

Planning Committee

(14th Meeting)

29th June 2023Part A (Non-Exempt)

All members were present with the exception of Connétable D.W. Mezbourian of St. Lawrence and Deputy T.A. Coles of St. Helier South, from whom apologies had been received.

Connétable P. B. Le Sueur of Trinity, Chair
 Deputy S.G. Luce of Grouville and St. Martin, Vice Chair
 Connétable K.C. Lewis of St. Saviour
 Connétable R. A. K. Honeycombe of St. Ouen
 M. O'D. Troy of St. Clement
 Deputy M. R. Le Hegarat of St. Helier North
 Deputy A. Howell of St. John, St. Lawrence and Trinity
 Deputy A. F. Curtis of St. Clement

In attendance -

C. Jones, Senior Planner
 L. Davies, Planner
 J. Durbin, Planner
 G. Vasselin, Planner
 A. Elliott, Trainee Planner
 P. Ilangovan, Trainee Planner
 J. Gibbins, Trainee Planner
 K. M. Larbalestier, Principal Secretariat Officer, Specialist Secretariat, States Greffe (A11 – A16)
 A. C. Goodyear, Secretariat Officer, Specialist Secretariat, States Greffe (A1 - A10)

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

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| Minutes. | A1. The Minutes of the meeting held on 8th June 2023, were taken as read and were confirmed, subject to a minor amendment. |
| Field No. 1111, La Rue des Hougues, St. Ouen: proposed change of use (RETROSPECTIVE). | A2. The Committee, with reference to its Minute No. A6 of 8th June 2023, received a report in connexion with an application which sought retrospective consent for the change of use of Field No. 1111, La Rue des Hougues, St. Ouen to facilitate its use as a dog care facility, alongside the construction of various associated structures including sheds and fences. The Committee had visited the site on 6th June 2023.

Connétable R.A.K. Honeycombe of St. Ouen did not participate in the determination of this application. |
| P/2022/1724 | The Committee recalled that it had been minded to approve the application, contrary to the Department's recommendation. Consequently, the application had been re-presented for formal decision confirmation and to set out the specific reasons for approval and the conditions which were to be attached to the permit. |

The Committee confirmed approval of the application for the reasons set out in the

Department report, subject to the imposition of the conditions set out therein.

No. 45 Halkett
Place, St.
Helier:
proposed
change of use
of third floor.

A3. The Committee, with reference to its Minute No. A11 of 8th June 2023, received a report in connexion with an application which proposed the change of use of the third floor of No. 45 Halkett Place, St. Helier, from residential to office accommodation. The replacement of 3 windows and the repair of another were also proposed, together with minor internal alterations. The Committee had visited the site on 6th June 2023.

P/2022/1333

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision and setting out the reasons for approval, as detailed within the officer report, the application was re-presented.

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

Lyndale, La
Rue de Grand
Jardin, Trinity:
proposed glass
house.

A4. The Committee, with reference to its Minute No. A13 of 8th June 2023, received a report in connexion with an application which sought permission for the construction of a glasshouse to the north of the property known as Lyndale, La Rue de Grand Jardin, Trinity. The Committee had visited the site on 6th June 2023.

P/2022/1269

Connétable P.B. Le Sueur of Trinity and Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application. Deputy S.G. Luce of Grouville and St. Martin, Vice Chair acted as Chair for the duration of this item.

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision and setting out the reasons for approval, as detailed within the officer report, the application was re-presented.

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

Les Deux
Ruelles, Le
Feuguerel, St.
Lawrence:
proposed
dormer/re-
roofing/re-
cladding.

A5. The Committee, with reference to its Minute No. A15 of 8th June 2023, received a report in connexion with an application which sought permission for the construction of a dormer to the east elevation of the property known as Les Deux Ruelles, Le Feuguerel, St. Lawrence. It was also proposed to replace the roof materials with traditional slate and replace the existing cladding with insulated render. The Committee had visited the site on 6th June 2023.

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

P/2022/1206

The Committee recalled that it had been minded to approve the above application, contrary to the Department's recommendation. For the purpose of formally confirming its decision and setting out the reasons for approval, as detailed within the officer report, the application was re-presented.

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

Chanterelle, La
Rue des
Boulees,
Trinity:

A6. The Committee received a report in connexion with an application which sought permission for the demolition of some existing single storey extensions and the construction of a new 2 storey extension to the north elevation, single storey extensions to the east and south elevations and the enlargement of 2 windows to the

proposed
replacement
extensions.

south-west elevation of the property known as La Chanterelle, La Rue des Boulees, Trinity. It was also proposed to create new vehicular access onto La Rue des Boulees. The Committee had visited the site on 26th June 2023.

P/2022/1672

Connétable P.B. Le Sueur of Trinity and Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application. Deputy S.G. Luce of Grouville and St. Martin acted as Chair for the duration of this item.

A site plan and drawings were displayed. The application site was in the Built-Up Area and the site boundary adjoined the Green Zone. Policies GD1, GD6, NE3, H9 and WER5 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that the scale, bulk and massing of the proposed development in this open setting was considered to result in a form of development which would not be in keeping with the established character of the area. The proposed 2 storey flat roof extension, by virtue of its excessive scale, bulk, mass, flat roof design, footprint, floorspace and appearance, would result in the introduction of an incongruous and intrusive form of development, which was considered to be detrimental to the character and appearance of the host dwelling and wider area. The proposed car parking layout failed to provide adequate on-site manoeuvring space and visibility and would intensify parking use in a way that would be detrimental to the amenity of adjacent dwellings. Consequently, the application was recommended for refusal on the grounds that it was contrary to the aims of the Jersey Integrated Landscape and Seascape Character Assessment and Policies NE3, GD6, TT4 and GD1 of the 2022 Bridging Island Plan.

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

In response to a question from the Committee, the case officer advised that the existing vehicular access would be extinguished as part of the scheme.

The Committee heard from the applicant's agent, [REDACTED], who advised that La Chanterelle had originally been a 2 bedroom cottage which had been extended. The applicants wished to modernise the property and improve the insulation, remove the mansard roof and introduce timber cladding. The square footage increase was not as stated in the Department report, with the proposals resulting in a 64 per cent increase over the existing square footage and a footprint increase of less than 10 per cent over that which existed on site at present. The current vehicular access was considered to be dangerous and the proposal would provide improved access and parking provision.

