

Planning Committee

(6th Meeting)

6th June 2024

Part A (Non-Exempt)

All members were present, with the exception of Connétables P.B. Le Sueur of Trinity, D.W. Mezbourian of St. Lawrence, M.O'D. Troy of St. Clement and Deputy T.A. Coles of St. Helier South, from whom apologies had been received.

Deputy A.F. Curtis of St. Clement (Vice Chair)
 Deputy S. M. Ahier of St. Helier North
 Connétable R.A.K. Honeycombe of St. Ouen
 Deputy A. Howell of St. John, St. Lawrence and Trinity (not present for items A12 – A19)
 Connétable M. Labey of Grouville
 Connétable K.C. Lewis of St. Saviour

In attendance –

C. Jones, Planning Applications Manager
 L. Davies, Planner
 T. Venter, Planner
 G. Vasselin, Planner
 S. de Gouveia, Planner
 A. Elliott, Trainee Planner
 P. Ilangovan, Trainee Planner
 S. Sellers, Trainee Planner
 T. Ingle, Principal Historic Environment Officer
 L. Plumley, Senior Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1 – A12)
 H. Roche, Senior Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A13 – A19)
 C. Feam, Assistant Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A13 – A19)

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

Commemorati-
 on of D-Day.

A1. The Committee observed a minute's silence in commemoration of the 80th anniversary of D-Day.

Nude Food
 Dunes, La
 Route de la
 Pulente, St.
 Brelade:
 proposed
 entrance
 canopy and
 installation of
 extraction flue
 (RFR).

A2. The Committee, with reference to its Minute No. A4 of 16th May 2024, considered a report in connexion with an application which sought permission for the installation of a new entrance canopy and signage at the restaurant premises known as Nude Food Dunes, La Route de la Pulente, St. Brelade and a retrospective application for the installation of an extraction flue. The Committee had visited the site on 14th May 2024.

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.

RP/2024/0137	<p>The Committee confirmed refusal of the application for the reasons set out in the Department report.</p>
No. 1 Hautbois Gardens, St. Helier: proposed conversion (RFR).	<p>A3. The Committee, with reference to its Minute No. A14 of 16th May 2024, considered a report in connexion with an application which sought permission for the proposed conversion of a 2 generation home comprising 2 x 2 bedroom dwellings, to a 4 bedroom dwelling at the property known as No. 1 Hautbois Gardens, St. Helier. The Committee had visited the site on 14th May 2024.</p>
P/2023/1075	<p>The Committee recalled that it had been minded to grant 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 approval.</p> <p>The Committee confirmed unconditional approval of the application for the reasons set out in the Department report.</p>
The Workshop, La Rue de la Hague, St. Peter: proposed demolition and redevelopment / landscape enhancements / revised access (RFR).	<p>A4. The Committee, with reference to its Minute No. A13 of 16th May 2024, considered a report in connexion with an application which sought permission for the proposed demolition of an existing workshop and the construction of a new workshop with landscaping at the site known as The Workshop, La Rue de la Hague, St. Peter. An alternative access arrangement was also proposed. The Committee had visited the site on 14th May 2024.</p> <p>The Committee recalled that it had been minded to grant 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 approval and conditions which were to be attached to the permit.</p> <p>The Committee confirmed approval of the application for the reasons set out in the Department report and on the basis of the conditions detailed therein.</p>
P/2023/1146	
Holme Grown Limited, Fauvic Nurseries, La Rue au Long, Grouville: proposed variation of planning conditions and reconfiguration to include a restaurant area.	<p>A5. The Committee, with reference to its Minute No. A5 of 16th May 2024, considered a report in connexion with an application which sought permission for the variation of 3 conditions attached to the planning consent for the premises known as Holme Grown Limited (Holme Grown), Fauvic Nurseries, La Rue au Long, Grouville (application No. P/2009/0267 referred). The Committee had visited the site on 14th May 2024.</p> <p>Deputy A.F. Curtis of St. Clement and Connétable M. Labey of Grouville did not participate in the determination of this item.</p> <p>The Committee recalled that it had been minded to grant 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 approval and conditions which were to be attached to the permit.</p>
P/2023/1342	<p>It was noted that the applicant had liaised with the Department in connexion with the specific wording of the varied conditions, as previously requested by the Committee, and had subsequently requested certain changes to the conditions which were to be attached to the permit. The Committee was advised that these changes were not supported by the Department.</p> <p>Having considered the matter, the Committee confirmed approval of the application for the reasons set out in the Department report and on the basis of the conditions detailed therein.</p>

Aurum, La
Rue de
l'Étocquet, St.
John: proposed
construction of
garage, store
and accomm-
odation (RFR).

P/2023/1268

A6. The Committee, with reference to its Minute No. A7 of 16th May 2024, considered a report in connexion with an application which sought permission for the construction of a garage and store with ancillary accommodation to the north elevation of the property known as Aurum, La Rue de l'Étocquet, St. John. The Committee had visited the site on 14th May 2024.

The Committee recalled that it had been minded to grant 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 approval and conditions which were to be attached to the permit.

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

Field No. 752,
La Route des
Genets, St.
Brelade:
proposed
variation of
planning
condition.

RC/2023/1432

A7. The Committee, with reference to its Minute No. A6 of 16th May 2024, considered a report in connexion with an application which sought permission for the variation of a condition of the permit associated with planning application reference P/2019/1546, to increase the range of produce which could be sold from the retail unit on Field No. 752, La Route des Genets, St. Brelade. The Committee had visited the site on 14th May 2024.

The Committee recalled that it had been minded to grant 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 approval and conditions which were to be attached to the permit.

