predated amendments made to address road safety concerns. Notably the access onto Longueville Road would be used only as an exit. The applicant was content with the proposed conditions and the proposed Planning Obligation Agreement. concluded by urging the Committee to support the proposals.

a transport consultancy, provided a summary of the road safety analysis that had been undertaken, noting that the proposals aligned with Government road safety standards and had been accepted by the highway authority. Excessive speeding was not evidenced by a survey, which found that road users generally complied with the 30 mile per hour speed limit on Longueville Road. The site could accommodate the expected vehicle traffic and data modelling had shown that freight operations could be undertaken safely and efficiently.

advised that the site selection process had identified the site as the most suitable location for the proposed development. The trade unit would be a 'drive through' facility, with the retail area accounting for 15 per cent of the footprint. The scale, design and materials had been carefully considered and 14 trees would be retained, with 12 new trees and hedging being planted. Extensive work had been undertaken to address various concerns,

resulting in a high-quality scheme which accorded with the policies of the Bridging Island Plan.

highlighted the operational benefits of the proposals, which included the creation of 10 new jobs, eventually rising to 14, maintaining the existing workforce on site and allowing the business to expand its offering into sustainable timber and heavy products. The site had been selected as the most optimal location for the proposals and the increased offering would lead to a reduction in traffic movements. noted that the applicant had been sensitive to neighbours' concerns.

In response to questions from the Committee, the following was confirmed –

- the proposed building would operate as a trade facility which would also be open to the public;
- the movement of large vehicles would be controlled by staff, and they would be directed to turn around on the site and exit onto L'Avenue Le Bas;
- agreement had been reached with the owner of a neighbouring property (Cimandis House) to enable large vehicles to turn and exit in this manner; and
- it was not proposed to operate on Sundays or Bank Holidays.

The Committee heard from

(‘I and E’) Department, who advised that the Department was principally concerned by road traffic incidents which resulted in injuries. There had been 5 in the area in the last 5 years, which was considered average for Jersey, though it was recognised that incidents which did not result in injuries had also occurred and would not necessarily have been reported to the I and E Department. The proposed access complied with the required standards and visibility was considered sufficient. further advised that there was a general presumption against the use of roadside mirrors as they were unreliable in certain weather conditions and tended to be used to mitigate poor road design. confirmed that the proposals were considered acceptable from the perspective of the highway authority.

Having considered the application, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, who expressed concerns in relation to road safety, decided to grant permission, subject to the imposition of the conditions set out in the Department report and the applicant entering into a suitable Planning Obligation Agreement.

In addition, the Committee requested the following additional conditions –

- no external storage of materials on the site;
- the operation of the site to be restricted to Monday to Saturday, with no operation on Sundays or Bank Holidays;
- a restriction on the operation of forklift trucks to the permitted operating hours only;
- the highway authority to consider the introduction of traffic calming measures on Longueville Road; and
- the provision of roadside mirrors for the benefit of properties opposite the site.

Victoria Tower  
German  
occupation  
site, La Rue de

A9. The Committee considered a report in connexion with an application which proposed the replacement of certain telecommunications equipment, to include the removal of 5 antennae and their replacement with 3 new antennae, the removal of 2 microwave dishes and the installation of a telecommunication radio rack at the



la Pouclee et  
des Quatre  
Chemins, St.  
Martin:  
proposed  
replacement of  
telecommunica  
tions  
equipment.

S/2023/0971

Victoria Tower German occupation site, La Rue de la Pouclee et des Quatre Chemins, St. Martin. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Coastal National Park and was on the Eastern Cycle Route Corridor. Policies GD1, 6, ME3, PL5, NE3 and UI4 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, which included a number of previous planning applications (P/2014/1837, P2007/0292, P2006/0097, P1994/1335 and P1993/1850 referred) relating to the installation and replacement of telecommunications equipment.

The Committee was advised that the proposed works did not involve the relocation of any existing satellite equipment. Development within the Coastal National Park was highly controlled, but the installation of telecommunication masts was supported by policy UI4. Whilst the Environmental Health Department continued to monitor and consider current research and guidance in respect of electromagnetic fields ('EMF'), no substantive risk had been identified. The proposed changes were not considered detrimental to the setting and were unlikely to harm the health or amenities of the wider public. The application was accordingly recommended for approval, subject to the imposition of a condition requiring post commissioning EMF testing, as detailed within the Department report.

