

Planning Committee

(7th Meeting)

11th July 2024

**Part A (Non-Exempt)**

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

Deputy A.F. Curtis of St. Clement (Vice Chair)  
 Connétable R.A.K. Honeycombe of St. Ouen  
 Connétable M. Labey of Grouville  
 Connétable D.W. Mezbourian of St. Lawrence (not present for items A1-9)  
 Deputy S.M. Ahier of St. Helier North (not present for items A6-9)  
 Deputy A. Howell of St. John, St. Lawrence and Trinity

In attendance –

C. Jones, Planning Applications Manager  
 L. Davies, Planner  
 T. Venter, Planner  
 R. Hampson, Planner  
 G. Vasselin, Planner  
 S. de Gouveia, Planner  
 A. Elliott, Trainee Planner  
 P. Ilangovan, Trainee Planner  
 S. Sellors, Trainee Planner  
 T. Ingle, Principal Historic Environment Officer  
 L. Plumley, Senior Secretariat Officer, Specialist Secretariat, States Greffe  
 (item Nos. A1 – A9)  
 H. Roche, Senior Secretariat Officer, Specialist Secretariat, States Greffe  
 (item Nos. A10 – A16)  
 C. Fearn, Secretariat Officer, Specialist Secretariat, States Greffe (item Nos.  
 A10 – A16)  
 H. Cardinal, Trainee Secretariat Officer, Specialist Secretariat, States Greffe  
 (item Nos. A1 – A9)

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

Minutes.

A1. The Minutes of the meetings held on 16th May and 6th June 2024, were taken as read and were confirmed.

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

A2. The Committee, with reference to its Minute No. A13 of 6th June 2024, considered a report in connexion with an application which sought permission for the demolition of the existing outbuildings at the property known as Foxfield, La Route Orange, St. Brelade and the construction of a 3 bedroom dwelling with associated hard and soft landscaping. The Committee had visited the site on 4th June 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.

P/2023/0604

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

Whitethorn House, La Grande Route de la Côte, St. Clement: proposed construction of extension, balconies, dormer window, fenestration alterations (RFR).

A3. The Committee, with reference to its Minute No. A14 of 6th June 2024, considered a report in connexion with an application which sought permission for the construction of a single storey extension, the installation of first and second floor balconies, a dormer, and fenestration alterations to the south elevation of the property known as Whitethorn House, La Grande Route de la Côte, St. Clement. The Committee had visited the site on 4th June 2024.

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.

The Committee confirmed approval of the application for the reasons set out in the Department report and on the basis on the conditions detailed therein, subject to a minor revision to the conditions to reduce the height of the proposed privacy screens from 1600 millimetres to 1500 millimetres.

P/2024/0097

Le Tournesol, 3 Sunny Crest Close, La Route de Maufant, St. Saviour: proposed replacement of existing boundary wall and timber fence (RFR).

A4. The Committee, with reference to its Minute No. A15 of 6th June 2024, considered a report in connexion with an application which sought permission for the replacement of an existing boundary wall and timber fence, with rendered blockwork to the west and south boundaries of the property known as Le Tournesol, 3 Sunny Crest Close, La Route de Maufant, St. Saviour. The Committee had visited the site on 4th June 2024.

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.

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

P/2023/1416

La Collette Reclamation Site 2, La Route de Veulle, St. Helier: proposed increase in height of Eastern Headland, closure and aftercare, formation of inert waste mounds and vehicle access, landscaping.

A5. The Committee, with reference to Minute No. A2 of 7th September 2023, of the Committee as previously constituted, received a report in connexion with a revised application which sought permission for an increase in the height of the Eastern Headland at La Collette Reclamation Site 2, La Route de Veulle, St. Helier, and the capping and closure of the same by the placement of restoration soils and landscaping. Permission was also sought for the formation of inert waste mounds to the south and west of the site with associated landscaping; the formation of a vehicle access path with associated fencing; and the installation of railings and enhancements to an existing rock armour structure. The Committee had visited the application site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area of the Shoreline Zone. It was also on the Eastern Cycle Route Network, in an area at high risk of coastal flooding and was a designated Waste Management Site and Safety Zone for Hazardous Installations. The site was also in close proximity to a Marine Protection Zone and a Ramsar site. Policies SP1, SP2, SP3, SP4, SP6, PL5, GD1, GD6, GD9, NE1, NE2, NE3, HE1, TT2, WER2, WER3, WER8, MW2 and MW3 of the 2022 Bridging Island Plan were

and  
enhancements  
to rock armour  
structure.

P/2023/1070

relevant to the application.

The Committee recalled the extensive planning history of the site, which included a previous application for the formation of the Eastern Headland (application No. P/2016/1647 refers), which had been deferred by the Committee, as previously constituted, in April 2023, for a period of 6 months. The States Assembly had subsequently adopted a report and proposition entitled 'La Collette Waste Management Site – Development Plan' (P.17/2023, as amended), which outlined a short to medium term strategy for the continuation of the management and storage of inert and hazardous waste at La Collette Waste Management Site, which included the formation of the Eastern Headland. Following this, a retrospective application for the construction of hazardous waste containment cells and leachate management at the Eastern Headland (application No. P/2023/0537 refers) had been approved by the Committee, as previously constituted, in September 2023. It was noted that the application under consideration was the second of 2 applications requested by the Committee, as previously constituted.

The Committee was advised that permission was sought for the following –

- an increase in the height of the Eastern Headland mound by means of waste containment cell construction, including disposal of hazardous waste; the capping and closure of the cells by the placement of restoration soils and landscaping;
- the formation of mounds comprising non-recyclable inert waste to the south and west of the existing recycling and reclamation site, along with final landscaping; and,
- the construction of an access path around the headland with associated fencing and railings and enhancement of an existing rock armour revetment structure.

The Committee was advised that the height of the Eastern Headland would be increased by 4.5 metres, to 21.5 metres above the perimeter rock armour revetment (equivalent to 35.5 metres 'Above Admiralty Chart Datum' (AAD)), which was 4.5 metres lower than the height considered under the previous application (application No. P.2016/1647 refers). The headland would be approximately 415 metres long with a maximum width of 205 metres. The top of the headland featured a flat plateau which was approximately 185 metres long by 60 metres wide and the base of the existing landform would remain unchanged. The side slopes would have a 1:3 profile, as previously approved (application No. P2023/0537 refers). The headland would be linked to an existing mound to the north by a 100-metre-long landscaped screening embankment measuring a maximum of 45 metres in width, tapering down to 18 metres at the northern end.

