

**STATES OF JERSEY**

**PLANNING AND BUILDING (JERSEY) LAW 2002 (as amended)**

**APPEAL OF A DECISION UNDER ARTICLE 108**

**REPORT TO THE MINISTER FOR PLANNING AND ENVIRONMENT**

**by Mr Philip Staddon BSc, Dip, MBA, MRTPI**

**an Inspector appointed under Article 107**

**APPEAL BY: Castle Properties (Jersey) Limited**

**AGAINST: REFUSAL OF OUTLINE PLANNING: Demolish existing warehouse, office & commercial units. Convert, alter and extend existing Archway building, store & commercial unit. Construct 174 No. dwellings, 4 No. commercial units, community facility, 191 No. car parking spaces & associated ancillary storage, plant & landscaping. Fixed matters: Layout, Massing and Means of Access. Reserved matters: Appearance and Landscaping. (EIS submitted) (3D Model available)**  
**AMENDED PLANS: Reduce height of block along La Rue le Masurier by one storey. Total number of residential units reduced to 169.  
Decision Notice dated 17 March 2016.**

**LOCATION: Jersey Deep Freeze, Archway House, BOA Warehouse, Le Masurier House, F Nicholson & Son Ltd, Totem Plastics, L'Avenue et Dolmen du Pre des Lumieres / La Rue le Masurier, St. Helier, JE2 4YE.**

**REFERENCE: PP/2015/1538**

**APPEAL PROCEDURE: Hearing – 7 July 2016**

**SITE VISIT: 7 July 2016**

**DATE: 29 August 2016**

## **Pre-amble**

1. This report contains my assessment of the Planning appeal made by Castle Properties (Jersey) Limited against the decision of the Department of the Environment to refuse Outline planning permission for a major residential led redevelopment of a commercial site to the north of L'Avenue et Dolmen du Pre des Lumieres in St Helier.
2. In recent times, there have been a number of major and relatively high density residential development proposals within St Helier. In terms of Planning strategy, such schemes align with the Island Plan's objective of focusing new development in the built-up area for reasons of sustainability, protection of the countryside and reducing the reliance on car based travel. However, such proposals are, by their very nature, on sites within the existing townscape and interface directly with existing communities. The proposed change arising from such schemes is understandably fertile ground for differing views and for local concerns.
3. This application proposal follows that pattern and it has been the focus of contrasting opinions. The Appellant promotes the scheme as being fully in line with the Island Plan's strategy and its more detailed policies, whilst some residents oppose the scheme, considering it too dense and high and expressing concerns about impacts on amenity, the character of the area, heritage and car parking.
4. The Department, in fulfilling its mediating statutory Planning role, had to undertake a very complex and multi-faceted judgement to assess the Planning balance. The fine judgement involved in such cases is well illustrated by the fact that, whilst the Department's officers were supportive of the scheme and recommended approval, the Planning Applications Committee disagreed, and refused to grant Outline Planning permission for a number of reasons. This view was formally endorsed at the March 2016 Committee, which agreed the reasons for refusal that appear in the Decision Notice, dated 17 March 2016.
5. This report explores the case in detail and tests each of the Appellant's grounds of appeal and the countering views of other parties.
6. I held a Hearing on 7 July 2016 and this included an accompanied site inspection. I had also visited the site alone on 6 July 2016. The Hearing was attended by the Appellant's team; the Department's officers (who presented the case on behalf of the Planning Applications Committee); a representative of the Save Jersey's Heritage group; Deputy Rod Bryans (who lives on Stopford Road) and a number of local residents. I also met a number of residents on my site inspection. I am grateful to all participants for their intelligent and well-argued submissions and observations. These have enabled me to gain a full and rounded understanding of the main issues in this case.
7. As there was a significant amount of common ground on many matters of principle, at least between the Department and the Appellant, I have given a greater focus in this report to the areas of dispute, which are set out in

the four reasons for refusal cited in the Decision Notice. In terms of the structure of this report, there is a logical flow. First, I begin by exploring the site, its surroundings and general history. Second, I summarise the relevant recent Planning history. Third, I explore the application proposal itself in terms of the descriptive scheme content. Fourth, I provide an overview of the Department's consideration of the application and its determination. Fifth, I summarise the Appellant's grounds of appeal and the views of other parties. Sixth, I identify and summarise the main Planning policies relevant to the appeal. This then provides the foundation for my 'discussion and assessment', which explores the main issues and differing views, and this includes an assessment against each of the four reasons for refusal. Finally, I arrive at conclusions and set out my recommendation.

### **The site, its surroundings and a brief history**

8. The site extends to just over one hectare in area and lies just to the north-east of St Helier town centre and within the defined built-up area.
9. The application area is broadly L shaped and wraps around the Co-op Grande Marche supermarket / multi-storey car park. The supermarket is a very large building, constructed in 2002, which sits on the corner of L'Avenue et Dolmen du Pre des Lumieres and La Rue le Masurier.
10. To the north and west of the site are the rear boundaries and gardens of (mainly residential) nineteenth century properties on Stopford Road and Oxford Road respectively. There is more recent and taller residential development to the east on La Rue le Masurier. Immediately to the south-west of the site is the Millennium Park and to the south-east is the Jersey Gas site, which includes the large and imposing gas holder (further to the east).
11. Historically, the site was formerly part of the extensive landholdings of Jersey Gaslight Company in this part of the town. That company occupied the site until the 1960's. As the gas company's operational and space requirements declined over time, elements were sold off. These surplus holdings included the application site and the site that the Co-op supermarket now sits on.
12. Since the 1960's, the site has housed a variety of commercial, and some residential, uses in its component buildings. Most of the site is covered in buildings. Indeed, there are only limited open areas, which are utilised for access and servicing i.e. the build coverage is high.
13. The largest building on the site is known as the BOA Warehouse. It sits in the northern part of the site and immediately to the south of the Stopford Road properties. It is a very large and utilitarian looking commercial shed, with associated lean-to structures.
14. The BOA Warehouse appears to have some history associated with use by beer and wine merchants. Although the actual construction date is unclear, I was informed that it was certainly pre-1974 (as the building appears on aerial photographs from that year). More recently, it was occupied by a company called Play.com, which specialised in supplying CDs and DVDs.

That use ceased following the abolition of Low Value Consignment Relief in 2012<sup>1</sup>. I understand that, although it has been extensively marketed, the site has been vacant in recent years, although a small part of it was in temporary storage use when I visited.

