

Planning Committee

(10th Meeting)

17th October 2024Part A (Non-Exempt)

All members were present, with the exception of Connétables M. Labey of Grouville, D.W. Mezbourian of St. Lawrence, M.O'D. Troy of St. Clement and R.A.K. Honeycombe of St. Ouen, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity (Chair)
 Deputy A.F. Curtis of St. Clement (Vice Chair)
 Connétable K.C. Lewis of St. Saviour
 Deputy A. Howell of St. John, St. Lawrence and Trinity
 Deputy T.A. Coles of St. Helier South (not present for items A1–6)
 Deputy S.M. Ahier of St. Helier North

In attendance –

C. Jones, Planning Applications Manager
 T. Venter, Planner
 B. James, Planner
 G. Vasselin, Planner
 J. Gibbins, Trainee Planner
 S. Sellors, Trainee Planner
 L. Plumley, Senior Secretariat Officer, Specialist Secretariat, States Greffe

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

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| Minutes. | A1. The Minutes of the meeting held on 26th September 2024, were taken as read and were confirmed. |
| Le Jardin,
La Vieille Rue,
Grouville:
proposed
extension
(RFR). | A2. The Committee, with reference to its Minute No. A8 of 26th September 2024, 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 extension of previously approved southern extensions to the east of the property known as Le Jardin, La Vieille Rue, Grouville. The Committee had visited the site on 24th September 2024. |
| RP/2024/0570 | 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 unconditional approval of the application for the reasons set out in the Department report. |
| Field No.
331A,
La Rue du
Muet,
St. John: | A3. The Committee, with reference to its Minute No. A9 of 26th September 2024, considered a report in connexion with a request for the reconsideration of a retrospective application, which had been refused by the Department under delegated powers, and which sought retrospective permission for the construction of 3 polytunnels, a log store and hardstanding for vehicles at the property known as |

proposed construction of polytunnels, log store and hardstanding (RETROSPECTIVE) (RFR).

P/2024/0406

The Town House Pub and Restaurant, No. 57 New Street, St. Helier: proposed change of use to residential accommodation.

P/2023/0442

Field No. 331A, La Ruet du Muet, St. John. The Committee had visited the site on 24th September 2024.

The Committee recalled that it had been minded to grant permission, contrary to the Department's recommendation. Consequently, the application had been represented for formal decision confirmation and to set out the specific reasons for approval.

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

A4. The Committee, with reference to its Minute No. A5 of 26th September 2024, considered a report in connexion with an application which proposed the change of use of The Town House Pub and Restaurant, No. 57 New Street, St. Helier, to facilitate the creation of 19 units of residential accommodation. The Committee had visited the site on 24th September 2024.

The Committee recalled that consideration of the application, as submitted, had previously been deferred to enable the applicant to address matters outlined in the Department report, including items which were disputed and to seek expert technical advice.

Connétable P.B. Le Sueur of Trinity, Chair, did not participate in the determination of this application and Deputy A.F. Curtis of St. Clement 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 St. Helier Historic Town and Harbour Area, the Built-Up Area Boundary, the Eastern Cycle Route Network and an Inland Flooding Low Risk area. No. 57 New Street was also a Grade 4 Listed Building. Policies SP1, SP2, SP3, SP4, SP6, SP7, PL1, GD1, GD2, GD3, GD5, GD6, GD10, NE1, HE1, HE2, HE5, ER1, ER4, H1, H2, H4, ME1, ME3, CI8, TT1, TT2, TT3, TT4, WER1, WER2, WER6, WER7 and UI3 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance (SPG) relating to Residential Space and Parking Standards 2023, Density Standards 2023, Disposal of Foul Sewage 2012, St. Helier Design Guide 2023, Jersey's Future Housing Needs 2023-2025, Managing Change in Historic Buildings and Places 2008 and 2024, Access onto the Highway 2019, Percentage for Art 2008, Roofscape 2008, Crime Impact Statement 2012, Planning Obligation Agreements 2017, Protection of Employment Land 2012, Protection of Historic Windows and Doors 2018 and Site Waste Management Plans 2013.

The Committee noted the relevant planning history of the site, which included a previous application for the change of use and redevelopment of the site (to include the retention of the Grade 4 Listed façade) to facilitate the creation of 20 flats with associated car parking (P/2020/1726 refers). The previous application had been refused by the Committee, as previously constituted, due to concerns about the impact of the proposals on the character of the area, the quality of the proposed design, and the design and scale of proposed extensions.