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

Field No.
1115, La
Grande Route
de St. Jean, St.
Helier:
proposed
outdoor
learning
centre/forest
school.

P/2023/0725.

A8. The Committee considered a report in connexion with an application which sought permission for the creation of an outdoor learning centre/forest school on Field No. 1115, La Grande Route de St. Jean, St. Helier. The Committee had visited the site on 4th June 2024.

Deputy S. M. Ahier of St. Helier North 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 a Water Pollution Safeguard Area and was bounded by agricultural fields on 3 sides, with Surville Cemetery and Parish allotments to the south. Policies SP1, SP2, SP3, SP4, SP5, SP6, GD1, GD6, PL5, NE1, NE2, NE3, ERE1, ERE2, ERE5, CI4, WER5, WER6, WER7, TT1 and TT2 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to the Jersey Integrated Landscape and Seascape Character Assessment.

The Committee was informed that permission was sought for indoor and outdoor educational learning spaces to extend the existing use by the Grow Project (a community smallholding). The scheme included a community building with solar panels, 2 polytunnels, a yurt, 2 water tanks, 2 sheds, raised planters, beehives and a wildlife pond. Alterations to the pedestrian access route were also proposed, together with the provision of parking for 2 minibuses. The Committee was advised that the proposal satisfied the requirements of the relevant policies of the 2022 Bridging Island Plan and the scale of the proposed development was considered acceptable in the context of the site. No serious harm to the amenities of neighbours or detrimental impact on highway safety was envisaged. Consequently, the application was

recommended for approval, subject to certain conditions detailed within the Department report.

In response to a question from the Committee, it was confirmed that the proposals included toilet facilities, which would connect to a treatment plant.

102 representations had been received in connexion with the application.

The Committee heard from [REDACTED] who explained that the application had only recently come to his attention. Whilst supportive of the proposals, he was concerned about the impact of the proposed pedestrian and vehicular access arrangements on the Muslim Cemetery located within Surville Cemetery. The pedestrian path was narrow and located directly next to the Muslim Cemetery and the proposed minibus access and parking arrangements would restrict access to the Muslim Cemetery. The proposals would lead to increased pedestrian and vehicular traffic on 3 sides of the Muslim Cemetery, causing disturbance during Muslim burials, which were undertaken at very short notice, and having a detrimental impact on the overall tranquillity of the Muslim Cemetery. [REDACTED] advised that he had raised his concerns with the Connétable of St. Helier and respectfully asked the Committee to defer consideration of the application to enable further discussions to take place.

The Committee heard from [REDACTED] a representative of Jersey's Muslim Community, who echoed [REDACTED] concerns. In particular, the proposed minibus parking arrangements would disturb the peace and tranquillity of the Muslim Cemetery and negatively impact the Muslim community. [REDACTED] supported [REDACTED] request for the application to be deferred.

[REDACTED] a founder of the Grow Project, addressed the Committee, outlining the history and purpose of the community smallholding, which had been established in 2020, and focused on sustainability, biodiversity, education and community engagement. [REDACTED] explained that the lack of consultation with the Muslim Community had been an oversight and unfortunately, it had not been possible to postpone the application in order to address the matter. [REDACTED] advised that direct vehicular access to the field and onsite parking for minibuses would facilitate the use of the site by people with disabilities and that the preferred option was for minibuses to reverse and park onsite. This arrangement would also address [REDACTED] concerns in relation to the Muslim Cemetery and the Committee was advised of an alternative pedestrian access route alongside the Parish allotments. [REDACTED] noted that the support of the Parish would be needed in respect of the proposed pedestrian and vehicular access arrangements and expressed a willingness to work with relevant stakeholders in order to resolve the matter.

The Committee heard from [REDACTED] who highlighted the community benefits of the Grow Project, which provided free access to green space within St. Helier and opportunities for social connection. The site welcomed school groups, including students from nearby Mont A l'Abbé school, to learn about sustainable agriculture and spend time in nature. Deputy Gardiner supported the application and urged the Committee to do the same.

[REDACTED] addressed the Committee, outlining the biodiversity impacts of regenerative farming. She noted that regular monitoring was undertaken on the site with community involvement, to document the number and type of species observed. It was hoped that the farming practices which had been adopted would result in biodiversity gains and the introduction of the proposed wildlife pond would provide a habitat for amphibious species. [REDACTED] urged the Committee to support the application.

The Committee heard from [REDACTED] a mental health peer supporter who had been involved in the Grow Project since its inception. He highlighted the mental health benefits that the project provided, noting that free outdoor activities which offered opportunities for connection with others were much needed. [REDACTED] noted that participants in the Jersey Probation and After Care Service's 'Positive Steps' programme for young people had attended the Grow Project, and it was hoped that attendance could be extended to adults in due course. [REDACTED] highlighted the educational benefits of the proposals, noting that the proposed community building would include a kitchen to provide 'field to fork' education. He outlined the charitable aspects of the Grow Project, noting that produce was donated to local organisations for the benefit of the community. In concluding, [REDACTED] emphasised the community benefits of the scheme and urged the Committee to support the application.

[REDACTED] addressed the Committee, advising that the Parish worked in partnership with the Grow Project and fully supported the proposals. Having been apprised of the concerns of the Muslim community, [REDACTED] and other Parish officials had met [REDACTED] to discuss the same and it had been agreed that further consultation would be undertaken in respect of the proposed pedestrian and vehicular access to the site and minibus parking arrangements. [REDACTED] indicated that the Parish supported the alternative access arrangements suggested by [REDACTED] and urged the Committee to support the application.