The Committee heard from the applicant, [REDACTED]. In March 2022, work had commenced to redesign the house to meet long-term needs. An objection to the plans had been submitted by the former occupants of a neighbouring property, who had since sold their house, and no objections to the plans had been raised by the new owners. [REDACTED] advised that the Department had incorrectly referred to the site as being located in the Green Zone, when it was located in the Built-Up Area. There were no objections from an environmental standpoint and [REDACTED] were looking forward to contributing to the natural environment and ecology of the area. The proposals for the new vehicular access were supported by the parish Roads Committee and the intention was to remove the existing access.

The Committee heard from the applicant, [REDACTED]. The proposals would allow

for multi-generational living, which was supported by the Bridging Island Plan. Amendments had been made to the plans to accommodate suggestions from the Department and whilst the applicants had been willing to work with the Department to resolve any issues, the process did not appear to allow for further dialogue after a certain point. It was noted that the applicants had submitted revised plans on 31st March 2023, but these had not been uploaded to the website. Whilst the Parish Roads Committee had supported the plans for the vehicular access on 26th May 2023, it was unclear as to whether the approval related to the 20 metre visibility splay originally proposed or the 25 metre splay shown in the revised drawings. The Committee was advised that visibility was poor at present and the existing driveway could not be improved as it was hard up against the boundary and there was also a mature tree which prevented any changes from being made. The intention was to consolidate 2 unsafe entrances into a single opening with improved visibility.

In response to questions from the Committee regarding the increase in square footage, it was noted that the calculations set out in the Department report were based on the size of the original building, without the extensions. The agent's calculations included the extensions. It was further understood that there had been several 'near misses' at the existing access. The speed limit in both La Rue des Boulees and La Rue de la Guilleaumerie was 40 miles per hour and it was understood that the applicants did not believe that removing a hedge would improve visibility.

The Committee noted that, while the house was situated in the Built-Up Area, the site boundary adjoined the Green Zone. Concern was expressed about the removal of the hedgerow and bank to facilitate the construction of the new vehicular access route and the amount of excavation required.

The Committee, with the exception of Deputy S.G. Luce of Grouville and St. Martin and Connétable K.C. Lewis of St. Saviour, decided to endorse the recommendation to refuse the application for the reasons set out above, with particular regard given to issues relating to the vehicular access.

Coast Road
Stores, La
Greve
d'Azette, St.
Clement:
proposed
demolition and
redevelopment.

P/2021/1703

A7. The Committee received a report in connexion with an application which sought permission for the demolition of the existing commercial buildings and associated accommodation known as Coast Road Stores, La Greve d'Azette, St. Clement and their replacement with 2 x 4 bedroom semi-detached dwellings with associated amenity space, car parking and storage. It was also proposed to alter the vehicular access onto La Greve d'Azette. The Committee had visited the site on 26th June 2023.

Deputy A.F. Curtis of St. Clement did not participate in the determination of this item.

A site plan, drawings and a 3 dimensional model were displayed. The application site was in the Built-Up Area of the Shoreline Zone and was on the Eastern Cycle Route Network and Policies SP1 - SP4, PL1, GD1, GD5, GD6, NE1, ER3, H1, H2, H4, ME1, TT1, TT2, TT4, WER1, WER2, WER6 and WER7 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted the relevant planning history of the site, which included outline approval in 2018 for the comprehensive redevelopment of the site (which had also included neighbouring sites). It was noted that the consent had lapsed in April 2022.

The Committee was advised that Coast Road Stores was an unoccupied and redundant property in a prime coastal location on La Greve d'Azette in a

predominantly residential area, where there had been considerable change in recent years. The existing property was in poor condition, with none of the individual units having been occupied since 2017. Having assessed the application against the relevant Island Plan Policies, the Department had concluded that the proposal was acceptable and the contemporary design approach was considered appropriate in this context. The concerns of nearby residents, in particular from the neighbouring property known as La Maisonette, were noted. The Committee was advised that the proposed relationship with La Maisonette, compared with that shown in the previously approved scheme, and noted that this was not considered unreasonable. Taking into account the surrounding built context, site constraints and the planning history, the Department was comfortable with the impact upon neighbouring properties. Consequently, approval was recommended, subject to the imposition of certain conditions detailed within the Department report and on the basis of the entering into of a Planning Obligation Agreement (POA) to secure the extension of the existing public footpath on La Greve d'Azette. In the event that a suitable POA could not be agreed within 3 months of the date of approval, the application would be returned to the Committee.

8 letters of representation had been received in connexion with the application.

It was noted that a late representation had been received from the drainage authority requesting further information pertaining to drainage and flood risk, which information could be required by condition, should the Committee be minded to approve the application.

In response to questions from the Committee, the case officer advised that the evidence relating to commercial viability obtained in respect of the outline planning approval granted in 2018, had been resubmitted with the present application. In assessing the application, some weight had also been given to the report of an independent Planning Inspector in relation to the lapsed outline planning approval. It was noted that the privacy screens on the proposed balconies would be 1.8 metres high and opaque glass would be used.

In response to a question from the Committee, the applicant's architect, [REDACTED] of Page Architects, advised that his client had purchased the site approximately 3 years ago with a view to constructing a residential redevelopment.

The Committee heard from [REDACTED] and considered that there were inaccuracies in the Department report pertaining to the application. He stated that this was a new application which should be considered on its own merits. A previous application for the site (PP/2017/1269 refers) had been refused due to its detrimental and overbearing impact, as well as loss of sunlight. An outline planning application (PP/2018/0112 refers) had subsequently been refused on 15th March 2018, as the blank façade was considered oppressive and contrary to Policy GD1. The applicant had appealed the decision and the scheme had been considered by an independent Planning Inspector, which [REDACTED] had not been made aware of and so had been unable to make his case. This application had been approved by the former Minister for the Environment on 3rd July 2018, in accordance with the recommendation of the Planning Inspector. [REDACTED] had subsequently met the former Minister to discuss the matter and had noted the view of the latter that changes to the appeals process might be necessary. [REDACTED] had subsequently lodged an appeal with the Royal Court but had not been able to progress this due to ill health. He noted that similar properties in the vicinity had been sympathetically restored and questioned why Coast Road Stores could not be restored. Some of the units on the site had been in use until their sale in 2021. [REDACTED] stated that Coast

Road Stores had been left to deteriorate and had formerly held the accolade of being the most southerly Post Office in the British Isles. [REDACTED] considered that buildings such as this should be protected and cited the loss of the former Girl Guides building in the area, which had been demolished and replaced. He also noted that the plan included a pathway from the rear of his property on land which was not part of the site. Additionally, a small section of the proposed building encroached on [REDACTED]. He requested that consideration be given to recycling waste materials if permission was granted. Finally, [REDACTED] advised that one of the plots which had formed part of the lapsed outline planning application had been sympathetically restored, while the proposed development of the centre plot had been refused on the grounds of overbearing impact.