The Committee noted revised proposals in respect of the proposed mound to the south of the site, which would be reduced in scale and measure 50 metres long and 200 metres wide, with an overall height of 10 metres above the perimeter rock armour revetment (equivalent to 24 metres AAD). The profile of the side slopes would be 1:2. The formation of a mound to the west was also proposed, which would measure 185 metres long by 106 metres wide, with an overall height of 12 metres above the perimeter rock armour revetment. The proposed mounds would be linked by a landscaped linear mound along the shoreline measuring 8 metres in width and 250 metres in length, with an overall height of 7 metres above the perimeter rock armour revetment. The northern boundary adjoining the existing aggregate recycling facility would comprise a concrete crib retaining wall and 1.8-metre-high welded mesh fence, which would not be visible to the public.

The Committee was advised that a break in landforms between the Eastern Headland and the south mound was required in order to maintain the emergency access/egress

route. The proposed access path would rise in height by 5 metres from the Eastern Headland to the south mound, to ensure an accessible gradient and protection from coastal flooding and wave overtopping. A coastal path measuring 5.5 metres in width was also proposed along the shoreline perimeter of the application site and access to the section along the southern perimeter would be restricted to address safety concerns. The section along the north-eastern perimeter would be linked to an existing nearby walking and cycling route along the Havre des Pas Promenade.

The Committee was advised that there were no alternative public waste management sites in the Island at the present time and the proposed development was considered acceptable, in the context of the Island's continued need for hazardous and inert waste disposal facilities. It was acknowledged that whilst La Gigoulande Quarry benefited from an extant planning permission to allow the management and disposal of inert waste (application No. P/2021/0121 refers), it remained operational and was in private ownership. The use of La Gigoulande Quarry as a waste disposal site was therefore not assured. The public benefits of the scheme outweighed the potential adverse harms and appropriate mitigation measures were proposed. Overall, the proposed development would enhance the character and appearance of the area and would provide screening, particularly on the coastal side of the industrial facility. Consequently, the application was recommended for approval, having regard to the policy context and requirements of the 2022 Bridging Island Plan and subject to certain conditions, as detailed within the Department report.

All representations received in connexion with the application had been included within the Committee's agenda packs, including a number of late submissions.

In response to a question from the Committee, it was confirmed that the applicant held a Waste Management Licence for the facility, issued in accordance with the Waste Management (Jersey) Law 2005.

The Committee heard from [REDACTED], who outlined concerns regarding the design life of the hazardous waste containment cells. He highlighted the risk of degradation which could over time lead to cell failure and the potential for leachate pollution. The facility was adjacent to a Ramsar site and [REDACTED] believed that the Island was failing to meet its obligations towards the protection of the same. Insufficient consideration had been given to alternative waste management options, such as exporting inert waste to France for use as infill in exchange for clean gravel and sand for use by the construction industry. The potential also existed to export materials containing asbestos to France for processing. [REDACTED] expressed concern with regard to the accuracy of the submitted plans and drawings with regard to the site perimeter. In concluding, he emphasised the short-sighted nature of the proposals and the need to consider the long-term consequences of the Island's waste management practices.

[REDACTED] addressed the Committee in support of the application and thanked the officers involved in the development of the proposals for their work on the application. He highlighted the strategic importance of the continued operation of La Collette Waste Management Site to the Island and the lack of suitable alternative options. Various major developments including the new healthcare facilities and the redevelopment of Fort Regent were dependant on the proposals being approved. Waste minimisation was already a key priority, and the continued operation of the site would ensure that the Island's waste could safely be managed in the short to medium term. He outlined his commitment to working collaboratively with colleagues across Government to ensure the continued use of the site in a safe and effective manner.

The Committee heard from [REDACTED]

██████████, who advised of his longstanding involvement with the scheme. Addressing concerns about leachates, ██████████ detailed the mechanism by which they were generated, via rainfall, and the measures in place to collect, extract and measure contamination levels. Sensors and an automatic pump extraction system were in place and were designed to ensure the safe disposal of leachates from the cells. Regular testing was undertaken, which had not identified any matters of concern, and this would continue in the long-term in order to ensure that any issues were identified at an early stage. The risk of leachate pollution would decrease over time as the cells were gradually capped and closed, as the concern related principally to uncapped cells. The cells were specially designed lined pits with a 100 year life expectancy, which only became operational once approved by the relevant regulator. Their construction was strictly supervised and controlled, and repairs could be undertaken in future, if necessary.

██████████, addressed the Committee and outlined details of the proposed landscaping. The intention was to create a naturalistic landform which would screen the industrial area and provide diverse wildlife habitats. A variation in gradients would provide a more naturalistic and varied environment, better ground conditions and micro-climates within the site. The landscape would be actively managed and features such as rocks, planting and dead hedges (a barrier constructed from cut branches, saplings and foliage) had been considered. Extensive blocks of planting with a diversity of seed mixes and native species would create a complex habitat and landscape.

The Committee heard from ██████████, who highlighted the Department's commitment to managing the Island's hazardous waste responsibly. The proposals would provide additional capacity at La Collette for a further 10 years, and the need for a sustainable approach to the generation and management of waste was recognised. Efforts to minimise waste at source and generate waste responsibly were critically important given the limited capacity of the site. The Department was committed to managing waste effectively and engaging in the planning process, with a view to extending the potential lifespan of the facility beyond 10 years. In concluding, she urged the Committee to support the application.

██████████, addressed the Committee in support of the application. The construction industry was a significant local employer and generated both hazardous and inert waste. Local development activity would be severely affected if the application was refused. The site provided a critical service to the industry, whose operation depended on the continued provision of the same. There was currently no suitable alternative option available. The need to embed waste minimisation principles into working practices was acknowledged and ██████████ advised that the industry was taking steps to innovate and manage waste responsibly at source.

In response to questions from the Committee, ██████████ confirmed that long-term options, including the exporting of waste and extension of the shoreline, were being considered as part of the development of the next Island Plan but would not realistically be available within the next few years. He advised that prioritising waste minimisation practices would help to extend the lifespan of the facility beyond the current projected 10 year timeframe. ██████████ also confirmed that the hazardous waste cells were lined with impermeable membranes, which minimised the risk of leachates once the cells were capped and closed.

Following questions regarding the testing regime for leachates, the Committee heard from ██████████, in this connexion. It was confirmed that sampling for leachates had

commenced in 2011 and was undertaken on a quarterly basis. Whilst the results were not currently published, it was intended that this data would be made available in future. The Minister for Infrastructure was fully committed to increased public transparency and Statistics Jersey was providing assistance in this regard. [REDACTED] stated that the testing regime included monitoring of the level of heavy metals, ammonia, salinity, pH, and polychlorinated biphenyls (PCBs) and that the levels of pollution within the cells appeared relatively stable. She understood that sea water testing was also carried out in nearby St. Aubin's Bay but clarified that this did not fall within the remit.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, for the reasons outlined in the Department report and subject to the conditions detailed therein. In addition, the Committee requested that leachate testing be undertaken on a monthly basis in future and that the applicant be required to implement robust policies designed to prioritise waste minimisation. Members indicated that they wished to review and approve revised conditions, as outlined above, noting that a decision could be made by electronic mail, if necessary, in light of the upcoming summer break.