In response to questions from the Committee, the following points were confirmed –

- approximately 1,100 people had attended the site from February to December 2023, with the majority of visitors being school groups;
- open sessions for volunteers were held on Wednesdays and Saturdays;
- the organisers of the Grow Project received notifications of upcoming burials which allowed sessions to be moved or postponed as necessary; and,
- whilst an alternative vehicular access existed to the north of the site, on nearby Beechvale Road, this was used by farm vehicles and was not considered safe or suitable for use by pedestrians or minibuses.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions set out in the Department report. In doing so, members noted that a degree of flexibility was being exercised in respect of the requirements of policy ERE5, on the basis that there was no reference to community smallholdings in the 2022 Bridging Island Plan. In doing so, the Committee highlighted the unique nature of the application site and noted that the policy tests of ERE5 would remain applicable in relation to future similar applications.

It was noted that further discussions would take place between the parties with regard to the pedestrian and vehicular access to the site and the minibus parking arrangements.

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

A9. The Committee, with reference to Minute No. A16 of 11th January 2024, of the Committee as previously constituted, considered a report in connexion with an application which sought retrospective permission for the change of use of the hotel known as The Inn, 14 Queens Road, St. Helier, to facilitate its use for tourism staff accommodation. The Committee had visited the site on 4th June 2024.

Deputy S. M. Ahier of St. Helier North did not participate in the determination of this application.

(RETROSPEC
TIVE) (RFR).

P/2024/0085

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, H1, H10, TT1, TT2, TT4, WER2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to Supplementary Planning Guidance (SPG), including Protection of Employment Land (2012), Residential Space Standards (2023) and Parking Space Standards (2023).

The Committee noted the relevant planning history of the site, which included a previous retrospective application of a similar nature, which had been refused by the Committee, as previously constituted (P/2023/0862 referred).

The Committee noted that retrospective permission was sought for the change of use of the existing hotel to provide staff accommodation for the tourism industry. The accommodation would comprise 3 x single occupancy rooms, 33 x double occupancy rooms, and a communal kitchen and lounge area. The installation of 2 bicycle shelters for 40 bicycles and 6 electric bicycle charging points was also proposed. The scheme had been assessed against the relevant standards applied for single residential units.

The Committee was advised that the accommodation was intended for employees on short-term employment contracts and that sufficient justification had been provided to deviate from the minimum Residential Space Standards in this instance. The standard of living space was considered appropriate and would not be detrimental to the health and wellbeing of future occupants or users of the development. 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. The Committee was advised of minor factual revisions to certain conditions following engagement between the applicant and the Department.

3 representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED] Limited, who advised that Policy H10 supported the provision of residential accommodation for workers involved in agriculture and tourism within the Built-Up Area. The proposed staff accommodation was intended for use by the Royal Yacht Hotel (the Hotel), which employed 240 staff, the majority of whom required accommodation due to being employed on 9 to 12-month work permits. The proposal was supported by the Department and statutory consultees and an operational statement had been provided, as requested by the Committee as previously constituted. [REDACTED] outlined the facilities that would be provided, which included a communal kitchen area designed for the preparation of light snacks and beverages. The Hotel would provide 3 staff meals a day, 7 days per week, cleaning services, laundering of employee uniforms and bedding, and a laundry room for personal clothing (located within the Hotel). [REDACTED] urged the Committee to support the application.

The applicant's agent, [REDACTED] of Dyson and Buesnel Architects, addressed the Committee and confirmed that the premises would be licensed under the newly established Rented Dwelling Licensing Scheme.

[REDACTED] of St. John, St. Lawrence and Trinity, Minister for Sustainable Economic Development, expressed his support for the application and urged the Committee to grant permission, noting that whilst the loss of a hotel was regrettable,

the use of the site for staff accommodation would provide essential support for the tourism industry.

In response to a question from the Committee it was confirmed that the double occupancy rooms would include either a double bed (for couples) or alternatively, twin beds, as appropriate.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions set out in the Department report. In doing so, the Committee expressed disappointment at the retrospective nature of the application. Furthermore, having visited the site, members expressed concerns regarding the state of the communal areas. Consequently, the Committee requested that the fourth condition of the permit be varied to require the submission of a robust operational management plan within one month of the date of approval, to be implemented within 3 months of the date of submission.

The Pastures,
Rue de la
Prairie, St.
Mary, Jersey:
proposed
change of use
of sand school
and extension.

A10. The Committee, with reference to Minute No. A2 of 16th March 2023, of the Committee as previously constituted, considered a report in connexion with an application which sought permission for the partial change of use of an existing sand school to residential use at the property known as The Pastures, Rue de la Prairie, St. Mary, Jersey. The application also proposed the formation of a new amenity area, and the construction of a single-storey extension to the north elevation of an existing staff accommodation building, together with an increase in roof height at the western end of the building. The Committee had visited the site on 4th June 2024.

P/2024/0114.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and a Water Pollution Safeguard Area. The Pastures was primarily in agricultural use for the processing of seafood and the staff accommodation building was located to the south of Field No. 758. Policies SP1, SP2, SP3, SP4, SP5, SP6, PL5, GD1, GD6, NE1, NE2, NE3, ERE1, H1, H9, H10, ERE8, TT1, TT2, TT4, WER1, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to Relevant Supplementary Planning Guidance (SPG) in respect of Landscape and Character Guidance (2023), Residential Space Standards (2023) and Parking Space Standards (2023).

The Committee noted the relevant planning history of the site, including an application in connexion with the construction of the 4 bedroom staff accommodation (P/2022/0840 referred), which had been approved by the Committee as previously constituted.