15. There is a relatively modern office complex, Le Masurier House, on the eastern part of the site (fronting La Rue le Masurier). It was constructed in the late 1990s and comprises of a basement car park, with two levels of office accommodation above and some residential flats (8) on the upper level.
16. The southernmost part of the site has a frontage to L'Avenue et Dolmen du Pre des Lumieres, part of which is occupied by a traditional granite faced building (Archway House), the remainder being the main vehicular route into the site. Just to the west of the access road, there are some commercial units (which include the Curves gym); these are not included within the redlined application area.
17. The Archway House building complex is a surviving legacy from the past gas works use. It is of a robust and attractive granite construction and dates from the late nineteenth century. Today its uses comprise a mix of commercial, residential and vacant space. The commercial occupiers include Jersey Deep Freeze, Totem Plastics, Optimist Social Club and a Wine Warehouse.
18. There is also an array of low-rise buildings along the western boundary of the site (backing on to the Oxford Road properties). The remaining buildings on site include a builder's store and depot, and a series of lock up stores.
19. Overall, the existing site is distinctly commercial in nature and appearance. However, it is not a particularly prominent site, as it is largely encircled by existing buildings. Indeed, for a 1 hectare site, it has very limited street frontages, amounting to just over 100 metres in total.<sup>2</sup> The surrounding area is mixed and varied in use, character and scale.

### **Relevant Planning history**

20. A previous Outline application for redevelopment (PP/2015/0454) was submitted in 2015. That scheme involved 183 units, comprised of a mix of 167 apartments, 6 maisonettes and 10 houses. It generated a substantial amount of local opposition (70 objections) and there were officer concerns about design issues. In the light of these matters, the Applicant decided to withdraw the application.
21. Of some relevance to this appeal (as it is mentioned in submissions), is an application for redevelopment of the nearby Jersey Gas site, immediately to the south of the Co-op store. That application (Reference PP/2014/1125)

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<sup>1</sup> Low Value Consignment Relief (LVCR) was an exemption from UK Value Added Tax for exports from Jersey. When it was abolished in 2012 much of the related fulfilment sector ceased operations. This included Play.com and resulted in the loss of about 150 jobs that were based at the appeal site.

<sup>2</sup> The frontage to L'Avenue et Dolmen du Pre des Lumieres is about 28 metres and the frontage to La Rue le Masurier is about 72 metres.

proposed three blocks accommodating 285 residential units (mostly flats with a small number of townhouses) on the site of the current Jersey Gas complex, which includes the gas holder (which would all be removed). Two of the blocks rose to 6.5 storeys, the other would be 4.5 storeys high. Planning permission was originally granted in March 2015, but a third party appeal led to an Inspector's recommendation that permission should be withheld primarily due to *"the lack of integration with its surroundings – both the local built environment and the living conditions of existing residents."*<sup>3</sup> The Minister agreed with the Inspector, allowed the appeal and refused the application on 8 April 2016.

### **The Appeal proposal (PP/2015/1538)**

22. The appeal proposal represents the Applicant's response to the issues identified in the course of the earlier (subsequently withdrawn) application.
23. There was some amendment to the scheme in the course of the application (a floor was removed from the block fronting La Rue le Masurier). This reduced the residential unit numbers to 169 (from 174).
24. The scheme entails the removal of most of the buildings on site including the large BOA Warehouse and the relatively modern Le Masurier House office block. The exception to full demolition and clearance is Archway House, which would be retained in part and remodelled (its public facing south elevation would be retained).
25. The largely cleared site would be redeveloped with four linear blocks on a roughly north-south axis with three 'shared landscaped courtyards' in the spaces between the blocks. These courtyards would sit at a 'raised podium' level beneath which would be a large lower ground floor car park.
26. The car park would be accessed from a ramp down from La Rue le Masurier and would cover an area of the site similar in size and location to the BOA Warehouse. It would include a visitor parking area and a larger access controlled residents parking area. Altogether, there would be 191 car parking spaces. This level would also include cycle parking and residents' storage units.
27. The building blocks would vary in scale, content and design and I describe each in turn below.
28. Block A would be to the east of the site and would effectively replace Le Masurier House. At street level, this block would include four commercial units. The largest is notated as a relocation unit for Totem Plastics (an existing site occupier). Other units are indicated as a gym and a community facility (for the scheme residents).
29. This frontage would also include the ramped car park access, a pedestrian access (stepped up to the podium level) and an arched access through the block to the Co-op servicing area behind. There would be four levels of residential accommodation (apartments) above this ground level for most of

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<sup>3</sup> Paragraph 114 of the Inspector's Report – PP/2014/1125

the span of the building, but it would step down (from 5 to 4 storeys) at the Stopford Road end. Overall, its height would be comparable with the existing building.

30. Moving westwards into the site, a landscaped courtyard (about 22 metres wide by 55 metres in length) at the podium level would separate Block A from Block B. This Block B would be an entirely residential block that would include apartments at the podium level and, for most of the building, at four levels above. However, the building would be stepped down to the north, such that when viewed from the podium / courtyard level it drops from five storeys to three storeys to single storey. There would then be a space of about 8 metres to the site boundary (with the rear of the Stopford Road Properties). The space from the boundary to the three storey element would be about 12.5 metres.
31. Further westwards across the site, another similar sized landscaped courtyard would separate Block B from Block C. This building would be of similar proportions and scale to Block B, although the separation between the single storey element and the Stopford Road properties' boundary is a little less (about 7 metres to the single storey element and 12 metres to the three storey part).
32. Block C would also connect at first floor level (over the Co-op servicing area) to proposed residential units in the Archway House conversion / remodelling which would include three levels of accommodation and small gardens on the east side. In this vicinity, it is proposed to create a pedestrian access from the street (L'Avenue et Dolmen du Pre des Lumieres), whilst also retaining a separated vehicular access for the adjacent business premises (Curves gym and the adjacent commercial unit).
33. The final (fourth) block would be a low rise single aspect residential building sited along the western boundary (abutting the rear garden boundary of the Oxford Road properties). It would accommodate two storey houses and maisonettes. The maisonettes would be a little higher, as these would be set at the podium level (with residents' stores below).
34. The landscaped areas would be linked by open walkways through the buildings, such that it would create a pedestrian route through the site. In effect, this would create a link from Salisbury Crescent (in the east) through the development to the Millennium Park.
35. The application was supported by an Environmental Impact Statement (EIS).
36. For clarity, the application sought Outline Planning Permission for this comprehensive redevelopment proposal. As submitted, the application sought approval for the principle of redeveloping the site, the quantum of development on the site (which includes the scale, mass, heights, floorspace and unit numbers), along with the means of pedestrian and vehicular access. Matters of detailed architectural design, materials and

landscaping would all be dealt with by future 'reserved matters' submissions.

