

Planning Committee

(3rd Meeting)

11th April 2024Part A (Non-Exempt)

All members were present, with the exception of Deputy A. F. Curtis of St. Clement and Connétables D.W. Mezbourian of St. Lawrence and M.O'D. Troy of St. Clement, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity (Chair)
 Deputy T.A. Coles of St. Helier South (acting Vice Chair)
 Connétable R.A.K. Honeycombe of St. Ouen
 Connétable K.C. Lewis of St. Saviour (not present for items Nos. A1 – A7)
 Deputy A. Howell of St. John, St. Lawrence and Trinity
 Deputy S.M. Ahier of St. Helier North
 Connétable M. Labey of Grouville

In attendance –

C. Jones, Planning Applications Manager
 W. Johnson, Senior Planner
 T. Venter, Planner
 L. Davies, Planner
 S. de Gouveia, Planner
 G. Vasselin, Planner
 R. Hampson, Planner
 S. Sellers, Trainee Planner
 P. Ilangovan, Trainee Planner
 J. Gibbins, Trainee Planner
 A. Elliott, Trainee Planner
 L. Plumley, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1 – A13)
 H. Roche, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A14 – A21)
 C. Fearn, Assistant Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A14 – A21)

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

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| Minutes. | A1. The Minutes of the meeting held on 14th March 2024, were taken as read and were confirmed. |
| No.1, Le Clos de la Bretonnerie, St. Lawrence: proposed rendering (RFR). | A2. The Committee, with reference to its Minute No. A17 of 14th March 2024, considered a report in connexion with an application which sought permission for the application of insulated render to the property known as No.1, Le Clos de la Bretonnerie, St. Lawrence, along with a change from brick to render on a previously approved extension (application P/2023/0475 refers). The Committee had visited the site on 12th March 2024. |
| P/2023/0920 | 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 the 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.

43 Great Union Road, St. Helier: proposed extension and alterations (RFR).

A3. The Committee, with reference to its Minute No. A14 of 14th March 2024, considered a report in connexion with an application which sought permission for the construction of an extension to the western elevation of the property known as 43 Great Union Road, St. Helier, along with various alterations. The Committee had visited the site on 12th March 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.

P/2023/0656

The Committee confirmed approval of the application for the reasons set out in the Department report. It was noted that approval was unconditional.

Clos du Vallon, La Rue du Cap Verd, St. Lawrence: Proposed change of use of garage (RETROSPECTIVE) (RFR).

A4. The Committee, with reference to its Minute No. A15 of 14th March 2024, considered a report in connexion with an application which sought retrospective permission for alterations and a change of use to ancillary accommodation in respect of a self-contained garage at the property known as Clos du Vallon, La Rue du Cap Verd, St. Lawrence. The Committee had visited the site on 12th March 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 the conditions which were to be attached to the permit.

P/2023/0583

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.

Trinity Manor Farm, La Rue des Monnieres, Trinity: proposed construction of staff accommodation/storage unit/calf shed (RFR).

A5. The Committee, with reference to its Minute No. A18 of 14th March 2024, considered a report in connexion with an application which sought permission for the construction of 2 staff accommodation units, a storage unit and a calf shed at Trinity Manor Farm, La Rue des Monnieres, Trinity. The extension of a hardstanding, feed bunker and muck heap were also proposed. The Committee had visited the site on 12th March 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 the conditions which were to be attached to the permit.

P/2022/1273

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.

Le Val House, La Route des Genets, St. Brelade: proposed partial demolition and extensions

A6. The Committee, with reference to its Minute No. A22 of 14th March 2024, considered a report in connexion with an application which sought permission for the partial demolition and construction of 2 storey extensions to the north, south and west elevations of the property known as Le Val House, La Route des Genets, St. Brelade. The Committee had visited the site on 12th March 2024.

The Committee recalled that it had been minded to grant permission, contrary to the Department's recommendation. Consequently, the application had been re-

(RFR). presented for formal decision confirmation and to set out the specific reasons for approval and the conditions which were to be attached to the permit.

P/2023/1052

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.

Old Portelet Inn, La Route de Noirmont, St. Brelade: proposed relocation/replacement of telecommunications equipment.

A7. The Committee, with reference to its Minute No. A26 of 14th March 2024, recalled that it had been minded to refuse an application which sought permission for the removal of existing telecommunications equipment consisting of one pole and an antenna attached to the chimney of the property known as Old Portelet Inn, La Route de Noirmont, St. Brelade and the subsequent relocation of the same to the north of the site. The Committee further recalled that Members had expressed concerns regarding the visual prominence of the proposed mast and its impact on the application site, which was a Listed Building and had been minded to refuse permission, contrary to the Department's recommendation.

S/2023/0983

The Committee was informed that the applicant had since decided to withdraw the application.

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

A8. The Committee, with reference to Minute No. A5 of 11th January 2024, of the Committee as previously constituted, considered a report in connexion with an application which proposed the construction of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with a substation, inverter, transformer station, grid connection infrastructure, grid cable route, site accesses, security measures and other ancillary infrastructure, landscaping and biodiversity enhancements on Field Nos. 26, 26A, 26B, part 36, 37, 38, 39 and 54, La Rue de Sorel, St. John. The Committee had visited the site on 9th April 2024.

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

P/2023/0408

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area adjacent to the Coastal National Park. Policies SP1, SP2, SP4, SP5, SP7, PL5, GD1, GD2, GD3, GD6, NE1, NE2, NE3, HE1, HE5, ERE1, WER6, ME6, TT2, TT5, UI1 and UI2 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance relating to Landscape and Seascape Character Guidance (2023).

