

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room
29th November, 2011
0915 hrs

Present:

Mr G Sargent, Chairman
Mr A Llewellyn
Mr M Birmingham
Mr R Berry

Mr R Burke, CEO
Ms J B Turner, States Engineer
Ms R Sowden, Planning
Assistant/ Minute Secretary

ACTION

61/2011 **Minutes of previous meeting** of 18th October 2011 were confirmed and signed.

62/2011 **Matters Arising**

62.1 Any matters arising from the minutes

General tidiness of the Island – Mr Birmingham reported that he intended to speak to the Chamber of Commerce about approaching the subject from a good citizenship point of view. **Officers to also research legal and practical issues in respect of derelict land or structures, and report back to the Committee.**

JBT

63/2011 **Planning Matters**

63.1 Planning Report tabled.

All approvals are subject to compliance with Building Regulations, where applicable.

A4914 Sherry Millan Tinderbox Cottage, Allee es Fees. Removal of 2 leylandii trees. **Approved.**

JBT

A4915 Rupert Street & Jill Moore AY1481, land near Windy Corner, La Marette.

- a) Erection of field shelter (12' x 24'). **Approved, for a period of 1 year, to enable any potential neighbour nuisance to be assessed. This is because the shelter is less than 30m away from the nearest unrelated dwelling.**
- b) Retain / relocate existing field shelter from AY1480 to AY1481. **Approved, for a period of 1 year, to enable any potential neighbour nuisance to be assessed.**
- c) Retain / relocate existing container from AY1480 to AY1481. **Refused.**
Reason - The Committee considered that the siting of a metal shipping container for indefinite storage purposes in the Designated Area was visually obtrusive, detrimental to the amenity of the area and an unacceptable form of development. In refusing this part of the application, sections 7(1)(c) and 7(1)(e) of the Building and Development Control (Alderney) Law, 2002, as amended, were taken into consideration.

JBT

A4916 Mr E P Arditti St Catherines, Victoria Street. Removal of 2 ornamental cherry trees from front garden. **Approved.**

JBT

A4917 Mrs I Kronwitter Dingley Dell, Val Reuters. Felling of 5 sycamore trees. **Approved.**

JBT

A4918 Rupert Street Mannez House, Mannez. Raised deck/carport/wind break (retrospective application). **Refused.**

Reason - The Committee considered that the design of the structure was poor and that it appeared an obtrusive and badly constructed feature, which was out of keeping with its surroundings. It considered that it was particularly incongruous when viewed from the closest property to the west (Kavika). It is also considered that the siting of the structure, beyond the house and garage area, was piece-meal development which was not well-planned. Its retention is therefore considered unacceptable having regard to the detrimental

impacts on the visual amenity of the surrounding properties, contrary to policy GEN5 and sections 7(1)(c) and 7(1)(e) of the Building and Development Control (Alderney) Law, 2002, as amended. (2 letters of representations received).

JBT

A4919 Mr J W Maurice Plot AY1517, Les Venelles. Variation to approved plans for garages – omission of stone cladding to roadside elevation. **Approved, with conditions: -**

- 1) Hedging to be planted in the next planting season.
- 2) Dead, damaged or diseased plants to be replaced
- 3) Hedging at this location to be maintained in perpetuity.

Reason – To improve the setting of the existing development, and to disguise the large expanse of rendered wall, which is not considered to be a feature which enhances this part of the Conservation Area.

JBT

A4920 States Engineer States Work Department, The Butes. New window to eastern elevation. **Approved.**

JBT

A4921 Mrs Carole Neill AY472, Rue de la Saline.

- a) Mobile field shelter (10' x 12') adjacent to existing stable. **Approved, for a period of 2 years, because the site is in the Designated Area (Agricultural Zone) and only temporary permissions are issued, to ensure that buildings are removed if they are no longer required for their original purpose.**
- b) Retention of existing container **refused.**

Reason - The Committee considered that the siting of a metal shipping container for indefinite storage purposes in the Designated Area was visually obtrusive, detrimental to the amenity of the area and an unacceptable form of development. In refusing this part of the application, sections 7(1)(c) and 7(1)(e) of the Building and Development Control (Alderney) Law, 2002, as amended, were taken into consideration.

JBT

A4922 Jane Croxton 1 Newtown Road. Removal of tree. **Approved, with condition: -**

- 1) That the tree is replaced with a native species in the garden.
- Reason** – To mitigate for the loss of greenery in this location.

JBT

A4923 Islands Insurance Rear of 17 Victoria Street. Widen existing gate opening to 1.5m. **Approved, subject to condition: -**

- 1) That the existing gate is replaced with a close boarded timber gate.
- Reason** – to ensure that the gate is in keeping with the surrounding Conservation Area.

JBT

A4924 Mrs S L Kelly La Heche, Chemin du Meunier. Removal of 12 conifer trees. **Approved.**

JBT

A4925 A Fowler Connaught House, Church Street.