Romerils,  
Dumaresq  
Street,  
St. Helier:  
proposed  
partial  
demolition and  
redevelopment.

A6. The Committee considered a report in connexion with an application which sought permission for the partial demolition of existing retail floorspace and a storage area, the relocation of a retail car parking area and the construction of a mixed-use scheme of retail space and 53 apartments, with access points onto Hue Street, at the property known as Romerils, Dumaresq Street, St. Helier. The Committee had visited the site on 9th July 2024.

P/2024/0172

A site plan and drawings were displayed. The Committee noted that the application site included a Grade 4 Listed Building and was situated in the Built-Up Area. The site was also on the Eastern Cycle Route Network, in Sustainable Transport Zone 1, in Inland Flooding Low and Medium Risk Areas, a Coastal Flooding High Risk Area and in an Area of Archaeological Potential (St. Helier Medieval Town). A number of Grade 3 Listed Buildings lay to the west and south of the application site and Hue Court, a pair of 10 storey tower blocks, lay to the north. Policies SP1, SP2, SP3, SP4, SP6, SP7, PL1, GD1, GD2, GD3, GD5, GD6, GD7, GD9, GD10, NE1, HE1, HE5, H1, H2, H3, H4, CI8, ME1, TT1, TT2, TT4, WER1, WER2, WER6, WER7 and UI3 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance relating to Residential Space Standards 2023, Residential Parking Standards 2023, Density Standards Guidance 2023, St. Helier Design Guidance 2023, Site Waste Management Plans 2013 and Planning Obligation Agreements 2017.

The Committee noted the relevant planning history of the site, which included a previously approved application for a row of 4 storey townhouses (application No. P/2007/1376 refers), which had subsequently lapsed.

The Committee noted that a mixed-use urban regeneration scheme was proposed, which would retain the majority of the existing building, including the Grade 4 Listed Building. Demolition would be confined to around 15 per cent of the total building footprint and the scheme would deliver 290 square metres of retail floorspace, 20 x one bedroom, 29 x 2 bedroom and 4 x 3 bedroom apartments with shared residential amenity areas. The majority of the apartments (83 per cent) would be dual aspect and 8 would be classed as affordable housing. The proposed accommodation exceeded the minimum standards and met or exceeded the requirement for private external amenity space, with a good level of shared open space for residents, including a children's play area. A variety of scale and form was proposed, ranging from 4 storeys along the eastern side of Hue Street and rising to 10 storeys in the form of a new residential tower positioned opposite Hue Court. The

scheme also included improvements to public realm areas around the site, with new hard and soft landscaping and improved pedestrian links to the town centre.

The Committee was advised that the proposed mixed-use scheme would regenerate an under-utilised urban brownfield site and provide new homes, including 8 affordable housing units in the heart of St. Helier, where there was strong support for new residential development. The case for a limited amount of demolition had been made and the proposed design was considered appropriate for the location. The mix and density of housing and travel and transport implications (including the level of car and bicycle parking provision) were acceptable. Having regard to Policy GD7, which provided support for development of the scale proposed within St. Helier, the location was considered appropriate given the surrounding context, which included several modern buildings similar in scale. Taking into account the established built context and the wider benefits of the proposals, the proposed development was considered acceptable in this context.

Consequently, having regard to the requirements of the 2022 Bridging Island Plan, the application was recommended for approval, subject to the applicant entering into a suitable Planning Obligation Agreement (POA), pursuant to Article 25 of the Planning and Building (Jersey) Law 2002 (as amended), in order to guarantee the provision of 8 of the new apartments for sale or occupation by Islanders eligible for assisted purchase housing. In the event that a suitable POA was not agreed within a timescale to be specified by the Department, the application would be returned to the Committee for further consideration.

5 representations had been received in connexion with the application.

The Committee heard from [REDACTED], who explained that she was also employed in the [REDACTED] but had not discussed the application with colleagues. Having noted the same, the Committee did not consider that a conflict of interest arose in this instance. [REDACTED] expressed concerns on the basis of the heritage impact of the proposals, particularly with regard to the impact of the 10 storey residential tower, which would dominate the area in conjunction with Hue Court. She did not believe that the requirements of Policy GD7 had been met and concerns were expressed regarding the height, scale, mass and design of the proposals. Whilst acknowledging the benefits of proposals, Ms. Ingle questioned the appropriateness of the proposed development in a highly sensitive, historic part of St. Helier and asked the Committee to defer consideration of the application in order for the proposals to be revised, with input from the HET, in the context of Policy HE1.

[REDACTED], addressed the Committee and highlighted the economic benefits of the proposals. Whilst it was recognised that the height of the central tower was controversial, the proposals would increase the Island's housing stock, and support changing demographics. [REDACTED] believed that reliance on imported labour would increase in the coming years to support an ageing population, and taller buildings provided a pragmatic solution. The proposals were similar in scale to Hue Court and would improve the setting of nearby Listed Buildings, as well as retaining the existing Listed Building on the site. [REDACTED] urged the Committee to support the proposals.

The Committee heard from [REDACTED], who outlined the history of the site and his family's connection to the business and locality. The business was committed to the area and the proposals would address the Island's housing shortage and provide affordable homes. The proposals had been carefully

designed to meet or exceed minimum standards, following extensive engagement with relevant stakeholders, and ██████████ urged the Committee to support the application.

The applicant's agent, ██████████, addressed the Committee, and summarised the design elements of the application. He highlighted the ambition to reconcile the proposals with the scale of Hue Court, repair the streetscape, prioritise pedestrians, provide a better choice of quality housing and enhance the ecological value of the site. The proposals had been designed to be visually interesting, with the buildings being graduated in height and featuring distinctive materials. Additionally, improvements to public realm areas were proposed, which would create a more convivial and functional street scene.

The Committee heard from the applicant's agent, ██████████, who detailed the process that had been undertaken to refine the proposals and ensure they were in keeping with the surrounding Listed Buildings. ██████████ advised that the scheme should be viewed in the round, noting that any impacts arising from the height of the residential tower would be offset by the wider benefits of the proposals.

The applicant's agent, ██████████, addressed the Committee and emphasised that the proposals met the core objectives of the 2022 Bridging Island Plan. Policy GD7 did not impose a cap or moratorium on building heights and the proposals had taken careful account of the surrounding context. ██████████ noted that minimal demolition was proposed and that a waste management plan was in place. Detailed pre-application feedback had been provided by the Department and consultees and this informed the proposals. Overall, the scheme represented a compelling, long-term project and feedback from local residents and traders had been overwhelmingly positive. ██████████ urged the Committee to approve the application.

