

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room

9th June, 2011

0915 hrs

Present:

Mr G Sargent, Chairman

Mr A Llewellyn

Mr P Allen

Mr M Birmingham (from 1130hrs)

Mr R Berry

Mr R Burke, CEO (until 1230hrs)

Ms J B Turner, States Engineer

Ms R Sowden, Planning Assistant/

Minute Secretary

ACTION

33/2011 **Minutes of previous meeting** of 3rd May 2011 were confirmed and signed.

34/2011 **Matters Arising**

34.1 Replacement windows in Historic Buildings and Conservation Areas

0920hrs The Members and Officers left the meeting for a guided tour of the Connaught Square, Le Huret and High Street with Mr D Hughes from The Alderney Society. Mr Hughes pointed out some of the historic features of the older buildings, and also more recent unsympathetic developments.

0950hrs Committee and Officers re-entered the meeting

34.2 A4868 J Gillingham Fencing at 28 Le Banquage. Letter from States Engineer dated 16.05.11 and letter from Applicant (undated) tabled and discussed. The Committee considered that there were special circumstances in this situation, these being that the Applicant's lounge window faced onto the main road, and that she was enclosing a side garden. The Committee agreed that a combination of a wall and fence to a maximum height of 6feet would be acceptable.

RESOLVED to rescind its decision of 5th April 2011 that the height of fencing permissible to the southern elevation of the property be no more than 1.2m, because of the above reasons.

JBT

34.3 A4880 Mark Harding Change of Use of Fisherman's Shed to retail unit. It was noted that the Policy and Finance Committee had asked that the decision to refuse the application be reconsidered. The Committee considered that the 'fishermens sheds' should be kept for use by fishermen, which was believed to be the sheds' intended use. Having reviewed the matter, the Committee saw no reason to alter its previous decision.

RESOLVED that the Committee was not minded to alter its previous decision to refuse the application.

JBT

35/2011 **Planning Matters**

35.1 Planning Report tabled.

A4884 Keith Barker Tout-A-Nous, Water Lane. Timber shed (10'x 8').

RESOLVED to approve the application.

JBT

A4885 John Adams La Chouette, Chemin du Meunier. Replace doors with new uPVC doors.

RESOLVED to approve the application.

JBT

A4886 P Jenkins Berry's Quarry, Mannez. Alterations to windows and doors of existing building. Removal of tree. Erection of panel fencing.

RESOLVED to approve the application.

JBT

A4887 Mr L Jean Land to rear of ex Dairy, Le Val. Renewal of permission for existing storage building.

RESOLVED to approve the application, subject to the building being painted to help to improve its appearance.

- A4888 Keith Ives** 4 Val Reuters, Auderville. Removal of 3 trees.
RESOLVED to approve the application. JBT
- A4889 Julie Lillington** Tamworth Cottage, Les Venelles des Gaudions. Removal of tree.
RESOLVED to approve the application. JBT
- A4890 Mr A Fowler** Connaught House, Church Street. Replace uPVC windows and doors to rear of property with new uPVC units.
RESOLVED to approve the application. JBT
- A4891 Andrew Eggleston** 2 & 3 Victoria Street. Replacement of timber first floor windows with uPVC units to the same design. See item 37.1. JBT
- A4892 Mr D J Gillingham** Alirore Boreale, Les Rochers. Timber fencing (1.8m).
RESOLVED to approve the application. JBT
- A4893 Mr & Mrs W Walden** AY1756, Field at Courtil Liage. Renewal of permission for existing stable building.
RESOLVED to approve the application for a period of 2 years. JBT
- B3055 Neil & Fran Harvey** Blanchard, Rue de Longis. Extension to west gable, roof extension and new window to east gable.
RESOLVED to approve the application, subject to compliance with Building Regulations. JBT
- B3056 Patricia Anne Smith** Havre des Papillons, Route de Picaterre. Extension of porch to annexe at rear of property.
RESOLVED to approve the application, subject to compliance with Building Regulations. JBT
- B3057 Ravenswood Ltd** Bears Corner & Tiggers Den, Mare Jean Bott. Formal subdivision to provide two separate dwellings. It was noted that there was a variance between the submitted plans and the actual.
RESOLVED to defer making a decision on the application, pending receipt of further information and clarification. JBT/DEFER
- B3058 C Rivett-Carnac** The Pool House, Mare Jean Bott. Alterations including small extensions, roof reconstruction and recovering, changes to windows and doors.
RESOLVED to approve the application in principle, subject to compliance with Building Regulations. JBT
- B3059 Mr & Mrs L Franklin** Longis House, Longis Road. First floor extension over existing single storey wing.
RESOLVED to approve the application in principle, subject to compliance with Building Regulations. JBT

1100hrs Mr S Martin, Channel Windows & Mr J MacDonald, carpenter, entered the meeting.