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

The Committee was informed that permission was sought for the installation of 5,576 ground-mounted, fixed tilt photovoltaic panels for a period of 40 years, with associated infrastructure. The panels would generate approximately 3 Megawatts (MW) of power and formed part of proposals designed to accelerate the Island's renewable energy generation capability. This would support energy sovereignty aims as well as the Carbon Neutral Strategy's low-carbon energy policy. The maximum top height of the solar panels would be approximately 2.5 metres above ground level with a minimum height of 80 centimetres. They would be mounted 4 modules high into metal pilings inserted to a depth of 1.5 metres, with an indicative slope of 22 degrees, and inter-row spacing of 3.5 metres. No external lighting was proposed. The agricultural use would be retained and converted from arable use to grazing pasture for sheep (agrivoltaics – dual use of solar and agriculture). A

Planning Obligation Agreement (POA) would be entered into to ensure the continued agricultural use of the land over the 40-year lifespan of the installation. The panels would be monitored remotely post-construction to ensure optimal operation, with twice yearly cleaning and maintenance; routine electrical equipment checks would be undertaken on a quarterly basis. A further POA would be entered into with regard to the eventual decommissioning of the site.

It was recalled that consideration of the application had been deferred by the Committee, as previously constituted, following the submission of additional information by the applicant, and the following documents were accordingly noted: an Environmental Impact Statement; a Glint and Glare Study; a Site Selection Summary and Sequential Analysis; and an Agricultural Impact Assessment.

The Committee was advised that the application site was in a sensitive location within the Protected Coastal Area and it was recognised that the land would remain in agricultural use. However, on balance it was considered that the proposed impacts on the landscape character outweighed the public benefits to be derived from the project, with the site analysis report failing to robustly demonstrate that there were no other appropriate locations which could accommodate the proposals. The application was accordingly recommended for refusal on the basis that it was contrary to Policies SP2, SP4, UI1, PL5, NE3, ME6 and HE1 of the 2022 Bridging Island Plan and Supplementary Planning Guidance relating to Landscape and Seascape Character Guidance (2023).

18 representations had been received in connexion with the application.

No one present wished to speak against the application.

The Committee heard from [REDACTED] who highlighted the strategic need for the proposals given the Island energy context and recent global developments. The current contractual arrangements with France delivered a reliable and reasonably priced source of highly decarbonised power but were due to come to an end in 2027. Whilst discussions were being undertaken regarding future arrangements, it was imperative for the Island's renewable energy generation capability to be accelerated to help meet Jersey's decarbonisation agenda and energy sovereignty aims. [REDACTED] noted that, in addition to the application site and a previously agreed site in St. Clement (application No. P/2022/1095 and Minute No. A6 of 8th December 2022, of the Committee as previously constituted, refers), a further 5 to 6 similar sites would be needed to deliver 25 MW annually of affordable, sustainable energy for the Island over the next 40 years. Wind and tidal power generation options were being explored, but these technologies were still some years away from feasible implementation. [REDACTED] outlined the rigorous site selection process which had been undertaken and which had identified the application site as a preferred option. The proposals would deliver environmental and landscape benefits and the land would remain in agricultural use. Concluding, [REDACTED] reminded the Committee that the proposals were temporary in nature and he urged Members to support the application.

The Committee heard from the applicant's agents, [REDACTED] a landscape architect, advised that Policy ME6 supported proposals for large-scale terrestrial renewable energy production, where it could be demonstrated that the benefits sufficiently outweighed any potential environmental effects. [REDACTED] noted that, while the application site was in the Protected Coastal Area, it was in close proximity to both a working quarry and a motocross track. It was recognised that environmental impacts would arise as a result of the proposals, however, he argued that the application provided for adequate mitigation and compensation, including new planting and landscaping and biodiversity improvements. [REDACTED]

██████████ noted the challenges inherent in siting large-scale infrastructure developments of this nature in Jersey and that the application site had been selected following a careful and measured process. The proposals would deliver biodiversity and landscape benefits, as well as public access improvements and were supported by the Government's Strategy and Innovation Team. ██████████ also drew attention to the temporary nature of the proposals and the POAs which would be entered into. Concluding, ██████████ added her personal support to the application and urged the Committee to grant permission on the basis that the proposed energy return and benefits of the development sufficiently outweighed the environmental impacts.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity and Deputy T.A. Coles of St. Helier South, decided to grant permission, contrary to the Department recommendation, on the grounds that the proposals accorded with policy ME6 of the 2022 Bridging Island Plan.

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 to set out the reasons for approval and any conditions which were to be attached to the permit.

Field No. 409,
La Rue des
Friquettes,
St. Saviour:
proposed
perimeter wall
and vehicular
access
amendment.
(PART
RETROSPEC
TIVE)

A9. The Committee considered a report in connexion with an application which proposed the construction of a perimeter wall and sought retrospective permission for the repositioning of an existing vehicular access to Field No. 409, La Rue des Friquettes, St. Saviour. The Committee had visited the application site on 9th April 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 a protected open space located in the Green Zone within the Eastern Cycle Route network. Policies SP2, PL5, GD1, GD6, NE3, CI7 and TT2 of the 2022 Bridging Island Plan were relevant to the application. Attention was drawn to Supplementary Planning Guidance in respect of Landscape and Seascape Character Guidance (2023).

P/2023/0843

The Committee noted that the application site comprised a field north of St. Michael's School Sports Hall and that the repositioning of the access track (approximately 8 metres south of the previous entrance) was proposed, along with the construction of low granite walls framing the new access and blocking off the previous access. The proposals were designed to improve the on-site turning radius and visibility when exiting the site. The application was considered neutral in terms of its impact on the landscape character, local setting and neighbouring amenities and would not result in the loss of protected open space. The design was considered acceptable, and no concerns were noted in respect of highway safety. It was noted that concerns had been raised by residents of the property known as ██████████ ██████████ located opposite the application site, regarding access and maintenance constraints, but these were not considered material planning considerations. Consequently, the application was recommended for approval, subject to the conditions detailed within the Department report.

8 representations had been received in connexion with the application.

██████████ MS Planning Limited addressed the Committee on behalf of the residents of ██████████. Although the proposals appeared uncontentious in nature, La Rue Des Friquettes was a busy, narrow rural lane serving nearby St.