The Committee heard from Deputy A.F. Curtis of St. Clement, who considered that the parish had very little in the way of commercial employment land and its identity had been eroded by development. Deputy Curtis advised that not all the units on the Coast Road Stores site had been marketed for commercial use. He believed that the recommendations arising from the Planning Inspector's report related to a more holistic development and that the current application should be considered on its own merits.

The Committee heard from [REDACTED], who advised that the intention was to construct 2 family homes, [REDACTED]. The proposal was less intensive than the previously approved scheme. A pavement would be formed as part of the development to improve pedestrian safety. There had been no interest in the current properties for commercial purposes due to a lack of parking and other facilities. The same construction methods employed at Convent Court and The Limes would be used and the scheme would provide family homes and make use of a redundant site in the Built Up Area.

In response to questions from the Committee, [REDACTED] advised that each plot measured approximately 300 square metres. Regarding site boundaries, it was noted that any consent would not trump legal requirements.

The Committee, with the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity and Connétable R.A.K. Honeycomb of St. Ouen, endorsed the recommendation to grant permission, subject to the imposition of the conditions set out in the officer report, and a further a condition requiring privacy screens, as detailed in the plans. It was further agreed that a POA should be entered into to secure the extension of the existing public footpath on La Greve d'Azette (as detailed above) and that drainage information should be submitted for approval by the relevant authority.

Samuel Le Riche House, Arzl, Canning Court and former Waitrose Warehouses, Plat Douet Road, St. Saviour: proposed demolition of existing buildings and redevelopment.

A8. The Committee, with reference to its Minute No. A8 of 8th December 2022, considered a report in connexion with an application which sought approval for the demolition of the properties known as Arzl House, Canning Court, Samuel Le Riche House and warehouses, Plat Douet Road, St. Saviour, and the construction of 17 one bedroom, 42 x 2 bedroom and 2 x 3 bedroom residential units and a dementia care village with staff accommodation units and car parking. It was also proposed to alter the vehicular access on to Plat Douet Road, widen a footpath and construct an electricity sub-station. The Committee had visited the application site on 6th December 2022 (in connexion with a previous application) and on 27th June 2023, in connexion with the current application.

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

A site plan and drawings were displayed. The Committee noted that the application

P/2021/1977

site was situated in the Built-Up Area and was on the Eastern Cycle Route Network. Policies SP2, SP3, SP4, SP6, SP7, PL3, GD1, GD2, GD3, GD5, GD6, GD7, GD10, NE1, NE2, ER3, H1, H2, H3, H4, ME1, ME2, C12, C16, C18, TT1, TT2, TT3, TT4, WER1, WER2, WER6 and WER7 of the 2022 Island Plan were of particular relevance. Adopted and emerging supplementary planning guidance in relation to residential space and parking standards was also noted.

The Committee noted the extensive planning history of the sites, to include a recent refusal in 2022, for a similar development on the grounds that the Committee had considered that, in only meeting minimum standards, the living spaces were too small; the height of the roadside elevation onto Plat Douet Road was overbearing, the design was not distinctive enough, and that the design of the gable end aspect from Gordon Le Breton Close required further consideration. Whilst not being cited as a reason for refusal, the Committee had also expressed the view that more open space and places for children to play should be considered.

The Committee noted the details of the current scheme, which sought to address the concerns previously expressed by the Committee by means of a reduction in the scale of the building, increased unit sizes, architectural re-design and increased amenity space for residents. As before, the application involved the demolition of all existing buildings and structures. A new mixed-use (residential and care home) development, spread across 5 x 4 - 5 storey blocks, was proposed. The residential component included 61 apartments located within the 2 western most blocks, to include a ground level car park, with podium-level and roof-top landscaped courtyards for residents. The remaining 3 inter-linked blocks would provide a dementia and care village comprising 10 units for dementia care (70 bedrooms in total), 57 individual care home beds and 8 staff units, together with associated communal amenities, including a landscaped courtyard, retail and restaurant facilities. The vehicle access and circulation routes through the site had also been re-designed to remove the existing internal circular road and 2 vehicle access points, to be replaced by a single point of entry and exit and a double width roadway along the southern part of the site. This would provide access to the parking for residents, care home staff and visitors, as well as continued access for deliveries through to the neighbouring supermarket. Public pedestrian access would also be maintained. The highway authority was content with the transport arrangements and the implications of the proposed development, subject to certain contributions towards sustainable transport infrastructure. The applicant had also agreed to upgrade children's play equipment at the adjacent school and nearby.

The Department was satisfied that the proposed development would fit comfortably into the established wider context of the area, making good use of a valuable Built-Up Area site, and would not unreasonably harm the residential amenity of neighbouring residents. Therefore, the application was recommended for approval, subject to the imposition of certain conditions which were detailed within the Department report and on the basis of the entering into of a Planning Obligation Agreement to secure the following –

- a financial contribution towards bus shelters at the 2 nearest locations for town bus services (to be provided prior to occupation of the development [REDACTED])
- a financial contribution towards improving the bus service (to be provided prior to occupation of the development [REDACTED])
- a financial contribution towards the Eastern Cycle Network (to be provided prior to commencement of the development [REDACTED])

- a financial contribution towards the creation of a footway between the site and Plat Douet Road, to include a crossing point at the junction with Bagot Road (to be provided prior to commencement of the development [REDACTED])
- a financial contribution towards the supply of 5 electric bicycles and charging stations for staff of Plat Douet School [REDACTED]
- a financial contribution towards the supply of a minibus for Plat Douet School [REDACTED]
- a financial contribution towards new play equipment for Plat Douet School [REDACTED]
- a financial contribution towards the refurbishment of the community cricket facilities located at FB Fields [REDACTED]
- a financial contribution towards the refurbishment of the existing children's play equipment at nearby play areas, including Clos Gosset and Grasset Park [REDACTED]
- the provision of 2 bus service vouchers per new residential unit to provide 6 months free bus use (upon request from the relevant occupant(s), to be provided to the first occupant(s) of each new residential unit; and,
- ensuring that unimpeded access was maintained for pedestrians through the site from Plat Douet Road to the neighbouring supermarket during its opening hours.