6 representations had been received in connexion with the application.

The Committee heard from the applicant's [REDACTED] who advised that the application was part of Jersey Telecom Group Limited's programme to replace and modernise telecommunication masts Island-wide. He noted that the Environmental Health Department had not objected to the proposals.

Having considered the matter, the Committee approved the application subject to the imposition of the condition set out in the Department report.

St. Peters  
Technical  
Park, La Grade  
Route de St.  
Pierre, St.  
Peter:  
proposed  
replacement of  
telecommunica  
tions  
equipment.

P/2023/0980

A10. The Committee considered a report which proposed the replacement of certain telecommunications equipment, to include an antenna and 2 cabinets, associated equipment and wooden fencing to the south of St. Peters Technical Park, La Grande Route de St. Pierre, St. Peter. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was a Protected Industrial Site located in the Built-Up Area and a Water Pollution Safeguard Area. Policies GD1, 6, ME3, UI4 and EI1 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, which included a number of previous planning applications (P/2020/0877, P2014/1696 and P2013/0365 referred) relating to the installation and replacement of telecommunications equipment.

The Committee was advised that the application site was located within St. Peter's Technical Park and that the proposed works did not involve the relocation of any existing satellite equipment. The Environmental Health Department would continue to monitor and consider current research and guidance in respect of electromagnetic fields ('EMF') and provide advice accordingly. No substantive risk had been identified which would warrant further specific consideration in this instance. The

proposed changes were not considered harmful to the setting given its location within a Protected Industrial Site in the Built-Up Area, where this type of development was supported. The mast was not considered to be harmful to the health or amenities of the wider public and the application was accordingly recommended for approval, subject to the imposition of a condition requiring post commissioning EMF testing, as detailed within the Department report.

18 representations had been received in connexion with the application.

The Committee heard from a representative of the applicant company [REDACTED] who confirmed that the diameter of the antenna would increase from 330 to 360 millimetres. It was noted that the replacement antenna would also be slightly taller.

Having considered the matter, the Committee approved the application subject to the imposition of the condition detailed in the Department report.

Les Creux car  
park, La Route  
Orange, St.  
Brelade:  
proposed  
replacement of  
telecommunica  
tions  
equipment.

A11. The Committee considered a report in connexion with an application which proposed the replacement of telecommunications equipment, to include a pole, 3 antennae, 2 cabinets and other associated equipment, together with wooden fencing to the south of Les Creux car park, La Route Orange, St. Brelade. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone. Policies GD1, GD6, ME3, PL5, NE3 and U14 of the 2022 Bridging Island Plan were relevant.

P/2023/0332

The Committee was advised that the application sought permission for the replacement of an existing satellite mast, 3 antennae, 2 cabinets and other associated equipment, together with the installation of wooden fencing. The proposed changes would not involve the relocation of any existing masts, which were positioned away from the main road and were not considered to be harmful to the character of the area. The Environmental Health Department was continuing to monitor current research and guidance with regard to emissions and had confirmed that the risk from the proposal was not sufficient to warrant further consideration by the Department. Consequently, having regard to the requirements of the 2022 Bridging Island Plan, the application was recommended for approval, subject to the imposition of certain conditions detailed within the Department report.

9 representations had been received in connexion with the application.

The Committee heard from a representative of the applicant company (Jersey Telecom Group Limited), who advised that, whilst it was possible to relocate the telecommunications mast, this would result in a mast sharing arrangement. Combined mast structures were higher, and, in this instance, repositioning could result in the loss of trees.

The Committee discussed the application and expressed concerns regarding the existing, visually intrusive position of the mast and agreed that more work should be undertaken to ensure that, where possible, telecommunications equipment was installed on the least visually intrusive sites and consideration should be given to re-siting existing masts to achieve this.

After due consideration, the Committee decided to approve the application, subject to the imposition of the conditions set out in the Department report.

Langley  
House,  
Rectory Lane,  
St. Saviour:  
proposed new  
dwelling  
(RFR).

