

Planning Committee

(8th Meeting)

5th September 2024Part A (Non-Exempt)

All members were present, with the exception of Connétable R.A.K. Honeycombe of St. Ouen and Deputy A. Howell of St. John, St. Lawrence and Trinity, from whom apologies had been received.

Connétable P.B. Le Sueur of Trinity (Chair)
 Deputy A.F. Curtis of St. Clement (Vice Chair)
 Connétable M. Labey of Grouville
 Connétable K.C. Lewis of St. Saviour
 Connétable M.O'D. Troy of St. Clement
 Connétable D.W. Mezbourian of St. Lawrence
 Deputy T.A. Coles of St. Helier South
 Deputy S.M. Ahier of St. Helier North

In attendance –

C. Jones, Planning Applications Manager
 R. Hampson, Planner
 B. James, Planner
 L. Davies, Planner
 A. Elliott, Trainee Planner
 P. Ilangovan, Trainee Planner
 S. Sellors, Trainee Planner
 M. Jones, Trainee Planner
 L. Plumley, Senior Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1–5)
 H. Roche, Senior Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A6–11)
 C. Tucker, Assistant Secretariat Officer, Specialist Secretariat, States Greffe (item Nos. A1–5)

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

Minutes.	A1. The Minutes of the meeting held on 11th July 2024, were taken as read and were confirmed.
Retreat Farm La Rue des Varvots, St. Lawrence: various works (RETRO- SPECTIVE).	A2. The Committee, with reference to Minute No. A8 of 27th May 2021, of the Committee as previously constituted, considered a report in connexion with an application which sought retrospective permission for various works at the property known as Retreat Farm (formerly Tamba Park), La Rue des Varvots, St. Lawrence. The Committee had visited the site on 3rd September 2024. Connétable D.W. Mezbourian of St. Lawrence did not participate in the determination of this application.
P/2024/0391	A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and a water pollution safeguard area. The

application site consisted of an agricultural glasshouse used by Northern Leaf Plc (the applicant company) for the cultivation of medicinal cannabis with ancillary plant and equipment and associated parking to the south, along with a larger (now almost fully demolished) glasshouse to the northwest. Policies SP1, SP2, SP4, SP5, PL5, GD1, GD 6, NE1, NE3, HE1, ERE1, ERE2, TT2, WER6, WER7 and UI3 of the 2022 Bridging Island Plan were relevant and attention was also drawn to the Jersey Integrated Landscape and Seascape Character Assessment.

The Committee noted the complex planning history of the site, which included a number of retrospective applications and an extant permit for the construction of a replacement glasshouse to the north-west (P/2021/1705 refers). It was recalled that the Committee, as previously constituted, had previously emphasised that it would not wish to see any further retrospective applications in respect of the application site (Minute No. A2 of 9th March 2022 refers). The Committee was advised of ongoing enforcement proceedings (ENF/2023/00004 refers) in respect of a walled compound housing air filtration and chilling plant machinery, used in conjunction with the agricultural glasshouse, which had been constructed without planning permission and part of which (a mega-block wall) was the subject of a separate retrospective application (P/2024/0464 refers). The Committee noted that an appeal by the applicants against the enforcement notice had recently been dismissed by the Minister for the Environment (MD-ENV-2024-646 refers). The air filtration and chilling plant machinery within the aforementioned walled compound was also the subject of an active Noise Abatement Notice which had been served on the applicants by Environmental Health in 2023.

The Committee noted that permission was sought for various works, to include the following –

- the construction of external pipework along the eastern edge of the western glasshouse (item one);
- ductwork over the roof and the construction of plant housing within the existing glasshouse to the north-west corner of the eastern glasshouse (item 2);
- a prefabricated detached single storey storeroom to the east of the eastern glasshouse (item 3);
- a lean-to access porch to the north-east corner of the eastern glasshouse (item 4);
- the installation of an air source heat pump to the eastern face of the eastern glasshouse (item 5); and
- the installation of 4 air extraction ducts to terminate at roof level, to the south-west corner of the eastern glasshouse (item 6).

The Committee was advised that whilst items 3, 4 and 5 were considered acceptable, items one, 2 and 6 were considered to be visually harmful, intrusive and detrimental to the character and appearance of the Green Zone, contrary to Policies SP5, GD6 and NE3 of the 2022 Bridging Island Plan and the Jersey Integrated Landscape and Seascape Character Assessment. The application was therefore recommended for refusal and the Committee was asked to endorse the instigation of enforcement proceedings to secure the removal of items one, 2 and 6 from the site.

The applicant had requested that the Committee consider items one, 2 and 6 separately from items 3, 4 and 5. Having obtained legal advice on the matter, the Department was of the view that the acceptable elements of the scheme could not be considered by the Committee in isolation and consequently, the recommendation to refuse the scheme in its entirety was maintained.

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], [REDACTED], who noted that a report had been provided by the Environmental Health Department in connexion with the Noise Abatement Notice.