The application proposed the demolition of the existing built fabric, with the Grade 4 Listed façade to be retained, and the change of use from Class M to facilitate the creation of 11 x one bedroom apartments and 8 x 2 bedroom apartments, arranged over 4 floors. An internal courtyard, rooftop amenity space, balconies, external storage, bicycle and refuse storage, and alterations to the vehicular access onto Craig Street were also proposed. A car-free development was proposed, with a 12-month subscription to the Evie shared mobility scheme being put forward as a shared

transport offer, to be secured *via* a Planning Obligation Agreement, should the application be approved.

The Committee was advised that whilst development of the site for residential purposes was supported in principle, the proposals failed to accord with the Plan for Town outlined in the 2022 Bridging Island Plan. The proposed development, by virtue of its design, would compromise the safety and security of future occupiers and would not improve the green infrastructure of the site. The proposals failed to make a positive contribution to placemaking and would significantly impact the health, well-being, residential amenity and living quality of future occupiers, due to poor quality housing, overdevelopment, inadequate daylight/sunlight penetration and a failure to meet minimum space standards. It was confirmed that a revised floor space evaluation had been undertaken following the deferral of the application, which had found that a significant majority of the proposed units did not meet the minimum space standards, with low ceiling heights also noted as a concern. Although in this instance a car-free development was considered acceptable in principle, the proposed cycle and motorcycle parking provision was considered inadequate. Flood resistance measures had not been incorporated into the design as required and minimal water conservation measures were proposed. Insufficient information had been provided to justify the partial demolition and replacement of the building and due to the limited nature and timing of the marketing campaign that had been undertaken, the proposed change of use away from daytime and evening economy/employment use was unwarranted. Additionally, the loss of the current use would adversely impact the vitality of the area, which supported a tourist destination and Core Retail area. The proposals were contrary to Policies SP3, SP7, GD5, GD6, NE1, ER4, H1, H2, TT2, WER2 and UI3 of the 2022 Bridging Island Plan, SPG relating to Protection of Employment Land 2012, Residential Space and Parking Standards 2023, and the Preliminary Flood Risk Assessment 2023. Consequently, the application was recommended for refusal.

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

The Committee heard from the applicant's agent, [REDACTED], who noted that the 2022 Bridging Island Plan had been adopted during the lifetime of the application, resulting in the requirement for the proposals to be revised. Departmental personnel changes during this period had also proved challenging, with 4 different case officers having been assigned to the application. Notwithstanding these factors, the applicant had sought to address the concerns raised by the Committee, as previously constituted, and engagement had been undertaken with [REDACTED] of the Société Jersiaise and [REDACTED] Historic Buildings Consultant, with regard to heritage matters.

Turning to the reasons for refusal, [REDACTED] advised that there was no demonstrable market demand for the continued use of the premises for daytime and evening economy purposes, as evidenced by an ongoing and unsuccessful marketing campaign. A crime impact assessment had been submitted, and the proposals included measures designed to safeguard personal and public safety and security. The risk profile of the proposed development was comparable to that of similar properties in St. Helier which featured residential accommodation at street level. The Committee was advised that whilst adequate water conservation measures which complied with Building Bye-Laws were proposed, further measures and enhancements to green infrastructure could be dealt with by way of condition, if necessary.

With regard to concerns regarding overlooking from the proposed balconies, [REDACTED] explained that the design mirrored that of other developments in St.

Helier and responded to the constraints of the site. It was acknowledged that motorcycle parking was required, and ██████████ suggested that this could also be dealt with by way of condition. A double-stacked bicycle storage system with a gas-lifting mechanism was proposed and this had been accepted by the Infrastructure and Environment Department.

██████████ stated that the case for demolition had been made and accepted as part of the previous application (P/2020/1726 refers) and noted that the façade would be retained, with the interior not being considered of significance. A flood risk assessment had been undertaken and associated mitigation materials would be stored in a service cupboard, rather than requiring a separate dedicated storage area. It was not accepted that the units failed to meet the minimum space standards, the measurements having been checked several times. ██████████ contended that the Department's assessment was misleading and factually inaccurate and had failed to account for the more traditional (as opposed to open-plan) layout of the units. Finally, he noted that an assessment of daylight and sunlight penetration had been undertaken and due to the site's location and constraints, it was challenging to achieve high levels of penetration to the ground floor units. To compensate for this, they had been increased in size.