The Committee noted that the proposals included the excavation and re-profiling of part of Field No. 758 which would result in the loss of agricultural land. The Committee further noted that an area of hardstanding had been laid to the rear of the existing staff accommodation on agricultural land, contrary to the previously approved plans.

The Committee was advised that whilst the construction of additional staff accommodation in the Green Zone was considered acceptable in principle, the loss of agricultural land to facilitate the proposed extension and amenity space was unacceptable from a policy perspective. The proposals entailed the loss of an existing bedroom and the creation of 2 new double bedrooms within the proposed extension. The size of the proposed accommodation was substantially larger than the minimum standards required and was considered excessive. The proposed amenity space also far exceeded the minimum standards, resulting in development that would be visually dominant and intrusive in this rural setting and cause harm to the landscape character of the area. In addition, insufficient information had been

provided in respect of the disposal of waste from the proposed construction activity. Consequently, the application was recommended for refusal on the basis that it was contrary to policies SP3, SP4, SP5, PL5, GD6, NE3, ERE1, H9, and WER1.

6 representations had been received in connexion with the application.

The Committee heard from [REDACTED] who outlined the strategic importance of the proposals in the context of Jersey's seafood industry. The proposed development would provide much needed staff accommodation and support the expansion of one of the Island's largest commercial fisheries businesses. [REDACTED] highlighted the value of the industry to Jersey's economy and stated that the loss of agricultural land was justified in this instance. In concluding, he urged the Committee to support the application.

The Committee heard from the applicant's agent, [REDACTED] who noted that the representations received in connexion with the application had been supportive. The existing 4 bedroom staff accommodation had been approved on the basis of meeting an essential need within the fisheries industry and [REDACTED] advised that additional accommodation was required to support the expansion of the business. She noted that the loss of agricultural land was justifiable in exceptional circumstances, in accordance with policy ERE1 and that policies SP2 and SP6 supported the proposals. [REDACTED] advised that high quality accommodation was proposed which exceeded the minimum standards and urged the Committee to adopt a pragmatic approach. The proposals were not considered harmful to the landscape character of the area. [REDACTED] confirmed that the premises would be licensed under the newly established Rented Dwelling Licensing Scheme and urged the Committee to support the application on the basis of the economic benefits to the Island's fisheries industry.

[REDACTED] addressed the Committee, highlighting the strategic importance of the proposals and the need to support the Island's seafood industry. He believed that the loss of agricultural land was justified in this instance and urged the Committee to support the application.

In response to questions from the Committee, the following points were confirmed –

- a site waste management plan had not been provided;
- the existing accommodation only provided for single occupancy and the proposed development was intended to accommodate couples;
- less than a quarter of the sand school would be affected; and
- an existing Leylandii hedge bordering the sand school would be retained.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, the Committee advised the applicant to liaise with the Department with a view to formulating revised proposals which met the requirements of the 2022 Bridging Island Plan.

No. 8 Le Clos
des Mielles, La
Petite Route
des Mielles, St.
Brelade:
proposed
increase in

A11. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for an increase in the height of the garage roof at the property known as No. 8 Le Clos des Mielles, La Petite Route des Mielles, St. Brelade. The Committee had visited the site on 4th June 2024.

A site plan and drawings were displayed. The Committee was advised that the site

height of
garage (RFR).

P/2023/1362

was situated in the Secondary Centre of Les Quennevais in the Built-Up Area and a Water Pollution Safeguard Area. Policies SP3, SP4, SP5, GD1, GD6, NE1, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant.

The relevant planning history of the site was noted, which included a previously approved application for alterations to the existing garage, to include the replacement of a flat roof with a pitched roof and the installation of timber cladding (application No. P/2020/1704 referred). Subsequently, consent had been granted for the construction of a single storey extension to the east elevation of the site and the conversion of the garage to a gym and study (application No. P/2023/0432 referred). This application had originally sought permission for an increase in the height of the garage roof but had subsequently been revised to omit this element.

The Committee was advised that the site comprised a single storey bungalow with a mezzanine floor, a garden, and a detached building (previously the garage). Permission was sought to increase the roof height of the detached building. It was noted that the site plans and drawings which had been submitted contained inaccurate information in respect of the previously approved height of the building. The Committee was advised that the proposed increase in height was disproportionate, would cause the building to be visually dominant and intrusive in the street scene when viewed from the public road, and failed to contribute positively to the distinctiveness of the surrounding built environment and wider setting of the site. Consequently, the scheme did not satisfy the requirements of Policies SP3, SP4 and GD6 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal of the application.

No representations had been received in connexion with the application.

Deputy A.F. Curtis of St. Clement, Vice Chair, expressed concerns regarding the accuracy of the site plans and drawings and questioned whether the scheme could actually be implemented.

The Committee heard from the applicant's agent, [REDACTED] who explained that the increase in the height of the roof had been omitted from the previous application at the Department's request. It had subsequently become apparent that the approved height would not accommodate the proposed internal layout of the building, due to building control requirements, including the need for insulation. Permission was accordingly sought for a minor increase in the height of the roof by 50 centimetres. [REDACTED] advised that the site plan and drawings were based on Ordnance Survey maps and that there was a roof overhang which might account for the discrepancies noted. He noted that there had been no objections to the proposals and urged the Committee to overturn the refusal.