In response to a question from the Committee, it was confirmed that the proposed 3 bedroom units would feature an open plan kitchen/diner rather than separate kitchen and dining rooms as they exceeded the minimum residential space standards by 12 per cent.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions detailed in the Department report and on the basis of the applicant entering into a suitable POA. In doing so, some members expressed concern about the impact of the proposals on car parking and traffic in St. Helier and suggested that the Parish might wish to consider the introduction of restrictions on the operating hours for commercial vehicles within the Town Centre.

The Goose on the Green, La Route de la Haule, St. Peter: proposed replacement of telecommunications equipment.

A7. The Committee considered a report in connexion with an application which sought permission for the replacement of an antenna mounted on the North face of the chimney and 3 telecommunications equipment cabinets at first floor to the west elevation of the property known as The Goose on the Green, La Route de la Haule, St. Peter. The Committee had visited the site on 9th July.

A site plan and drawings were displayed. The Committee noted that the application site was a Grade 4 Listed Building situated in the Built-Up Area of St. Peter, within a Coastal Flooding Medium Risk Area and an Inland Flooding Low Risk Area. Policies SP4, HE1, GD1, GD6, ME3 and UI4 of the 2022 Bridging Island Plan were relevant.

P/2023/1247

The Committee noted the relevant planning history of the site, including an



application to erect an antenna to the north elevation (application No. P/2012/1059 refers) and an application to replace an antenna and a telecommunications cabinet with 2 smaller cabinets (application No. S/2014/1555 refers), which had both been approved by the Committee, as previously constituted.

The Committee was informed that the Environmental Health Department maintained that refusing permission for mobile masts on the grounds of health concerns was unjustified. In accordance with Policy UI4, all new and existing infrastructure was subject to International Commission on Non-Ionizing Radiation Protection (ICNIRP) certification as a requirement of both licencing and the granting of planning permission. The proposals were not considered to be harmful to the character of the surrounding area or the setting of the Grade 4 Listed Building. 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.

38 representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED]. With reference to comments which had been received regarding the location of the site notice, [REDACTED] confirmed that it had been displayed correctly.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions detailed in the Department report.

Transform  
Together  
Fitness,  
Longueville  
Road,  
St. Saviour:  
proposed  
variation of  
condition.

A8. The Committee, with reference to Minute No. A15 of 20th October 2022, of the Committee as previously constituted, considered a report in connexion with an application which proposed the variation of a condition attached to the permit in respect of the premises known as Transform Together Fitness, Longueville Road, St. Saviour. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-up Area on the Eastern Cycle Route Network and that policies GD1 and CI5 of the 2022 Bridging Island Plan were relevant.

RC/2023/0376

The Committee noted the relevant planning history of the site, including an application to vary condition No. 2 of the permit to allow the gym to open at 6.00 am (application No. P/2021/1907 refers), which had been refused by the Committee, as previously constituted; the conversion of an existing store and office into a wellness centre (application No. P/2018/1125 refers), which had been approved subject to certain conditions ; and, the conversion of an existing store and office to a wellness centre (application No. P/2018/0398 refers), which had been refused by the Committee, as previously constituted.

The Committee was advised that the application was recommended for refusal on the grounds that the proposal would impact on the amenities of adjacent residential users due to increased noise, nuisance and disturbance, contrary to Policy GD1 of the 2022 Bridging Island Plan.

32 representations had been received in connexion with the application.

[REDACTED], addressed the Committee and detailed complaints relating to noise dating back to 2020, including 2 which were ongoing. [REDACTED] informed the Committee that whilst undertaking a site visit at 5.45 am, she had witnessed members accessing the

facility prior to 6 am.

The Committee heard from [REDACTED], who explained that the variation of the condition was essential to the success and survival of the business. [REDACTED] noted that early morning classes were extremely popular and were attended by 30 per cent of members, many of whom wished to attend classes ahead of the school day. It was noted that 2 neighbouring businesses did not have any restrictions on their operating hours. [REDACTED] contended that historic complaints, which had been resolved, were being used against the business and insufficient time had been given to address ongoing complaints. The Committee heard that shock absorbing floors, triple-glazed windows, solid concrete walls and the relocation of speakers had minimised noise within the premises to an ambient level of 42 decibels. [REDACTED] urged the Committee support the application.

[REDACTED], addressed the Committee and highlighted the gym's charitable fundraising endeavours in recent years, as well as work in the community to offer subsidised boxing coaching to disadvantaged and neurodiverse young people. [REDACTED] urged the Committee to support the application.

[REDACTED], addressed the Committee. The Committee was informed that [REDACTED] were capable entrepreneurs who cared deeply about physical and mental health. [REDACTED] recognised that there had been negative comments but he did not believe that noise was an issue.

The Committee heard from the applicant's agent, [REDACTED]. Referring to the planning history of the site, [REDACTED] noted that the applicant had unsuccessfully sought to regularise the operational hours since 2021. The Committee was advised that sound tests revealed noise levels of between 40 to 50 decibels within the facility, which was not considered excessive. [REDACTED] urged the Committee grant permission.

The Committee heard from [REDACTED], who outlined how the gym had transformed his life. He maintained that staff regularly encouraged members to be conscious of noise when entering or leaving the facility. [REDACTED] urged the Committee to support the application.

In response to questions from the Committee, it was confirmed that no classes took place before 6.15 am, that the gym did not operate on Sundays or Bank Holidays, and that a maximum of 18 gym members attended at any one time.

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

Waverley  
Farm,  
Le Mont  
Arthur,  
St. Brelade:  
proposed  
removal of  
conditions  
(RFR).

A9. The Committee considered a report in connexion with the proposed removal of conditions from a Planning Obligation Agreement (POA) relating to a unit of staff accommodation and a unit of dependent relative accommodation at the property known as Waverley Farm, Le Mont Arthur, St. Brelade. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies GD1, GD7, H9, NE7, LWM2, NR1, NE1, NE2, PPN6, PPN3, SP2, PL5, GD1, GD3, GD6, NE3, H1, H9, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance relating to Residential Space

Standards 2023, Residential Parking Standards 2023, the Jersey Integrated Landscape and Seascape Character Assessment 2020 and Planning Obligation Agreements 2017.

The application proposed the removal of the restrictions on the staff accommodation unit so that it could be used for the accommodation of others and also on the dependent relative accommodation so that the accommodation could be reintegrated with the principal dwelling. The Committee was advised that the application was recommended for refusal on the grounds that, although the proposal to re-integrate the dependent relative accommodation into the main house was considered acceptable, the staff unit was located within the Green Zone and the proposal failed to meet the requirements of Policy H9 of the Bridging Island Plan 2022.

No representations had been received in connexion with the application.

