

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room
Tuesday 14th July 2015

Present:

Mr M Birmingham, Chairman
Mr F Simonet
Mr S Roberts
Mr R McDowall
Mr C Rowley

Mr J Young, Planning Officer

Mrs S Pengilley-Price, Executive Assistant

Apologies: None

ACTION

30/2015 **Minutes of previous meeting** of 2nd June 2015 were **tabled and approved**. It was noted that the following items to be removed from the confidential annexure:

26.2 Planning Applications – For Completion

1. **PA/2015/006 Mr I Grant, change to approved plans.**
Application unanimously approved.
2. **PA/2015/011 Mr Beer & Mr Martin, Removal of Willow Trees.**
Application invalid as trees have been pruned. Confirmation required from applicant that removal is no longer required. **Noted**
3. **PA/2015/010 Le Vallon, garage in Water Lane.**
The Committee awaiting technical information/building regulations regarding how far back the building will be placed off the road side.
Application for approval via email once clarification sought with technical information. Noted.
4. **PA/2015/015 Mr S Benfield & Mr & Mrs A Gaudion, double garage.**
Application deferred subject to investigation into access and ingress onto the main highway. Planning Officer to investigate the legal issues, with Traffic Sub-Committee to enquire issues with yellow line, and access to the garage i.e. turning area. It was stated that an official agreement between applicants would be advised. **Noted.**
5. **PA/2015/021 The Kennels, remodel**
The Committee discussed the requirement for an Environmental Impact Assessment of the site with the presence of an archaeologist when the foundations are being excavated. It was also stated that EIA's will be included in the Policy development later in the year.
The Committee approved the design and relocation under the law, subject to the EIA at the applicants' expense. Planning Officer to investigate the process needed for this application. Noted.

Other Planning Matters – A) & B) SEE CONFIDENTIAL ANNEXURE

- c) **Le Creux – Longis Road Land Plot**
The Deputy Chairman reported that the judgement of the Alderney Court had been appealed in the Royal Court, Guernsey, and had been lost. Deputy Chairman to circulate the paper from the Court Office to Committee Members. **Noted.**
- d) **Mr Adams – Hauteville** – The Committee agreed that a site visit was needed to view the height poles for the proposed fence. The Committee left the meeting to visit the area, and confirmation of the Committee's decision will be circulated via email. **Noted.**

31/2015 **Matters Arising** nil to report

32/2015 **Planning Matters**

- 32.1 Planning Applications deferred from previous meeting**
- 32.1.1. PA/2015/029 Driffield Estates Ltd – Garages north of Braye Lane.** Erect two dwarf boundary walls, resurface forecourt and position water tank.
RESOLVED unanimously to approve the application.

32.1.2 PA/2015/30 Mr & Mrs C Jones - Abacus House, Newtown Road. First floor extension to include decked area.

RESOLVED unanimously to approve the application subject to the condition that gas bottles are screened from the public highway and Building Regulations compliance.

32.1.3 PA/2015/033 Mr R Kemp - 1 Auderville. Build detached garage, erect fence with double and single gates.

RESOLVED unanimously to approve the application for a detached garage subject to Building Regulation compliance. The proposed fence was not approved this structure would need to comply with an alternative design.

32.2 Planning application for ratification – PA/2015/003 Mr R Adams – 4 Hauteville. Erection of 2.5m fence and wicket gate.

RESOLVED unanimously not to approve the application. The Committee in reaching its decision took into consideration Policy Gen12 and resolved that there will be a significant impact on the reasonable enjoyment of adjoining properties, particularly in relation to overshadowing.

It was recommended that any additional fence at this location should be open in style to moderate this prejudice.

32.3 Planning Application Reports – New Reports

PA/2015/35 Mrs K Brown – Tamworth Cottage, Le Bourgage. Replace two timber windows in same style in UPVC. Letter of representation received. **Noted.**

RESOLVED unanimously to approve the application subject to the condition that the new windows comply with current policy requirements, to replicate the original windows.

PA/2015/036 Mr M Harding – Alderney Angling, Unit 1, Crusher Site. (retrospective application) Siting of signage above shop entrance.

RESOLVED unanimously to approve the application.

PA/2015/037 Blanchard Building Supplies - Newtown Road. Renewal of 2011 consent – Lay concrete between railway tracks to permit vehicular access over. It was noted that the application is subject to a licence agreement between the States of Alderney and the Railway Society being amended to grant access.