The Committee heard from the applicant's legal advisor, ██████████, who concurred with ██████████ observations. He highlighted the challenge inherent in determining applications where matters were disputed, with reference to the floor space evaluations that had been undertaken. In this instance, the applicant maintained that minimum space standards were met, while the Department contended otherwise. The application had not been dealt with in a timely manner and Advocate Steenson highlighted the importance of ensuring a level playing field for all parties. The possibility of commercial uses for the ground floor had been raised at a late stage in the process, which he felt could have been addressed, had the matter been raised by the Department at an earlier stage in the process. In light of these points, ██████████ requested that the Committee consider a further deferral of the application.

In response to a question from the Committee, it was confirmed that a substantive marketing campaign had been undertaken in respect of the site, which to date, had proved unsuccessful.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, members encouraged the applicant to work with the Department in order to submit a revised proposal for the site and emphasised the need for applications to be processed in a timely manner.

Eastleigh, La
Route de la
Côte, St.
Martin:
proposed
demolition and
redevelopment.

P/2024/0372

A5. The Committee considered a report in connexion with an application which proposed the demolition and redevelopment of the property known as Eastleigh, La Route de la Côte, St. Martin. New hard and soft landscaping and vehicular access onto La Route de La Côte was also proposed. The Committee had visited the site on 15th October 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Protected Coastal Area (PCA), adjacent to the Coastal National Park (CNP) and on the Eastern Cycle Route Network. Grade One Listed Mont Orgueil Castle was located to the immediate south of the site, along with a Geological Site of Special Scientific Interest (Petit Portelet, Mont Orgueil Castle and Headland). Policies SP1, SP2, SP3, SP4, SP5, GD1, GD6, NE1, HE1, H1, H2, H3, H4, H9, ME1, TT1, TT2, TT4, WER1, WER2, WER6, WER7 and UI3 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant

Supplementary Planning Guidance (SPG) relating to Residential Space and Parking Standards 2023 and Density Standards 2023.

Permission was sought for the demolition of the existing residential building and outbuildings on the site. The construction of a new residential building comprising 3 x 2 bedroom apartments with associated ground level enclosed car parking, bicycle parking, amenity areas, terraces, refuse area and storage was proposed. Landscaping, shared amenity space and a new vehicular access onto the highway were also proposed. An existing summer house on the site would be retained.

The Committee was informed that whilst the re-development of the site for residential use was considered acceptable in principle, the proposals, by virtue of their scale, mass, design and proximity to the site boundaries, would result in overbearing and would negatively impact neighbouring properties. The proposed development was not considered to be sympathetic to the local context and would not protect or improve the setting of Mont Orgueil Castle and the PCA. A Heritage Impact Statement had not been provided and limited consideration had been given to the impact of the proposals on the historic environment. Insufficient justification had been provided to justify the proposed demolition and the proposed new vehicular access would not provide sufficient visibility for the safe access and egress of vehicles, being positioned 2.4 metres back from the edge of the highway and presenting a potential highway safety issue. A preliminary ecological appraisal had indicated the requirement for additional survey work to be completed, the results of which had not been submitted. It had therefore not been possible to assess the impact of the proposed development with regard to protected species. Consequently, the proposals were contrary to Policies SP3, SP4, GD1, GD5, GD6, HE1, H1, H9, NE1 and TT1 of the 2022 Bridging Island Plan and it was recommended that the Committee maintain refusal of the application.

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

The Committee heard from [REDACTED] [REDACTED] to the east. [REDACTED] outlined his family's longstanding ownership of the property, which had been sympathetically redeveloped some years previously. In contrast, a number of properties further east on La Route de la Côte had been substantially redeveloped in recent years, causing significant disruption to residents and resulting in development that was out of keeping with the area. These were not models which should be used to justify further unsightly overdevelopment in this sensitive area. [REDACTED] noted that the proposals would significantly impact his privacy and amenity, with overlooking to various rooms and amenity spaces, along with overshadowing due to the scale and mass of the building. He expressed concerns regarding the highway safety implications, due to on-street parking located opposite the application site and urged the Committee not to grant permission.

[REDACTED], representing [REDACTED], highlighted sustainability concerns, noting that repair and re-use of the existing building would be preferable to demolition. He stated that the case for demolition had not been made and it seemed unlikely, in his opinion, that almost all the waste generated by the development would be reused on site, given the substantial amount of excavation that would be required. Certain proposed privacy measures, such as vertical planting, were reliant on continued maintenance which might not be achieved in practice. [REDACTED] felt that the new developments to the east were not exemplars in terms of design and the proposals were disrespectful to the setting and neighbouring properties and he urged the Committee not to support the application.