Messrs Martin and MacDonald had been invited to the meeting to talk to the Committee about the fabrication and maintenance of both timber and PVC windows. Points discussed included the high cost of labour involved in the making of timber windows, which Mr MacDonald estimated would bring the cost of an 18pane hardwood sash windows to between £1,200 - £1,800 per window. Both agreed that the use of the wrong type of window in a property could ruin the look of the property.

**1130hrs Messrs Martin & MacDonald left the meeting
1130hrs Mr Birmingham entered the meeting**

35.2 Deferred items

- a) **A4872 Mr & Mrs Hope** See 37.2 below.

- b) **A4878 NFU Mutual Insurance Society Ltd** See 37.2 below. JBT
- c) **B3050 Mr & Mrs Dean** Bank House, Bluestone Hill. Construction of 3 bungalows. Draft Exemption Ordinance tabled. It was noted that a reason the Ordinance was being promoted was because of the type of dwelling proposed, i.e. small two bed bungalows, suitable for over 55's. The Committee requested that advice be sought about restricting the future extension of the dwellings, so that they remained as small dwellings in perpetuity. **RESOLVED to defer the matter, pending receipt of advice as above.** JBT
- d) **J K Ayrlle-Gardner & A C Burgess** 13 Little Street. Sub-division of property into 2 separate dwellings. Draft Exemption Ordinance tabled. **RESOLVED to approve the Ordinance for inclusion in the next Billet.** JBT/DEFER
- e) **C1043 E Bohan** Proposed new dwelling at AY2275 Vert Cotil. Revised drawings tabled and discussed. The Committee considered that the revisions made to the pitch of the roof and repositioning of the dormers helped to make the building appear less obtrusive, albeit that the footprint of the lower floors had increased. The application was approved in principle, subject to **RESOLVED to approve the application in principle, subject to the following conditions:**
- 1) **The provision of a satisfactory full set of drawings, including elevations and sections, for the scheme.**
 - 2) **Materials and landscaping - The Committee considered that the use of natural materials wherever possible would help to preserve the natural character of this semi-rural location. A landscaping plan is to be included with the full set of drawings for this revised scheme.**
 - 3) **Trees - The root protection area of the trees to the western boundary to be calculated in accordance with British Standard BS 5837:2005 - Trees in relation to Construction. During construction, the root protection area will need to be fenced off to avoid any damage occurring to these trees. In addition, any trees marked for removal will need to be replaced with native species.**
- f) **C1045 A Bohan** Proposed new dwelling at AY185 Vert Cotil. **RESOLVED to invite the Applicant to submit application plans for the site.** JBT

1230hrs meeting adjourned for lunch
1400hrs meeting re-convened

36/2011 Policy / Legal Matters /Systems & Procedures

36.1 Replacement windows in Historic Buildings and Conservation Areas (continued from 34.1)

Draft policy document tabled. The Committee requested that the Alderney Society be asked to document the individual features (including windows and doors) of buildings on the Register, which are of the greatest importance. Following discussion, the Committee agreed on the following policy for replacement windows and doors in Registered Historic Buildings and Conservation Areas: -

Policy for Replacement windows in Registered Historic Buildings & Cobbled Areas of St Anne

- 1) The BDCC encourages the repair and retention, wherever possible, of original windows and doors in Registered Historic Buildings.
- 2) The BDCC encourages the use of traditional materials in Registered Historic Buildings and Conservation Areas. Grants are available privately for the refurbishment of existing traditional windows or replacement windows, provided they

are of a traditional design. Details of grants are available from the Alderney Society C/O Alderney Museum.

- 3) In Registered Historic Buildings, any replacement or alteration of original windows or doors should be on an identical basis in terms of design and detailing. Any replacement or alteration of previously altered windows or doors shall be of a type appropriate to the age and character of the building in terms of design and detailing.
- 4) The use of non-traditional materials will normally not be acceptable in Registered Historic Buildings whose windows or doors are a significant feature of, and make a significant contribution to the character of that building, and where non-traditional materials would greatly affect the appearance of the building.
- 5) **In the cobbled street areas of St Anne**, windows and doors which directly face the street at ground floor level are to be made of timber. Alternative materials may be acceptable in the following instances: -
 - i) On buildings built after 1950.
 - ii) Where the front façade of the building is more than 3m away from a public highway.
 - iii) Where a building has existing windows of a non-timber construction.