The Committee heard from [REDACTED] representing neighbouring residents who strongly objected to the proposals. She outlined her longstanding connexion to the area which, in her view, had been blighted by Northern Leaf's operations. The noise and odour emanating from the site were unbearable and had led to people moving away from the area. [REDACTED] expressed concern about the working conditions on site, given the noise and overwhelming odour. She stated that Northern Leaf had repeatedly proven itself to be a bad neighbour and urged the Committee to refuse the application.

The Committee heard from the applicant's agent, [REDACTED] who highlighted the extensive planning history of the site and the applicant's prior engagement with the Department on various planning matters, including the current application. Noting that Northern Leaf had previously been criticised for not preparing a 'master plan' for the site, he advised that this was due to the novel nature of the industry. Turning to specific elements of the proposals, [REDACTED] noted that Northern Leaf had been advised by the Department in 2021, that items 3 and 4 constituted permitted development under the Planning and Building (General Development) (Jersey) Order 2011, and therefore did not require planning consent. Similar confirmation from the Department had been provided in respect of item 6 in 2023. [REDACTED] further contended that the chilling plant machinery (which was not the subject of this application), also constituted permitted development. With regard to item one, he advised that the pipework had been constructed as permitted development, following previous engagement with the Department, and it was not accepted that it resulted in visual harm as it was only temporarily external to the glasshouse. The approved replacement glasshouse would rectify the situation, with the pipework becoming internal, but construction had been delayed due to fire and storm damage. This item was therefore considered acceptable. Item 2 was permitted under P/2020/0760 and would eventually be concealed by the replacement glasshouse. It was therefore not considered to cause permanent visual detriment. Turning once again to item 6, [REDACTED] advised that the air extraction ducts only removed hot air and were neither visually intrusive nor detrimental to the character and appearance of the Green Zone. It was not accepted that there was no legal basis for the Committee to approve the acceptable elements of the scheme in isolation and [REDACTED] urged members to consider this option.

In response to a question from the Committee, it was confirmed that construction of the replacement glasshouse had not begun. The Planning Inspector involved in the appeal against the enforcement proceedings had further noted that there was no evidence on the site of any imminent construction taking place. As a result, the Department considered that there was the potential for the exposed plant and machinery to remain on view for a considerable and potentially indefinite length of time, resulting in unacceptable visual harm to the character and appearance of the site within the Green Zone.

Having considered the matter, the Committee unanimously endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, members requested that Policy GD1 be added to the reasons for refusal, having expressed concern about the impact on neighbouring amenities of the odour emanating from the site. The Committee also endorsed the recommendation to commence enforcement proceedings to secure the removal of items one, 2 and 6 from the site.

The Tree House Restaurant and Bar, La Marquanderie, St. Brelade: proposed extensions and change of use.

P/2023/0701

A3. The Committee, with reference to Minute No. A7 of 15th July 2021, of the Committee as previously constituted, considered a report in connexion with an application which sought permission for the construction of ground and first floor extensions and the change of use from Class B restaurant to staff accommodation at the property known as The Tree House Restaurant and Bar, La Marquanderie, St. Brelade. Alterations to vehicular access and the creation of a new public footpath were also proposed, along with various external alterations. The Committee had visited the site on 3rd September 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated within the Protected Coastal Area and Policies SP1, SP2, SP3, SP4, SP5, GD1, GD2, GD6, NE1, H1, H2, H3, H4, H9, H10, ME1, TT1, TT2, TT4, WER1, WER2, WER6, WER7 and U13 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 and Planning Obligations Agreements 2017.

The Committee noted the relevant planning history of the site, which included extant permission for the change of use of the site to a horticultural laboratory (P/2021/0123 refers), which had yet to be implemented.

The Committee noted that 2 x 2 storey extensions were proposed to the north and south of the existing development to provide 25 units of staff accommodation (comprising of 19 x one bedroom units, 2 x 2 bedroom units and 4 x studio units). Car parking to the north and south, cycle parking, 3 vehicular access routes and a 1.5 metre wide public footpath with space for a bus shelter were also proposed. The site was located outside of the Built-Up Area and within the Protected Coastal Area, which was afforded the highest level of protection. The tests outlined within Policy H10, which related to accommodation for workers outside the Built-Up Area, had not adequately been met and there was insufficient justification for the proposals in this location. Additionally, the proposed development, by virtue of its design, would result in a discordant and uncoordinated approach to the appearance of the development. Consequently, the application was recommended for refusal on the grounds that it was contrary to Policies SP2, SP3, P4, GD6, PL5, NE3 and H10 of the Bridging Island Plan 2022.

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

In response to a question from the Committee, it was confirmed that pre-application advice had not been sought and that insufficient information had been provided to evidence redundancy of employment use in relation to the site.