The Committee heard from the applicants' agent, [REDACTED], who acknowledged that whilst the removal of the restrictions on the staff accommodation unit was not supported by planning policy, the applicants' circumstances had changed in a manner which had not been envisaged when the conditions had originally been accepted. The Committee was advised that the staff accommodation unit would remain empty as the applicants no longer required a live-in member of staff. [REDACTED] urged the Committee to adopt a pragmatic view and referenced the Island's housing crisis and support the proposals.

Having considered the application, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, who expressed sympathy for the applicants' circumstances, endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, it was recognised that permission was not required in respect of the proposed re-integration of the dependent relative accommodation into the main house as this was already permitted in accordance with the POA.

Breakwater, St.  
Catherine, La  
Route de St.  
Catherine, St.  
Martin:  
proposed  
installation of  
temporary  
sauna  
structure.

MS/2024/0324

A10. The Committee considered a report in connexion with an application which sought permission for the installation of a mobile sauna for a 12 month period, with associated maintenance and timber stores, ramp, and water container, at the Breakwater, St. Catherine's, La Route de St. Catherine, St. Martin. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Coastal National Park and the Protected Coastal Area and within the area defined as part of the Grade One Listed St. Catherine's Breakwater heritage structure. Policies SP1, SP2, SP3, SP4, SP5, PL5, GD1, GD6, HE1, NE1, NE3, TT1, TT2 and TT4 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, which included a similar application which had been refused by the Department under delegated powers on the grounds of insufficient information (application No. MS/2023/1125 referred).

The Committee noted that the mobile sauna structure had been in place for over 7 months and was located to the west of the Jersey Canoe Club building. The structure, which measured 4.3 by 2.2 metres, comprised a 2.4 metre long access ramp, and was raised 0.6 metres above the ground on 2 sets of wheels. The tallest part of the structure sat 3.2 metres above ground level, and a maintenance/cleaning store, a timber store, and a water container were located outside the sauna. A Heritage

Impact Assessment, a Transport Note and a Visual Impact Assessment had been provided, alongside the installation instructions and technical specification for the sauna stove. A letter of support from the Chief Executive Officer of Visit Jersey was noted. The Committee was advised that the site would be operational between 08.00 am and 6.00 pm and would be attended by one staff member.

The Committee was advised that the proposal satisfied the requirements of the relevant policies of 2022 Bridging Island Plan, and that the visual and transport implications on the protected site were considered sufficiently minimal. It was noted that the sauna would deliver economic and health benefits and made a positive contribution to the tourism offering. Consequently, the application was recommended for approval, subject to certain conditions as detailed within the Department report.

51 representations had been received in connexion with the application.

The Committee heard from [REDACTED], who advised that the balance between the public benefit provided by the heritage aspect of the site and the private benefit of the services provided by the sauna were misaligned. He had serious reservations regarding the Heritage Impact Assessment, and he suggested that the sauna would be better placed outside the footprint of the Listed Breakwater structure. [REDACTED] was concerned that the structure had been located at the site for a number of months without planning permission, and he also drew the Committee's attention to the installation of a mobile sauna at La Rocque Harbour, Grouville. [REDACTED] stated that there did not appear to have been an official site notice or planning application. However, it was noted that a representative of Ports of Jersey had attended a meeting of La Rocque Boat Owners' Association to request comments regarding the installation of 2 mobile saunas across the outer harbours of the Island. The saunas would remain at each location for a maximum of 28 days, in accordance with Article 2 of the Planning and Building (Moveable Structures) (Jersey) Order 2006. [REDACTED] urged the Committee to define a policy for mobile saunas in the Island to ensure that permission was sought for moveable structures such as mobile saunas and that these were appropriately sited, regardless of the outcome of the application.

[REDACTED], the applicant and owner of Sauna Society, which operated the sauna, addressed the Committee, outlining the manner in which the mobile sauna trailer operated and addressing concerns that a pinch point had been created which hindered access to the slipway for boat owners. [REDACTED] informed the Committee that he had measured the distance between the sauna and the pavement and had concluded that this distance was wider than that between the existing benches and railings, hence the claims were unfounded. [REDACTED] cited delays in receiving responses from the Department as a contributing factor to the uncertainty around whether the structure was able to remain on site in the absence of planning permission and stated that the Department had not requested its removal. He highlighted the value of the sauna for mental health and tourism and maintained that the site was a prime location for the facility, which attracted between 15 – 20 tourists daily at present.

In response to queries from the Committee, the following was noted -

- wood combustion was the fuel source for the sauna;
- the applicant had approached Ports of Jersey regarding an appropriate location for the structure and was advised that the site was suitable;
- the 'keep clear' markings on the slipway beneath the structure were redundant;
- the application had been formally registered by the Department in April 2024, despite its submission in February 2024.

The Committee noted that Article 9 (1) of the Planning and Building (Moveable Structures) (Jersey) Order 2006 allowed for the granting of permission for a moveable structure on land where that structure was already stationed without permission, with effect from the date the moveable structure was first stationed on the land.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions set out in the Department report. In doing so, the Committee requested that the 12 month period of permission be extended to a 14 month period from the date of determination, to take advantage of the summer season. The Committee additionally requested that a further condition be implemented to require the removal of the structure (for a period of 3 months) from the area upon the expiry of the 14 month permit.

No. 35 Jardin  
du Hocq, La  
Rue du Hocq,  
St. Clement:  
proposed  
variation of  
planning  
condition.

A11. The Committee considered a report in connexion with an application which sought permission for the variation of a condition of the permit associated with planning application reference P/2022/0897, to remove the protection of the use of a garage for car parking only at the property known as No. 35 Jardin du Hocq, La Rue du Hocq, St. Clement in order to facilitate its conversion to habitable space. The Committee had visited the site on 9th July 2024.

RC/2024/0047

Deputy A.F. Curtis of St. Clement did not participate in the determination of this application. Connétable R.A.K. Honeycombe of St. Ouen acted as Chair for the duration of this item.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Local Centre of Greve D'Azette, within Sustainable Transport Zone 4, and along the Eastern Cycle Route Corridor. Policies SP2, GD1, GD6, H1, TT1, TT2 and TT4 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance (SPG) relating to the Jersey Integrated Landscape and Seascape Character Assessment (JILSCA), Residential Parking Standards (2023) and Residential Space Standards (2023).

The Committee noted the relevant planning history of the site, which included an application for the construction of a single storey extension to the south elevation and the replacement of a fence with a wall on the west elevation, which had been approved by the Department under delegated powers (application No. P/2022/0897 referred). A condition had been imposed to prevent the conversion of the garage.