In the event that a suitable POA could not be agreed within 3 months of approval, the application would be re-presented to the Committee.

No representations had been received in connexion with the application.

The Committee viewed a digital 3D model of the site and surrounding area. It was noted that the application had not been assessed against Policy H6, which related to affordable housing, as the Supplementary Planning Guidance in connexion with assisted house purchase had not yet been formally adopted. In response to questions from the Committee, the case officer advised that Policy H5 specified that where the States of Jersey or States-owned companies owned development land, it would be used for affordable homes unless it had been otherwise approved that the development needed to specifically provide open market homes. It was noted that Policy H5 did not apply in this case as this was not a publicly owned site.

The Committee heard from [REDACTED] of MS Planning who reiterated that Policy H6 had not yet been implemented. The amended application addressed the matters raised at its meeting on 8th December 2022. This was a large site with decaying buildings which had been redundant for many years and detracted from the character and vitality of the area. The applicant had produced a coherent scheme with properly planned infrastructure, which included the rationalisation of the access point. There would be landscaping throughout and the application supported placemaking objectives, being beside a school, community centre and shops. A vibrant community could be established in the area by means of a development which was progressive and considerate to the local environment. Feedback from statutory consultees had been supportive and the proposal realised the full potential of the site.

The Committee heard from [REDACTED] Axis Mason who discussed the key changes to the scheme. The height of the block on the roadside had been reduced by one floor, taking it to around the same height as the current Samuel Le Riche House. It had been redesigned to be more granular and to relate the road-side elevation more closely to the character of the area. The corner of the block had been rounded and terraces added, creating more depth and visual interest. All units exceeded space standards, had a balcony or terrace and external storage. There were 2 podium gardens dedicated to children's play and the removal of the top storey had enabled the creation of roof top amenity space. The proposal was inclusive and sustainable and offered an innovative model for elderly care.

The Committee heard from [REDACTED] LV Care Group. The Group had 220 beds in Jersey, 16 of which were registered for dementia, with over 40 individuals on a waiting list. At present there were 1,600 people living with dementia in Jersey, with an expected increase to 2,300 by 2030. The concept for the dementia care village had arisen following a visit to Amsterdam where a village environment had been created to provide freedom for residents, who could access supermarkets and cafes in a non-clinical environment. The village setting led to less challenging behaviour, reduced reliance on medication and less cognitive decline. It was anticipated that the proposed village would cater for 120 people in Jersey.

The Committee heard from [REDACTED] Dandara Jersey who considered that the care home and dementia village provided a holistic solution that would address the needs of the community. The revised proposals addressed the concerns of the Committee and would help to ease the care home and housing crisis in the Island. It would create a cohesive community and sense of place while providing much needed public realm and community benefits.

In response to questions from the Committee it was noted that a legal agreement had been drawn up which would provide access to the neighbouring supermarket during opening hours. It was noted that the roof-top amenity space could be accessed by residents from both blocks.

The Committee considered the application, and the view was expressed that the site could have provided a development opportunity for the States of Jersey, had it been acquired. It was noted that the scheme would generate £650,000 in funding contributions, equating to £10,000 for every unit outside of those in the care village, which was felt by some members to be excessive. It was agreed that the scheme fulfilled community needs and addressed the matters raised by the Committee at its meeting in December 2022.

Having considered the application, the Committee unanimously approved the application, subject to the imposition of the conditions detailed in the officer report.

Cote d'Or, La Grande Route des Sablons, Grouville: proposed new dwelling.

P/2023/0240

A9. The Committee received a report in connexion with an application which sought permission for the construction of a 4 bedroom flat roofed dwelling with a new vehicular access and basement car parking to the west of the property known as Cote d'Or, La Grande Route des Sablons, Grouville. The Committee had visited the application site on 27th June 2023.

Deputy S.G. Luce of Grouville and St. Martin and Deputy M.R. Le Hegarat of St. Helier North did not participate in the determination of this item.

A site plan and drawings were displayed. It was noted that whilst the existing dwelling was situated in the Built-up area, the location of the proposed dwelling was

in the Green Zone. Policies SP1-5, PL3 and PL5, GD1, GD6, NE1, NE3, H1-4, H9, TT1, TT2, TT4, WER1, WER2, WER6, WER7 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to draft Supplementary Planning Guidance 3 and 6 and draft supplementary planning guidance in respect of residential space and car parking standards.

The Committee noted that negative pre-application advice had been provided in 2022, in relation to proposals for the construction of a dwelling on the application site.

The Committee was advised that the principle of a new dwelling in the Green Zone was contrary to policy. Furthermore, the design of the proposed dwelling was considered to be at odds with the prevailing character of the area and internal and external stores had not been provided, resulting in the proposed development failing to meet the minimum standards for new housing. Concerns also existed regarding disposal of waste and resilience in terms of current and future flooding and drainage. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP1-5, PL5, H1, H9, GD6, NE3, WER1, WER2, WER6.

16 representations had been received in connexion with the application.

The Committee heard from [REDACTED] property known as Ruisseau d'Or, La Grande Route des Sablons, to the west of Cote d'Or. [REDACTED]. He considered that the applicants to be good neighbours and stated that they had successfully renovated Cote d'Or. The applicant had consulted [REDACTED] in relation to the proposals and the proposed dwelling would be sited so as not to impact on views from [REDACTED] property. [REDACTED] stated that the application site had originally formed part of a field, being used subsequently as a garden between 1945 and 1960. [REDACTED] believed that the application sought to revise the Built-Up Area and Green Zone boundaries and noted that the design statement referred to the rejection of a previous proposal to rezone the land. He believed that, if approved, the scheme would constitute ribbon development, with 2 units being constructed on undeveloped land. The proposed development included the establishment of a pavement on the roadside, which gave rise to safety concerns as [REDACTED] did not consider it safe for pedestrians to cross the road to access the pavement.