The Committee heard from the applicant's agents, [REDACTED] [REDACTED] outlined the applicant's extensive experience in the local hospitality industry and noted that references within the report to the application being 'speculative' were incorrect as there was a demonstrable need for high quality staff accommodation in the Island. He noted that a shortage of suitable accommodation had led to local hotels having to house staff in guest rooms at peak operating times, leading to a significant financial impact and a reduction in the number of available visitor beds. It was acknowledged that the proposals did not relate directly to a specific tourism business, but considerable interest had been received from nearby businesses in using the proposed staff accommodation to accommodate employees, as evidenced by numerous letters of support. A nearby hotel had expressed interest in renting the proposed new staff development in its entirety. The Committee was advised that substantial investment

was required to modernise the building and improve the standard of accommodation. The proposals would deliver much needed, high quality staff accommodation which would help local hospitality businesses to attract and retain key staff. [REDACTED] described Policy H10 as overly prescriptive and unhelpful. Highlighting the paucity of suitable sites for such developments, he urged the Committee to grant permission. [REDACTED] provided a brief overview of the considerations which had informed the proposed design and highlighted the planning gains which would result. These included the retention of the existing building, enhancements to the appearance of the site, a reduction in the car parking area, improved pedestrian access and a new public footpath. She too urged the Committee to support the application.

The Committee heard from the applicant's agent, [REDACTED] who highlighted the need for staff accommodation in the area. She noted that many tourist businesses were located outside of the Built-Up Area and could not accommodate staff on site for various reasons. The proposals did not fit neatly within policy H10 but in this case consideration had to be given to the wider benefits. [REDACTED] addressed each of the Policy tests in turn and noted that the application was supported by the industry. The units were of a size appropriate to the functional requirements, which included the provision of accommodation for highly skilled workers (for example Michelin starred chefs). She noted that a number of well-established tourism businesses were located in nearby St. Brelade's Bay where options for staff accommodation were extremely limited and there were no alternative suitable sites in the area. [REDACTED] emphasised that staff accommodation outside of the Built-Up Area was permitted in certain circumstances and the proposals would retain and repurpose an existing underused building. The site was in a very sustainable location and staff would be able to walk or cycle to work. She added that the design had been carefully considered. In concluding, [REDACTED] urged the Committee to recognise the benefits of the proposals and grant permission.

The Committee heard from [REDACTED] of the Jersey Hospitality Association, who outlined the importance of the visitor economy to the Island, both financially and in terms of connectivity. The hospitality industry relied on attracting suitably qualified staff and there was a desperate need for good quality staff accommodation. [REDACTED] did not agree that the application failed to meet the tests outlined within Policy H10 and he complimented the proposed design, which he felt was in keeping with the existing building. The site was ideally located and would enable staff to use sustainable forms of transport to travel to and from work. He reminded the Committee of the importance of supporting the aims of the Jersey Visitor Economy Strategy. High quality staff accommodation of the type proposed was key to achieving the continuing success of the tourism and hospitality sectors and he urged the Committee to approve the application on this basis.

In response to questions from the Committee, the following was noted –

- the site had been unsuccessfully marketed on both a freehold and leasehold basis;
- whilst there had been significant interest from a number of local businesses in renting the units, no firm commitment existed;
- the units could be rented by a single business for exclusive use or by multiple businesses;
- the proposals were not 'speculative' and future alternative uses had been considered as part of the design process; and
- informal pre-application advice had been sought by the applicant's previous agent.

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

report. In doing so, members commented on the need for more robust evidence with regard to the redundancy of employment use of the site and requested that Policies H9 and SP6 of the 2022 Bridging Island Plan be added to the reasons for refusal.

Le Chalet
(garden of),
La Route de
Noirmont,
St. Brelade:
proposed new
detached
dwelling.

A4. The Committee, with reference to Minute No. A2 of 11th January 2024, of the Committee as previously constituted, considered a report in connexion with an application which sought permission for the construction of a new detached 4-bedroom residential dwelling, with associated landscaping, in the garden of the property known as Le Chalet, La Route de Noirmont, St. Brelade. The Committee had visited the site on 3rd September 2024.

P/2024/0594

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area in close proximity to the Green Zone. Policies SP2, SP3, SP4, PL4, GD1, GD6, NE1, NE2, H1, H3, ME1, TT1, TT2, WER1 and WER7 of the 2022 Bridging Island Plan were relevant.

The Committee noted the relevant planning history of the site, which included 3 previous applications of a similar nature, which had been refused (P/2021/1666, P/2022/1596 and P/2023/0784 refer) on the grounds of the impact on neighbouring properties and landscape and, most recently, the disproportionate size of the proposed dwelling. Members further noted that following each refusal, adjustments had been made to the proposals to address the Committee's concerns. These included lowering the development into the site and siting it further away from neighbouring boundaries.

The Committee was advised that the overall size of the dwelling had been reduced and that the number of bedrooms had been reduced from 5 to 4. The Committee noted that the development of new residential dwellings on windfall sites in the Built-Up Area was supported and encouraged under the 2022 Bridging Island Plan, and the proposals would make a valuable contribution to the Island's housing stock. The scheme accorded with the relevant residential standards and the design and scale were considered acceptable. Whilst the concerns of neighbours were acknowledged, it was not considered that the development would cause unreasonable harm to neighbouring residential amenities. In addition, the travel and transport implications were considered acceptable. Consequently, the application was recommended for approval, subject to the conditions detailed within the Department report.