Michael's School and he contended that there would be a highway safety impact due to the volume of traffic in the area. The access to [REDACTED] was sub-standard and the proposals would exacerbate the situation, making it difficult for residents, trade vehicles and emergency services to access the premises. [REDACTED] advised that the loss of the passing place provided by the previous vehicular access to the application site would be harmful to road users. The repositioned access was also noticeably steeper and straighter, resulting in mud being deposited on the road and causing a hazard. [REDACTED] stated that the proposals were contrary to Policy TT1 of the 2022 Bridging Island Plan, which required development proposals to be safe and accessible to all transport users and which precluded development which compromised the physical integrity or proper functioning of the road network. [REDACTED] urged the Committee to refuse permission on this basis.

The Committee heard from [REDACTED] the applicant's agent, who explained that the applicant had mistakenly believed that only the approval of the St. Saviour's Roads Committee had been required, resulting in the need for a retrospective application. Whilst sympathetic to the concerns of residents of [REDACTED] [REDACTED] pointed out that they were not material planning considerations, and he reminded the Committee that the applicant had no legal obligation to provide a passing place nor to concede land for this purpose. There was no impact on the Listed Building, the repositioned access provided better visibility when exiting the application site and the proposed granite wall was in keeping with the area. [REDACTED] [REDACTED] noted that the proposals had been endorsed by both the St. Saviour's Roads Committee and the Department and urged the Committee to grant permission.

In response to a question from the Committee, the applicant, [REDACTED], confirmed that the installation of a mirror had previously been offered to assist the residents of [REDACTED] but had been turned down.

Having considered the matter, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, endorsed the Department recommendation to grant permission, subject to the conditions detailed in the Department report. The Committee requested a reduction in the time period for commencement of the development from 3 years of the decision date to one year, having confirmed that the applicant was amenable to the same.

Thorn Cottage,
9 d'Auvergne
Lane,
St. Helier:
proposed
extension and
alterations.

P/2023/1280

A10. The Committee considered a report in connexion with an application which proposed the construction of a single storey extension, roof alterations including 3 dormer windows and one rooflight, changes to fenestration and doors, reconfiguration of the internal layout, the demolition of an outbuilding and new vehicular access with associated landscaping at the property known as Thorn Cottage, 9 d'Auvergne Lane, St. Helier. It was noted that following the submission of amended plans, the existing pitched roof design to the south-west corner of the site was proposed to be retained. The Committee had visited the application site on 9th April 2024.

Deputy T.A. Coles of St. Helier South did not participate in the determination of this application.

The Committee noted that the application had been referred to the Committee for determination due to the fact that the applicant's agent was a staff member.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and within the Eastern Cycle Route network. Policies SP2, PL1, GD6, H1, TT4 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the application site consisted of a derelict, uninhabitable, 2-storey residential property and the proposed development was intended to improve the standard of the accommodation and bring it back into habitable use. The proposals were considered acceptable in principle and on matters of detail. Consequently, the application was recommended for approval on an unconditional basis.

No representations had been received in connexion with the application.

Having noted that no persons present wished to speak for or against the application, the Committee proceeded to determination and unanimously decided to grant permission.

Constantia,
La Grande
Route de St.
Jean,
Trinity:
proposed
demolition and
redevelopment.

P/2023/1289

A11. The Committee considered a report in connexion with an application which proposed the demolition and redevelopment of the property known as Constantia, La Grande Route de St. Jean, Trinity, into 2 x 3 bedroom and 4 x 4 bedroom houses along with associated external alternations to include the relocation of the vehicle entrance and creation of a pavement. The Committee had visited the application site on 9th April 2024.

Connétable P.B. Le Sueur of Trinity (Chair) and Deputy A. Howell of St. John, St. Lawrence and Trinity, did not participate in the determination of this application. Deputy T.A. Coles of St. Helier South acted as Chair for the duration of this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area, at the southern end of the Local Centre of Sion Village, in Sustainable Transport Zone 5 and in a Water Pollution Safeguard Area. Policies SP2, SP3, SP4, PL3, GD1, GD5, GD6, NE1, NE2, H1, H2, H3, H4, ME1, TT1, TT2, WER1 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the application site comprised a detached bungalow constructed in the 1930s, which was in poor structural condition, within a substantial plot. Comprehensive redevelopment was proposed in order to provide 6 new dwellings together with the formation of a new vehicular access to the site from Rue du Becquet Vincent, wider pavements, a new pavement to the south of the site and a small communal play area. A Percentage for Art contribution was also proposed, in the form of a stainless-steel sculpture set by the roadside on La Grande Route de St. Jean.

The Committee was advised that the proposals accorded with the provisions of the 2022 Bridging Island Plan, which supported new residential development within the Island's Local Centres and aimed to make better use of sites across the Built-Up Area, including higher densities of development where possible. The proposals complied with the required residential space and car parking standards and would deliver increased residential density and yield on the site. The scale, form and design of the proposals was considered appropriate and consistent with that of the local area. The impact on the outlook and amenity of neighbouring properties was recognised but was not considered to be excessive or unreasonable and the proposed vehicular access and new pavement would deliver improvements to highway safety. Consequently, the application was recommended for approval, subject to the conditions detailed within the Department report.

45 representations had been received in connexion with the application.

The Committee heard from [REDACTED] of Duffell Planning Limited, representing [REDACTED] Whilst her

clients were not opposed to the development of the site per se, they were concerned about the scale of the proposals, which they felt would result in overdevelopment. The proposals would unreasonably impact the residents of [REDACTED] due to overbearing and loss of light, as well as residents of [REDACTED] contrary to Policy GD1. The proposals were considered unduly large and visually dominant, contrary to Policy GD6 and concerns were expressed regarding the adequacy of the garden sizes and space [REDACTED], contrary to Policy CI8. Concluding, [REDACTED] noted that whilst the need for more homes was recognised, the proposals represented overdevelopment of the site and would unreasonably impact on the quality of life of neighbouring residents. She urged the Committee to refuse the application on this basis.