The Committee was advised that there had been a reduction in the requirement for the provision of off-street car parking since the approval of application No. P/2022/0897, and the proposal consequently satisfied the requirements of the relevant Policies of the 2022 Bridging Island Plan, SPG relating to Residential Parking Standards (2023) and the JILSCA. No unreasonable harm to the amenities of neighbours was envisaged. Consequently, the application was recommended for approval, subject to certain conditions, as detailed in the Department report.

6 representations had been received in connexion with the application.

The Committee heard from [REDACTED], who highlighted existing issues with car parking at the site and the objections from neighbouring residents. [REDACTED] advised that the development had been approved and constructed in accordance with planning requirements at the time and maintained that a change of policy should not be used retrospectively to remove specific conditions. He advised that the property

management agency for the development, Maillard and Company, had received repeated complaints due to indiscriminate car parking and had erected signs at the site to remediate the situation, and he warned the Committee that approval of the application could set a precedent and exacerbate the existing issues. ██████████ concluded by stating that the original planning permissions imposed at the site should remain in place to maintain the high standard of the development, and he urged the Committee to reject the application.

The Committee heard from the applicant's agents, ██████████, who advised that the applicant had lived at the property for 5 years and sought to increase the volume of habitable space to accommodate a growing family. ██████████ advised that the applicant only used the garage for storage and not for car parking, and its conversion would therefore not constitute a loss of car parking. The proposals were in accordance with the SPG relating to Residential Parking Standards (2023) and allowed for a small section of the garage to be retained, alongside a section which would be internally insulated to provide habitable space. Electric charging stations and a storage area for bicycles would also be installed at the front of the garage.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions set out in the Department report.

Chanterelle, La  
Rue des  
Boulees,  
Trinity:  
proposed  
construction of  
extensions and  
roof /  
fenestration  
alterations.

P/2024/0119

A12. The Committee, with reference to Minute No. A6 of the meeting of 29th June 2023, of the Committee as previously constituted, considered a report in connexion with an application which sought permission for the construction of a first floor extension above the existing single storey extension to the north-east elevation and a single storey extension to the south-west and south-east elevations at the property known as Chanterelle, La Rue des Boulees, Trinity. The pitch of the roof and fenestration would also be altered, and timber cladding installed as part of the proposals. The Committee had visited the site on 9th July 2024.

Deputies A. Howell of St. John, St. Lawrence and Trinity and A.F. Curtis of St. Clement did not participate in the determination of this application. Connétable R.A.K. Honeycombe of St. Ouen acted as Chair for the duration of this item.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of a Smaller Settlement and was a Water Pollution Safeguard Area and an Inland Flooding Low Risk Area. Policies SP2, SP3, SP4, SP5, PL4, GD1, GD6, NE1, H1, TT4, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance (SPG) relating to Residential Parking Standards (2023).

The Committee noted the relevant planning history of the site, including an application in connexion with the demolition of the existing single storey extensions and the construction of a 2 storey extension to the north elevation. Single storey extensions to the east and south elevations, alongside the enlargement of 2 windows and the creation of a new vehicular access onto La Rue des Boulees had also been proposed (application No. P/2022/1672 referred). The application had been refused by the Committee, as previously constituted. A subsequent application for the demolition of the existing garage and utility room and the construction of a single storey extension and a reduction in the ground level to the north elevation had subsequently been approved by the Department under delegated powers (application No. P/2023/0830 referred).

The Committee noted that the application sought to revise the schemes approved under planning application reference No. P/2023/080. The Committee was advised that the proposed single storey extensions and alterations to the roof and fenestration were considered acceptable. Nevertheless, the mass, scale, and design of the proposed first floor extension, in addition to the proposed extent of the timber cladding, would be visually dominant and incongruent with the existing dwelling. The design would result in harm to the character of the existing dwelling and to the distinctiveness of the surrounding built environment. Consequently, the application was recommended for refusal on the basis that it was contrary to Policies SP4 and GD6 of the 2022 Bridging Island Plan.

10 representations had been received in connexion with the application.

The Committee heard from [REDACTED], the owner and applicant, who advised that considerable effort had been made to address the concerns of the Department with regard to the previous application (application No. P/2022/1672 referred). He advised that the scheme would improve the standard of the property, which it was intended would be used as a multigenerational family home. [REDACTED] drew attention to the large size of the neighbouring properties and maintained that the scale of the proposals was sympathetic in this context, and that existing overlooking would be minimized by the design of the first floor extension. The Committee was advised that the timber cladding had been proposed to modernise the property, and that it was a common design element for properties with flat roofs. High quality, natural timber which was in keeping with the surrounding area would be utilised. [REDACTED] stated that the proposed development aligned with the relevant policy context for the Built-Up Area, and he drew attention to the support of neighbouring residents.

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

The Firs (land formerly known as), Le Mont Sohier, St. Brelade: proposed increase in height / various external alterations (RFR).

RP/2024/0253

A13. The Committee, with reference to its Minute No. A.10 of 29th June 2023, 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 raise the height of a residential unit, and for various external alterations to a previously approved scheme, on an area of land formerly associated with the property known as The Firs, Le Mont Sohier, St. Brelade. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in a Local Centre in the Built-Up Area of the Green Backdrop Zone and was in a Tourist Destination Area. Policies SP3, SP4, SP5, PL3, GD1, GD6, GD8, NE1, NE3, H1, and WER6 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to the Jersey Integrated Landscape and Seascape Character Assessment (JILSCA), and Residential Parking Standards (2023).

The Committee noted the relevant planning history of the site, including an application which proposed the demolition of the existing structures and their replacement with a 3 bedroom dwelling with car parking and amenity space. It had also been proposed to alter the vehicular access on to La Route de la Baie (application P/2022/0209 referred). The application had been refused by the Committee, as previously constituted, in June 2023, and a subsequent appeal, which had been determined by an independent Planning Inspector, had been upheld in February 2024.

The Committee was advised that the application had been refused on the grounds that the proposed development would be visually dominant within the street scene and would have a detrimental impact on the landscape character of the area and St. Brelade's Bay. Consequently, the application failed to satisfy the requirements of Policies SP3, SP4, GD6, GD8 and NE3 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal.

2 representations had been received in connexion with the application.

The Committee heard from [REDACTED], representing a neighbour to the north of the application site. [REDACTED] referred to the timeline in connexion with the date of refusal of the application and the speed in which the review had been lodged, noting that the information had been uploaded to the Department website only 4 days prior to the extant meeting. [REDACTED] advised that, whilst the scheme had been approved by the Minister for the Environment on the recommendation of an independent Planning Inspector, the Department had been consistent in its concerns with regard to the scale and mass of the development. He added that the Inspector had accepted the application as submitted, having taken into consideration the lowered building height, and the fact that the applicant had incrementally reverted to a position which had been found to be unacceptable in previous applications. [REDACTED] noted that the proposed increase in height included a large window to the west, which neighbours felt would impact on privacy and overlooking and he urged the Committee to refuse the proposals.