10 representations had been received in connexion with the application.

The Committee heard from [REDACTED], a neighbouring resident, who outlined concerns regarding the intensification in use of the shared private roadway which provided access to the application site and neighbouring dwellings. The access road was suboptimal from a safety perspective and did not provide any passing spaces and the addition of a new dwelling would exacerbate the situation. [REDACTED] made reference to comments by the Highway Authority in relation to P/2021/1666 which supported his view and urged the Committee not to grant permission.

The Committee heard from the applicant's agent, [REDACTED], who outlined the changes to the proposals in response to the Committee's previous concerns. The floor area had been reduced by almost a quarter, from 272 square metres to 209 square metres and the number of bedrooms had been reduced from 5 to 4. The footprint of the house was 147 square metres, which was smaller in size than 8 of the 11 surrounding dwellings, most of which were located on similar sized plots. Due to the redevelopment of a neighbouring property (Sunny Brow) the proposed dwelling had been relocated on the site and measures had been taken to reduce and control overlooking. The proposed dwelling was in keeping with neighbouring properties and would not dominate the area. [REDACTED] urged the

Committee to grant permission.

The Committee heard from the applicant, [REDACTED], who outlined his long-standing connection to the area and explained that the proposed dwelling was intended for family use. [REDACTED] advised the Committee that his parents had resided in Le Chalet for over 30 years and, if passed, the proposed dwelling would give himself and his family an opportunity to provide support for his parents. The intention was to create a modest family home and he had been sympathetic to the concerns of neighbours at every stage. [REDACTED] made reference to the design amendments which had been made to the scheme to overcome their concerns and the previous reasons for refusal and urged the Committee to support the proposals.

The Committee heard from the applicant's agent, [REDACTED] who noted that this was the 4th iteration of the scheme. The proposals had been further revised to address the previous reasons for refusal and presented an excellent opportunity to make use of a windfall site in the Built-Up Area. The scale of the dwelling had been reduced and was considered appropriate in the context of the surrounding properties. The dwelling would be 2.5 metres lower in height than the redeveloped nearby property Sunny Brow and the quantum of the built form had been reduced by 23 per cent. The footprint of the dwelling was modest and had been moved further away from the boundaries of the site. [REDACTED] noted that there had been no objections from statutory consultees and that the applicant had tried at every stage to address the concerns of neighbours and the Committee. In concluding, she urged the Committee to grant permission.

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

Private car
park, Green
Street, St.
Helier:
proposed
redevelopment.

P/2023/1460

A5. The Committee considered a report in connexion with an application which sought permission for the redevelopment of the property known as Private Car Park, Green Street, St. Helier. The proposals included the demolition of Cherry Tree Cottage (located on the site), the construction of 26 residential units, associated landscaping, car and cycle parking provision. A children's play space, alterations to vehicular access and improvements to the public realm, to include a new bus shelter were also proposed. The Committee had visited the site on 3rd September 2024.

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

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and Policies SP1, SP2, SP3, SP4, SP5, SP7, PL1, GD1, GD2, GD3, GD5, GD6, GD10, NE1, HE1, H1, H2, H3, H4, ME1, TT1, TT2, TT3, TT4, WER1, WER2, WER6, WER7 and UI3 of the 2022 Bridging Island Plan were relevant. A number of Grade 3 and Grade 4 Listed Buildings lay to the south of the site. Attention was also drawn to relevant Supplementary Planning Guidance relating to St. Helier Design Guidance 2023, Residential Space and Parking Standards 2023, Density Standards 2023, and Percent for Art 2008.

The Committee recalled the relevant planning history of the site, noting that the car park had previously been associated with the nearby former Hotel de La Plage, now known as Residence de La Plage. The Committee was advised that the application site and Residence de La Plage remained in the same ownership.

The Committee noted that permission was sought for 18 x one bedroom and 8 x 2 bedroom residential units, split over 2 linked buildings, 4 to 5 storeys in height, with one facing Green Street and the other at approximately 90 degrees to the rear. A

substantial part of the site would be retained for car parking solely for the use of the residents of the development. A total of 36 car parking spaces would be provided, together with motorcycle and cycle parking areas.

The Committee was advised that the site was in a sustainable location within the Built-Up Area, where such development was encouraged. There was Policy support for the redevelopment of car parks, particularly within St. Helier. The proposed demolition of Cherry Tree Cottage was considered justified to optimise the use of the site. Concern with regard to the loss of car parking was acknowledged but did not constitute a material planning consideration. The proposals would make a positive contribution to the Island's housing stock and the scale of the development, with regard to its effect on townscape and heritage, was considered acceptable. There were concerns in relation to the implications for neighbouring amenities and the living conditions for residents of the proposed development. Furthermore, aspects of the design were considered incongruous. In particular, elongated, suspended balconies in close proximity to each other were proposed, which would limit the privacy and enjoyment of occupants. Whilst the proposed units would have dual aspects and met the required residential standards, the use of bay windows to direct views to the side in certain units and a vertical louvred privacy screen would restrict the outlook from the development and compromise the standard of a number of the apartments.