P/2023/0309

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 proposed raising the roof of an existing garage to construct a 2 bedroom residential unit and a new timber staircase to the south gable at the property known as Langley House, Rectory Lane, St. Saviour. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area, was on the Eastern Cycle Route Corridor and included a Grade 3 Listed Building. Policies SP2, SP3, SP4, PL3, GD6, HE1, HE3, TT1, TT2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application sought to remove the roof of the existing single storey, triple garage and construct a new 2 bedroom dwelling for use by staff or guests, increasing the height by one storey. Whilst residential development was supported 'in principle' within the 'Local Centre' of the Five Oaks Built-Up Area, the scale of the proposed development was considered to be harmful to the character and setting of the Grade 3 Listed Building to the extent that this outweighed the benefit of the additional unit of accommodation. Consequently, the application had been refused on the aforementioned grounds and on the basis that it failed to satisfy the requirements of Policies SP4 and HE1 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

All representations received in connexion with the application had been included within the Committee's agenda pack.

The Committee heard from [REDACTED]

[REDACTED] who advised the Committee that the garden of Langley House was included in the Grade 3 Listing as it formed part of the setting of the Listed Building. Permission had been granted in 2019 for the triple garage on the basis that it would remove vehicles from the frontage of the property. The HET considered that the proposed increase would have a detrimental impact on the significance of the Listed Building and works which would be required to facilitate access and car parking elements of the development in the future would have an adverse effect on the setting of the Listed Building.

The Committee heard from the applicant's agent, [REDACTED] who advised that there would be no increase in the footprint of the existing structure and that the additional storey would result in a negligible increase in height. [REDACTED] acknowledged that the proposed new dwelling would be visible from the road but noted that the land opposite was owned by the applicants. He did not believe that the development would be overbearing and advised that the property would benefit from the sole use of a private garden and that 2 car parking spaces would be provided in line with Supplementary Planning Guidance - Draft residential parking standards (2023). [REDACTED] felt that the proposed design of the roof would be more in keeping with its surroundings than the existing roof arrangement and that the scale and mass of the 2 bedroom dwelling was acceptable in this context. Refusal of the application would result in the loss of a new 2 bedroom property within the Built-Up Area. Following a question from the Committee, [REDACTED] confirmed that the application site had access to all mains services.

Having considered the application, the Committee, with the exception of Deputy S.G. Luce of St. Martin, Vice Chair, endorsed the recommendation to refuse permission for the reasons set out in the Department report.

Langley

A13. The Committee considered a report in connexion with a request for the

House,  
Rectory Lane,  
St. Saviour:  
proposed  
replacement of  
extensions,  
various  
internal/  
External  
alterations/

construction of  
WC extension.  
(RETRO-  
SPECTIVE)  
(RFR).

P/2023/0780

reconsideration of an application which had been refused by the Department under delegated powers, which proposed the removal of the northern extensions and the construction of single and 2 storey extensions to the north elevation of the property known as Langley House, Rectory Lane, St. Saviour. It was also proposed to carry out various internal and external alterations, including to the vehicular access and roof height in order to replace one gable window with 3 sliding windows to the west elevation. A retrospective application had also been made for the construction of a single-storey flat roofed WC extension to the north side of the Listed Building. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area, was on the Eastern Cycle Route Corridor and included a Grade 3 Listed Building. Policies SP4, PL3, GD6 and HE1 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that permission had previously been granted for a series of extensions to the existing Listed Building, and the majority of this work had been completed (P/2018/1556 referred). The approved scheme included consent for a first floor, pitched-roof extension at the western end of the dwelling, sitting above an existing, modern, flat roofed single storey extension. The approved extension included large, glazed areas within its western gable end, with the width of the new gable being narrower than the Listed Building. The application proposed a revised design to the approved first floor extension, which would increase the overall gable width and alter the fenestration pattern.

A single storey extension had been constructed without consent and the Committee was being asked to regularise this element of the application.

The application had been refused on the grounds of scale and design, the proposed additional width of the western extension, which was considered to exacerbate the mass of the development, and which failed to protect the character and setting of the host Listed Building, contrary to Policies SP4, HE1 and GD6 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

All representations received in connexion with the application had been included within the Committee's agenda pack.

The Committee requested confirmation that the drawings which were displayed corresponded with the works which had been completed at the time of the site visit. The case officer undertook to investigate this matter.