The Committee heard from [REDACTED] [REDACTED] addressed the Committee, noting that whilst she was not opposed to development of the site in principle, the proposals would result in a 'concrete jungle' which was out of keeping with the countryside nature of the Parish. [REDACTED]

[REDACTED] the size and scale of the proposed development. [REDACTED] concerns and highlighted the loss of light [REDACTED]. The proposed development would be overbearing, and would result in overdevelopment of the site, with up to 20 or more people living in the 6 houses proposed. He urged the Committee to refuse the application. [REDACTED] expressed concern regarding the loss of green space and the size of the proposed development, which he considered to be excessive.

The Committee heard from [REDACTED] who objected to the scale of the development, which he considered to be located too close to La Grande Route De St. Jean. The proposals would effectively form the entrance to Sion Village and would look out of place. Insufficient account had been taken of the slope of the application site, which would result in the proposed houses and hedging being significantly higher than the level of the road, impacting visibility onto Rue du Becquet Vincent. [REDACTED] expressed the view that the proposals represented over development of the site and that 4 houses would have been preferable. He urged the Committee to refuse the application due to the size and scale of the proposals.

[REDACTED] addressed the Committee, to outline her concerns regarding the design, size and scale of the proposals, which would unreasonably impact neighbouring properties. She pointed out that the proposals were not in keeping with the character of the surrounding area and urged the Committee not to grant permission.

[REDACTED] concurred with the concerns expressed by previous speakers and urged the Committee to refuse the application.

The Committee heard from [REDACTED] on behalf of the applicant. [REDACTED] highlighted the engagement that had been undertaken in respect of the proposals with the Department [REDACTED]. He noted that positive feedback had been received from statutory consultees and drew attention to the highway safety improvements that would be delivered. There was a need for more family homes, as evidenced by the high level of interest in the proposed development from potential purchasers. [REDACTED] noted that the proposals had been endorsed by the Department and would deliver much needed family homes. He urged the Committee to support the application.

The applicant's agent, [REDACTED] of MS Planning Limited, addressed the

Committee and noted that the proposals would deliver additional family homes on an existing ‘brown/windfall’ site, to an optimum density in line with the objectives and policies of the 2022 Bridging Island Plan. The proposals had been designed to blend into the local context and form a visual gateway to Sion Village, with appropriate materials, landscape enhancements, and a Percentage for Art contribution. [REDACTED] emphasised the improvements to highway safety that would result and noted that the proposals met the required residential space and car parking standards. He further noted that there had been 14 representations in support of the application and that the site formed part of the Built-Up Area where such development was encouraged. Concluding, he urged the Committee to support the application.

The Committee, with the exception of Connétables R.A.K. Honeycombe of St. Ouen and K.C. Lewis of St. Saviour, who expressed concerns regarding the scale and mass of the proposals and the impact on neighbouring properties, decided to endorse the Department recommendation and grant permission, subject to the conditions detailed in the Department report.

La Mervelle,
La Rue de
Guillaume et
d'Anneville,
St. Martin:
proposed
removal of
planning
condition.

A12. The Committee, with reference to Minute No. A10 of 27th October 2022, of the Committee as previously constituted, considered a report in connexion with an application which proposed the removal of a planning condition attached to the permit in respect of the property known as La Mervelle, La Rue de Guillaume et d'Anneville, St. Martin. The Committee had visited the application site on 9th April 2024.

RC/2023/1127

A site plan and drawings were displayed. The Committee noted that the application site was located in the Protected Coastal Area in the Coastal National Park, in Sustainable Transport Zone 6 and within the Eastern Cycle Route Network. Policies GD1, GD6, PL5, NE1 and NE3 of the 2022 Bridging Island Plan were relevant to the application. Attention was drawn to Supplementary Planning Guidance in respect of Jersey’s Integrated Landscape and Seascape Character Assessment.

The Committee noted that permission was sought for the removal of a condition attached to permit P/2022/0150, which required an approved glass privacy screen to be fitted with obscure glazing and retained as such for the lifetime of the development. It was proposed instead to use natural planting (holly bushes) which, when fully established, would provide a natural visual and auditory privacy screen. The Committee was advised that the proposals were deemed to protect and enhance the special landscape and seascape character of the Protected Coastal Area and that the proposed materials were considered appropriate in this context. Accordingly, the application was recommended for approval, subject to the conditions detailed within the Department report.

One representation had been received in connexion with the application.

The Committee heard from the applicant’s agent, [REDACTED] of MS Planning Limited. He advised the Committee that an evergreen hedge of pleached holly bushes was in place, negating the need for obscure glazing, which could potentially scorch and damage the holly bushes. [REDACTED] noted that there was also a neighbouring hedge behind the holly bushes which provided additional screening.

In response to a question from the Committee, the applicants, [REDACTED] explained that they had wanted to give the holly bushes time to become established before determining whether the glass privacy screen was in fact needed. [REDACTED] highlighted that the implementation of the proposed privacy screen could harm birds nesting in the neighbouring hedge and asked the Committee to support the application.

Having considered the matter, the Committee, with the exception of Deputy T.A. Coles of St. Helier South and Connétable R.A.K. Honeycombe of St. Ouen, decided to endorse the Department recommendation and grant permission, subject to the conditions detailed in the Department report.

Commercial Unit, International House, Don Road, St. Helier: proposed change of use. (RETROSPECTIVE)

A13. The Committee considered a report in connexion with an application which sought retrospective permission for the change of use of an ancillary residential facility (gym) to an office gymnasium at the property known as Commercial Unit, International House, Don Road, St. Helier. The Committee had visited the application site on 9th April 2024.

Deputy T.A. Coles of St. Helier South did not participate in the determination of this application.

P/2023/0970

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and within the Eastern Cycle Route Network. Policies SP2, PL1, GD1, ER1 and TT2 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the application site comprised a gym which was attached to an office area at ground floor with apartments above, adjoining a residential development which had historically been in the same ownership and had been converted from an office building to the current use (applications P/2014/1614 and P/2014/1384 refer). The application site and adjoining residential development were now separately owned and the residents of the latter had never had access to the gym, which had operated for 9 years solely for the use of the workers located in the office.

The Committee was advised that the proposal to re-assign the existing gym facilities to the office use was not considered likely to result in significant or unreasonable harm to the amenities of nearby users and would not detrimentally impact upon the wider setting of the site or the character of the area. Consequently, the application was recommended for approval on an unconditional basis.