The Committee heard from [REDACTED], representing [REDACTED]

[REDACTED]

The proposals would seriously impact [REDACTED] amenity and enjoyment of her property due to extensive overlooking and result in a loss of privacy. Additionally, the proposals would result in a loss of daylight and sunlight to several rooms. [REDACTED] echoed previous speakers' calls to refuse the application due to the impact on neighbouring amenity and failure to comply with planning policy.

The Committee heard from [REDACTED] Heritage Consultant, Government of Jersey, who highlighted the significance of the site's setting. Mont Orgueil Castle was a site of exceptional historical, architectural and archaeological significance, with more than Island wide importance, and Castle Green, opposite the application site, was included within the Grade One Listing. In this context, proposals for development were expected to be recessive and subservient to the setting. The proposed design was assertive in appearance, with substantive amounts of glazing and extensive balconies. The presence of similar developments further along La Route de La Côte, which had been approved under a previous Island Plan, should not set a precedent to allow further such development in the area. [REDACTED] agreed with the Department's assessment of the impact of the proposals on the setting of Mont Orgueil Castle, and accordingly did not support the application.

The Committee heard from the applicant's agent, [REDACTED] of HD Planning and Design, who asked the Committee to acknowledge the significant effort and investment undertaken to produce the proposed design, which had carefully considered the broader context of the site. The existing property was in poor condition and continued to deteriorate. The proposals aligned with the strategic priorities of the 2022 Bridging Island Plan and would deliver much needed, high-quality residential accommodation for local residents looking to downsize. The scheme would also provide a boost to the local construction industry and the Island's economy. Planning advice had been sought, with positive feedback, therefore the recommendation for refusal had been unexpected. A tiered building, receding into the site was proposed, which was respectful and visually appealing, whilst also being environmentally sustainable. The design and scale had been tailored to provide a balance between providing high-quality homes and preserving the character of the area. [REDACTED] added that the proposals complied with planning policies and that demolition was justified in this instance. The Committee was advised that highway safety concerns had been resolved and there would be no significant increase in traffic movements. Whilst it was acknowledged that further ecological surveys were required, [REDACTED] noted that this could be addressed by way of condition. In concluding, he urged the Committee to support the proposals on the basis that there were compelling reasons to do so.

The Committee heard from the applicant, [REDACTED] of Colin Smith Partnership, who outlined the significant financial commitment that had been made to date in respect of the proposals. There had been a regrettable lack of engagement by the Department in connexion with the application and a more constructive dialogue was needed going forward. In concluding, he echoed [REDACTED] points above and urged the Committee to grant permission.

In response to a question from the Committee, it was confirmed that materials would be removed from the site for processing which would subsequently be re-used in the construction process. It was noted that the Committee had not had sight of recent correspondence between the applicant and the highways authority regarding the proposed access arrangements.

Having considered the application, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, members emphasised the need for proposals to be sensitive to

the setting of the site, given its significance and urged the applicant to work with the Department to arrive at a mutually acceptable solution.

La Hougue
View, La
Route du Petit
Port, St.
Brelade:
proposed
internal and
external
alterations.
(PART
RETRO-
SPECTIVE).
P/2024/0296

A6. The Committee considered a report in connexion with a part retrospective application which proposed a number of internal and external alterations to the property known as La Hougue View, La Route du Petit Port, St. Brelade. Revisions to a previously approved application (P/2021/0200) were also proposed. The Committee had visited the site on 15th October 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and that Policies PL4, GD1, GD6 and NE1 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, including permission granted under P/2021/0200 for the construction of a single storey garage, covered barbeque area and fire pit to the south west of the site and a sunroom to the north east of the site, for which works had commenced.

The Committee was informed that permission was sought for alterations to the property's land levels, landscaping, the previously approved garage and the covered barbeque area; the construction of a pergola; and the conversion and extension of an existing conservatory to a sunroom. A number of minor changes to elements of the previously approved plans were also proposed, to include the proposed construction of an acoustic fence to the north of the site, between the previously approved shower wall and existing garage (to replace planting lost due to Storm Ciarán and works pursuant to P/2021/0200); the conversion of the property's existing garage to a gym; and the construction of an extension to the rear of the property to form a utility room.