The Committee heard from [REDACTED], of Harmony House, Le Boulivot de Bas, who walked his dog in the area frequently. [REDACTED] considered that the application offered a good opportunity to repurpose the land for the development of a family home, which he felt should be supported.

The Committee heard from the applicant, [REDACTED], who advised that Cote d'Or [REDACTED], during which time the property had been renovated. Parts of the property had become difficult to maintain and the proposed dwelling had been designed to meet his family's future wellbeing requirements and their continuing desire to live in the parish and community. The design was modular, sustainable and carbon neutral. [REDACTED] had consulted the Department and the application had been amended in response to advice received, to include the creation of a 1.5 metre wide pedestrian footway. There had been no objections from statutory consultees. The property was partially situated in the Green Zone with no open views through the site. The principal dwelling was situated in the Built-Up Area and there was an extant permission for a large building in the middle of the garden. The site was served by a good bus route and had all the characteristics of the Built-Up Area. [REDACTED] was unaware of other houses in the Built-Up Area with gardens in the Green Zone and advised that the rezoning of

the application site had been recommended as part of the draft Bridging Island Plan process. The proposal would deliver a new home and the design quality had been acknowledged. A single storey carbon neutral dwelling with a green roof was proposed and there had been no objections from the Natural Environment Team. The application site was not situated in a flood risk area. Ample storage had been provided, to include a basement. Foul and surface water solutions had been submitted and approved. In concluding, ██████████ stated that this was a high-quality proposal with environmental gains, which delivered on the objectives of the Bridging Island Plan without unreasonable harm to neighbours.

In response to questions from the Committee, the case officer advised that a flood risk assessment had not been undertaken or submitted in respect of the application. ██████████ advised that waste materials would be re-used on the site.

Having considered the application, the Committee, with the exception of Connétable P.B. Le Sueur of Trinity, refused the application for the reasons set out in the Department report, barring the reason relating to lack of storage, which the Committee agreed should be removed.

The Firs (land formerly known as), Le Mont Sohier, St. Brelade: proposed demolition and redevelopment.

P/2022/0209

A10. The Committee, with reference to its Minute No. A12 of 20th October 2022, received a report in connexion with an application which proposed the demolition of the existing structures on an area of land previously associated with the property known as The Firs, Le Mont Sohier, St. Brelade and their replacement with a 3 bedroom dwelling with car parking and amenity space. It was also proposed to alter the vehicular access on to La Route de la Baie. The Committee had visited the application site on 27th June 2023.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area of the Green Backdrop Zone and that Policies SP1, 2, 3, 4, 5, PL3, GD1, GD6, GD8, NE1, NE2, NE3, H1, H2, H3, H4, TT1, TT2, TT4, WER6 and 7 of the 2022 Bridging Island Plan were relevant. The Committee's attention was also drawn to Planning Policy Notes No. 3 – parking guidelines and No. 6 – a minimum specification for new housing developments, the Integrated Landscape and Seascape Assessment, Supplementary Planning Guidance on employment land and draft guidance on residential space standards and parking space standards.

The Committee noted the planning history of the site, which included a decision in October 2022, to refuse permission for the redevelopment of the site on the basis of the proposed design and height of the new dwelling and its impact on the street scene and landscape character. Furthermore, It had also been noted that no bicycle storage or electric charging points were provided; no refuse storage details had been included and, moreover, no justification had been provided for the permanent loss of commercial land.

The Committee noted that the application site was currently used as a commercial car park in association with Pizza Express and that there were a number of outbuildings on the site. The scheme retained 12 car parking spaces for Pizza Express, a refuse store and cycle racks for Pizza Express, with a 2 storey dwelling proposed on the remainder of the site, new access onto La Route de la Baie and a footpath from the south-west across the south of the site.

Whilst the site was located in the Built-up Area, it was also necessary to assess the impact of the proposals on the Green Backdrop Zone. The Committee was reminded of the policy context in this respect and noted that not only would the scheme result in the development of a previously undeveloped site, but the proposed dwelling

would be visually dominant due to its height. The limited provision of trees, in conjunction with the high walls enclosing the site, would not integrate the development into the landscape, which would adversely affect the landscape character. The history of the site was also a material consideration in that it had been associated with the adjacent restaurant and used as a car park for staff and diners and had accommodated commercial stores and refuse bins. In conclusion, the application failed to demonstrate that the commercial use of the site was redundant and the proposed development was considered to be visually prominent within the Green Backdrop Zone. Concerns also existed in relation to ecology and drainage. Consequently, the application was recommended for refusal on the basis that it did not comply with Policies SP3, SP4, SP5, SP6, PL3, GD6, GD8, H1, H2, H4, NE1, WER6 of the 2022 Bridging Island Plan 2022.

2 representations had been received in connexion with the application.

The Committee heard from [REDACTED], the applicant's agent, who advised that since the last meeting, the height of the proposed dwelling had been reduced so that it was no higher than the neighbouring garage block and the fenestration had been altered to help the property blend in with its surroundings. Bicycle storage, electric charging points and a refuse store had been included in the scheme. The application accorded with the Supplementary Planning Guidance associated with employment land uses. Whilst the size of 2 of the parking spaces was dictated by the constraints of the site, each space was more than capable of accommodating a vehicle. The use of the site as a private car park could was not considered to constitute an employment land use. [REDACTED] considered planning case history and noted that an application for the redevelopment of the former Wayside Café site (RP/2022/0110 refers) made no reference to the loss of car parking spaces to facilitate a residential development. Moreover, an independent Planning Inspector had stated that private car parking was not an employment land use. The loss of a proportion of the car park would not, therefore, amount to a breach of policy. The redevelopment of the former Zanzibar restaurant site (RP/2016/0891 refers) had also been approved with the loss of all private car parking spaces. Policy TT4 of the Bridging Island Plan supported and encouraged the redevelopment of off-street parking, particularly where sites were well served by public transport. The case officer had requested that redundancy be proved but estate agents had declined to advertise the land for rent due to its size and the existence of a lease agreement with Pizza Express. The application proposed a modest 3 bedroom dwelling with an external store at the rear and 4 bicycle racks. The absence of details of external lighting prior to installation had been cited as a reason for refusal and this was considered unreasonable. The risk of flooding was considered to be low and there had been no objections from the public or the St. Brelade's Bay Association. The proposal would result in the loss of just 3 car parking spaces.