8 representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED] of Socrates Architects, who advised that it would be impractical from both a legal and a financial perspective to change the current arrangements for the use of the gym. There were significant costs associated with its running and maintenance and [REDACTED]

[REDACTED] confirmed that there was no legal basis for the residents of the neighbouring residential development to have use of the facility and noted that there was a private gym available nearby which residents could use if they wished.

Having considered the application, the Committee unanimously decided to endorse the Department recommendation and grant permission.

Beachside Business Centre, La Rue du Hocq, St. Clement: proposed conversion of

A14. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the conversion of an existing office building into one x one bedroom and 2 x 2 bedroom apartments with associated car parking and storage at the property known as Beachside Business Centre, La Rue du Hocq, St. Clement. The Committee had visited the site on 9th April 2024.

office building
to 3 x
apartments
(RFR).

P/2023/0707

A site plan and drawings were displayed. The Committee noted that the application site included a Grade 4 Listed Building situated in the Built-Up Area boundary, Coastal Flooding High Risk Area and Inland Flooding low Risk Area on the Eastern Cycle Route Network. Policies SP1, SP2, SP4, SP7, PL3, GD1, GD6, HE1, HE2, H1, H2, H4, TT1, TT2, TT4, WER2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to residential space and car parking standards (2023), density standards (2023), disposal of foul sewage (2012), protection of historic windows and doors (2018) and managing change in historic buildings (2008).

The Committee noted the relevant planning history of the site, including an application in connexion with the construction of 2 new dwellings which had been refused in March 2022 (application P/2021/1668 refers).

The Committee was advised that permission was sought for the conversion of existing office space to create 3 new flats and the construction of a single storey extension to the rear of the site to accommodate cycle and refuse storage.

The Committee noted that the application had been refused on the grounds that insufficient evidence had been provided in connexion with the proposed replacement windows, which were considered to have a harmful impact on the Listed Building. The proposed ground and first floor dwellings provided substandard internal storage space and insufficient information had been submitted in order to assess the proposed second floor dwelling against SPG relating to space standards. The use of the existing carpark would cause additional pressure on off-street parking for surrounding dwellings and there was insufficient space to include a disabled parking bay. Furthermore, it was considered that the development would impact on the privacy of neighbouring amenities and that the location of doors on the proposed storage extension would cause road safety issues. Potential flood risk was unable to be tested due to lack of information. The proposal therefore failed to satisfy the requirements of Policies SP1, SP7, GD1, GD6, HE1, HE2, H1, H2, TT2 and WER2 of the 2022 Bridging Island Plan and the SPG relating to car parking standards. 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 agents, [REDACTED] of MAC Architects, who informed the Committee that the Listed Building had been empty and unutilised for 2 years, raising concern that the property would fall into a state of disrepair. [REDACTED] noted that discussions had taken place with the Historical Environment Team in connexion with the proposed skylight windows. The overlooking issue could be addressed, but a number of the minor reasons for refusal would be difficult to overcome. He added that sufficient cycle parking had been provided for and that one car parking space per unit of accommodation was proposed, with no disabled parking bays. [REDACTED] urged the Committee to approve the application with added conditions to address the reasons for refusal.

The Committee heard from the owner of the property, [REDACTED] who stated that the Listed Building had been occupied as office space for 20 years prior to the business relocating to St. Helier. [REDACTED] made reference to a previous application for the construction of 2 new dwellings which had been refused permission in March 2022. He advised the Committee that a commercial marketing exercise had been undertaken for the site which had resulted in only 4 enquiries over 2 years, none of

which had found the building to be suitable for their business requirements. [REDACTED] added that maintenance of the Listed Building had been upheld and the application had the support of neighbours. In response to a question from the Committee, it was noted that an adjacent hedge was not in the ownership of Beachside Business Centre so was therefore not able to be removed in order to overcome the parking issue.

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

Holmside, Rue
Messervy,
Longueville
Road, St.
Saviour:
proposed
change of use
and
construction of
new raised
roof with
dormer
windows
(RFR).

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 change of use from a surgery to create a one bedroom residential unit at the property known as Holmside, Rue Messervy, Longueville Road, St. Saviour. It was further proposed to remove the existing roof and construct a new raised roof with dormer windows. The Committee had visited the site on 9th April 2024.

Connétables K.C. Lewis of St. Saviour and M. Labey of Grouville 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 on the Eastern Cycle Route Network. Policies SP2, SP5, PL5, GD1, GD6, NE3, H1, H2, H9, TT2, TT4 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to residential space and parking standards (2023), housing outside the Built-Up Area (2023), disposal of foul sewage (2023) and Landscape and Seascape Character Guidance (2023).

The Committee was advised that the application had been refused on the grounds that the proposed increase in mass and form would have a harmful impact on the countryside setting. The proposed dwelling would provide substandard accommodation and would not meet minimum space requirements. In addition, the privacy of the host building would be impacted, and the proposal failed to demonstrate that cycle and refuse storage had been provided. The application therefore failed to satisfy the requirements of Policies SP1, SP7, GD1, GD6, HE1, HE2, H1, H2, TT2 and WER2 of the 2022 Bridging Island Plan, the guidance within the Jersey Integrated Landscape and Seascape Character Assessment and SPG relating to residential space standards. 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, [REDACTED] who advised that he was attempting to make improvements to the building which had fallen into a state of disrepair. He informed the Committee that the surgery had been more of a cottage industry for a period of *circa* one year, rather than a commercial enterprise, and was currently occupied [REDACTED] added that it was intended to use the dwelling as accommodation, initially for [REDACTED] and that this should be viewed positively in the context of the aging population. Turning to the issue of overlooking, [REDACTED] noted that none of the neighbouring amenities would be impacted, aside from the primary dwelling [REDACTED]

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report and advised the applicant to liaise with the Department on any future submission.

P/2023/0392

Anjou Les
Trois Carré, Le
Mont de la
Mare St.
Catherine, St.
Martin:
proposed
increase of
wall height
(RFR).