With regard to the revised and retrospective alterations to the property's land levels, it was noted that some confusion had arisen due to changes in the datum used since the initial submission of the application. It was confirmed that the proposed alterations related to Admiralty Ordnance Datum and the Committee was advised that it was proposed to lower an oval 'cape area' and the fire pit area; raise the garage floor level and barbeque area; and to raise the height of the garage by 200 millimetres. The changes in levels had resulted in a number of landscaping alterations, including a change in the number of steps in the garden of the property, the removal of a previously approved central grass area and the re-location of the previously approved fire pit to the north east of the site. The Committee was further advised that a terrace in the property's garden, depicted in the approved drawings for P/2021/0200, appeared to be higher than when it had originally been constructed. The applicant contended that elements of the proposals, including the terrace, constituted permitted development as a result of their proposed dimensions but the Department was of the view that the application site did not benefit from permitted development rights whilst work was being undertaken in connexion with P/2021/0200. Notwithstanding this, the Committee was advised that the elements of the proposal defined by the applicant as 'permitted development' would benefit from planning consent, by virtue of being proposed as part of the application, should the Committee be minded to grant permission.

The Committee was advised that the proposed changes to the land levels were considered fairly minor in nature, would reduce opportunities for overlooking and would allow for greater containment of noise. The proposals were considered appropriate in scale and nature, of a high-quality design, and would not unreasonably harm neighbouring amenities or detrimentally impact the wider setting of the site or the character of the surrounding area. Consequently, the application was recommended for approval, subject to certain conditions detailed within the Department report.

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

The Committee heard from [REDACTED] of MS Planning, on behalf of [REDACTED] [REDACTED], who resided at the neighbouring property known as [REDACTED]. [REDACTED] emphasised the need for accurate and detailed information to accompany planning applications, to allow informed decisions to be made, and this had evidently not been the case in this instance. [REDACTED] privacy had been seriously impacted by the work undertaken at La Hougue View, including the loss of established planting which had previously provided screening between the 2 properties. The current and proposed open relationship was not acceptable and [REDACTED] clients merely wished to ensure that proper mitigation measures were put in place. Delays in determining the application and confusion as to what was proposed had compounded matters and had resulted in a great deal of frustration. No information had been provided regarding proposed finishes, despite repeated requests and he noted that it was unreasonable to expect his clients to mitigate the impact by introducing planting on their property, which was subject to an existing restrictive covenant. [REDACTED] noted that the proposed acoustic fence would need to be at least 50 centimetres higher to provide privacy and referenced other applications where planting had proved a key consideration, including P/2023/0305. The proposals did not accord with Policies GD1, GD6 and NE2 and [REDACTED] urged the Committee not to grant permission, as to do so would legitimise and exacerbate the landscape harm.

[REDACTED], the owner of the property known as [REDACTED], addressed the Committee to explain that pleached planting on the boundary of his property had been damaged during Storm Ciarán and had been cut back following expert advice.

The Committee heard from [REDACTED] of BDK Architects, representing [REDACTED] [REDACTED] a neighbour who supported the application. The proposals were intended to improve the amenities of La Hougue Farm and had been revised to provide additional privacy. [REDACTED] advised that the proposals were fully supported by [REDACTED]

[REDACTED] a previous resident of [REDACTED], spoke in support of the application and praised the design. The proposals were minor in nature and privacy concerns had been taken into account. With regard to the terrace, he confirmed that it was of a similar height and depth as a previous terrace in the same location and that it had been constructed at least 8 years ago, between April and July 2016. [REDACTED] urged the Committee to support the proposals.

The Committee heard from the applicant's agent, [REDACTED] of Alto Chartered Surveyors, who explained that work had commenced pursuant to the previously approved P/2021/0200 but had been paused pending the determination of the application, which proposed only minor revisions in order to create a more practical and useable family home. The Committee was advised that the removal of a driveway through the garden to the previous garage represented a clear improvement. [REDACTED] shared photographs (which had not been submitted as part of the application) showing the extent of the damage to planting due to Storm Ciarán and explained that tall Leylandii trees had been removed, with a view to subsequently considering how to restore a degree of privacy between La Hougue View and Tramonto. It was acknowledged that a restrictive covenant existed in this connexion, but this was not a material planning consideration, although the applicant intended to mitigate the privacy impacts and had engaged in discussions with neighbours regarding a variation of the property deeds. In concluding, [REDACTED] noted that the proposed acoustic fence was intended to mitigate privacy concerns

and urged the Committee to support the application.