The Committee heard from [REDACTED] who concurred with [REDACTED] comments and the reasons for refusal of the application. [REDACTED] reiterated concerns with regard to the lack of communication or consultation in connexion with the application. She advised that much of the work of the [REDACTED] centred upon protection of the Green Backdrop Zone in an area where, historically, enforcement of policies had been lacking. [REDACTED] noted that the [REDACTED] had hoped to see additional landscaping to compensate for the proposed increase in height of the dwelling.

The Committee heard from the applicant's agent, [REDACTED], who advised that the application to increase the height of the building had stemmed from, what the applicant felt was, the Department's unreasonable restrictions on height. He made reference to a number of surrounding structures which were taller than the proposed development, at 3 or 4 stories high and added that the modest increase in height would be shadowed by larger properties in the area. [REDACTED] stated that there would be no increase in the floor space, the design would remain as approved and there would be less excavation, reduced waste and that light to the ground floor bedrooms would be maximised. He added that no strong defining architectural character existed in St. Brelade's Bay and that the timber cladding at the first floor level would blend with the proposed enhanced landscape and additional tree planting.

The Committee heard from the applicant, [REDACTED], who reiterated that the proposed increase in height of the dwelling would be a modest 1.4 metres. Landscaping was proposed in order to blend in with the Green Backdrop Zone and reference was made to approved developments in the vicinity, which were considerably larger than that which was proposed. [REDACTED] added that a family home was proposed on his grandmother's land, and that the application was not speculative.

The Committee heard from [REDACTED] [REDACTED], who advised that the land had been in their family for 75 years. [REDACTED] reiterated that the proposed



increase in height would be a mere 1.4 metres, in comparison to the surrounding structures, and would prevent the bedroom area from being underground.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, the Committee requested that the impact on the amenities to the north of the application site, which were considered to be contrary to Policy GD1 of the 2022 Bridging Island Plan, be added to the reasons for refusal.

No. 105 Tara Apartments, Halkett Place, St. Helier: proposed conversion of ground floor store room into accommodation (RETROSPECTIVE) (RFR).

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 retrospective permission for the proposed conversion of a ground floor storeroom to habitable accommodation at the property known as No. 105 Tara Apartments, Halkett Place, St. Helier. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was a Grade 3 Listed Building, situated on the boundary of the Built-Up Area and on the Eastern Cycle Route Network. Policies SP2, SP4, PL1, GD1, GD6, HE1, H1 and TT2 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to Residential Space Standards (2023).

P/2023/0479

The Committee was advised that the application had been refused on the grounds that the proposed development would provide substandard accommodation, contrary to Policies H1 and GD1 of the 2022 Bridging Island Plan and SPG relating to Residential Space Standards (2023). Consequently, 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], who noted that the conversion would ordinarily be acceptable under permitted development rights, in accordance with the Planning and Building (General Development) Jersey Order 2011, but that the Grade 3 Listing on the property necessitated planning permission for the proposed works. [REDACTED] advised that the application had been submitted prior to the adoption of the Residential Space Standards (2023) SPG, at a time when the minimum area for a single bedroom had been set as 6.5 square metres. The converted bedroom was 7.1 square metres, which had resulted in a shortfall of 0.9 square metres when compared with the minimum standards introduced by the 2023 SPG (set at 8.0 square metres). Mr. Socrates stated that a flexible approach would typically be adopted in existing buildings due to structural constraints. He advised that the conversion had already been completed owing to confusion on the applicant's part with regard to the distinction between building control approval and planning permission, and attention was drawn to the applicant's financial position. [REDACTED] requested leniency in respect of what he viewed as a minimal deviation from the SPG, which had arisen due to changes to standards.

Having considered the application, the Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, endorsed the recommendation to refuse permission for the reasons set out in the Department report.

Les Niemes Farm, (packing shed), La Rue des Nièmes,

A15. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the proposed conversion of an existing packing shed to a 4 bedroom residential unit at the property known as Les

St. Peter:  
proposed  
conversion /  
increase in  
roof height /  
reorientation of  
roof / various  
alterations and  
landscaping  
(RFR).

P/2024/0028

Niemes Farm, La Rue des Nièmes, St. Peter. The application also proposed an increase in the height and reorientation of the roof. Various external alterations to include the installation of dormer windows and new hard and soft landscaping were also proposed. The Committee had visited the site on 9th July 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area and Water Pollution Safeguard Area. Policies SP1, SP2, SP3, SP4, SP5, PL5, GD1, GD6, NE1, NE2, NE3, H9, ERE1, ERE4, TT1, TT2, TT4, 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 the Jersey Integrated Landscape and Seascape Character Assessment (JILSCA), Protection of Employment Land (2012) and Residential Parking and Space Standards (2023).

The Committee was advised that the application had been refused on the grounds that the scheme did not relate to the conversion of a traditional or Listed Building. The application failed to demonstrate that the conversion of the building would deliver environmental benefits through the reduced intensity and would harm the availability of agricultural land. Furthermore, the proposed car parking area and use of an agricultural track for residential purposes was considered harmful to the landscape character of the area. The proposed development, by virtue of the windows on the east elevation, would have an overlooking impact on the amenities of the neighbouring property. Consequently, the application was considered contrary to Policies SP2, SP3, SP4, SP5, GD1, PL5, H1, H9, ERE1 and NE3 of the 2022 Bridging Island Plan, and it was recommended that the Committee maintain refusal.

One representation had been received in connexion with the application.

The Committee heard from the applicant's agents, [REDACTED], who disputed the Department's conclusion that the packing shed was not a traditional building on the grounds that it had been built in 1939. [REDACTED] advised that the scheme would provide much needed affordable housing. [REDACTED] maintained that the proposed scheme would result in a substantial reduction in intensity of use due to the removal of agricultural traffic. He added that no hardstanding was proposed on the agricultural track and that any changes to the access route would be sympathetic to the rural character. [REDACTED] advised that use of the proposed access would be exclusive to the property, and that the surrounding properties were under the same family ownership as the packing shed. The amenities of the properties would therefore be shared, and [REDACTED] suggested that the door on the south elevation could be removed and the windows on the east elevation obscure glazed to reduce the overlooking impact on the neighbouring amenity. [REDACTED] suggested that the submission of a landscaping plan or condition could be imposed to designate the amenity space for the proposed dwelling.

The applicant, [REDACTED], addressed the Committee, outlining the history of ownership of the site, which had been in his family since 1926. The packing shed had originally been built to support the operations of the farm, and it had remained redundant since these operations ceased in 1978. [REDACTED] expressed a desire to live closer to his immediate family in the adjacent properties to provide mutual support. The Committee was advised that the scheme demonstrated a high quality conversion of a farmstead whilst retaining the traditional infrastructure, and [REDACTED] maintained that the regeneration of the building and the surrounding land would make a positive contribution to the landscape.