P/2023/1082

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 to increase the height of a previously approved roadside wall to 2.1 metres at the property known as Anjou Les Trois Carré, Le Mont de la Mare St. Catherine, St. Martin. The Committee had visited the site on 9th April 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area and a Water Pollution Safeguard Area. Policies GD1, GD6, NE1, NE3 and H9 of the 2022 Bridging Island Plan were relevant.

The Committee noted that the description of the proposed scheme had been amended during the application process. The application had been refused on the grounds that the proposal, by virtue of its height, would be a visually harmful feature in the landscape and would fail to contribute positively to the distinctiveness of the Islands Protected Coastal Area. Consequently, the application failed to satisfy the requirements of Policies GD6 and NE3 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.

4 representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED] Chartered Architect, who advised that the ground level of the site was 600 millimetres above the road level and, consequently, the wall was less than knee height around the property with a 2 metre drop to the roadside. The low wall height had caused safety issues and impacted on the privacy of the owners with pedestrians being able to see into the property from the road. [REDACTED] added that the submitted plans had proposed that the height of the wall be extended with granite but 2 metre high fencing could be used as an alternative.

The owner of the property, [REDACTED] addressed the Committee and reiterated the safety concerns in connexion with the wall height. He added that the proposed 600 millimetre height increase would resolve the privacy and safety issues and would be in keeping with the property and the surrounding area.

The Committee discussed the application and considered that landscaping and planting could overcome the issues above. Consequently, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report.

La Carruee, La
Rue du
Huquet, St.
Martin:
Proposed
conversion of
outbuilding
into one
bedroom annex
(RFR).

P/2023/0863

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 conversion of an outbuilding into a one bedroom residential annex at the property known as La Carruee, La Rue du Huquet, St. Martin. The Committee had visited the site on 9th April 2024.

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. Policies SP2, PL5, GD1, GD6, NE3, H1, H9, TT2, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to Residential Space and Parking Standards (2023), Housing outside the Built-Up Area (2023), Disposal of Foul Sewage (2023) and Landscape and Seascape Character guidance (2023).

The Committee was advised that the application had been refused on the grounds

that the proposed conversion of an incidental outbuilding into residential accommodation in a rural location would have a harmful impact on the countryside setting. In addition, the extensive glazing would alter the overall appearance of the original farm complex and lead to increased light pollution. The minimum internal floorspace and floor to ceiling height standards had not been met, refuse and cycle storage requirements had not been demonstrated and the proposed scheme would impact on the privacy of the surrounding amenities. Consequently, the application failed to satisfy the requirements of Policies SP2, GD1, GD6, PL5, H9 and TT2 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 the applicants, [REDACTED] who advised that they had engaged with the Department in connexion with the application during 2023. It was noted that the property had been in a state of disrepair when it was purchased [REDACTED] and that the outbuilding in question had originally been the stable and cart shed within the curtilage of the property and was subsequently converted to garage, workshop and storage space. It was confirmed that the building was not Listed. [REDACTED] added that the proposed development was intended as accommodation for [REDACTED] and that this should be viewed positively in the context of the aging population.

[REDACTED] informed the Committee that all Infrastructure and Environment Department Building Control consents and inspections were in place and works undertaken thus far had been under permitted development rights. He added that pre-application advice from the Department had been sought prior to engaging an architect. [REDACTED] advised that the application was not for an independent dwelling in the countryside, rather a supplementary annex to the main property, and that the concept of providing accommodation for [REDACTED] in this manner was prevalent in the Island. He added that Policy H8 of the 2022 Bridging Island Plan was acknowledged but drew the Committee's attention to the fact that the landscape quality around the dwelling was not as high as the policy suggested and was surrounded by housing, with adjacent fields being used for equine purposes.

[REDACTED] Planning Applications Manager, addressed the Committee and confirmed that during the pre-advice stage of the application, it had been presumed that the site was a traditional farm building. However, as the outbuilding was converted to a garage, workshop and store, it would not pass the test of Policy H9 of the 2022 Bridging Island Plan. [REDACTED] further confirmed that permitted development works to dwellings covered undertakings such as extensions to properties, buildings in a garden, walls and fences. Connétable P.B. Le Sueur of Trinity, Chair, requested further information in connexion with Building Control approving works which had not been authorised by planning permission.

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

No. 9 Bath
Street, St.
Helier:
proposed
installation of
awning,
privacy
screens,
speakers,

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 retrospective permission for the installation of an awning, 2 x privacy screens, 2 x speakers, 5 x lights and 2 x heaters (all external) at the property known as No. 9 Bath Street, St. Helier. The Committee had visited the site on 9th April 2024.

Deputy T.A. Coles of St. Helier South did not participate in the determination of this application.

external lights
and heaters.
(RETROSPEC
TIVE) (RFR).

A site plan and drawings were displayed. The Committee noted that the application site was a Grade 4 Listed Building. Policies SP4, GD1, GD6 and HE1 of the 2022 Bridging Island Plan were relevant.

P/2023/0902

The Committee was advised that the application had been refused on the grounds that insufficient evidence had been produced to demonstrate that the historic character of the Grade 4 Listed Building would be preserved. Consequently, the application was contrary to Policies HE1, SP4, and GD6 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] of the Historic Environment Team (HET), who advised that HET had objected to the application on the grounds of insufficient information, and that the various installations had been placed on the externally protected Grade 4 Listed Building, which comprised a 20th century shop front which had originally been used for retail before its current use for hospitality. The original building had encompassed a relatively minimalist and sleek design and [REDACTED] suggested that awnings would not necessarily be expected on a building of this type. The Committee was informed that [REDACTED] had requested information to provide context to the proposals from the applicant, as the submitted plans had not included a map of the street and the extent to which the awnings would extend thereon. The application had also stated that the awnings were original and had only been replaced, but [REDACTED] maintained that no evidence to support this claim had been provided when requested. Furthermore, [REDACTED] affirmed that no information relating to how the various installations had been attached to the building had been provided, and he suggested that there were less intrusive ways to fit them which would have been preferable for the Listed Building.