In response to questions from the Committee, it was confirmed that no changes to parking arrangements were proposed and that the shower wall would be finished in silicone render.

Having considered the proposals, the Committee concluded that they would unreasonably impact neighbouring amenity and privacy. Members also had regard to the adverse impact of the proposals on the green infrastructure of the site. Consequently, the Committee refused the application on this basis.

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 making and to set out the reasons for refusal.

La Verte Vue Farm, La Rue du Rondin, St. Mary:
proposed extension, fencing and parking (RFR).

A7. The Committee, with reference to Minute No. A9 of 18th May 2023, of the Committee as previously constituted, 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 alteration and extension of an existing agricultural building at La Verte Vue Farm, La Rue du Rondin, St. Mary. Alterations to the access road were also proposed, together with the creation of an ancillary car parking area and the installation of fencing around the site, with associated landscaping. The Committee had visited the site on 15th October 2024.

P/2023/1259

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Protected Coastal Area, in a Water Pollution Safeguard Area and within Sustainable Transport Zone No. 6. Residential dwellings, including a number of Grade 4 Listed Buildings, lay to the south of the site. Policies SP1 - SP6, PL5, GD1, GD6, NE1, NE2, NE3, HE1, ERE1, ERE2, ERE5, TT1, TT2, TT4, WER5, WER6 and WER7 of the 2022 Bridging Island Plan were relevant to the application. Attention was also drawn to the Jersey Integrated Landscape and Seascape Assessment.

The Committee noted the relevant planning history of the site, including a similar application (P/2022/1283 refers) which had been refused in May 2023, due to concerns regarding the size and impact of the scheme on the nearby Listed Buildings.

The Committee noted that permission was sought to construct various extensions to an existing glasshouse, clad the structure in sheet metal, introduce surface water drainage, create a parking area and to undertake landscaping. A 2.3 metre high perimeter safety fence would surround the building and a new access track would be formed to the northern edge of the site. The footprint of the building would increase by approximately 86 per cent, from approximately 325 square metres to 604 square metres. The proposed development would be used for the cultivation, drying and packaging of cannabis plants in preparation for distribution. Renewable energy systems were proposed, including a geothermal heat pump and rooftop solar panels, which would provide for some of the facility's energy needs.

The Committee was advised that the proposed access track would result in the loss of agricultural land and that a discrepancy had been identified in the site boundary line compared to the previous application, which was suggestive of land creep and erosion of the agricultural boundary of the site. It was estimated that approximately 600 square metres of agricultural land had been removed from use due to the planting of beech tree hedging extending 6 metres into the field and it was considered that insufficient information had been provided to justify the loss of this agricultural land.

The design, scale and siting of the proposed extensions and the fencing were dominant and visually intrusive within the landscape and did not protect or improve the Protected Coastal Area. Additionally, the application site was not located within the Built-Up Area and evidence had not been provided to suggest that the proposed countryside location was considered essential to the viability of the business. Furthermore, conflicting and inconsistent information had been submitted in connexion with the application. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP4, SP5, PL5, NE2, NE3, ERE1, ERE2 and ERE5 of the 2022 Bridging Island Plan.

3 representations had been received in connexion with the application.

The Committee heard from [REDACTED], Principal Policy Planner, Place and Spatial Planning Team, Cabinet Office, who outlined relevant policy considerations. Whilst the economic benefits of the proposal were acknowledged, the functional need to locate the development in this location rather than in the Built-Up Area had not been adequately demonstrated. Additionally, insufficient evidence had been provided to in respect of proposed enhancements to landscape and visual character.

In response to a question from the Committee, it was confirmed that the growing of cannabis was classed as agriculture use which required planning permission and the use of the site for this purpose was not considered problematic from a policy perspective. It was also confirmed that a license would be required in connexion with the proposed purpose.

The Committee heard from the applicant, [REDACTED] who highlighted his family's longstanding commitment to the Island's agricultural sector and desire to enhance the perception of the cannabis industry in the Island. The proposals had been designed to address nuisance issues noted at other sites and to ensure that the facility was robust, sustainable and innovative. All machinery would be located indoors, noise and odour would be contained, and a low number of traffic movements were envisaged. 4 members of staff would be employed, 2 of whom would reside on site and various security measures were proposed. From a sustainability perspective, water use would be minimal due to a capture and re-use system and new hedgerows would be planted to screen the site from view. [REDACTED] outlined the economic, environmental and social benefits associated with the proposals and referenced other sites which had been approved for this use in the countryside. The Committee was advised that 15 letters of support had been received by the applicant. In concluding, he urged the Committee to support the development of this specialised local agricultural industry by granting permission.