The Committee heard from [REDACTED] who advised the Committee that the HET had worked with the applicant on the approved designs for the proposed extensions with a view to retaining the historic gable widths whilst creating extended floorspace within new extensions to the north of the Listed Building. The western extension replaced a flat roof extension with a redesigned footprint which would respect the rear building line. [REDACTED] advised that the revised design proposed additional width to the north of the western extension which would exacerbate its mass and subsume the end of the Grade 3 Listed Building. The HET considered that the proposed roof forms would breach the rear building line of the host building, with the addition of roof lights and openings further removing the simplicity of the original approved design. [REDACTED] noted that the HET objected to the new proposals on heritage grounds and that the application failed to satisfy Policies HE1 and SP4 of the 2022 Bridging Island Plan.

The Applicant's agent, [REDACTED] advising that he disagreed with the HET assessment and did not believe that the revised designs would result in an increased footprint or floor area. The structure of the Listed Building would not be affected, and the objections appeared to relate to the setting of the original building. [REDACTED] advised that the proposed roofline would be lower and would sit in the original gable, the roof form would be more functional and allowed the eaves at the front to be lower and more traditional than the approved design. [REDACTED] was of the view that the revised plans would not have a detrimental impact on the Listed Building and advised that, should the Committee be minded to approve the application, the windows and fenestration could be altered to be more in keeping with the host building. With regard to the retrospective application for the relocation of the ground floor WC/cloakroom, [REDACTED] advised that this work had been undertaken in order to avoid making changes to the drainage arrangements associated with the Listed Building.

The Committee heard from the applicant, [REDACTED] who expressed his discontent with the assessment which had been undertaken by the HET. He outlined certain aspects of the revised design and advised that the scheme had been devised in consultation with the HET. [REDACTED] clarified that the impact on the Listed Building was the main concern, and not the footprint.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report, adding that the original approved designs represented the most appropriate approach.

Le Coin, Le  
Bu de la Rue,  
La Route de  
St. Jean, St.  
Lawrence:  
proposed  
partial change  
of use of farm  
shed. (RFR)

(P/2023/0464)

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 and which proposed the partial change of use of a farm shed at Le Coin, Le Bu de la Rue, La Route de St. Jean, St. Lawrence. The Committee had visited the site on 9th January 2024.

Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and policies GD1, GD6, NE1, ERE4 and TT1 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that permission was sought for the partial change of use of a farm shed from Class D – Agricultural, to Class E - Warehouse for dry storage. The applicant had advised of the reduction in demand for agricultural buildings and considered the proposed warehouse use to be the most viable. However, the marketing exercise required by Policy ERE4 of the 2022 Bridging Island Plan had not been undertaken so redundancy from agricultural had not been proven. The Transport division of the Infrastructure and Environment Department had been consulted and had objected to the proposed scheme on the basis of a lack of information and concerns with regards to road safety due to additional vehicle movements within the Green Zone. The application had been refused on the grounds that it failed to satisfy the requirements of Policies ERE4 and TT1 of the 2022 Bridging Island Plan and the Committee was requested to maintain refusal.

All representations received in connexion with the application had been included within the Committee's agenda packs.

The Committee heard from the applicant's agent, [REDACTED]



██████████ who advised that the applicant was a ██████████ who proposed to convert part of a farm shed from agricultural use to dry storage units, which they planned to lease to third parties. He noted that the additional storage rental income would enable the company to continue trading. ██████████ advised that the access to the farm shed was sufficiently large for agricultural vehicles and noted that the decline in agriculture had resulted in reduced traffic movements. He acknowledged that the Principal Transport Planner, Infrastructure and Environment Department, had requested the submission of a Transport Statement but that this had not been considered necessary, due to the reduced use of the access. With regard to the absence of evidence to demonstrate redundancy, ██████████ argued that if demand existed the shed would be in agricultural use by the applicant.

The Committee heard from the applicant, ██████████ who advised the Committee that ██████████ had encountered hardship with the decline in the agricultural industry and had experienced financial losses in 2021/2022. The shed had previously been used for the storage of new potatoes, but this use had declined over the years, with the majority of the crop being stored at ██████████. He added that, in the past, 50,000 boxes of potatoes had been stored in the shed. The company had reluctantly been forced to consider alternative commercial activities in order to continue with agricultural operations. ██████████ informed the Committee that he worked in a charitable capacity with ██████████ who had expressed an interest in renting the shed for storage purposes should permission be granted for the proposed change of use.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission. In doing so, the Committee advised the applicant of the requirement to undertake a marketing exercise to prove redundancy ahead of the resubmission of the application.