In all the above cases, the replacement windows should be appropriate to the age and character of the building in terms of design and detailing and the character and appearance of the conservation area.

Where uPVC is permitted, these should match as closely as possible a traditional window in all respects, with particular attention being given to the following: -

Dimensions - The sizes of sections (including the frames) in the new windows should closely match those of the original window.

Horns - These should only appear where appropriate and if possible replicate the existing detailing.

Opening mechanism – Sashes will slide vertically to open and can be fixed with weights or spring balances.

Glazing bars - These should be kept slender to match the thickness of the original. Glazing bars fixed between two panes of glass or with a flat profile placed onto the glass will not be acceptable. Externally beads should be wedge shaped to match as closely as possible to putty.

Glazing - In the case of double glazing, glazing bars will be required as above.

37/2011

Planning Matters (continued from 35/2011)

37.1 Planning Report (continued from 35.1)

A4891 Andrew Eggleston 2 & 3 Victoria Street. Replacement of timber first floor windows with uPVC units to the same design. It was noted that the existing windows were not of a style appropriate to the age and character of the building. Originally, these windows would have been sliding sashes, as seen in adjacent properties.

RESOLVED to defer making a decision on the application, to enable the Applicant to submit a proposal which complied with its Policy on replacement windows in Historic Buildings.

37.2 Deferred items (continued from 35.2)

a) A4872 Mr & Mrs Hope 9 Victoria Street. Replace existing timber windows with uPVC. It was noted that the building was on the Register of Historic Buildings.

JBT/DEFER

RESOLVED to approve the application in principle, subject to the replacement windows being on an identical basis in terms of design and detailing.

JBT

b) A4878 NFU Mutual Insurance Society Ltd 17 Victoria Street. Replacement of all windows with uPVC (retrospective application). New LED lighting to front of building. It was noted that the building was on the Register of Historic Buildings. The Committee was greatly concerned that permission for the replacement of the windows had been sought retrospectively. After considerable discussion, the Committee resolved to approve the retrospective application, because it considered that the replacement windows were acceptable in terms of design and detailing, and the application was in accordance with its newly introduced policy, if the existing windows had been of a non-timber construction as stated.

RESOLVED to approve the retrospective application for the replacement windows. Further resolved to approve the application for the lighting to the front façade. Applicant to be reminded that all development of a Registered Historic Building required development permission from the BDCC.

c) A4858 Mr M Smith London House, Victoria Street. Replacement of first floor windows with uPVC. Sample of replacement window made by Channel Windows exhibited. The Committee considered that the window was identical in terms of design and detailing to the existing windows.

RESOLVED to approve the application for the replacement of the first floor windows with uPVC windows as per the sample.

JBT

38/2011 Policy / Legal Matters /Systems & Procedures (continued from 36/2011)

38.1 Planning and Policies Memo from Mr Llewellyn dated 24.05.11 tabled and discussed. The Committee was in agreement that greater independent professional input is required to improve the planning process and help to avoid criticisms and disputes. **Engineer to speak to Guernsey Planning Department re the possibilities of formal and regular assistance from them.**

JBT/DEFER

38.2 Legal advice CEO reported that a response was awaited from the Law Officers.

RB/DEFER

39/2011 Land Use Plan Review

39.1 Inspector's Report dated 01.06.11 tabled. The Committee discussed the Report and made the following comments: -

Representations to the Inquiry from the Building and Development Control Committee:-

Berry's Quarry Mannez – Re-zone from Designated Area to Building Area Zone 19 for light industrial use. The Committee supported the Inspector's recommendation that the land be rezoned, subject to suggested changes to text, as outlined in his Report.

Whitegates, north side (AY1932) – Re-zone from General Building Area to Designated Area (Recreational Zone). The Committee supported the Inspector's recommendation that the site be rezoned from General Building Area to Designated Area (Agricultural Zone).

Whitegates, south side (AY 1832) – Re-zone from Designated Area (Residential & Agricultural Zone) to Building Area Zone 20 for social housing. The Committee supported the Inspector's recommendation that plot AY1832 be re-zoned as Building Area Zone 20.

Brickfields, Le Grand Val – Re-zone from Zone 9 (High Density) to General Building Area. The Committee supported the Inspector's recommendation that Zone 9 be re-zoned as General Building Area.