The applicant's agent, [REDACTED] addressed the Committee, outlining the context of the site, which was located in the Built-Up Area, surrounded by residential development. [REDACTED] advised that the 'bungalow' was in fact a split level, 2 storey dwelling and the proposals were designed to improve the cohesiveness of the site and would be in keeping with the surrounding area. The proposed development was of a high-quality and would make the best use of an existing building within the Built-Up Area, where such development was encouraged. [REDACTED] stated that the proposals met the requirements of the 2022 Bridging Island Plan and urged the Committee to approve the application.

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

Dunvegan, Le

A12. The Committee considered a report in connexion with a request for the

Grand Bourg,
Grouville:
proposed
demolition of
pigsty and
construction of
extension
(RFR).

reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the proposed demolition of a pigsty and the construction of a 2 storey extension to the south-west elevation of the property known as Dunvegan, Le Grand Bourg, Grouville. The Committee had visited the site on 4th June 2024.

Connétable M. Labey of Grouville did not participate in the determination of this item.

P/2023/1282

A site plan and drawings were displayed. The Committee was advised that the site was located in the Green Zone, a Water Pollution Safeguard Area and on the Eastern Cycle Route Corridor. Policies SP3, SP4, SP5, GD1, GD6, NE1, NE3, H9, TT4, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to the Landscape and Seascape Character Guidance (2023).

The Committee noted that the site comprised a detached 2 storey dwelling with an integral garage, a pigsty to the south-west, a garden and pool to the west, with car parking and vehicular access from Le Grand Bourg to the east. Permission was sought for the proposed demolition of the pigsty and the construction of a 2 storey extension connected to the south-west elevation of the property by a glazed link, and the conversion of the existing internal garage to habitable accommodation.

The Committee was advised that whilst the construction of an extension to the dwelling was considered acceptable in principle, the proposed development was considered disproportionate and visually dominant due to its size and height, resulting in harm to the rural landscape character of the area. The existing dwelling measured 187 square metres, excluding the garage, and the proposals would result in the creation of an additional 78 square metres of habitable space, representing a 42 per cent increase. The proposed extension would be 10.2 metres high when viewed from the south. In addition, insufficient information had been provided regarding the ecological impacts of the proposed development. Consequently, the scheme failed to satisfy the requirements of Policies SP3, SP4, SP5, GD6, H9, NE1 and NE3 and it was recommended that the Committee maintain refusal of the application.

One representation had been received in connexion with the application.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, who advised that the application site was not Listed but would originally have formed part of a nearby farmstead which included both Grade 3 and Grade 4 Listed Buildings. Members were reminded of the requirement within Policy SP4 for development to protect or improve the setting of Listed Buildings and Ms. Ingle advised that pigsties were a traditional feature of local farmsteads and an understudied area of local historic interest. In concluding, Ms. Ingle stated that the loss of the pigsty was not supported and that the case for demolition had not been made in this instance.

The Committee heard from the applicant's agents, [REDACTED] [REDACTED] stated that the proposals had been carefully designed to provide a modern interpretation of a farm courtyard which was subservient to and in keeping with the existing dwelling. Materials would be reused to maintain the historic interest of the site and the proposed extension had been positioned so as to minimise its visual impact. [REDACTED] advised that the proposals represented an increase in floor space of 25 per cent, in accordance with Policy H9, and would improve the layout of the dwelling. Additionally, the height of the development would be 5.4 metres, as the proposed extension was situated partly below the ground level. She noted that there had been no objections to the

proposals. [REDACTED] confirmed that the increase in floor space was significantly lower than the figure stated in the Department report, as the existing dwelling measured 233 square metres, excluding the garage. He pointed out that the conversion of the garage to habitable space could be constructed under permitted development rights, in accordance with the Planning and Building (General Development) (Jersey) Order 2011. The pigsty was not a Listed Building and no concerns had been raised by the Department in connexion with its proposed demolition. It was not accepted that the proposed development was disproportionate in size or height and the Committee was urged to overturn the refusal.

In response to a question from the Committee, it was confirmed that the figures in the Department report in respect of the increase in floor space included the proposed glazed link and the additional habitable space resulting from the conversion of the garage.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, members highlighted the requirement of Policy SP4 for development to protect or improve the setting of Listed Buildings and requested that Policies ERE2 and GD5 be added to the reasons for refusal.

Foxfield, La
Route Orange,
St. Brelade:
proposed
demolition of
outbuildings /
construction of
new dwelling
(RFR).

P/2023/0604

A13. The Committee, with reference to Minute No. A6 of 27th October 2022, considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the demolition of existing outbuildings and the construction of a 3 bedroom dwelling with associated hard and soft landscaping at the property known as Foxfield, La Route Orange, St. Brelade. The Committee had visited the site on 4th June 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and Policies SP2, SP3, SP4, SP5, PL5, GD1, GD6, NE1, NE3, HE1, H1, H3, H4, H9 and WER5 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to Housing Outside the Built-Up Area (2023) and Residential Space and Parking Standards (2023).

The Committee noted the relevant planning history of the site, including an application for the demolition of existing outbuildings and the construction of a 4 bedroom dwelling and swimming pool, with associated hard and soft landscaping (reference P/2022/0605). The application had been refused by the Department under delegated powers in December 2022, on the basis that the scheme was not supported by any exceptions to the presumption against development and would have a detrimental impact upon the character of the area and the wider Green Zone, contrary to Policies PL5, NE3, WER7, SP4, HE1 and H9 of the 2022 Bridging Island Plan.

The Committee was advised that the application had been refused on the grounds that the development was situated within the Green Zone, in a location where residential development was only permitted under exceptional circumstances. When considered under the relevant Policies of the 2022 Bridging Island Plan, the scheme was not supported by any exceptions to the presumption against development. Furthermore, the scheme would have a detrimental impact upon the character of the area and the wider Green Zone, contrary to Policy H9 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

No representations had been received in connexion with the application.