Due to its scale, design and proximity to the site's boundaries, the proposed development was considered overbearing and harmful to the amenities of surrounding neighbours, as well as failing to provide high quality accommodation. Consequently, the application was recommended for refusal on the basis that it failed to accord with Policies GD1, GD6 and H1 of the 2022 Bridging Island Plan.

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 the Havre des Pas Improvement Group, representing residents who objected to the proposals. She emphasised to the Committee that her objection was in no way an attempt to vilify the applicant given his historic commitment to the hospitality industry and provision of rental accommodation on the Island. Following recent developments including Edinburgh House, the Metropole Hotel and The Limes, a total of 417 additional residential units had been created and the population density in the area had increased significantly (by over 1,000 people in 5 years). The Committee was reminded that residents had opposed the development of La Collette Apartments, with their concerns now having come to pass. Noise pollution, drilling (which had caused damage to surrounding properties), dust and debris had negatively impacted neighbours. [REDACTED] advised that she had met with the applicant to discuss the proposals but had been left with further concerns. In particular, the loss of car parking facilities would impact vulnerable residents, including the elderly, some of whom relied on home care services. [REDACTED] noted that several car parking spaces on the site were currently not let as their availability had not been sufficiently well advertised. She concluded by advising that the Jersey Bat Group had confirmed that the area was frequented by a protected bat species and recommended that further investigations into endangered wildlife be conducted before planning permission was granted. She urged the Committee to consider its moral and ethical obligations to the Island and to refuse the application on behalf of local residents and protected animal species.

[REDACTED] addressed the Committee and outlined concerns in connexion with the loss of car parking at the site. She questioned whether the development would

be accessible for families with young children and the disabled. She also expressed concerns in relation to the exacerbation of pre-existing antisocial behaviour issues in the area, due to a lack of facilities for children and young people.

The Committee heard from [REDACTED] who echoed the views of the Havre des Pas Improvement Group. He reminded the Committee of his objections to the proposals via the Strategic Housing and Regeneration team due to the scale of development that the area had been subject to in recent years. Over 400 new homes had been built on Green Street alone and continuous construction had negatively impacted residents for a significant period of time. Whilst it was acknowledged that development in the Built-Up Area was encouraged in the 2022 Bridging Island Plan, Green Street had seen a substantial amount of development in recent years. Whilst the Minister sympathised with the applicant, he urged the Committee to consider the impact on neighbouring residents. He concluded by highlighting his concerns over the proposed construction of additional one and 2 bedroom homes, noting that this was not the type of accommodation that the Island urgently required.

[REDACTED] advised the Committee that his main concern related to the density standards of the proposed development and the cumulative increase in population density in the area. He urged the Committee to reject the application.

[REDACTED], the owner of a neighbouring property, addressed the Committee, outlining concerns over loss of light, due to the proposed development backing onto existing properties. He was of the view that the proposals constituted overdevelopment of the site and he concurred with previous speakers in relation to issues with car parking and road safety in the area. The private car park provided an essential facility for local residents and its loss would make it difficult for people to access the Lido at Havre des Pas. [REDACTED] noted that the site had previously suffered from flooding and storm damage, which led him to question its suitability for redevelopment. In addition, he expressed concern regarding a proposed roof terrace due to the potential for items thereon to be dislodged during periods of high wind.

The Committee heard from [REDACTED], a neighbour who lived opposite the application site. She highlighted the disruption and noise caused by the recent construction works in the area, which had negatively impacted her health. [REDACTED] urged the Committee to refuse the application in order that the residents of Havre des Pas would not be subjected to a further 2 years of dust and noise pollution.

The Committee heard from the applicant's agent, [REDACTED], who advised that the proposals had been developed in accordance with the provisions of the 2022 Bridging Island Plan and met the required standards. With regard to concerns about the proposed balconies, [REDACTED] advised they had been placed sufficiently far apart from each other and would not appear intrusive or incongruous. Whilst neighbours currently enjoyed an open aspect, the site was located within the Built-Up Area where there was a presumption towards development, which would impact neighbouring residents to some degree. He noted that impacts on sunlight and daylight had been carefully assessed and were considered acceptable, including in relation to the proposed bay windows. [REDACTED] noted that neighbouring properties had balconies and windows facing onto the site and every effort had been made to minimise overlooking and provide privacy. It was confirmed that the proposed development was fully accessible, and that flood mitigation had been considered as part of the design process.

The Committee heard from the applicant, [REDACTED], who

advised that the car park had been in place for many years. Due to its historic association with the Hotel de La Plage, when the hotel had subsequently been converted to a lodging house, 33 spaces had been reserved for use by the occupants and thus had not been widely advertised. ██████████ noted that the proposals met the required standards and urged the Committee to support the application.