The applicant's agent, [REDACTED] of Socrates Architects, addressed the Committee and advised that a photographic survey of the installations had been provided to HET, which he and the applicant had considered to be sufficient due to the retrospective nature of the application. Information regarding the elevations of the installations had been supplied alongside the specification data for the awnings, but the same was unknown for the other features. [REDACTED] recounted that HET had requested information relating to street elevations, construction details, and lighting diagrams to demonstrate the proportion of the building and street lit up at night, and that a nighttime photograph of the site had been provided to this effect. With respect to the other information, [REDACTED] expressed concern regarding the necessity and practicality of its provision and maintained that much of it was unknown or impossible to provide without removing the installations from the building, as mostly concealed fixings had been used. The Committee was advised that [REDACTED] had attempted to arrange a site visit for HET and the Department to inspect the installations, but that this had not occurred, and [REDACTED] advised that the estimated costs of providing the information requested for HET were not deemed acceptable. The Committee's attention was drawn to the fact that there had been no other objections to the application.

The Committee heard from [REDACTED] Head of Engagement and Town Centre Manager, Parish of St. Helier, who advised that he was attending in lieu of the Connétable of St. Helier. [REDACTED] acknowledged the importance of protecting the Island's heritage and following due process, but he deemed HET's requests for information to be excessive on the grounds that the installed features had already been in place for a considerable amount of time; they were aligned with the character of the building, and they had become a staple feature of the town centre. [REDACTED] expressed concern regarding the course of the application and maintained that the

applicant would likely have to make difficult decisions regarding the future business if refusal was maintained.

The Committee heard from [REDACTED] who advised that the features had been installed 7 years ago when the business had opened. Awnings which had already been installed by a previous occupier had been replaced and [REDACTED] had been under the impression that planning permission was not required due to the existence of the extant awnings. [REDACTED] maintained that it would have been impossible to supply the information requested by HET without damaging the fittings and reiterated that HET and the Department had been invited to inspect the site. The Committee was informed that certified electricians and engineers had carried out the installation of the various fittings, and [REDACTED] advised that the features represented a significant commercial investment and an integral part of the al fresco operation of the business. [REDACTED] stressed the difficulties facing the hospitality industry and suggested that the business would become commercially unviable if the installations had to be removed, as al fresco dining would cease. The Committee was advised that the business would likely have to close in this scenario, which would add an empty property to the high street and make [REDACTED] members of staff redundant.

The Committee discussed the proposals and expressed concern regarding the retrospective nature of the application, particularly in connexion with the Listed Building, and the setting of a detrimental precedent. The Committee also expressed disappointment that the site notice had not been displayed appropriately. Nevertheless, the Committee acknowledged the Policies in the 2022 Bridging Island Plan which supported the hospitality and tourism industries and drew attention to the importance of the Island's nighttime economy. The significant length of time the installations had been in place was also highlighted.

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 SP6 and ER4 of the 2022 Bridging Island Plan. The Committee also determined Policy HE1 to be relevant to the application and considered the scheme to comply with it.

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.

Le Chêne, La
Longue Rue,
St. Martin:
proposed
demolition of
conservatory
and
construction of
extension
(RFR).

P/2023/1180

A19. 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 an existing conservatory, aviary, shed, sunroom and various internal partitions and the construction of a 2 storey extension to the south, north and east elevations along with the reconfiguration of the internal layout at the property known as Le Chêne, La Longue Rue, St. Martin. General landscaping around the site was also proposed. The Committee had visited the site on 9th April 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and Water Pollution Safeguard Area. Policies GD1, GD6, NE1 and WER5 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that, whilst there were no objections to the nature of the proposal, it was considered visually discordant, incongruous with and harmful to the character and appearance of the surrounding built environment as well as the aesthetic of the main dwelling. In addition, the scheme failed to include the required ecological appraisal of the property. Consequently, the application had been refused

on the basis that it was contrary to Policies GD6 and NE1 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 the applicant's agent, [REDACTED] of Page Architects, who advised that the application had been screened by the Department prior to submission, during which it was confirmed that all of the relevant information was included, and the site notice description was amended. During the Department's site visit, the Case Officer had requested that the description be further amended to include specific reference to increasing the height of the roof, which [REDACTED] maintained would have extended the application process by 3 weeks, after already having been active for a period of 9 weeks. He also felt that the proposed amendment was unnecessary, as the description had stated that a 2 storey extension was proposed and full plans had been submitted. [REDACTED] advised that the Department had not raised the requirement of the ecological appraisal during the screening process, and that the application had been refused 2 weeks prior to the indicated deadline for providing this information, which had afforded 2 working days to undertake and submit the appraisal during a period when many businesses were closed for the Christmas holidays. Whilst the finished appraisal could not have been submitted as the application had already been refused, the report had raised no objections to the scheme. [REDACTED] advised that the proposals aimed to reinstate the house [REDACTED] and great effort had been taken to improve the aesthetics of the design. The extension to the east elevation was set back from the front elevation, subservient to the main house, and the materials used were implemented extensively in properties across the Island, including Listed Buildings. To conclude, [REDACTED] informed the Committee that the aluminium materials were recyclable and held a low carbon footprint, and he drew attention to the fact that no objections had been received in connexion with the application.

The Committee heard from [REDACTED] the owner of Le Chêne, who advised that [REDACTED] and were sympathetic with the surrounding area. The proposals would be a considerable improvement on the current poor condition of the house, particularly the conservatory, sunroom and wooden shed serving as a garage, and the Committee's attention was drawn to properties with identical features located in both urban and rural areas across the Island. [REDACTED] advised that the property was situated adjacent to a community centre with associated car parking, rather than a residential property.

The Committee discussed the proposals and assessed them against Policy GD6 of the 2022 Bridging Island Plan. The contemporary design was commended, and the Committee recognised the need to modernise the 'tired' existing building. It was agreed that the designs would not be harmful to the character of the surrounding area.

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 GD6 of the 2022 Bridging Island Plan. The Committee also determined Policy H1 to be relevant to the application and considered the scheme to comply with it. In doing so, the Committee imposed the additional condition for the applicant to submit the ecological appraisal report to the Department.