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

who advised that the proposals sought to overcome the previous reasons for refusal. In response to consultation with the Historic Environment Team (HET), the scale and mass of the development had been reduced and, consequently, the scheme was now supported by the HET, on the basis that the proposed lower ridge height and position of the new dwelling would have less impact on the sensitive setting. [REDACTED] believed that removal of the unsightly outbuildings and replacement with the proposed high quality design dwelling in an established residential area would enhance the environment and improve the appearance of the site. The proposed dwelling would be located largely on the footprint of the existing outbuildings and would result in a 67 per cent reduction when compared with the existing footprint and a 25 per cent reduction in floorspace. [REDACTED] added that the proposals aligned with the relevant Policies of the 2022 Bridging Island Plan, which supported sustainability and the efficient use of land. He argued that there would be no harm to the coastal or landscape character in this case and the scheme could be supported on this basis.

The Committee heard from the applicant's agent, [REDACTED] who referenced the reasons for the refusal of the previous application [REDACTED] advised that Foxfield would be retained under the current proposals. The remainder of the site (measuring 250 square metres) contained the outbuildings to the west of the main building, which were in a poor state of repair. The site was currently wasteland and failed to make a positive contribution to the character of the area or the setting of the Grade 2 Listed Building. [REDACTED] noted that the development represented an opportunity to improve the street scene and the wider landscape by replacing the existing outbuildings with a smaller dwelling. The Department report supported the proposed design and there had been no objections from statutory consultees. The scheme aligned with the adopted Supplementary Planning Guidance and would result in the addition of a new home, which would contribute towards the Island's housing stock. [REDACTED] acknowledged that the application failed to comply with Policies H9 and PL5 of the 2022 Bridging Island Plan but stated that Article 19 of the Planning and Building (Jersey) Law 2002 allowed for the approval of an application if the Committee was satisfied that sufficient justification existed for doing so.

In response to a question from the Committee, [REDACTED] confirmed that the application site and the main dwelling currently shared one access which might be modified if the development was approved, although both sites could function independently with the single access point if it was retained.

The Committee was addressed by the applicant, [REDACTED] who confirmed that the development would have access to the main foul sewer network.

The Committee, with the exception of Deputy A. F. Curtis of St. Clement and Connétable K.C. Lewis of St. Saviour, was minded to support the application, contrary to the Department recommendation, on the basis that the scheme was considered to comply with Policies H1 and H3 of the 2022 Bridging Island Plan and Article 19 of the Planning and Building (Jersey) Law 2002.

Having recognised that its decision was contrary to the Department recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any additional conditions which were to be attached to the permit.

Clement:
proposed
construction of
extension,
balconies,
dormer
window,
fenestration
alterations
(RFR).

P/2024/0097

fenestration alterations to the south elevation of the property known as Whitethorn House, La Grande Route de la Côte, St. Clement. The Committee had visited the site on 4th June 2024.

Deputy A.F. Curtis of St. Clement did not participate in the determination of this application, and Connétable K.C. Lewis of St. Saviour acted as Chair for the duration of the item.

A site plan and drawings were displayed. The Committee noted that the application site was situated on the boundary of the Built-Up Area on the Eastern Cycle Route Network and was at medium risk of coastal flooding on the Shoreline Zone. Policies PL3, GD1, GD6 and GD9 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application had been refused on the grounds that the impact of overlooking on neighbouring amenities from the proposed first and second floor balconies was unacceptable. The principle of the proposed extension was considered to be acceptable within the Built-Up Area, but the proximity to the neighbouring residential development meant that it would have an unreasonable impact on privacy. Consequently, the proposal failed to satisfy the requirements of Policies GD1 and GD6 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal of the application.

One representation had been received in connexion with the application.

The Committee heard from the applicants, [REDACTED] advised that the scheme aligned with the Policies of the 2022 Bridging Island Plan and had consulted with neighbours throughout the planning process. The nearest neighbours to the east had provided a letter of support following refusal of the application by the Department under delegated powers. The neighbours had also requested that a 1.5 metre privacy screen be included to the east side of the first floor balcony if the scheme was approved, which was acceptable to the applicants. Turning to the reasons for refusal, [REDACTED] noted that Policies GD1 and GD6 focussed on concerns regarding overlooking and added that that this would be addressed by the addition of the privacy screen. The site was situated in the Built-Up Area where there was a presumption in favour of development with some expectation of overlooking. [REDACTED] pointed out that mutual overlooking already existed in the area. Whilst there was no requirement for a privacy screen on the western side of the balcony, the applicants were willing to include an obscure glazed end panel which would be installed after the construction of a new dwelling to the west had been completed in order to gauge the extent of overlooking.

The Committee was minded to support the application, contrary to the Department recommendation, on the basis that the scheme was considered to comply with Policy GD1 of the 2022 Bridging Island Plan. In doing so, the Committee advised that permission was granted subject to the imposition of conditions as follows: the addition of a 1.5 metre high privacy screen to the east of the balcony in the attic space and to the east and west of the first floor balcony.

Having recognised that its decision was contrary to the Department's recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of the above and any other conditions which were to be attached to the permit.

Le Tournesol,
3 Sunny Crest
Close, La
Route de

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 permission for the replacement of an existing boundary wall and timber fence, with rendered blockwork to the west and south

Maufant, St. Saviour:
proposed replacement of existing boundary wall and timber fence (RFR).

P/2023/1416

boundaries of the property known as Le Tournesol, 3 Sunny Crest Close, La Route de Maufant, St. Saviour. The Committee had visited the site on 4th June 2024.