37. At the application stage, I understand that the Appellant accepted a requirement for a Planning Obligations Agreement (POA) should permission be granted. The POA would secure financial contributions towards enhancement of public realm infrastructure within the vicinity of the site (the sum of £169,000), given the high pedestrian trip generation envisaged from the development. It would also secure funding for a new bus shelter (£7,500).

### **The Department's Officer Consideration and the Committee's decision**

38. The Department's Planning officers considered the scheme to be acceptable. Their report to the February 2016 Planning Applications Committee included the following summary:

*It is acknowledged that this application has led to considerable objection from nearby residents who consider this to be an overdevelopment of the site which will be harmful to their residential amenities.*

*The department has carefully considered all of the comments received and has reviewed the application submission in detail.*

*The proposed development will lead to the provision of a significant number of new residential units, as well as some replacement commercial units, in a highly-sustainable location in central St Helier – this is in line with the core principles of the Island Plan.*

*In the department's view, the applicants have given considerable thought to the overall design and layout of the scheme, siting the new blocks so as not to unreasonably harm existing residents – this is down to their orientation and stepped design. The impacts of the scheme in medium and longer views have also been tested.*

*This is a large-scale development, which will significantly increase the level of built form on the site; however, on balance, in view of the policy context the department believes that the proposed development can be justified.*

39. However, the Planning Applications Committee did not share this assessment. In its view, the scheme was considered to be unacceptable. It ultimately resolved to refuse the application for four reasons. In shorthand form, these concern impacts on residential amenity (reason 1), the character of the area (reason 2), Listed buildings (reason 3) and concerns about the adequacy of car parking provision (reason 4). The precise wording of the refusal reasons is reproduced below:

#### Reasons for refusal – PP/2015/1538

**1. By virtue of its overall design (including its scale, height and density), the proposed development would cause unreasonable harm to the amenities of neighbouring residents through overbearing impact and loss of privacy. For**

***this reason, the application fails to satisfy the requirements of Policies GD 1, GD 3 & GD 7, SP 4 and HE 1 of the adopted Island Plan 2011 (revised 2014).***

***2. By virtue of its overall design (including its scale, height and density), the proposed development would have an unacceptable impact upon the character of the local built environment. For this reason, the application fails to satisfy the requirements of Policies GD 1, GD 3 & GD 7 of the adopted Island Plan 2011 (revised 2014).***

***3. By virtue of its overall design (including its scale, height and density), the proposed development would fail to either preserve or enhance the setting of Listed Buildings within the vicinity of the site. For this reason, the application fails to satisfy the requirements of Policies SP 4 and HE 1 of the adopted Island Plan 2011 (revised 2014).***

***4. The proposed development fails to provide sufficient car parking in accordance with the standards published by the Department of the Environment. Therefore, the application fails to satisfy the requirements of Policy GD 1 of the adopted Island Plan 2011 (revised 2014).***

## **The Appellant's Grounds of Appeal**

40. The Appellant's grounds of appeal are set out under a 'general grounds' heading and then a detailed response to each of the four reasons for refusal.
41. The 'general grounds' set out ten specific points, each of which alleges that 'insufficient' regard or weight has been attributed to a specific factor or factors. These include the evidence of housing need; the strategic thrust and policies of the Island Plan; the positive presumption of Policy H 6; the difficulty of assembling such large sites, which are scarce in number; the Island's Strategic Plan (2015); the priority for regenerating the 'north of town' area; the intended regenerative catalyst effect of the Millennium Park and the limited supply of housing from secondary office sites (heightening the importance of schemes such as the appeal proposal).
42. The responses to each of the reasons for refusal are set out as detailed rebuttals. For brevity, I will not summarise these grounds here but will explore them, and the issues arising, under my analysis of each reason.

## **The views of other parties**

43. At the application stage, the Department received 29 letters of objections from residents and local interest groups. Although wide ranging, the consistent general thrust was a concern that the scheme was just too big, tall and dense and that it would harm the character of this part of St Helier. There were also concerns about traffic generation, potential accidents and pressure on local services and facilities, including the new Millennium Park.
44. Some suggested that a reduced scheme more in keeping with the scale and density of the nearby streets of townhouses would be appropriate. The Save Jersey's Heritage organisation proposed an alternative approach and cited

examples of successful UK based schemes. Specific concerns were raised about overlooking and loss of privacy; loss of light; contamination and disruption through the construction phases.

### **The Island Plan 2011 (Revised 2014) – main policy considerations**

45. The revised Island Plan is Jersey's development plan. It is a detailed and comprehensive policy document, which combines a strategic policy framework with a detailed set of policies and site specific proposals. There is a wide raft of policies that are relevant to this appeal. I have summarised below the policies that are most pertinent to this appeal. Those policies referenced in the four reasons for refusal are identified in **bold**.

#### *Strategic Policies*

46. The Island Plan's overarching spatial strategy is set out in Policy SP 1. It seeks to concentrate new development within the Island's built-up area, which is clearly defined on the Plan's proposals map. Policy SP 2 sets out a strategic objective of using resources, including land, as efficiently and effectively as possible and Policy SP 3 adopts a sequential approach to new development, directing it to the most sustainable locations.
47. To complement the urban concentration approach to new development, Policy **SP 4** seeks to protect the island's natural and historic environment. Policy SP 5 supports economic growth and gives a high priority to supporting existing and new businesses. Policy SP 6 seeks to reduce car dependence and the final strategic policy, SP 7, requires high quality design.

#### *General Development Policies*

48. Policy **GD 1** sets out 'general development considerations' against which all planning applications are assessed. These include sustainability, environmental impact, impact on the amenities of neighbouring uses and occupiers, economic impact, transport and design quality.
49. Policy **GD 3**, in support of the spatial strategy, seeks to ensure that '*the highest reasonable density is achieved for all developments, commensurate with good design, adequate amenity space and parking...and without unreasonable impact on adjoining properties.*'
50. Policy GD 4 deals with Planning Obligation Agreements (POA). GD 5 sets out the importance of respecting skylines, views and vistas. Policy GD 6 sets out the approach to the development of contaminated sites.
51. Policy **GD 7** requires high quality design. It includes a checklist of matters that schemes must 'appropriately respond to'. These include scale, siting, density, landscape, pedestrian features and designing out crime.
52. Policy GD 8 encourages 'percentage for art' contributions.