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.

Field No.
1258, Le
Chemin de la
Brecquette, St.
Ouen:
proposed
replacement of
telecomm-
unications
equipment.

A20. The Committee considered a report in connexion with an application which proposed the replacement of telecommunications equipment, to include one pole, one antenna, 3 cabinets and associated paraphernalia, to the east elevation of the existing pumping station at Field No. 1258, Le Chemin de la Brecquette, St. Ouen. The Committee had visited the site on 9th April 2024.

Connétable R.A.K. Honeycombe of St. Ouen did not participate in the determination of this application.

S/2023/0986

A site plan and drawings were displayed. The Committee noted that the application site was in the Coastal National Park, Protected Coastal Area, and Inland Flooding Low Risk Area. Policies GD1, GD6, ME3, PL5, NE3 and UI4 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that the proposed replacement antenna would be lower in height than the existing antenna and would be of a similar design.

The Committee noted that the Environmental Health Department (EH) had confirmed that no harm to health or amenities would arise from the proposals and, whilst EH had raised no objection to the application, a condition had been proposed which would require the measurement of the radio frequency of the mast to ensure that it did not breach guidelines. The Department was satisfied that this condition would alleviate any health-related concerns. The Committee noted that EH had advised that current evidence suggested that refusal of applications for mobile base stations on health grounds was unreasonable. Furthermore, such proposals had to be assessed against the policies of the 2022 Island Bridging Plan and were supported by policy UI4. It was noted that the equipment would be subject to International Commission on Non-Ionising Radiation Protection certification as a requirement of both licensing and the grant of planning permission.

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.

A total of 9 representations had been received in connexion with the application.

The Committee received the applicant's agent, [REDACTED] of Waddington Architects, who offered to answer any queries arising in connexion with the application.

Having considered the application, the Committee decided to grant permission, subject to the imposition of the conditions set out in the Department report.

Field No. 291/
La Mare
Vineyards, La
Rue de la
Hougue
Mauger, St.
Mary:
proposed
replacement of
telecomm-
unications
equipment.

A21. The Committee considered a report in connexion with an application which proposed the removal of existing telecommunications equipment from the chimney of La Mare Vineyards, La Rue de la Hougue Mauger, St. Mary, and installation of one pole, 3 antennae, 2 cabinets, associated paraphernalia and fencing to the north-west of Field No. 291, La Rue de la Hougue Mauger, St. Mary. The Committee had visited the site on 9th April 2024.

A site plan and drawings were displayed. The Committee noted that the application site was in the Protected Coastal Area, Green Zone, Water Pollution Safeguard Area and Inland Flooding Low Risk Area. Policies GD1, GD6, ME3, PL5, NE1, NE3, and UI4 of the 2022 Bridging Island Plan were relevant to the application.

S/2023/0989

The Committee was advised that permission was sought to remove the existing antenna and pole from its mounting on the chimney of the Grade 4 Listed La Mare Vineyards building and to install replacement telecommunications equipment and timber fencing to the north west of Field No. 291, which was located within the boundary of La Mare Vineyards estate.

The Committee noted that the Environmental Health Department (EH) had confirmed that no harm to health or amenities would arise from the proposals and, whilst EH had raised no objection to the application, a condition had been proposed which would require the measurement of the radio frequency of the mast to ensure that it did not breach guidelines. The Department was satisfied that this condition would alleviate any health-related concerns. The Committee noted that EH had advised that current evidence suggested that refusal of applications for mobile base stations on health grounds was unreasonable. Furthermore, such proposals had to be assessed against the policies of the 2022 Island Bridging Plan and were supported by policy UI4. It was noted that the equipment would be subject to International Commission on Non-Ionising Radiation Protection certification as a requirement of both licensing and the grant of planning permission.

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.

A total of 9 representations had been received in connexion with the application.

The Committee heard from [REDACTED] from the proposed equipment site, and the owner of the [REDACTED]. [REDACTED] explained that he had not made any objection to the existing equipment due to its sheltered location on the building. The proposed mast, however, would be sited in the immediate line of sight of [REDACTED] and he suggested that the equipment would be better suited to a location along the northern boundary of Field No. 291 within the tree line, where it would be well hidden from [REDACTED]. [REDACTED] urged the Committee to reject the application.

The Committee heard from the applicant's agent, [REDACTED] of Waddington Architects, who advised that the existing equipment would be removed from the Protected Coastal Area and the Grade 4 Listed Building, which had the support of the Historic Environment Team (HET). It was proposed to install the 12 metre high mast in the lesser protected Green Zone, sited close to the field boundary and within a gap in the tree line to maximise screening. With respect to the consideration of alternative locations, [REDACTED] advised that the car park of La Mare Vineyards had been considered, but it was decided that siting the equipment there would be detrimental to the setting of the Listed Building. Whilst acknowledging [REDACTED] concerns regarding the visual impact of the mast, [REDACTED] maintained that the equipment would be more prominent and intrusive and would negatively impact the character of the area if it was placed along the northern boundary of Field No. 291. Furthermore, [REDACTED] advised the Committee that there would be 2 rows of trees between [REDACTED] and the proposed equipment, which would screen the mast when the trees were in full bloom. [REDACTED] accepted that the mast would be more visible in the Autumn and Winter months, but he noted that the proposed equipment was compact and an alternative of 2 smaller masts would create a larger impact on the setting of the Listed Building and the character of the area. Turning to mast sharing, [REDACTED] informed the Committee that competitors did share masts at several sites across the Island, which required significantly taller masts and would not be appropriate in this location. In

response to a question from the Committee, [REDACTED] advised that the new mast could not be located within a 10 metre radius of existing equipment, and consequently it was proposed to install it 12 metres away, in a location which had been chosen specifically due to its position in the tree line.

Having considered the application, the Committee decided to grant permission, subject to the imposition of the conditions set out in the Department report. The Chair requested that evidence that every attempt had been made by the applicant to find the most suitable location for telecommunications equipment was to be provided in respect of future applications.