The Committee heard from the applicant's agent, ██████████, who thanked the Department for its engagement in connexion with the application. She reminded the Committee that there was a reasonable expectation that the site would be developed, in accordance with the provisions of the 2022 Bridging Island Plan. Naturally, any development was bound to lead to tension due to conflicting priorities and the constraints of the application site. Whilst the concerns of neighbouring residents were acknowledged, the proposals had sought to address these, and the Committee was urged to consider the application on its merits. It was not accepted that the development would unreasonably harm neighbouring amenities. ██████████ noted that published guidance highlighted a shortfall of 190 smaller sized dwelling units, which the proposals would go some way towards addressing. With regard to the quality of the proposed accommodation, she noted that it compared favourably to other recently approved schemes and was of a reasonable density, at 153 dwellings per hectare. Daylight and sunlight impacts were considered acceptable, including in relation to the proposed balconies and privacy had been carefully considered. ██████████ concluded by advising that the scheme would deliver much needed high-quality accommodation and urged the Committee to grant permission.

In response to a question from the Committee, it was confirmed that there were no existing disabled or visitor car parking spaces and that the car parking spaces were currently let to individuals. It was further confirmed that the units were not intended for use as staff accommodation.

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

E. Le Feuvre
Limited,
Cranwell,
La Rue de
Bechet,
St. John:
proposed
creation of
new vehicular
access and
layby.

A6. The Committee considered a report in connexion with an application which sought permission for the closure of an existing vehicular access situated on La Rue de Bechet and the creation of a new vehicular access and layby at E. Le Feuvre Limited, Cranwell, La Rue de Bechet, St. John. The Committee had visited the site on 3rd September 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone, a Water Pollution Safeguard Area and within the designated Southern Plateau and Ridges Farmland of the Jersey Integrated Landscape and Seascape Character Assessment. Policies SP3, SP4, SP5, PL5, GD1, GD6, NE1, NE2, NE3, ERE1 and TT1 of the 2022 Bridging Island Plan were relevant.

P/2024/0532

The Committee noted the relevant planning history of the site, including a previous application for the creation of a new vehicle access with the relocation of a plastic tunnel (planning application No. PB/1998/2056 refers), which had been approved in January 1999 by the Committee, as previously constituted.

The Committee was advised that the proposal sought to form a new vehicular access circa 10 meters to the east of the existing access, which was proposed to be extinguished. It was further proposed to extend and rearrange the existing embankment to create a layby for the ease of passage of vehicles, given the narrowness of the road. It was noted that the Parish of St. John Roads Committee

supported the application and that no objection had been received by the Land Resource Management Team, subject to the imposition of 2 conditions. The conditions required the specification of replacement planting to be submitted to the Department and to the limitation of tree/hedge felling between 1st March and 30th September without prior inspection by a licenced ecologist or arborist, in accordance with the Wildlife (Jersey) Law 2021.

The Department considered that the proposals were unlikely to have a negative impact on the setting of the Green Zone and would improve highway safety. Consequently, the application was recommended for approval, having regard to the policy context and requirements of the 2022 Bridging Island Plan and subject to certain conditions, as detailed within the Department report.

No representations had been received in connexion with the application.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission, subject to the conditions detailed in the Department report. In doing so, the Committee requested that 3 further conditions be added to the permit as follows: that the redundant access track be returned to agricultural use within 12 months of the completion of works, the addition of a 3 metre area of hardstanding at the entrance of the new vehicular access and the addition of hardstanding to the layby.

12 Le Clos de
la Gare,
La Rue de la
Sergente,
St. Brelade:
proposed
construction of
gazebo.

A7. The Committee considered a report in connexion with an application which sought permission for the construction of a gazebo at the property known as 12 Le Clos de la Gare, La Rue de la Sergente, St. Brelade. The Committee had visited the site on 3rd September 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and the Sustainable Transport Zone 3. Policies GD1 and GD6 of the 2022 Bridging Island Plan were relevant.

P/2024/0532

The Committee was advised that the site comprised an existing 2 storey property located within a larger housing estate with a rear private garden to the south-east, where it was proposed to erect a timber gazebo. The Department considered that the proposed gazebo was appropriate in scale and nature and was unlikely to result in unreasonable harm to the amenities or privacy of neighbouring properties. The proposed materials, detail and finishes of the gazebo, as well as the height, massing and density were considered to be sympathetic to the character and identity of the area.

Consequently, the application was recommended for approval, in accordance with Policies GD1 and GD6 of the 2022 Bridging Island Plan and the Jersey Integrated Landscape and Seascape Character Assessment.

No representations had been received in connexion with the application.

Having considered the application, the Committee unanimously endorsed the Department recommendation to grant permission.

Villa St.
Aubin,
La Rue au
Moestre,
St. Brelade:
proposed
replacement of

A8. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the replacement of an existing ground floor window with a carport to create a single vehicular access to the west elevation of the property known as Villa St. Aubin, La Rue au Moestre, St. Brelade. The Committee had visited the site on 3rd September 2024.

ground floor
window with
carport (RFR).

P/2024/0566

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Local Centre of St. Aubin in the Built-Up Area and Sustainable Transport Zone 4. Policies PL3, GD1, GD6, TT1 and TT4 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to relevant Supplementary Planning Guidance (SPG) relating to Access onto the Highway – Standards and Guidance 2019, Residential Space and Parking Standards 2023.