### *Historic Environment Policies*

53. Policy **HE 1** sets a presumption in favour of preserving and enhancing the special interest of Listed buildings and places and their settings. It states that buildings that do not preserve or enhance the special or particular interest of a Listed building or place and their settings will not be approved.
54. The Housing chapter of the Plan includes objectives to meet the Island's housing needs and promotes the housing-led regeneration of urban areas.

### *Built Environment Policies*

55. The Built Environment chapter of the Plan sets out in some detail the importance of, and policy approach to, realising the full potential of St Helier. It sets out that residential development would be the principal 'driver' of regeneration in the older established parts of the town and that this would not only achieve additional homes in a sustainable location (safeguarding the countryside) but would also support the town centre economy and reduce car dependence.
56. Proposal 14 of the Plan identifies six 'Regeneration Zones' and sets out that these will be supported by masterplans and development briefs. One of these areas is "North of Town", within which the appeal site lies (in fact, close to the middle of the zone). In these regeneration areas, the Plan advises that specific change and key interventions will need to occur.
57. The Plan assumes that a yield of 1,500 new homes might occur in St Helier over the Plan period, taking account of the likely take-up of sites and development at an appropriate density. The Regeneration Zones will clearly be major contributors to that yield of new homes.
58. Policy BE 5 addresses 'tall buildings' which are defined as being above 18 metres or rising more than 7 metres above their neighbours. The policy states that the exceptional height of such buildings will need to be fully justified in urban design terms and that development which exceeds the height of buildings in the immediate vicinity will not be approved.
59. Policy BE 10 seeks to control the appearance of roofscapes and avoid visible roof plant and equipment.

### *Economy Policies*

60. Policy E 1 generally presumes against the loss of employment land. However, there are a number of exceptions to the presumption. These include where the site is no longer appropriate for employment use, where the community benefits outweigh the loss and where environmental problems would be resolved.

### *Housing Policies*

61. The Housing chapter of the Plan includes objectives to meet the Island's housing needs and to promote the housing-led regeneration of urban areas.

62. Policy H 4 expects residential developments to include a suitable mix to provide a variety of new homes.
63. Policy H 6 makes a positive presumption that housing development proposals within the Built-up Area will be permitted, provided that they accord with the standards for housing as set out in Supplementary Planning Guidance.

#### *Transport policies*

64. The Plan contains a suite of relevant transport related policies. These cover footpaths (TT 2), cycle routes and cycle parking (TT 3 and TT 4), access to public transport (TT 8) and travel plans (TT 9).

#### *Other Policies*

65. Policies covering water resources (NR 1 and NR 2), air quality (NR 3), renewable energy (NR 7), waste minimisation (WM 1), foul and surface water drainage (LWM 2 and LWM 3) are also relevant.

### **Other Planning Policies and Documents**

#### *The North St Helier Masterplan 2011*

66. The Masterplan is adopted as Supplementary Planning Guidance (SPG) and is therefore a material consideration in Planning decision making. It identifies opportunities for development intervention (public and privately owned sites), together with improvements to the public realm, including car parking and cycle and pedestrian movement.
67. The appeal site is not one of the Masterplan's specifically identified intervention sites (of which there are 9). However, there is some commentary within the document concerning the site. It states that:

*"As a going concern, this site could retain its existing warehouse use.*

*However, if this site was to be redeveloped, it would offer an alternative site for a long stay and local residents car park, or an opportunity for residential development. Any development should include a pedestrian route linking the Salisbury Crescent with the historic buildings on the Wine Warehouse site, through to the new Town Park.*

*Any future development to be contained within existing building heights, to prevent loss of privacy and overshadowing the houses in Stopford Road."*

#### *St Helier Urban Character Appraisal*

68. This appraisal was commissioned in 2002 to support the (then) Island Plan and finalised in 2005. Its comprehensive analysis of the different urban character areas within the town remains a useful resource (although it does not have formal SPG status).

69. The site falls within 'Character Area 9: Town Centre North' which is described as being '*moderately densely built up*' and '*predominantly 2½ – 3½ storeys with scattered small groups of taller buildings (including three high rise residential blocks)*'. The document also notes numerous protected buildings within the area, including many Victorian and earlier Regency buildings.
70. The document sets out the following objectives for this area:
- to maintain and enhance the residential scale and character of the area;
  - to ensure the retention of historic environments, buildings and artefacts together with the street pattern;
  - to accommodate a degree of mixed use which ensures the future use of a wide range of small to medium sized non-residential properties that contribute to the character of the area;
  - to accommodate potential for larger scale development in the Town Park / Gasworks area.

*Parking Guidelines (SPG)*

71. The parking guidelines date from 1988 and have SPG status. I explore the detailed content and relevance later.

**Discussion and assessment**

**General principles and the Appellant's 'general grounds'**

72. As I observed in my preface, there is little, if any, Planning contention over the broad principle of redeveloping this site for new housing. The site is no longer appropriate or attractive as an employment site and that has been demonstrated through marketing over the years since the last major employer left the site. The Policy E1 case is uncontested and accepted.
73. There is also no dispute that this is a highly sustainable location for new housing. Indeed, given the proximity of the town centre, with its shops, services and employment and public transport, along with the 'doorstep' facilities of a large supermarket and high quality public park, it is difficult to conceive of a more sustainable site for new housing development.
74. There is also no contention over the loss of most of the buildings on the site. The BOA Warehouse itself is a particularly large, utilitarian and generally unattractive structure. Few, if any, would see it having any intrinsic architectural merit or making any positive townscape contribution. The buildings adjacent to the Oxford Road boundary also have little architectural merit.
75. The Archway House complex is not listed but, in my view, it is of historic interest and contributes to the streetscene. The retention of much of this

structure, and particularly its most publicly prominent elevations, is a positive and welcome element of the scheme.