Connétable K.C. Lewis of St. Saviour did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and the Water Pollution Safeguard Area. Policies SP3, GD1, GD6 and WER5 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application had been refused on the grounds that the height and materials of the proposed development would have a detrimental visual impact upon the street scene. The scheme also failed to preserve the character and appearance of the main dwelling and wider street setting. Consequently, the application failed to satisfy the requirements of Policies GD6 and SP3 of the 2022 Bridging Island Plan.

One representation had been received in connexion with the application.

The Committee heard from the applicants, [REDACTED] advised the Committee that the existing wall and fence had been damaged beyond repair during Storm Ciarán in November 2023. [REDACTED] addressed the Committee and expressed concerns with regard to the planning process and the inconsistent advice which had been received from the Department in connexion with the application. He explained the impact on privacy and security arising from the loss of the fence and the wall and advised that the structures had collapsed on 3 occasions over a period of 3 years due to inclement weather. He confirmed that the proposed wall would be 2 metres high, which was lower than the previously approved 2.6 metre high wall and fence (application reference P/2024/0313 referred). He believed that the proposal was acceptable in this context and referred to similar developments in the vicinity. [REDACTED] added that Policy SP3 of the 2022 Bridging Island Plan supported the development and that the likelihood of more extreme weather conditions in the future meant that a more robust boundary solution was required.

The Committee was minded to support the application, contrary to the Department recommendation, on the basis that the scheme was considered to comply with Policies GD6 and SP3 of the 2022 Bridging Island Plan. In doing so, the Committee advised that the permission was granted subject to the details of the external finish being agreed with the Department and the addition of coping stones to the wall.

Having recognised that its decision was contrary to the Department's recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of the above and any additional conditions which were to be attached to the permit.

La Vie en Rose, La Neuve Route, St. Brelade:
proposed widening of existing access to form new vehicular access and car parking (RFR).

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 sought permission for the widening of an existing access on to La Neuve Route to form a new vehicular access and parking area to the east elevation of the property known as La Vie en Rose, La Neuve Route, St. Brelade. The Committee had visited the site on 4th June 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and Coastal Flooding Medium Risk Area. Policies SP4, GD1, GD6, HE1, TT1 and TT4 of the 2022 Bridging Island Plan were relevant.

P/2023/1363

The Committee was advised that the application had been refused on the grounds that the development failed to comply with Infrastructure and Environment Department Highway Safety Standards. Furthermore, the introduction of a new vehicular access on to La Neuve Route was considered harmful to the character of the street scene. Consequently, the application failed to satisfy the requirements of Policies GD6 and HE1 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.

One representation had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED] who advised that the application sought to remove the east facing boundary wall to enable the creation of vehicle parking for the applicants. He noted that positive pre-application advice had initially been received from the Transport division of the Infrastructure and Environment Department (IE Department) but that an objection had subsequently been raised on the above grounds. Addressing the consultee reports which had been submitted in connexion with the application by the IE Department and the Parish of St. Brelade, [REDACTED] noted that only 2 vehicle parking spaces would be lost as a consequence of the proposal, rather than the 4 spaces referred to in the reports. In concluding, Mr. Smith added that Policy GD6 of the 2022 Bridging Island Plan supported development where it achieved accessible and inclusive design, with particular regard for disabled and mobility impaired individuals.

The Committee heard from the applicant's wife, [REDACTED] who acknowledged that she had purchased the property in the knowledge that there was no designated car parking but had not foreseen that any future application for the same would be refused. She advised that car parking in the area was problematic, particularly during the summer months. [REDACTED] outlined the difficulties involved with transporting her wheelchair bound husband to and from the property and the effects that this was having on their quality of life.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, the Committee expressed sympathy for the applicants' personal circumstances.

Alma Place, La
Route de St.
Aubin, St.
Helier:
proposed
demolition of
boundary wall
/ formation of
new access
with hard
landscaping
(RFR).

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 and which sought permission for the demolition of a rear boundary wall and creation of a new vehicular access with hard landscaping to the south west of the property known as Alma Place, La Route de St. Aubin, St. Helier. The Committee had visited the site on 4th June 2024.

Deputy S. M. Ahier of St. Helier North did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area (Primary Centre of St. Helier) and included a Grade 3 Listed Building. Policies SP3, SP4, PL1, GD6, HE1, TT1 and TT4 of the 2022 Bridging Island Plan were relevant.

P/2024/0095

The Committee was advised that the application had been refused on the grounds that the historic granite wall, which was to be demolished, was included within the extent of the Grade 3 Listing. The removal of the wall would be harmful to the special historic interest of the property and the character of the shared driveway. Furthermore, the proposal would result in an intensification in the use of the shared

access road which exited on to La Route de St. Aubin, where the near-side visibility did not meet minimum requirements. Consequently, the application was contrary to Policies SP4, HE1, TT1 and TT4 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.

No representations had been received in connexion with the application.

The Committee heard from Ms. T. Ingle, Principal Historic Environment Officer, Historic Environment Team (HET), who referenced the significance of the Grade 3 Listed Building, which was part of a terrace. It was acknowledged that development to the south had altered the setting of the Listed Building. However, the grey granite wall was important to the setting, notwithstanding changes arising from more recent development. Materials used in the construction of the wall were likely to have been quarried locally and were reminiscent of Rozel shale. The wall, which ran along the width of the site, had been formed as part of an earlier archway situated between adjacent properties, and its demolition would result in the loss of half of this archway.