The Committee heard from the applicant's mother, [REDACTED], who advised that the application had been made by her son, [REDACTED] had sought, without success, to meet with Departmental officers to discuss the application. Reference was also made to approved development in the vicinity, which was considerably larger than that which was proposed. There had been no objections from the public and support for the application was evident on social media. The recommendation for refusal seemed to be based on the employment land use criteria and [REDACTED] explained that the application site had formed part of her late mother's driveway and garden. There were no covenants in place and Pizza Express was content to relinquish use of part of the site. It was noted that fly tipping had occurred on the site. Attempts to market the land had been unsuccessful and if the application was approved it would result in the loss of 3 car parking spaces, and not an employment land use. A public footpath would be provided to the west of the land as well as landscaping and the dwelling would provide a home for a local

teacher on his grandmother's land.

The case officer noted that legal advice had been received to the effect that the use of the land was ancillary commercial as it was not related to any residential land in the vicinity. The storage use was also viewed as commercial. Current space standards for car parking could not be met on the site due to the particular constraints. There was also a requirement for external storage in addition to bicycle storage space. External lighting details and surface water drainage arrangements were required prior to determination.

Having considered the application, the Committee, with the exception of Deputy S.G. Luce of Grouville and St. Martin, and Deputy A. Howell of St. John, St. Lawrence and Trinity, refused the application for the reasons set out in the Department report.

No. 1 Sion
Mews, La
Grande Route
de St. Jean, St.
John: proposed
extension.

A11. The Committee considered a report in connexion with an application which proposed the construction of a one and a half storey extension to the north elevation of the property known as No. 1 Sion Mews, La Grande Route de St. Jean, St. John. Minor internal alterations were also proposed, to include the addition of 2 rooflights to the western and eastern elevations. The Committee had visited the site on 27th June 2023.

P/2023/0033

Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area and that Policies GD1, GD6, SP2 and TT4 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the design, form and scale of the proposed extension was similar to that which had been approved at No. 2 Sion Mews (P/2007/2496 refers). The Department did not consider the proposal to be unreasonable and there would be no overlooking from the rooflights. It was noted that mutual overlooking already existed, which was not unusual within the Built-Up Area. The application had been assessed against the relevant policy context and was recommended for approval, subject to the imposition of a condition detailed within the Department report.

12 representations had been received in connexion with the application.

The Committee heard from the applicant, [REDACTED] and his agent, [REDACTED]. [REDACTED] explained that revised plans had been submitted to address concerns expressed by neighbours in relation to shadowing. The gable of the building had now been moved further away from the boundary fence and a sun and shadow study (which exceeded industry standards) had been submitted. [REDACTED] noted that most of the neighbouring properties had garages and he noted that the proposal was very similar to development at No. 2 Sion Mews. He added that the scheme would not result in overlooking and urged the Committee to endorse the recommendation to grant permission.

The applicant advised that the family wished to improve the existing parking arrangements and create additional space. He reiterated that the scheme had been revised in response to the concerns of neighbours. In response to questions from members regarding the roof design, [REDACTED] stated that a hipped roof would reduce shadowing and would make the internal space more useable. Some discussions followed in relation to the car parking arrangements/layout and the

Committee was assured that sufficient parking existed.

Having considered the application, the Committee endorsed the recommendation to grant permission, subject to the condition detailed within the Department report.

Meadowside,
La Route du
Nord, St. John:
proposed new
vehicular
access/parking.

A12. The Committee considered a report in connexion with an application which proposed the construction of a new vehicular access on to La Rue de la Ville Guyon at the property known as Meadowside, La Route du Nord, St. John. It was also proposed to create a new car parking and turning area in the garden of the property. The Committee had visited the site on 27th June 2023.

P/2023/0011

Deputy A. Howell of St. John, St. Lawrence and Trinity did not participate in the determination of this application. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and that Meadowside was a Grade 4 Listed Building which retained its irregular proportions and historic character from the south. Policies GD6, HE1, SP4, TT4, NE1, NE2 and NE3 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that the property did not currently benefit from the provision of on-site car parking and used a car parking area associated with an adjacent property, known as Le Menage. It was noted that all adjacent properties were owned by the applicant. Whilst initial concerns regarding biodiversity and geodiversity implications had been addressed through the submission of additional information, concerns remained with regard to the impact of the proposals on the street scene and the harm to the historic character and significance of the site. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP4, HE1 and NE3 of the Bridging Island Plan.

8 representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED], who advised that Meadowside did not benefit from car parking. The applicant had provided photographic evidence to illustrate that the existing garden was a modern addition to the property (circa 1960) and he noted that it was not included in the Listing. Whilst the Historic Environment Team had objected to the application, officers had not visited the site. The proposed parking area and access would be located a significant distance away from the house, with planting and landscaping to mitigate any impact. It was noted that the property was currently unoccupied and the garden overgrown, with a number of unhealthy trees which required removal. [REDACTED] pointed out that the trees could be removed, hardstanding laid and an agricultural access created without planning consent. Meadowside was due to be marketed and the applicant had received professional advice to the effect that the absence of car parking in this location could be problematic. [REDACTED] referenced the Empty Homes Service, which had been launched by the Minister for Housing and Communities, with the aim of bringing vacant homes back into use. He suggested that the key to the future occupation of Meadowside as a family home was the provision of car parking. Of the options considered, the proposed arrangement was believed to represent the most viable solution. It was understood that consultation in relation to a reducing the speed limit on the road to 20 miles per hour was underway and [REDACTED] stated that, if such a reduction was adopted, the required visibility splays could be achieved. The applicant was willing to use a sympathetic surface material for the parking area and the majority of an existing earth bank would be retained, together with a stone wall. Finally, [REDACTED] expressed surprise that the Department report did not make reference to Policy HE1.

The Committee heard from Connétable A.N. Jehan of St. John, who expressed support for the application. The Connétable advised that the Parish Roads Committee also supported the application and that approval would facilitate the occupation of the property by a family.

Deputy A. Howell of St. John, St. Lawrence and Trinity also expressed support for the application.

In response to questions from members regarding the proposal to reduce the speed limit on the road from 40 to 20 miles per hour, it was confirmed that the consultation period had not yet ended. [REDACTED] suggested that approval could be conditional upon the adoption of the reduced speed limit.