The Committee was advised that the application had been refused on the grounds that the proposed vehicular access and parking area failed to comply with car parking standards and highway safety requirements, contrary to Policies GD6, TT1 and TT4 of the 2022 Bridging Island Plan and the SPG relating to Residential Parking Standards 2023. It was recommended that the Committee maintain refusal of the application.

No representations had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED], who advised that access from the property was directly on to La Rue au Moestre. [REDACTED] noted that the proposals would provide a car parking space for one compact vehicle along with additional bicycle and refuse storage, all of which the 4 bedroom property was currently lacking. With reference to the SPG relating to Residential Parking Standards, [REDACTED] stated that whilst this would apply to new residential development, in this case consideration had to be given to the wider benefits. [REDACTED] advised that the Parish of St. Brelade Roads Committee had supported the application and that no other objections had been received.

Having considered the application, the Committee, with the exception of Deputies S. M. Ahier of St. Helier North and T.A. Coles of St. Helier South, decided to grant permission, in accordance with Policies GD1, GD6 and TT2 of the 2022 Bridging Island Plan. In doing so the Committee advised that the permit would be subject to the imposition of conditions as follows; the maximum length of any vehicle using the car port must not exceed the building line and a requirement for the addition of cycle and refuse storage.

Having recognised that its decision was contrary to the Department recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any additional conditions which were to be attached to the permit.

Field No. 310,
La Preterie,
St. Peter:
proposed
installation of
a temporary
mobile home
(RFR).

P/2024/0459

A9. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the installation of a temporary mobile home on Field No. 310, La Preterie, St. Peter. The Committee had visited the site on 3rd September 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and in the Water Pollution Safeguard Area. Policies SP1, SP2, SP3, SP4, SP7, PL5, GD1, GD6, H1, H4, H10, NE1, NE3, TT1, TT2, TT4, WER5, 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.

The Committee was advised that the application had been refused on the grounds that insufficient information had been submitted to satisfy the requirements for the development of residential accommodation for agricultural workers, contrary to Policy H10 of the 2022 Bridging Island Plan. Furthermore, the application failed to meet minimum residential space standards and was considered to result in unacceptable living conditions, contrary to Policies SP3 and GD1 of the 2022 Bridging Island Plan

and the SPG relating to Residential Space Standards 2023. It was recommended that the Committee maintain refusal of the application.

2 representations had been received in connexion with the application.

The Committee heard from the applicant, [REDACTED] who advised that the application site was the main depot for the Rabet Brothers family farm which had expanded to 150 vergées of land within the western parishes of the Island. He noted that in previous years, agricultural workers had stayed with him but that this had proved less than ideal. [REDACTED] stated that the mobile home would be equipped to a high standard and the internal layout was adjustable. He advised that over a quarter of the last crop of Jersey Royals had been lost due to lack of staff.

The Committee heard from the applicant's agent, [REDACTED], who advised that the temporary mobile home was required to accommodate agricultural workers during the potato growing season from March to October. Historically, agricultural workers had been accommodated on site, as this was conducive to the efficient operation of the farm. [REDACTED] addressed the SPG in respect of residential space standards and advised that this related to permanent residential accommodation rather than temporary accommodation, the occupancy of which could be limited by condition to a maximum of 9 months in any calendar year. He added that whilst the Tourism (General Provisions) (Jersey) Order 1990 set the minimum size of self-catering units at 70 square feet for bedroom areas and 140 square feet for living / dining areas, no particular standards applied in this situation. The mobile home was a standard layout but was able to be adapted with the movement of internal walls to suit the occupants. [REDACTED] noted that, whilst the mobile home was presently in situ, the application was not retrospective as it had not been connected to utilities and could easily be removed.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, the Committee expressed particular concern with regard to the use of mobile homes for agricultural accommodation. The Committee noted that Policy H10 of the 2022 Bridging Island Plan supported the construction of agricultural accommodation.

31 Jardin de Haut,
La Rue de la Vallee,
St. Mary:
proposed
change of use /
construction of
shed and
extension of
fence (RFR).

P/2024/0131

A10. The Committee considered a report in connexion with a request for the reconsideration of an application which had been refused by the Department under delegated powers and which sought permission for the change of use of a communal garden to residential use at the property known as 31 Jardin de Haut, La Rue de la Vallee, St. Mary. The construction of a shed and the extension of a fence was also proposed. The Committee had visited the site on 3rd September 2024.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Built-Up Area and the Water Pollution Safeguard Area. Policies GD1, GD6, TT1, TT2 and TT4 of the 2022 Bridging Island Plan were relevant. Attention was also drawn to the relevant Supplementary Planning Guidance (SPG) relating to Residential Parking Standards 2023 and the Jersey Integrated Landscape and Seascape Character Assessment.