- a) Replacement of existing uPVC windows to north elevation with new wood grain effect windows. **Refused.**
Reason - The Committee considered that the style of the windows proposed would be out of keeping with the existing windows to the west and east elevations. It was noted that all 3 of these elevations are visible from the public highway, and are able to be viewed simultaneously. The Committee considered that the proposal was contrary to the Committee's policy on replacement windows in conservation areas. Sections 7(1)(c) and 8(2) of the Building and Development Control (Alderney) Law, 2002, as amended, were also taken into consideration.
- b) Replacement of full glass door with 'cottage style' door and replacement of front gate with timber gate. **Approved.**

JBT

A4926 Mrs A L M Savage AY1440, Venelle du Val du Sud. Re-application for existing field shelter. It was noted that an application by the previous owner, for the shelter on this field, was refused in 2010 because it was considered that a building at this location would detract from the natural beauty of the area and have a detrimental effect on the public enjoyment of open rural views. A further application for the shelter to be repositioned to westernmost part of the field was subsequently approved for a period of 1 year. Since then, a policy for the siting of stables and horse shelters has been adopted, to give guidance to applicants on the suitable positioning of such buildings.

The Committee considers that a structure in this location does not comply with the Committee's policy on stables and field shelters, because of its prominence on the skyline. Previously uninterrupted countryside views towards the southern cliffs beyond the field were enjoyed from the top of Venelle du Val du Sud and La Marette. It also considered that the retention of the shelter in this location would create an undesirable precedent that would make it difficult to refuse similar further applications.

Notwithstanding the above, the Committee approved the application for a period of 1 year only, after which, the shelter is to be removed from the site. This is to enable the applicant sufficient time to find an alternative, more visually acceptable location for the shelter.

JBT

A4927 Shirley Goodman 5 Alexandra Court, Les Mouriaux. Timber shed (8' x 6').
Approved.

JBT

A4928 R & M Bohan Lifton House, 62 High Street. Replacement windows and doors.
Approved.

JBT

A4929 JB & CA Dowling Ile de la Fontaine, La Trigale. Removal of leylandii tree.
Approved, with condition: -

- 1) That the tree is replaced with a native species within the curtilage of the dwelling.

Reason – To mitigate for the loss of greenery in this location.

JBT

A4930 Sarah Kelly The Pines, Les Venelles. Removal of pine tree. Erect fencing.
Approved, with condition: -

- 1) That the fencing is stained dark.

Reason – To ensure that the fencing is as unobtrusive as possible in this visible location in the Conservation Area.

JBT

A4931 Ian MacFarlane 18 Clos de Mer, Newtown. Remove 7 trees. **Approved, with conditions: -**

- 1) That the trees be replaced with hedging.
- 2) Any dead, damaged or diseased hedging plants to be replaced in the next planting season.
- 3) Hedging at this location to be maintained in perpetuity.

Reason - The Committee considered that the presence of trees along this roadside was intrinsic to the character of the area, and provided cover for the adjacent buildings. It considered that the loss of trees should be mitigated by the planting and maintenance of hedging.

JBT

A4932 Mrs G Whittaker Les Mouriaux House, Les Mouriaux. Landscaping of garden, including the removal and replacement of trees and erection of summerhouse and pergola.
Approved.

JBT

B3072R Lucy W Mellor Le Petit Chalet, Longis Common. Revised application for demolition and rebuilding of existing dwelling. **Approved, with condition: -**

- 1) That the floor area of the proposed building is no more than 15% over the existing floor area.

Reason - The property is in the Designated Area, (Residential Zone). The LUP zoning states that a dwelling may increase its floor area by a maximum of 15%.

JBT

B3039R Windermere Ltd La Marette. Revised application for demolition and rebuilding of existing dwelling. **Approved, with condition: -**

- 1) That the floor area of the proposed building is no more than 15% over the existing floor area.

Reason - The property is in the Designated Area, (Residential Zone). The LUP zoning states that a dwelling may increase its floor area by a maximum of 15%.

JBT

B3075 Alderney Gambling Control Commission St Anne's House, QEII Street. Conversion of existing roof space to provide additional office accommodation. The application was approved, with 3 separate options for the rear elevation also being considered.

- a) To construct one large dormer window. **Refused.**

Reason - The Committee considered that St Anne's House is an important building because of its historic and architectural interest. Its rear elevation is visible to the public from St Anne's Church Graveyard, and is in the Conservation Area of St Anne. The Committee considered that the proposed large dormer would be a dominant feature, out of scale with the roof which would give a 'top heavy' appearance and create a visual imbalance with the other traditional sized dormers on the roof. It considered that the construction of a large dormer as proposed would be contrary to policies Gen5 and DBE3 and sections 7(1)(c) & 8(2) of the Building and Development Control (Alderney) Law, 2002, as amended. This option was refused.

- b) To construct one small dormer window (same size as adjacent dormer windows).