Mailmate  
Limited, Le  
Quai Bisson,  
St. Brelade:  
proposed  
demolition of  
part of  
building/  
construction of  
new dwellings  
(RFR).

(P/2022/0921)

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 and which sought to demolish approximately 360 square metres of a building to the north of Mailmate Limited, Le Quai Bisson, St. Brelade. It was proposed to construct 2 x 2 bedroom residential dwellings with a roof top terrace amenity space and convert the retained areas of the building to the south of the site to provide garages. The Committee had visited the site on 9th January 2024.

A site plan, drawings and 3-Dimensional model were displayed. The Committee noted that the application site was situated in a Tourist Destination Area in the Built-Up Area. Policies SP1, SP2, SP3, SP4, SP6, SP7, GD1, GD5, GD6, GD9, HE1, EI1, H1, H2, H3, TT1, TT2, TT4, WER1, WER2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was drawn to Supplementary Planning Guidance in relation to the Protection of Employment Land (2012), Planning Policy Note No.6 'A Minimum Specification for New Housing Developments' (1994), Draft residential space standards (2023) and Draft residential parking standards (2023).

The Committee was advised that permission was sought for the redevelopment of a light industrial use building to facilitate residential use, which included the demolition of the existing Mailmate building. The site was located in the Built-Up Area, which was identified as a priority location for new housing. Policies SP4 and HE1 were of particular relevance in the context of the scale and height of the proposed development, which was considered to be overly dominant in the street scene. The proposed development also failed to protect the significance of the Listed Buildings situated on either side of the site or relate well to the general character of

the area. The proposed 7 car parking spaces for the 2 dwellings were considered to be excessive and contrary to the provisions of Policy TT4. Moreover, the construction of garage space at the ground floor level did not contribute positively to placemaking, as outlined in Policy SP3. Consequently, the application had been refused on the aforementioned grounds and on the basis that it failed to satisfy the requirements of Policies SP3, SP4, HE1, TT4 and GD6 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

All representations received in connexion with the application had been included within the Committee's agenda packs.

The Committee heard from [REDACTED] who advised the Committee that the development would have a detrimental impact on the sensitive heritage setting of St. Aubin, which was to be designated as one of the first conservation areas in Jersey. The HET had no objection to the demolition of the current building and welcomed the character design aspects of the proposed development. However, the height and scale of the proposed development were considered to problematic from a heritage perspective and the scheme would visually dominate the street scene.

The Committee was addressed [REDACTED] who objected to the scheme on the grounds of the height and scale of the proposed building. They also had concerns with regards to increased traffic and use of the garages, [REDACTED] Committee to refuse the application.

The Committee heard from the applicant's agent, [REDACTED] who advised that a traffic report had been undertaken which outlined that there would be a reduction in traffic volumes when the commercial use ceased. There would also be a beneficial improvement on the safety of users of the narrow lane. [REDACTED] noted that the overall height of the development was respectful of the surrounding Listed Buildings and maintained that it would not be overbearing but would add to the character of the area by virtue of the height variation. He added that vestiges of historic working ports had developed over time in order to facilitate continued use and meet practical demands. [REDACTED] advised that the scheme had been sensitively designed to enhance the streetscape in consultation with HET and the removal of the unsightly commercial building would create an improved sense of place. Much needed residential units would be provided along with an active frontage, in accordance with Policy SP3 of the 2022 Bridging Island Plan.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report, with the exception of the reason for refusal which related to the insufficient provision of cycle parking element as this met the standards.

The Inn, 14  
Queens Road,  
St. Helier:  
proposed  
change of use  
of hotel to staff  
accommoda-  
tion  
(RETROSPEC  
TIVE) (RFR).

P/2023/0862

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 and which proposed the change of use of the hotel known as The Inn, 14 Queens Road, St. Helier to facilitate it use for tourism staff accommodation. The Committee had visited the site on 9th January 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Backdrop Zone of the Built-Up Area and was on the Eastern Cycle Route Corridor. Policies SP1, SP2, SP3, SP4, SP6, PL1, GD1, GD3, GD6, GD8, NE1, EV1, HE1, TT1, TT2, TT4, WER2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Relevant Supplementary Planning Guidance (SPG) considered in the review of the application included Protection of

Employment Land (2012), Draft residential space standards (2023) and Draft residential parking standards (2023).