The applicant's agent, [REDACTED] Steedman Planning addressed the Committee and highlighted the unusual position of the cannabis industry in terms of planning policy. It was her understanding that the diversification of crops, including cannabis, was supported by the Rural Economic Framework 2022. The proposals had been refined following the previous refusal and sought to facilitate investment by a young local entrepreneur in a new industry. Whilst a very small amount of agricultural land would be lost due to the new access arrangements, this had to be weighed against the significant economic and environmental benefits. There would be improvements to the landscape, with new planting, and the facility had been designed to the highest standards to minimise noise, odour and light pollution. The proposals would allow an existing glasshouse to remain in use and no suitable alternative sites were available.

[REDACTED] of the Jersey Royal Company spoke to confirm that the loss of agricultural land arising from the proposals was inconsequential and would not impact on the growing of Jersey Royals in a neighbouring field, which was

exceptionally large by local standards.

In response to a question from the Committee, it was confirmed that an unredacted business plan had been submitted by the applicant, which was considered material to the application. As Members had not had sight of this document, the Committee agreed to defer consideration of the application to a future scheduled meeting. It was noted that the Committee would not require the representations made during the extant meeting to be rehearsed when the application was re-presented for determination and the Chair thanked those present for their understanding.

Field No.
1140, La Rue
des Bonnes
Femmes, St.
Ouen:
proposed
greenhouses,
fencing and
hardstanding
(RETRO-
SPECTIVE)
(RFR).

A8. The Committee considered a report in connexion with a request for the reconsideration of a retrospective application which had been refused by the Department under delegated powers and which sought permission for the construction of 2 x greenhouses, along with fencing and hardstanding at Field No. 1140, La Rue des Bonnes Femmes, St. Ouen. The Committee had visited the site on 15th October 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and within Sustainable Transport Zone No. 6. Policies SP5, PL5, NE3, ERE1 and H9 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to the Jersey Integrated Landscape and Seascape Assessment (JILSCA).

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The Committee noted that the greenhouses, which were intended for personal use by the applicant, would extend the existing residential curtilage into undeveloped agricultural land within the Green Zone. The loss of agricultural land was not justified, and the development was not considered to protect or enhance the countryside setting, contrary to the design expectations of the JILSCA. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies H9, ERE1, NE3, PL5 and SP5 of the 2022 Bridging Island Plan.

No representations had been received in connexion with the application.

The Committee heard from the applicants, [REDACTED]. [REDACTED] outlined the circumstances which had led to the matter being referred to the Committee and apologised for the retrospective nature of the application. He had been unaware of the need for planning permission and believed that this was not required due to the size of the greenhouses, which were purely for personal agricultural and horticultural use. The fences had been constructed to protect the greenhouses from strong winds, with slabs being laid underneath to provide a firm base. The greenhouses were greatly beneficial to his wife's wellbeing and had been located in the safest and most practical position, mitigating risks to the couple's livestock. [REDACTED] urged the Committee to overturn the refusal for the reasons outlined above.

Having considered the application, the Committee concluded that the proposals would not lead to unreasonable harm to neighbouring amenity or result in the loss of agricultural land. Permission was granted, contrary to the Department recommendation, on the basis that conditions relating to disuse and disrepair be attached to the permit. Deputy A.F. Curtis of St. Clement highlighted the requirement for crops grown within the greenhouses to be included within the annual agricultural return for the land in question.

The Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any conditions which were to be attached to the permit.

Committee
meeting dates:
2025.

A12. The Committee approved the following schedule of dates for site visits and public meetings in 2025 –

	<u>Site Visit</u>	<u>Public Meeting</u>
January	14th	16th
February	18th	20th
March	11th	13th
April	8th	10th
May	6th	8th
June	17th	19th
July	1st	3rd
August	--	--
September	23rd	25th
October	14th	16th
November	4th	6th
December	2nd	4th

It was noted that details of times and venues would be confirmed and that meeting dates may be subject to change. It was anticipated that meetings would take place at the new Government of Jersey Headquarters on Union Street, St. Helier.