Having considered the application, the Committee was unable to reach a majority decision with Deputy S.M. Ahier of St. Helier North and Connétables R.A.K.

Honeycombe of St. Ouen and M. Labey of Grouville supporting the application and Deputies A.F. Curtis of St. Clement and A. Howell of St. John, St. Lawrence and Trinity and Connétable D.W. Mezbourian of St. Lawrence being minded to refuse the application.

Where the Committee was unable to reach a majority decision, applications were determined in the negative, in accordance with agreed procedures. Consequently, the application was refused. In doing so, the Committee requested that Policy H9 be removed from the reasons for refusal.

Land to the south of Maison La Cave, Sandybrook Lane, St. Lawrence: proposed construction of 8 x new dwellings (RFR).

P/2021/0843

A16. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the proposed construction of 8 x 4 bedroom dwellings and 12 storage units with associated landscaping on land to the south of Maison La Cave, Sandybrook Lane, St. Lawrence. The Committee had visited the site on 9th July 2024.

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

A site plan, drawings and a 3-dimensional model were displayed. The Committee noted that the application site was situated in an area which was considered to be at high, medium and low risk of inland flooding, and was also in the Built-Up Area, the Green Backdrop Zone and within a Local Centre. Policies SP1, SP2, SP3, SP4, SP5, PL3, GD1, GD5, GD6, GD8, GD10, H1, H2, H3, H4, ME1, CI8, TT1, TT2, TT4, WER1, WER2, WER6, WER7 and NE1 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant draft Supplementary Planning Guidance (SPG) relating to Residential Parking and Space Standards (2023).

The Committee was advised that the application had been refused on the grounds that the proposed development would be visually dominant in the surrounding area and that a number of the units failed to provide adequate amenity space, contrary to the minimum requirements for new dwellings. Insufficient evidence had been provided to demonstrate waste minimisation in connexion with the demolition and construction of the development. Furthermore, the scheme did not include a children's play area and insufficient information had been provided with regard to biodiversity and the impact on protected species and nesting sites. Consequently, the proposal failed to satisfy SPG relating to Residential Space Standards and the requirements of Policies SP3, SP4, SP5, GD6, GD8, H1, CI8, WER1 and NE1 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

16 representations had been received in connexion with the application.

The Committee heard from [REDACTED], who was opposed to the application. She stated that the assessment of the application in the context of Policy GD5 appeared to compare the existing garages on the site against the proposed development and this was unreasonable. [REDACTED] felt that whilst the development would result in a visual improvement, she drew attention to safety impacts on the adjacent public footpath, which was regularly used by cyclists and pedestrians. Furthermore, she was concerned that construction vehicles on Sandybrook lane would exacerbate an already hazardous situation. [REDACTED] concluded that the proposed development was inappropriate in this context.

The Committee heard from the applicant's agent, [REDACTED], who advised that the development would convert a redundant brownfield

site into 8 x 4 bedroom family homes. ██████████ noted that the application had been submitted to the Department over 3 years ago and that 5 different planning officers had been assigned to it during that time. During the 3 years, the proposals had been amended in response to feedback from the Infrastructure and Environment (IE) Department Drainage and Transport Divisions and, following the adoption of the 2022 Bridging Island Plan 9 months after the application had been submitted, an expert in flood risk had been appointed to address mitigation measures and interventions to enhance flood resilience and support flood risk. It was understood that the Department had reached a point where a positive recommendation was likely on 3 separate occasions prior to the current recommendation for refusal. ██████████ argued that ‘missing information’ referred to in the Department report had previously been submitted and that transport and drainage, landscaping and flood measures had been resolved to the satisfaction of the relevant authorities. He added that the submission of a detailed waste management plan and landscaping issues could be addressed by the imposition of conditions.

██████████ addressed the reasons for refusal and stated that the scheme was thoughtfully designed, proposed a staggered layout, was consistent with neighbouring development and exceeded the minimum space requirements. The Department had been satisfied with the original ecology reports, but delays in the planning process meant that the information contained therein was now outdated. The applicant was willing to provide updated reports as a condition of approval. Detailed plans and reports had been submitted by an arboriculturist who had recommended pruning and the reduction of tree canopies by 50 per cent to maintain tree health. Private amenity spaces were generous, with most being more than double the required minimum size and the majority included front gardens. A communal children’s play area had not been included in the original design as this had not been a requirement when the application had first been submitted, and the proximity of the site to the beach and the existence of a private pathway, along with spacious gardens was highlighted. ██████████ emphasised the substantial improvements which would arise from the proposed development, the significant community flood resilience and environmental benefits. The scheme would result in a sustainable development, providing much needed family homes on an underutilised brownfield site which was an eyesore within the Built-Up Area. ██████████ urged the Committee to consider the setbacks and delays outlined above in the determination of the application.

The Committee heard from the applicant, ██████████, who advised that the application had been thoughtfully designed, using advanced techniques to ensure harmony with the environment. 3-dimensional scanning technology had been utilised to measure the site to ensure absolute accuracy. The staggered layout and pitched roofs had been chosen to blend seamlessly into the area and standard materials suitable for affordable family homes would be used to ensure financial viability. ██████████ felt that the reasons for refusal under Policies SP3, SP4, GD6 and GD8 of the 2022 Bridging Island Plan, undermined the extensive consultations and adaptations which had been made to the proposals. With regard to assertions that insufficient information had been provided in some respects, ██████████ stated that a comprehensive ecological survey with mitigation strategies and a waste management plan had been submitted, in accordance with Policy WER1. With regard to the amenity space for the northern units, advice had been provided by IE during a meeting held in 2023, to the effect that the proposed garden sizes were sufficient, and these would enhance existing amenity space at the adjoining apartments, also in the ownership of ██████████. The applicant had further been advised that, as the development only included 8 dwellings, a communal play area would not be required under Policy CI8 of the 2022 Bridging Island Plan. Mr. Kennedy added that the condition of the site currently blighted the area and the value of existing investments. Furthermore, he contended that the delay in the

determination of the application had been caused by the continuous turnover of planning officers and that the reasons for refusal were based on issues which had been thoroughly addressed or were misrepresentations of the status of the application. In response to a question from the Committee, the applicant explained that the proposed drainage system, known as Geocell would ensure the efficient disposal of rainwater from the soil, avoiding flooding of the surface and allowing it to be dispersed slowly.

██████████ expressed significant frustration with the planning process and the delays which had ensued prior to withdrawing from the meeting.

The Committee discussed the application and the points which had been raised. Members were particularly concerned with the increase in vehicle traffic in the area and the scale and mass of the proposed buildings. Consequently, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department's report, with the exception of Policy CI8.