Some discussion followed with regard to the level of the garden compared to the level of the road and whether excavation works would be necessary to facilitate the proposal. The applicant advised that the car parking area would be below the level of a field and that vehicles would not be visible. [REDACTED] added that the car parking area would be roughly level with the garden and a slope would be created. The Committee concluded that the information presented did not appear to align with the submitted documentation.

Having considered the application, the Committee decided to endorse the recommendation to refuse permission, for the reasons set out in the Department report. In doing so, the Committee stressed that it could not take the marketability of the property into account as this was clearly not a material planning consideration,

The Moorings
Hotel, Gorey
Pier, St.
Martin:
proposed
replacement
windows.

RW/2022/1348

A13. The Committee considered a report in connexion with a request for the reconsideration of an application which had been determined by the Department under delegated powers and which proposed the replacement of a double glazed aluminium framed window on the first floor of The Moorings Hotel, Gorey Pier, St. Martin. The Committee had visited the site on 27th June 2023.

Deputy S.G. Luce of Grouville and St. Martin did not participate in the determination of this application. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Protected Coastal Area and was on the Eastern Cycle Route Network. The Moorings was a Grade 4 Listed Building. Policies GD1 and HE2 of the 2022 Bridging Island Plan were relevant to the application.

The Committee noted that 'like for like' replacement of the window was proposed and, in this particular case, a metal framed unit had been judged as inappropriate as it failed to respect the historic character of the building, contrary to Policy HE2. The Historic Environment Team accepted that the existing window was not an original feature but had expressed a preference for the replacement of the first floor windows with slimline double glazed timber sash windows, to match the ground floor windows. Consequently, the application had been refused and it was recommended that the Committee maintain refusal.

The Committee received the applicant, [REDACTED] and his agent, [REDACTED] [REDACTED] outlined the history of the building and the Committee noted that it had originally been 3 separate properties. The aluminium windows on the first floor had been installed in the 1960s and the window concerned was considered to be beyond repair. [REDACTED] pointed out that the coastal location

of the building meant that it was exposed to salt water and inclement weather and it was felt that timber framed windows would require more maintenance. The timber framed windows on the ground floor of the building no longer functioned and were fixed closed. The applicant believed that replacing a single window with a timber unit would appear incongruous and, as the remaining windows were functioning, there was no intention of replacing these at present. [REDACTED] added that the previous Minister for the Environment was considering reviewing the policy in relation to windows on historic buildings and that permission for works of this nature would be permitted in the United Kingdom. Finally, with regard to the heritage impact of the proposal, [REDACTED] suggested that the building had already been compromised by the addition of a large box dormer and a balcony.

With the exception of Deputy A. Howell of St. John, St. Lawrence and Trinity, the Committee endorsed the recommendation to refuse permission for the reasons set out above.

The Bungalow,
No. 2 Victoria
Avenue, St.
Helier:
proposed
addition of
first floor.

P/2023/0083

A14. The Committee considered a report in connexion with a request for the reconsideration of an application which had been determined by the Department under delegated powers and which proposed the addition of first floor accommodation at the property known as The Bungalow, No. 2 Victoria Avenue, St. Helier. The Committee had visited the site on 27th June 2023.

Connétable P.B. Le Sueur of Trinity did not participate in the determination of this application as he had not been present at the site visit. Deputy S.G. Luce of Grouville and St. Martin acted as Chair for the duration of this item. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Built-Up Area. Policies GD1, GD6, GD9, TT4 and H1 of the 2022 Bridging Island Plan were relevant to the application. Attention was also drawn to Supplementary Planning Guidance Notes Nos. 3 and 6.

The Committee noted that the application had been refused on the basis of the scale, floor space, bulk, massing and proximity of the proposed development and its relationship with neighbouring buildings. The proposed development was considered incongruous and dominant and would result in the over development of the site. The proposed development would also have a detrimental material and visual impact on the character of the site and the wider area, contrary to Policy GD6 of the 2022 Bridging Island Plan. Furthermore, the proposed development would obstruct views of the protected shoreline from dwellings on Seafield Avenue, contrary to Policy GD9, would have an overbearing impact on No. 2 Victoria Avenue and would result in overshadowing and a loss of outlook from this property. The scheme would also result in a loss of privacy by virtue of overlooking to Nos. 1, 2 and 3 Victoria Avenue, which was detrimental to the amenity of these properties and contrary to Policy GD1 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

5 representations had been received in connexion with the application.

The Committee heard from [REDACTED], who advised that she had submitted a most comprehensive written representation in March 2023, and was extremely disappointed that this had not been uploaded to the website and had not been included within the Committee's agenda pack. She requested that the Department arrange for her written submission to be circulated to members. [REDACTED] outlined a range of issues with regard to the application site, some of which related to noise and nuisance and the impact of this on health and wellbeing and activities which had limited [REDACTED] ability to work from home. Other issues pertaining to the

density of development in the immediate vicinity (and the problems which arose from the same), indiscriminate car parking and restricted access arising from the same (it was noted that emergency access was required at all times), the constraints of the existing access in the context of large construction vehicles entering the application site, the impact of construction works on [REDACTED] property, light pollution and intensification of use of the site and drainage capacity were noted.

The Committee heard from the applicant, [REDACTED] and his agent, [REDACTED]. [REDACTED] reminded the Committee that the application site was located within the Built-Up Area, wherein there was a presumption in favour of development. The application proposed the sustainable re-use of an existing property. The Bungalow measured 60 square metres, which was under the current draft minimum standards. The proposed development would increase the size of the dwelling to 100 square metres; 16 metres over the minimum size standard. There had been no objections to the application from statutory consultees and a flue had been removed following an issue raised by the Environmental Health Department. Turning to the Department report, [REDACTED] stated that this was 'inaccurate and misleading' and reference had been made to a number of policies which did not apply. For example, the application site was not in the Shoreline Zone and references to replacement structures were irrelevant as the application related to an existing dwelling in the Built-Up Area. There would be no reduction in car parking and overlooking would be from bedroom windows. [REDACTED] concluded by stating that the inaccuracy of the content of the report meant that the competency of the delegated decision was questionable.