The Committee was advised that permission was sought for the change the use of the existing hotel to provide staff accommodation for the tourism industry. The accommodation would comprise a range of accommodation as follows: 4 x single occupancy rooms, 26 x double occupancy rooms, 3 x triple occupancy rooms and 2 x quadruple occupancy rooms and a communal kitchen and lounge area. The installation of 2 bicycle shelters and electric bicycle charging points was also proposed. The scheme had been assessed against the relevant standards applied for single residential units.

The application had been refused on the grounds that no exceptional circumstances existed to justify a reduction in the minimum residential standards. As such, the proposed accommodation was considered appropriate for short term occupancy only and the proposed 9 to 12 month occupancy arrangements were considered inappropriate. The lack of shared and private amenity space, standard of accommodation, noise and disturbance arising from the proposed use were all cited as concerns and the living conditions were viewed as harmful to occupants' contrary to the draft residential space standards (2023). Insufficient information had been submitted to demonstrate that the scheme would be resilient to current and future flood risk. Therefore, the application had been refused on the grounds that it failed to satisfy the requirements of Policies SP3, HE1 and WER2 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

All representations received in connexion with the application had been included within the Committee's agenda pack.

The Committee advised of its concerns with the proposal following the site visit, which mirrored those set out above and included potential safeguarding issues. The Committee considered the shared facilities to be inadequate and was dissatisfied overall with the scheme.

The Committee heard from the [REDACTED], who advised that the application had been assessed by the Department on the basis of Policy H1 of the 2022 Bridging Island Plan, which it failed to satisfy, but had not been tested against Policy H10, which supported the provision of residential accommodation for workers involved in agriculture and tourism within the Built-Up Area. [REDACTED] confirmed the provisions of Policy H10, he also highlighted other competing policies in the 2022 Bridging Island Plan and SPG.

The Committee heard from the applicant, [REDACTED], who outlined the difficulties that the Royal Yacht Hotel, and the tourism industry in general, were experiencing with recruiting staff locally. Staff were being sourced from overseas and accommodation was required in order for the employees to gain a permit to work on the Island. [REDACTED] informed the Committee that, when compared with some local lodging houses, the Inn Hotel provided a good standard of accommodation with *en suite* facilities. He added that employee accommodation had to be located within a certain distance of the place of employment, which restricted the areas in which staff accommodation could be considered.

[REDACTED] advised the Committee that the communal kitchen area was only designed to be used for the preparation of light snacks and beverages as the Royal

Yacht Hotel provided 3 staff meals a day, 7 days per week, and also laundered employee uniforms. A laundry room for personal clothing was also provided within the hotel. He noted that he had not received any complaints from hotel staff with regard to the standard of accommodation and that no employee would be forced to share with another staff member unless they requested to do so for reasons such as family or relationship sharing. The 4 person occupancy rooms would only ever be used to accommodate a maximum of 2 people. [REDACTED] stated that he had made a considerable investment in the scheme, risking personal funds, and noted that the accommodation had been inspected by the Public Health and Environmental Health Departments who had raised no concerns.

The Committee heard from [REDACTED] who reiterated that the sharing arrangements at the staff accommodation would only be for couples or relatives. He highlighted the risks associated with a refusal in the context of the wider economic benefits of tourism. [REDACTED] added that the JHA had worked with the Government of Jersey to tackle the lack of staff accommodation on the Island. He noted that the Royal Yacht Hotel employed over 200 staff on 9 to 12 month work permits, all of whom were supporting the local economy and were critical to delivering quality hospitality. [REDACTED] went on to advise that staff turnover at the Royal Yacht was low. In response to a question from the Committee, [REDACTED] advised that the majority of hospitality employees in Jersey originated from Dubai, Kenya, the Philippines and Madeira, amongst other countries.

The applicant's agent, [REDACTED] addressed the Committee, informing members that whilst the Population Office assessment had raised no concerns with the proposed staff accommodation, this information had not been included within the application. The regulatory role of the Population Office was noted.

Having received new information in connexion with the application during the course of the meeting, the Committee withdrew from the meeting to discuss the same in private.

On reconvening, the Committee again heard from [REDACTED] who stated that the applicant was willing to accept a condition restricting occupancy to 2 persons per room, should the Committee be minded to grant permission.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report, other than the future flood risk element as this was deemed to have been satisfied. The Committee recommended the submission of a fresh application, which included details of management procedures and responses from the Population Office.