Middle slopes of Cotil du Val, Newtown. Re-zone Zone 10B from medium density to mixed density. The Committee supported the Inspector's recommendation that the proposed

modification to the LUP (to incorporate the proposed modified wording submitted at the commencement of the inquiry) be adopted.

Zone 18 – La Corvee Industrial Area, re-wording. **The Committee supported the Inspector’s recommendation that the proposed re-wording be adopted with the modificationd as outline in the Report.**

Corporation Quarry – Re-zone from Agricultural Zone (Designated Area) to Recreational Zone (Designated Area). **The Committee supported the Inspector’s recommendation that the re-zoning to Recreational Zone be adopted.**

Land at Les Pourciaux, Longis Common (AY1893). Re-zoning from Agricultural Zone (Designated Area) to Recreational Zone (Designated Area). **The Committee supported the Inspector’s recommendation that the proposed Recreational Zone be reduced to a much smaller area on the LUP map sufficient to accommodate the proposed Yurt, ancillary structures and a limited area of land surrounding these.**

New Comprehensive Harbour Development Zone, incorporating existing Zones 7 & 16 (Building Area), Braye Street (General Building Area), Braye Common (Recreational Zone, Designated Area) and Braye Beach (Protected Zone, Designated Area). **The Committee supported the Inspector’s recommendations as outlined in his Report.**

Fort Albert – re-wording. **The Committee supported the Inspector’s recommendation that the proposed wording change be adopted, including the amendment to the reasoning, as outlined in the Report.**

Zone 12 (Les Rochers) – Rewording. **The Committee supported the Inspector’s recommendation that the proposed re-wording be adopted with the modification as outline in the Report.**

Area of land adjacent to Civil Defence Bunker, Longis – Rezone from General Building Area to Public Utility Zone. **The Committee supported the Inspector’s recommendation that the re-zoning be adopted.**

Minor ‘tidying up’ alterations proposed by BDCC

Fort Quesnard, Mannez – Rezoning from Commercial Zone (Designated Area) to Residential Zone (Designated Area).

Quatre Vents, west wing – Change properties index text (Agricultural Zone) to East Wing.

Agricultural Building A6, Le Grand Val – Remove from Plan and text

The Committee supported the Inspector’s recommendations to adopt the proposed re-zonings of these items.

Representations to the Inquiry by 3rd parties

Request for re-zoning of land at La Marette. **The Committee supported the Inspector’s recommendation that the boundary of the Designated Area at this location not be altered.**

Request for re-zoning of land forming part of Copse Hill, Valongis (Zone 5). **The Committee supported the Inspector’s recommendation that there be no change to the LUP in respect of this site.**

Request for re-zoning of Saye Farm Cottages. **The Committee did not support the Inspector’s recommendation that Saye Farm Cottages be re-zoned to General Building Area to enable future use as holiday cottages.**

The Committee discussed the matter at length, and whilst having sympathy for Mrs Willmott, considered that it did not support the Inspector’s recommendations for the following reasons: -

There was no evidence that there was a demand for tourist accommodation. Section 14 of the BDCC Law had been repealed, and there was not now the provision in Law to control the use of dwellings solely as tourist accommodation. The Committee considered that properties provided for tourist accommodation could easily become full-time residences. The Committee would not support the use of the properties as full-time residences.

The Committee discussed its vision for the future use of the buildings. The Committee was of the opinion that it might be more appropriate to re-zone the buildings for recreational use, to be incorporated as an addition to the campsite facilities.

39.2 Letter from Mrs R Hanbury dated 11.05.11 regarding consideration of 3rd party representations at LUP planning inquiries. It was noted that her letter had been forwarded to Mr Whitehead, who had agreed that the opportunity for members of the public to offer comment to the Inquiry in such circumstances is unclear.

40/2011 Any Other Business

Archaeology site as Whitegates

Mr Birmingham wished to make the Committee aware that Mr Gary Marriner was undertaking full time education in archaeology at a UK educational facility and that he may be worth consulting if an archaeological survey of Whitegates is required.

Letter from P Arnold dated 04.05.11 tabled and discussed. Mr Arnold was informing the Committee that there would be an opportunity for an archaeological survey of the Coastguards site, should the properties there ever be demolished.

41/2011 For Information

Letter from Advocate Claire Tee dated 24.05.11.

Letter from Century Trustees Ltd dated 20.05.11.

Meeting finished 1720hrs

Date of next meeting: Tuesday 5th July 2011

Signed : A Llewellyn

Dated: 5th July 2011