The Committee was advised that the application had been refused on the grounds that the proposed shed and fence would significantly compromise vehicular and pedestrian visibility, contrary to the requirements of the SPG relating to Residential Parking Standards 2023 and Policies GD1 and TT4 of the 2022 Bridging Island Plan. Furthermore, the location of the proposed development would result in a detrimental material and visual impact on the existing established character of the wider area, contrary to Policy GD6 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

One representation had been received in connexion with the application.

The Committee heard from the applicants, [REDACTED], who advised that they had purchased the communal land from Les Vaux Housing Trust. As this land was now in their ownership, they required permission for a change of use from communal to residential use, and also to extend the existing fencing to enclose the land. [REDACTED] advised that the proposed shed was intended to house gardening tools and equipment and that an improved area for refuse storage for both the application site and the neighbouring property would also be constructed as part of the proposals.

The Committee heard from the applicant's agent, [REDACTED], who addressed the reasons for refusal. He advised that visibility splays such as the proposed would normally be designed in to plans from the outset and were standard. Traffic moved slowly in the area and posed very little safety risk. Turning to the established character of the wider area, [REDACTED] argued that the proposed shed and planting would be a continuation of the status quo. He referenced a neighbouring property where a similar shed had been constructed, with the same visibility splays and planning permission had not been required for this development. [REDACTED] expressed the view that the policy tests applied in the assessment of the application were spurious.

Having considered the application, the Committee decided to grant permission, contrary to the Department recommendation, on the basis that the scheme was considered to comply with Policies GD6 and TT2 of the 2022 Bridging Island Plan.

Having recognised that its decision was contrary to the Department recommendation, the Committee noted that the application would be re-presented at the next scheduled meeting for formal decision confirmation and the approval of any additional conditions which were to be attached to the permit.

Rose Farm,
Le Mont
Cochon,
St. Helier:
proposed
demolition /
construction of
extension
(RETRO-
SPECTIVE)
(RFR).

A11. 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 proposed the demolition of an existing kitchen extension and garage and the construction of a single storey flat roof extension to the east elevation of the property known as Rose Farm, Le Mont Cochon, St. Helier. The Committee had visited the site on 3rd September 2024.

Deputy S. M. Ahier of St. Helier North did not participate in the determination of this application.

A site plan and drawings were displayed. The Committee noted that the application site was situated in the Green Zone and that Policies PL5, GD1, GD6, HE1, H9 and NE3 of the 2022 Bridging Island Plan were relevant.

The Committee was advised that the application had been refused on the grounds that the design, scale and form of the extension represented a disproportionate and incongruous addition to the host dwelling. The extension was not considered to be subservient, and the design failed to contribute positively to the wider landscape setting, contrary to policies NE3, GD6 and H9 of the 2022 Bridging Island Plan. Furthermore, the extension dominated views from the south and east and failed to protect the setting of Douceville Cottage, a Grade 3 Listed Building to the north of the site, contrary to policy HE1 of the 2022 Bridging Island Plan. It was recommended that the Committee maintain refusal of the application.

One representation had been received in connexion with the application.

The Committee heard from the applicant's agent, [REDACTED],

P/2024/0425

who advised that the Compliance Team had contacted the applicant after it had been brought to the attention of the Department that the extension had been constructed without first obtaining planning permission. It had been understood by the applicant that permission was not required as the proposals constituted permitted development, in accordance with the General Development Order.

██████████ advised that the courtyard to the north of the application site had been incorrectly viewed as part of the Listed Douceville Cottage site by the Historic Environment Team, this part of the site had always been in the ownership of Rose Farm. ██████████ also noted that there was a discrepancy on the site plan attached to the Listing Schedule for the historic building in that the south wing of an outbuilding at Douceville Cottage was shown as abutting the rear of a former garage structure (now demolished). In fact, there was a gap of approximately one metre between the 2 buildings. ██████████ noted that there had been one objection from the owners of Douceville Cottage. The applicant had subsequently met with this neighbour and assured them that the roof area of the extension would not be used as a deck, a balustrade would not be installed, and that access to the roof was for repairs only. It was also agreed that the boundary wall to the east of Douceville Cottage would be reinstated to its original height. The owners of Douceville Cottage had subsequently withdrawn their letter of objection. ██████████ added that the demolished garage previously had a first-floor balcony which would not be reinstated so overlooking would be reduced and the height of the extension was the same as the former garage. The previous car parking area to the front of the application site had been landscaped.

The Committee heard from the applicant, ██████████, who stated that she had misunderstood advice received from her previous architect with regard to the need for planning consent. She reiterated that the extension was the same height as the former structure and planting added to improve the frontage. The property had been owned by the family for 50 years and there was no intention to sell it. ██████████ apologised to the Committee and added that she deeply regretted the situation.

In response to a question from the Committee, ██████████ confirmed that the applicant had been advised that planning permission would be required but had misunderstood the information. The Committee questioned why a contractor would undertake work of this nature without having sight of planning permission for the development. ██████████ confirmed that building bye-laws consent had been granted.

Having considered the application, the Committee endorsed the recommendation to refuse permission for the reasons set out in the Department report. In doing so, the Committee authorised enforcement action.