The Committee heard from the applicant's agent, [REDACTED] who advised that, contrary to the findings of the Infrastructure and Environment Department Transport report, all of the properties within the private close had created vehicle parking provision apart from the applicant, so a precedent had already been set. It was estimated that approximately 30 vehicles currently used the shared access road so the addition of one vehicle would not have a significant impact. Turning to the objection from the HET, [REDACTED] noted that there was evidence to suggest that the archway appeared to be a modern reproduction and that there had been later improvisations or removal of walls to neighbouring properties. He added that, should the Committee be minded to approve the application, a record of the granite wall would be retained along with the materials, should they be of interest to the HET. The development was proposed to enable a carer to visit the dwelling on a daily basis and transfer the applicant safely to and from the property. It was noted that car parking on the public highway to the front of the property was restricted and that neighbours on both sides of the application site were in support of the proposal.

Having considered the application, the Committee, with the exception of Connétable R.A.K. Honeycombe of St. Ouen, endorsed the recommendation to refuse permission for the reasons set out in the Department report. The Committee was particularly concerned about the loss of the entire granite wall and suggested that a compromise could be considered which involved retaining part of the same.

La Falaise, Les Nouvelles Charrieres, St. John: proposed construction of extensions/enlargement of balconies/construction of new balcony and windows/installation of rooflights and various internal and external

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 and which sought permission for the proposed construction of extensions to the north and south elevations, the enlargement of 2 balconies, the installation of one new balcony and the installation of 3 windows to the north elevation of the property known as La Falaise, Les Nouvelles Charrieres, St. John. The installation of one window and 5 rooflights to the south elevations and various internal and external alterations with associated landscaping were also proposed. The Committee had visited the site on 4th June 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Coastal National Park, Protected Coastal Area and Sustainable Transport Zone 3. Policies SP5, PL5, GD1, GD6, GD9, NE1, NE3, H1 and TT4 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to the Jersey Integrated Landscape and Seascape Character Assessment (JILSCA), Housing

alterations with
landscaping
(RFR).

P/2024/0079

Outside the Built-Up Area (2023) and Residential Parking and Space Standards (2023).

The Committee was advised that the application had been refused on the grounds that the proposed extensions would result in a disproportionate increase in size and failed to be subservient to the main dwelling. The proposals were considered to have an overbearing and dominant visual impact and failed to protect or improve the built environment or landscape character of the area. Consequently, the application was considered contrary to Policies SP5, PL5, GD1, GD6, H9, NE1 and NE3 of the 2022 Bridging Island Plan, and it was recommended that the Committee maintain refusal.

No representations had been received in connexion with the application.

The Committee heard from [REDACTED] who advised that the application site was located in a significantly developed area within the Coastal National Park and was not isolated, as suggested within the Department Report. [REDACTED] noted that, in his opinion, the proposed 29.31 square metre increase was very modest, and the development would not be visible on the skyline. The scale of the proposed increase would ordinarily be acceptable under permitted development rights, in accordance with the Planning and Building (General Development) Jersey Order 2011, and the increase in roof height over the east and west extremes of the property was considered subservient, as required by Policy H9 of the 2022 Bridging Island Plan. [REDACTED] stated that the scheme would provide increased living accommodation in an incoherent and unsatisfactory property. In response to a question from the Committee, it was noted that earth works would only be extended by one metre past an existing patio area.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report.

No. 18
Coastlands
Avenue, La
Greve
d'Azette, St.
Clement:
installation of
fence and gate
(RETROSPEC
TIVE) (RFR).

P/2024/0068

A19. 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 permission for the proposed installation of a fence and gate to the south west boundary of the property known as No. 18 Coastlands, La Greve d'Azette, St. Clement. The Committee had visited the site on 4th June 2024.

Deputy A. F. Curtis of St. Clement did not participate in the determination of this application and Connetable K. C. Lewis acted as Chair for the duration of this item.

A site plan and drawings were displayed. The Committee noted that the application site was situated in an area which was considered to be at high risk of coastal flooding and was also within the boundary of the Built-Up Area on the Eastern Cycle Network Route. Policies SP2, GD1, GD6, TT2, PL5 and WER2 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application had been refused on the grounds that the fence and gate were out of character with the neighbouring roadside features. Furthermore, the height of the fence and gate would restrict the view of approaching traffic for neighbouring amenities. Consequently, the proposal failed to satisfy the requirements of Policies GD6 and TT2 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal of the application.

One representation had been received in connexion with the application.

The Committee heard from [REDACTED] who advised that

they had been unaware of the requirement to obtain planning permission for the installation of the new fence and gate. [REDACTED] informed the Committee that the previous owners of the property had installed a fence and gate without first obtaining planning permission, and that the applicants had been unaware of this when they purchased the property. [REDACTED] advised that the new fence and gate had been installed due to structural issues with the previous fence. The new fence had been located further back from the boundary to improve visibility and was no higher than the previous structure. The applicants did not believe that the fence would obstruct visibility. [REDACTED] drew attention to the numerous privet hedges along the road, which were higher and protruded into the road, and which she believed constituted a greater danger to pedestrians and traffic. The Committee was advised that [REDACTED] work meant that greater security was required, and the applicants also wished to enjoy the privacy afforded by the fence.

Having considered the application, the Committee, with the exception of Connétables R.A.K. Honeycombe of St. Ouen and K.C. Lewis of St. Saviour, endorsed the recommendation to refuse permission for the reasons set out in the Department report. As the vote was tied, it was noted that in these cases the decision fell with the Department recommendation to refuse permission. The Committee advised the applicant to liaise with the Department with regard to the height and colour of the fence and gate before submitting a new application.