76. The demolition and redevelopment of Le Masurier House is unfortunate in sustainability terms. It is a principle of Policy GD 1 that buildings capable of being repaired and refurbished should not be replaced. There is a tension with this policy given the young age of this building and its relatively good condition.
77. However, I do take the view that, architecturally, Le Masurier House has little merit and that comprehensive development does sometimes require removal of relatively modern buildings to achieve the best scheme. This is a matter to be considered 'in the round', although its proposed loss is perhaps a salutary lesson in terms of the importance of securing good design, as set out in the current Island Plan regime (Policies SP 7 and GD 7). Buildings that Jersey permits today should be of a lasting quality that would generally preclude any notion of demolition in a few decades time.
78. Whilst the broad principle of a housing-led redevelopment of this site is uncontroversial, the matters concerning the development quantum (how much and how high) and its layout are contested. These matters are the source of the differing views that lie at the heart of this appeal.
79. It is worth noting here that the Island Plan's spatial strategy brings with it an inevitable intensification of development in the defined built-up area. If urban land is to be used efficiently and sustainably (and thereby enable the countryside to be protected), it requires that new buildings may need to be bigger, taller and closer together than housing layouts of past eras. That does bring with it unavoidable impacts on existing properties and upon the character of the area. This, in turn, elevates the importance of careful Planning judgements and the imperative of good design. This is particularly so in large scale urban change projects, such as that proposed through this application / appeal.
80. The Appellant made extensive submissions to support its case for the density and scale of the scheme. It drew attention to the 'step change' embodied in the 2011 Island Plan with its 'forthright' policy approach of directing new development to the built-up area. It submitted evidence on the substantial need for new housing as set out in various recent assessments and, hence, the elevated importance of sites such as this for delivering a high yield of new homes in a sustainable location.
81. However, whilst I accept all of these submissions as sound and correct (as does the Department), they do not automatically translate to a grant of Planning permission for a specific scheme. Indeed, the strategy of the Island Plan is complemented by detailed checks and balances, which include the themes of the refusal reasons. Put simply, a scheme could have a very strong accord with the Plan's high-level spatial strategy, but nonetheless be judged unacceptable in terms of detailed and specific impacts.
82. Accordingly, I now turn to an examination of the four reasons for refusal.

**Reason 1 – By virtue of its overall design (including its scale, height and density), the proposed development would cause unreasonable harm to the amenities of neighbouring residents through overbearing impact and loss of privacy. For this reason, the application fails to satisfy the requirements of Policies GD 1, GD 3 & GD 7, SP 4 and HE 1 of the adopted Island Plan 2011 (revised 2014)**

83. This reason focuses on residential amenity impacts and cites two separate unacceptable effects. The first is 'overbearing impact', which is a product of physical mass and scale of the proposed buildings. The second is 'loss of privacy', which, whilst not specified, must be presumed to relate primarily to overlooking effects from windows and balconies in the new blocks. Whilst not included within the reason, I have also assessed a third impact of 'sunlight / daylight / shadowing' issues (which are linked to, but distinct from, simple issues of 'mass'), as these were raised by a number of residents.

*'Overbearing Impact'*

84. The reason for refusal does not specify the affected residential properties beyond the loose term 'neighbouring'. However, it was clear from the officers' clarifications at the Hearing that the greatest concerns related to the Stopford Road properties.
85. In assessing the mass and associated impacts, it is important to look at each component in turn.
86. Block A is broadly comparable in scale with Le Masurier House. The physical impact of the new building on properties to the east, on the opposite side of La Rue de Masurier, is comparable with the existing situation and certainly not materially worsened. To the north, the relationship with the end properties on Stopford Road (which includes a health / fitness studio) would be improved as the new building would be sited about 7 metres from the rear wing (compared to just over 2 metres at present). I do not consider that Block A results in any undue overbearing impacts.
87. Block B, being within the middle of the site, will not be particularly visible outside of the site. This is because it would be masked to the east by Block A, to the south by the Co-op and to the west by Block C. However, it will be visible from a gap between the properties on Stopford Road (between no. 60 Minerva House and no. 54). The alignment of Block B coincides with this visual gap in Stopford Road, created by a driveway / parking area (to the side of Minerva House) and an adjacent mono-pitched single storey building.
88. At present the outlook from the rear of the Stopford Road properties is of the BOA Warehouse itself (primarily its expansive roof) and the upper parts of the Co-op building beyond. The closest properties are no. 54 and no. 60 and there are windows in the rear wings of these properties facing the site. The proposal would change this outlook to a view towards Block B, which steps up from single storey to three storeys to five storeys (moving further

south from Stopford Road). From the rear wing of no. 60, the distance would be about 12 metres to the single storey, 17 metres to the three storey and 28 metres to the five storey element. The distances are a little more for no. 54 and it is a more oblique relationship, the distances being 16, 21 and 33 metres respectively.

89. There is some effect on these properties in that they will be exposed to more vertical building mass. However, the properties, and others along Stopford Road, will benefit from the reduction in horizontal mass by the removal of the expansive and bleak warehouse roof. Overall, I do not consider the effects to be unreasonable. Indeed, Block B has been carefully designed and positioned to minimise massing effects and the stepped approach ensures that the taller elements are comfortably separated from the lower Stopford Road properties. I consider the relationship to be acceptable in Planning terms.
90. Block C raises similar relationship issues to Block B. To its north, the nearest properties are the Elim Church and nos. 46 – 52 Stopford Road. As the church is a non-residential building, I have focused my assessment on the adjacent houses. The closest house is no. 46. The respective distances from its rear wall to the 1/3/5 storey points are about 13, 18 and 29 metres. The relationship with immediately neighbouring properties is similar. In terms of physical mass, the relationship is comparable to, indeed slightly better than, that between Block B and its respective neighbours. Similarly, I consider it acceptable in Planning terms.
91. The effects of Block C on sun lighting / shadowing are assessed later.
92. The proposed low-rise block along the western margin of the site and the Archway House proposal do not raise any overbearing impact issues in my view.
93. Overall, I do not consider that the proposals would result in any undue overbearing impacts on neighbouring residential properties.

#### *'Loss of Privacy'*

94. One of the challenges associated with assessing an application of this type ('Outline' with detailed design reserved) is that the decision maker has to speculate on likely window and balcony positions and their potential effects on privacy. This is not ideal because, whilst it is apparent where windows and balconies are likely to be positioned, the size, precise position, details and the nature of the room served (habitable or non-habitable) are not fixed or certain at this stage.
95. I am advised that this type of application is not unusual and is, in effect, incentivised by the current schedule of Planning application fees, which allows an 'Outline' scheme to be lodged for just 25% of the fee of a fully detailed application.
96. Whilst I can understand an Applicant's desire to minimise the fee outlay (when the outcome of the application is not guaranteed), decision making would be better served by the submission of a fully detailed scheme,

particularly on developments of this scale and type that raise a range of issues that need to be carefully assessed. I do accept that the Appellant has produced a great deal of supporting detail, notably through its comprehensive Design Statement. However, it does not provide quite the same level of precision and certainty as a 'Full' planning application.