[REDACTED] advised that the existing property had been constructed prior to neighbouring dwellings and was in a poor state of repair, having suffered from water ingress. He added that the owner of a first floor neighbouring apartment was supportive of the proposals and had submitted a written representation to this effect. It was also noted that agreement had been reached with regard to the occasional use of car parking on the neighbouring site ([REDACTED] interjected, stating that any such arrangement had to be considered by the residents' association). [REDACTED] disagreed as to whether the occupant of the first floor apartment was, in fact, the owner or a tenant. In concluding, [REDACTED] stated that the majority of properties in the area had pitched roofs.

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

Fliquet House,
La Rue de
Fliquet, St.
Martin:
proposed
garage/new
vehicular
access.

P/2022/1549

A15. The Committee considered a report in connexion with a request for the reconsideration of an application which had been determined by the Department under delegated powers and which proposed the construction of a garage to the north-west of the property known as Fliquet House, La Rue de Fliquet, St. Martin. It was also proposed to alter the vehicular access on to La Rue de Fliquet. The Committee had visited the site on 27th June 2023.

Deputy S.G. Luce of St. Grouville and St. Martin did not participate in the determination of this application. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

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

The Committee noted that consent was sought for the construction of a 4 car garage with an associated car parking area to the north-west of the existing dwelling. The

existing car parking area would be landscaped. The construction of a driveway from the prospective garage and parking area to the adjacent road, La Rue de Fliquet, was also proposed, which would facilitate the alteration of the vehicular access to the property. The application had been refused on the basis that the size and design of the proposed garage failed to conserve, protect and contribute positively to the distinctiveness of the surrounding landscape, contrary to Policy GD6. 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] of Design AD and [REDACTED] of MS Planning. [REDACTED] advised that the original application had been withdrawn on the advice of the Department and revised proposals submitted.

[REDACTED] explained that the existing access was poor and the parking area was restricted by a narrow undercroft. The revised scheme reduced the height of the garage block (which would be constructed on the site of a tennis court and would not be visible from the public realm) and the structure had been incorporated into a retaining wall to the rear to offset the ridge. The driveway had also been altered to allow vehicles to exit in a more direct uphill movement and the entrance would be set back to allow the repositioning of the road away from an area which was subsiding. A new kerb would be constructed to safeguard this area and provide refuge for pedestrians. Re-aligning the road would have the added benefit of slowing traffic down. The aim of the scheme was to restore character and the application was supported by the Natural Environment Team. In concluding, [REDACTED] stated that the proposed development represented a 13 per cent increase in built footprint and would result in clear benefits.

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

Gros Bois, La
Route de la
Hougue Bie,
Grouville:
proposed
change of use
of guest
accommodat-
ion to self-
catering.

A16. The Committee considered a report in connexion with a request for the reconsideration of an application which had been determined by the Department under delegated powers and which proposed the change of use of guest accommodation to self-catering at the property known as Gros Bois, La Route de la Hougue Bie, Grouville. The Committee had visited the site on 27th June 2023.

Deputy S.G. Luce of St. Grouville and St. Martin did not participate in the determination of this application. Deputy M. R. Le Hegarat of St. Helier North was not present for this item.

A site plan and drawings were displayed. The Committee noted that the application site was located in the Green Zone and Policies SP2, SP3, SP4, SP7, PL5, GD1 and GD6 of the 2022 Bridging Island Plan were relevant to the application.

The Committee was advised that the application had been refused on the grounds that the proposed use would result in the intensification of use of the vehicular access by drivers less familiar with the limitations of the restricted visibility at the point of egress. The Committee noted that the highway authority had objected to the application on this basis. As a result, the proposal was considered harmful to the safety of users of the public highway, contrary to the objectives of Policy TT1 of the Bridging Island plan 2022. It was recommended that the Committee maintain refusal.

The Committee heard from [REDACTED], Principal Transportation Planner, who elaborated on the objection of the highway authority and stated that there had been

P/2023/0083

3 accidents in close proximity to the junction, but not at the junction. The proposal did not accord with the published standards for new developments. In response to a question from a member regarding the use of mirrors as a means of improving visibility, Mr. Heyward stated that mirrors were considered a 'last resort' due to limitations experienced when driving at night, during rainfall and in certain cases when vegetation grew over the mirror or it was damaged. Having noted that there was direct policy objection to the change of use of the guest accommodation to self-catering accommodation, the Committee noted that if approval was granted a specific condition would be attached to the permit

The Committee heard from the applicant, [REDACTED] and her agent, [REDACTED] of MS Planning. [REDACTED] advised that Gros Bois was a much loved family property and that the annexe had been used as guest accommodation on many occasions. Visitors enjoyed staying in the area it was believed that the proposal would provide self-catering accommodation in a beautiful location. The application was supported by tourism officials and the case officer had confirmed that the annexe was suitable for use as self-catering accommodation. The only issue that remained was the access and [REDACTED] believed that the proposal would not result in an increased risk to road safety. She assured the Committee that guests would be asked to proceed with caution and use the mirror and that the hedges at the point of access were well maintained. [REDACTED] acknowledged that driving in the Island could be challenging but this was a part of Island life and tourists were likely to experience access points like the one at Gros Bois throughout the Island. In her view tourists usually exercised greater caution, being unfamiliar with the Island's road networks.

[REDACTED] stated that whilst the highway authority had not provided accident data, the applicant had confirmed that there had been no accidents at the access point of the property. [REDACTED] described the objection of the highway authority as 'an overly concerned response' in this particular case. He also noted the balance which had to be struck between engineered improvements to the access and maintaining the character of the area. Attention was drawn to Policies ERE4, EV1 and SP6 of the 2022 Island Plan and [REDACTED] recalled many other locations in the Island where exiting on to a road from an access point required care. The proposed change of use would not result in any physical works to the annexe and a dedicated bicycle store with an electric charging point would be created. In concluding, [REDACTED] stated that the accommodation would likely be used on a seasonal basis that the guests would not be travelling at peak times.

The Committee heard from Deputy Luce, who expressed support for the application and endorsed the view of the applicant that drivers from outside the Island usually exercised greater caution.

Whilst some members expressed certain reservations, ultimately the Committee was persuaded by the arguments made and did not believe that the proposal would be harmful to the safety of users of the public highway. Consequently, permission was granted, contrary to the Department recommendation and on the basis that the use was restricted to self-catering accommodation.