Approved

- c) To install 4no. Velux rooflights. **Approved.**

B3076 States of Alderney Saye Campsite. Replacement of shower / toilet facilities. **Approved.**

JBT

B3077 Victor Levine Coin de Soleil, Le Petit Val. Major alterations / extensions. **Deferred.**

JBT/defer

B3078 The Harbour Authority The Glacis, Braye Harbour. Redevelop Glacis area into boat park, including removal of old crane shed and temporary fishermens sheds. **Approved the removal of the Old Crane Shed and temporary fishermens sheds. Deferred the application for the redevelopment of the area, pending receipt of further detail and sight of the master plan for the area.**

JBT/defer

63.2 Deferred items

B3073 Mr Malcolm Kern Jon's Cottage, Chemin du Meunier. Conservatory to north elevation.

- a) Conservatory to north elevation. **Approved.**

- b) New window to west gable. **Refused.**

Reason - The Committee considered that the installation of a window to this elevation would prejudice any future development opportunities for the adjoining property, whose large garden abuts this gable wall. It considered that there were alternative ways to provide natural light and ventilation to the proposed ensuite bathroom, e.g. velux rooflights or 'sun tubes'. This part of the application was refused, because the Committee considered that it was contrary to Policy Gen2.

C1055 Stephen Phelan AY266, Valongis. New dwelling. **Approved, with conditions: -**

- 1) Access to the dwelling is to be via the existing Valongis Road.

Reason - In the interests of road safety and in accordance with the Land Use Plan and Cotil du Val Master Plan, no property will have direct vehicular access onto Newtown Road.

- 2) Detail of the property's connection to mains drainage to be agreed with the States Engineer prior to commencement of the development.
Reason - No information about drainage was included in the application drawings.
- 3) A soakaway is to be installed for surface water disposal, and details of such are to be submitted and agreed with the States Engineer prior to commencement of the development.
Reason - No information about drainage was included in the application drawings.
- 4) The proposed colour of the render is to be agreed with the States Engineer prior to the commencement of the development.
Reason - White and light colours are to be avoided, to ensure that development blends into the natural hillside. This is in accordance with the Cotil du Val Design Guide.
- 5) The window frames are to be of a dark colour.
Reason - White and light colours are to be avoided, to ensure that development blends into the natural hillside. This is in accordance with the Cotil du Val Design Guide.
- 6) A comprehensive landscaping scheme is to be submitted and agreed with the States Engineer prior to the commencement of the development.
Reason - To improve the overall setting of the development, and to ensure that the natural appearance of the hillside is preserved.
- 7) No trees are to be lopped, topped or felled. During construction, the root protection area of existing trees is to be fenced off to avoid any damage occurring to these trees.
Reason - To ensure that all existing trees are retained, in order to minimise the impact of the development and preserve the natural appearance of the hillside.

JBT

B3062 Mr R Wyke Lorem, Braye Road. Sub-division of dwelling into 3 apartments.
Approved.

JBT

B3057 Ravenswood Ltd Bear's Corner, Mare Jean Bott. Sub-division of dwelling into two separate dwellings. **Approved.**

JBT

B3041 Dr J Cooper / Sundial Holdings AY2266 Le Val. Proposed doctor's surgery with flat over. **Approved.**

JBT

63.3 Former Royal Connaught Care Home Proposed planning guidance document tabled. **Approved for circulation to Estate Agents.**

The Committee considered that it would be advantageous for the property to be marketed with permission already in place for its conversion to housing. Legal advice to be sought on this matter.

JBT

63.4 The Grand Site Letter from D Hamon, for and on behalf of Hamon Architects Ltd, dated 23.11.11 tabled and discussed. The Committee was in favour of a development proceeding at the site, and invited the Developer to put forward their proposals. Legal advice to be sought on the matter of transferring the permission to a new owner.

JBT

64/2011 **Policy / Legal Matters / Systems & Procedures**

64.1 Building Regulation Fees Matter deferred pending further research, and receipt of legal advice.

RS/defer

65/2011 **Any other business**

Works at Braye Lane – It was reported that certain development was underway, and concern had been raised regarding emergency and service vehicle access. Engineer to investigate and report any highway matters to GSC.

JBT/GSC

Housing Strategy – Mr Birmingham reported that he had spoken to Alderney Housing Association's Mr Weir, regarding AHA's long term social housing strategy. The Committee agreed that Mr Weir should speak to the States officers on the matter of an inclusive long-term housing policy, prior to any draft policy being put forward to the Committee.

JBT

Revitalisation of Victoria Street Mr Birmingham reported that he would be approaching the Chamber of Commerce about ideas for empty premises in Victoria Street.

MB

Building survey A Report on the findings of recently circulated survey was tabled by Mr Birmingham.

66/2011 **For Information**

The following items were tabled for information only: -

- Letter from S Brazier dated 27.11.11.
- States Waterboard Meeting Minute dated 09.11.11

Meeting finished 1225

Date of next meeting: MONDAY 19TH JANUARY 2012

Signed : G SARGENT

Dated: 19TH JANUARY 2012