97. Nonetheless, I have assessed the scheme on the basis that most of the windows and balconies will be on the east and west elevations and that the north (Stopford Road) facing elevations will not contain habitable room windows or balconies.<sup>4</sup>
98. As such, it must be said that the layout design, with the blocks orientated on a roughly north / south axis, is an intelligent approach to minimising overlooking and privacy effects. It ensures the main window / balcony aspects are aligned perpendicular to the rear facing windows of the Stopford Road properties, such that any overlooking would be oblique and indirect. However, a closer analysis of each block is appropriate.
99. Block A's east facing elevation will result in some overlooking of residential property on the opposite side of the road (Westley Court and Shaftesbury Crescent). However, this is comparable to the existing relationship with the windows in Le Masurier House and appears reasonable in this urban context. The west elevation of Block A will overlook the courtyard and Block B beyond (over 20 metres away) and I consider this to be a comfortable relationship.
100. I viewed the rear of Stopford Terrace from the top of Le Masurier House in a position that approximates to the closest possible high level viewing point from the proposed new block. I was satisfied that this relationship would be acceptable – there are some oblique views, but these would not unduly compromise privacy in gardens or within the properties themselves. That said, some care is needed at the 'reserved matters' design stage to minimise impacts and perceived impacts, in the interests of neighbourliness (this is recognised in the Appellant's Design Statement).
101. Block B has similar effects to Block A. Its east elevation would look back directly to Block A and its west elevation would face Block C. At the northern end of both of these elevations, there would be scope for some overlooking from the higher levels towards the Stopford Road properties. However, the viewing angles are oblique and the separation distances are reasonable. I do not consider that Block B would result in any undue loss of privacy, although as with Block A, some attention to detail is required at the 'reserved matters' design stage.
102. Block C has a similar relationship with the Stopford Road properties and the same comments above (in respect of Blocks A and B) apply. However, the west elevation of Block C faces towards Oxford Road and there is scope for some overlooking effects in this direction. This is a direct 'face to face' relationship (rather than the more oblique relationships with the Stopford Road properties) and is therefore potentially more sensitive.

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<sup>4</sup> This assumption reflects the notations contained in the submitted Design Statement.

103. However, the separation distance involved is great; there is no uniform rear building line (for the rear of the Oxford Road properties) but the distances are typically 35 metres between Block C and the rear faces of the existing houses. Furthermore, there would be an intervening lower block of maisonettes which, combined with the generally short rear gardens (of the Oxford Road houses), would largely obscure the more distant and taller Block C. The effects on privacy are limited and not unreasonable.
104. There are no privacy affects arising from the single aspect maisonettes or from the Archway House proposed residential complex.
105. Overall, I do not consider that the proposals would result in any undue loss of privacy to neighbouring residential properties.

*'Sunlight / daylight / shadowing'*

106. Although not included in the reason for refusal, I have nonetheless reviewed the evidence concerning sunlight, daylight and shadowing. My assessment triangulates a number of sources. These include the sun path / shadowing analysis submitted with the application, viewing of the 3-D model, an assessment of material produced by the Appellant (at my request ) following the Hearing,<sup>5</sup> along with my own on-site observations.
107. I do acknowledge that there will be some effect on some properties but it is limited and does not stray into unreasonableness in my view. I do accept that the properties that will experience some effect include the single aspect Eastview Cottages (40 Stopford Road) which I visited. However, the effect is very limited and confined to a delay of minutes in morning winter sun reaching the (east) face of the property. Whilst I appreciate the residents' view that any minutes of sunlight at that time of year are precious, I do not consider that Planning permission could reasonably be withheld on this basis. The effect is not unreasonable in my view, given the particular circumstances and site context.
108. Overall, I consider that there will be no undue impacts in terms of sunlight, daylight or shadowing on any neighbouring property.

*Reason 1 conclusions*

109. I conclude that the proposal will not result in any unreasonable or undue overbearing or loss of privacy effects to any neighbouring property. I further conclude that the proposal will not result in any unreasonable loss of daylight or sunlight to existing properties.

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<sup>5</sup> This involved applying some Building Research Establishment (BRE) guidelines to various section drawings.

**Reason 2 - By virtue of its overall design (including its scale, height and density), the proposed development would have an unacceptable impact upon the character of the local built environment. For this reason, the application fails to satisfy the requirements of Policies GD 1, GD 3 & GD 7 of the adopted Island Plan 2011 (revised 2014)**

110. Reasons for refusal based on 'character' inevitably involve a combination of objective and subjective judgements. The objective assessment would begin with a focus and analysis on existing character. The subjective judgement would then build on this to examine and assess what 'impact' (positive / negative / neutral) the proposal would have. It is also important to recognise that the Island Plan's strategy, and its designation of Regeneration Zones, necessitates change within the built-up area i.e. it is not a strategy that reinforces the status quo.

*Objective assessment – existing character*

111. The 'objective' starting point in defining the existing character would usually be a relatively straightforward matter. However, in this case there were differing views. Opponents of the scheme tended to define the area as residential and domestic in scale and character, and contended that this character should be reflected in any redevelopment proposal. By contrast, the Appellant referenced the very large supermarket building and higher residential development to the east and argued that the negative contribution of the existing building components on the site should be considered.

112. I do not agree with those who consider that the site's redevelopment should be confined to the 2 - 2.5 storey scale that prevails to the north and west of the site. To adopt that view would be to ignore the wider context and unduly constrain the development potential of the site. That wider immediate context includes the Co-op store, which is a very large and bulky structure, the imposing gas holder and the taller (typically 4 storey) urban character of La Rue de le Masurier to the east.

113. To adopt such a view would also ignore the planned change envisaged through the revised North St Helier Masterplan. The character of the area has already been changed by the removal of large areas of surface parking to create the Millennium Park. The masterplan does identify this as an area of change that presents opportunities for larger scale residential development and 'character' will inevitably evolve as such schemes unfold.

114. Indeed, whilst the Jersey Gas scheme may be the subject of further iteration (to address the shortcomings identified through the appeal process) the adopted masterplan is clear in terms of its approach to scale. It states that '*any new buildings should be predominantly 5½ storeys.*'<sup>6</sup> This is an area of St Helier where 'character' is changing (and that change is planned).

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<sup>6</sup> Revised North St Helier Masterplan 2001 – chapter 4, page 8, third paragraph.

115. I also agree with the Appellant that the objective analysis of the existing character cannot ignore the buildings (and land uses) on the site itself. For the most part, the buildings occupying the site are poor and would score negatively in any objective character appraisal. Furthermore, the historic uses of the site (warehousing and commercial) and their associated traffic generation and impacts through noise and activities, must be seen as part of the tapestry that makes up the 'character' of the area.
116. In my view, there are three important conclusions concerning the 'objective' assessment of the existing character. First, the contextual character of the area is mixed and varied in terms of land uses, building heights, scales and mass. Second, no one single element predominates or defines that character. Third, the character of the area is dynamic and changing (and this is planned).

*Subjective assessment – impact on character*

117. The fact that the proposal will change the character of the area is indisputable. It will remove a large amount of generally unattractive commercial building floorspace and replace it with a primarily residential new development set in a series of blocks.
118. In terms of the volumetric scale of proposal, the development is comparable with what exists. The Appellant advised that the existing buildings amount to 68,562 cubic metres and the scheme would be 71,200 cubic metres. However, the buildings will be much different in terms of their footprint, site coverage, heights and general scale.
119. The built footprint will change dramatically. The existing very high site coverage would be dramatically reduced, as the three substantial landscaped courtyards would provide large spaces between the buildings. However, the buildings will generally be much taller. Block A is perhaps the exception as it, in effect, replaces Le Masurier House with a similar scale but architecturally superior building and will accommodate uses (residential, community and commercial) that sit well in the local context.
120. However, Blocks B and C will be more than twice the height of the existing BOA Warehouse. That does have an impact on local character, but the effect will not be either stark or negative. The siting of the Blocks is such that, whilst tall by comparison with the Stopford Road / Oxford Road housing, they will be set well back into the site. Furthermore, the design approach of stepping the rise upwards is well executed and creates an appropriate transition. The backcloth to that transition, particularly for Block B, is the Co-op building which, whilst of a similar height, is much broader and consequently more massive (about 67 metres compared to Block B's width of about 19 metres).
121. Blocks B and C will not be unduly prominent in the streetscene but they will be visible from certain vantage points. In my judgement, they will sit quite comfortably within, and successfully integrate with, the local built environment. I consider that the blocks will actually make a positive

contribution to the townscape, whereas the existing structures have a largely negative effect.

122. The lower rise elements of the scheme comprising the maisonettes, town houses and the Archway House units do not raise any particular 'character' issues. However, I do think that the retention of elements of the important (but unlisted) historic building is a positive aspect of the scheme (and will contribute to the local character of the area).
123. A broader concern expressed by a number of contributors was that generally the scheme was far too dense and would cram too many people in to an already pressured area. Whilst, I do note and understand these concerns I cannot, in Planning terms, agree. The Island Plan has a very clear strategy that prioritises sustainable sites within the built-up area to yield required new housing through higher density developments (which inevitably has some effect on 'character'). I do not regard the overall density as excessive.
124. I conclude that the proposal will impact on the character of the area, but that the impact will be predominantly positive and beneficial.

**Reason 3 - By virtue of its overall design (including its scale, height and density), the proposed development would fail to either preserve or enhance the setting of Listed Buildings within the vicinity of the site. For this reason, the application fails to satisfy the requirements of Policies SP 4 and HE 1 of the adopted Island Plan 2011 (revised 2014).**

125. This reason for refusal alleges that the overall design aspects of the scheme (scale, height and density) would fail to preserve or enhance the setting of Listed Buildings.
126. In my view, the reason is rather vague in its drafting. It fails to identify which Listed Buildings settings are being referred to and stops short of articulating how and why the proposal would fail to 'preserve or enhance' their settings, other than the general references to 'scale, height and density'.
127. There are actually 15 neighbouring Listed buildings, which comprise 4 distinct 'blocks', 3 of which are on Stopford Road, the other on Oxford Road. All of these buildings back on to the site and, for each, the existing background 'setting' is the existing commercial site. Indeed, it is important to note that any setting impact is to the rear, rather than the principal elevations. That said, the 'backcloth' (existing and proposed) does form part of the Listed buildings' settings and is important.

128. I have set out my view on the setting impact of each below:

Nos. 62 - 66 Stopford Road - the existing setting to the rear is formed by the servicing alley and the mass of the BOA Warehouse, most notably its expansive roofscape. The scheme would replace this with a green

landscaped courtyard immediately behind these Listed buildings. In my view, the setting of these Listed buildings would be enhanced.

Nos. 46 – 52 Stopford Road – the physical relationship between these buildings and the new Block C is described above (paragraph 90). It is not an unreasonable relationship in my view. Furthermore, the proposed wider setting backcloth, whilst entailing some taller new buildings, will remove the vast commercial roofscape that currently detracts from these Listed buildings. Overall, I consider that the Listed buildings' settings would be preserved, enhanced in part, and certainly not harmed.

Nos. 1 - 6 Temple Villas – there are no tall buildings proposed to the rear of this block of six listed houses. Their settings (notably nos. 5 and 6) will be slightly improved, as there will be a reduced mass on the boundary because the end maisonette would have a hipped roof (unlike the existing taller wall). I consider that the settings would be preserved and, in part, marginally enhanced.

Nos. 45 - 47 Oxford Road – behind these buildings would be the run of maisonettes and, further in the distance (about 35 metres), Block C. In my view, the setting of these dwellings will be preserved and not harmed by the proposals.

#### *Reason 3 conclusions*

129. Overall, I conclude that the scheme does successfully preserve and enhance the settings of its neighbouring Listed buildings and that there is no conflict with Policies SP 4 and HE 1.

#### **Reason 4 - The proposed development fails to provide sufficient car parking in accordance with the standards published by the Department of the Environment. Therefore, the application fails to satisfy the requirements of Policy GD 1 of the adopted Island Plan 2011 (revised 2014).**

130. The 'standards' referred to are the 'Parking Guidelines', which have SPG status. This document dates from 1988 and adopts a 'predict and provide' approach, seeking to anticipate the full possible car use demands of a development, and require that minimum levels of parking are provided on-site.
131. Those minimum levels of parking are set out in a matrix, which is differentiated by geographical area and, in the case of residential development, by the unit size. For example, a 4 person home in 'Area 2' (where the appeal site is located) would require 2 resident spaces and 0.2 visitor spaces (i.e. 1 visitor space per 5 homes).
132. Whilst the 'predict and provide' / minimum standards approach was mainstream practise throughout the UK in the 1980's, it is now considered obsolete and disconnected from sustainable transport planning policy, which

seeks to minimise car use and dependence and maximise sustainable travel modes (walking, cycling and public transport).

133. The Island Plan recognises that the standards are out of date. Paragraph 8.136 states that the standards have *"...encouraged car use, increased congestion and contributed to the decline of public transport and services. They have also served to ensure that the needs of the car have dominated people's ability to gain optimal use of the land and buildings that they live and work in which, in an Island with a limited land mass with sensitive areas of coast and countryside, is not a viable or sustainable approach."* Paragraph 8.137 continues, *"...the provision of significant amounts of parking space in association with new development is an inefficient use of valuable land and a constraint to achieving good urban design."*
134. Proposal 29 of the Island Plan states that new parking guidelines would be developed and adopted as SPG. This has not yet happened. However, what is clear to me is that the 1988 SPG Parking Guidelines are now woefully out of date and entirely disconnected from the Island Plan's strategy and approach to sustainable development (notably SP 6). Applying the 1988 standards would be wrong and counter to the Island Plan (including Policy GD 1), which must take precedence in decision making. In my view, the 1988 parking standards should be withdrawn, as they serve no useful Planning purpose today.
135. Pending the preparation and adoption of new SPG on parking 'standards', a balanced common sense approach is required. The absence of up to date SPG does not mean that no parking, or very little, should be provided. In my view, the scheme's approach, which involves a space per unit plus some visitor parking, strikes a very sensible balance, given the location and nature of the site. It allows for a realistic level of car ownership and use, without overtly encouraging it (and generating undesirable traffic and congestion effects).
136. Overall, the provision works out at a ratio of 1.13 spaces per residential unit and this is comparable with other major schemes in St Helier in recent times. The Appellant drew attention to a number of sites including the Jersey College for Girls scheme (0.94 spaces / unit); the Metropole Hotel (1.03 spaces / unit); La Collette low rise (1.2 spaces / unit) and Summerland (0.83 spaces / unit). The scheme's relatively low trip generation rate, and the proposed parking ratios, were endorsed by the States' transportation officers.
137. More importantly, the development would provide genuine opportunities for lifestyles that are not car dependent and it should be noted that 30% of the Island's population does not own a car. Whilst the Island Plan recognises that the Island's high car dependency is a 'difficult matter to tackle' (paragraph 8.138), schemes such as the appeal proposal do actually present genuine opportunities for households to use cars less often, or not at all.
138. Indeed, one of the often cited residual barriers to going 'car free' in the UK is the need to do the weekly supermarket shopping trip. However, in this

case, the Island's largest supermarket will be a 'doorstep' facility for residents. In the UK, this is the sort of scheme that might also prompt consideration of a 'car club' scheme, whereby residents pay a membership fee to have bookable access to pool cars (owned by the car club).

#### *Reason 4 conclusions*

139. I consider this to be a very sustainable site and that the scheme's approach to car parking is balanced and sensible. I do not consider that there is any parking or traffic related objection to this scheme.

#### **Planning conditions and POA**

140. I have reviewed the Planning conditions and proposed POA undertakings and consider these to be justified and appropriate in Planning terms.

#### **Conclusions and recommendation**

141. This proposal and its consideration encapsulate the difficulties, sensitivities and challenges associated with major redevelopment schemes in the existing town environment.

142. In terms of the broad principle of a redevelopment of this site, the case is compelling. This is a legacy employment site that is no longer attractive to large scale employment uses. With the exception of some surviving nineteenth century elements, the buildings are generally poor and negative in appearance. As such, the site represents a rare opportunity to progress a comprehensive redevelopment in an area designated for change in the Island Plan. Its redevelopment for housing is entirely acceptable in principle and accords fully with the strategic thrust of the Island Plan.

143. However, that 'in principle' support is not support at any cost for any scheme. The Island Plan sets the bar high in terms of design and requires all schemes to satisfy a wide range of general development and topic related policies and their stated criteria. All of this leads to extremely complex and multi-dimensional Planning judgments. As I noted earlier, this is well evidenced by the differing conclusions of the Department's officers and its elected members on the Planning Applications Committee. It is also evident from the submissions made by the Appellant's team and by those who have opposed the development, either at the application or appeal stage (or both).

144. In reaching my own independent judgement, I have analysed every aspect of this scheme afresh and done so with an entirely open mind. I have listened to a wide range of views, read an inordinate amount of paperwork and spent much time in and around the site to explore the impacts and potential effects arising from the scheme.

145. My own conclusions are clear. There will be no undue impacts on existing residential amenity and the scheme has been intelligently designed to minimise any limited effects that will arise. The scheme will change the character of the area, but I consider that change to be positive and

desirable. I do not consider that the proposal will harm the Listed Buildings on Stopford Road and Oxford Road and that it will preserve and, in certain cases, enhance their settings. The scheme's approach to parking content is appropriate and balanced and there is no parking or traffic related reason to withhold Planning permission.

146. I conclude that this scheme is acceptable and desirable in Planning terms and that it accords with the Island Plan. I recommend that Outline Planning permission should be granted subject to conditions and a POA. The conditions and POA content are not reproduced here but I endorse, unchanged, those conditions and obligations stated in the Officer report to the February 2016 Planning Applications Committee.

147. Finally, I do think that some consideration should be given to withdrawal of the 1988 Parking Standards SPG and to the fees / Outline planning issues identified earlier in this report. The complexity of decision making in cases of this scale and nature would be much assisted by the removal of out of date standards and by the progression of fully detailed Planning applications. These are matters beyond my formal remit but it would be remiss of me not to highlight them.

Inspector's Formal Recommendation: That the Minister ALLOWS this appeal in full and grants OUTLINE Planning Permission for the scheme under application reference PP/2015/1538 subject to the Planning Conditions and Planning Obligations Agreement previously set out by officers in the report to the 18 February 2016 Planning Applications Committee.

*P. Staddon*

**Mr Philip Staddon BSc, Dip, MBA, MRTPI**