RESOLVED unanimously to approve the application subject to conditions:

- 1. That trees and planting are retained between the proposed parking area and the Banquage properties to the north for visual amenity reasons, to act as a safeguard between the rear of the houses and the proposed car park;**
- 2. That telescopic security posts/bollards are put in place, with a hazard chain between them, which should be raised when the train is scheduled to run, for public safety reasons.**

PA/2015/038 Quay FM Community Radio – Braye Street. Add a temporary porch to the rear of the building.

RESOLVED unanimously to approve the application.

PA/2015/039 Mrs S Hogg - Samantha J's Boutique, Les Rocquettes. Install shop sign (retrospective application).

RESOLVED unanimously to approve the application.

PA/2015/040 Mr & Mrs P Dearsley – St Louis, Little Street. Replace box sash windows with timber replacements to match existing.

RESOLVED unanimously to approve the application.

PA/2015/041 Mr & Mrs Hill – Bonza House, Braye Lane. Addition of French Doors to east elevation of property.

RESOLVED unanimously to approve the application in principle subject to a structural engineer's report/drawings being submitted and approved prior to planning consent being issued.

PA/2015/042 Mr J Strick – Les Ouest, La Petite Braye. Removal of a pine tree.
APPROVED unanimously to approve the application.

PA/2015/043 Mr T E Odoire – 5 Le Huret. Replace windows to two upper floors in front and side elevations with UPVC.

RESOLVED unanimously to approve subject to conditions that the replacement windows should comply with policy requirements to replicate the original windows.

PA/2015/044 Mr & Mrs J Phillips – Mocollop, Les Venelles. Removal of a Sycamore tree.
RESOLVED unanimously to approve the application.

PA/2015/045 Mrs P Collins – Vue House, Longis Road. Removal of hedge and to erect 4ft fence.
APPLICATION WITHDRAWN.

PA/2015/046 Mr & Mrs P Mahy – Magnolia Cottage, Cote Soleil, Allee es Fees. Extension to existing porch to form a conservatory 5m x 4m x 3m.
RESOLVED unanimously to approve the application.

32.4 Planning Application matters outstanding from previous meetings

32.4.1 PA/2015/021 The Kennels, Longis. Report from Dr Jason Monaghan, Hon. Curatorial Advisor, Alderney Society tabled and considered. It was noted that the recommendation from Dr Monaghan for specific ground depth in the excavation for the proposed development, so as not to endanger the Roman soil deposit layer, was accepted by the developer. Letter of appreciation to be sent to Dr Monaghan from the Chairman.

RESOLVED unanimously to approve the application with special conditions applied to the planning consent to protect the archaeology together with other special conditions required because of the sensitive nature of this site as below:

The site is located within an area of known archaeological importance and satisfactory provision for mitigation measures is required to avoid damage to the archaeological remains and investigation and recording, accordingly:

1. No development, excavation or construction work, should take place anywhere on the application site, deeper than 600 mm below the present ground surface.
2. If excavation is required deeper than 500 mm below the present ground surface for whatever reason including drainage or services trenches, then details of the excavation, including the proposed location must be submitted and agreed by the planning officer before any work is carried out.
3. Any excavation work carried out below a depth of 500 mm below the present ground surface must be supervised by a qualified archaeologist at the expense of the applicant
4. In the event of excavation work requiring further investigation such archaeological investigation is to be at the expense of the applicant. All archaeological finds to be provided to the Alderney Society and be available for publication.
5. In the event of identifying any unexpected archaeological material below the surface of the ground during excavation, then work should be halted for 24 hours to enable and investigation by an archaeologist.
6. The site of the existing building must be made available for archaeological investigation by the Alderney Society or its appointed qualified archaeologist for a period of twelve months after demolition of the existing building. All archaeological finds to be provided to the Alderney Society and be available for publication.

7. At the conclusion of archaeological investigation of the existing site the natural profile of the land to be restored , details to be agreed by the planning officer;

The site is of special quality and importance and located both in the Designated Area and a Conservation Area, requiring special care to ensure its special qualities are protected, maintained and conserved, accordingly:

8. The existing line of trees to the southern boundary of the site and the copse of trees to the south western boundary should not be disturbed.
9. The proposed changes to the existing ground level (cut and fill) to raise the new amenity area of the replacement building are not approved and details of such work should be submitted and agreed by the Planning officer before any work is carried out.
10. The roof of the replacement building should be sedum roof.
11. A sample of the proposed cladding materials to the exterior of the building should be submitted and agreed by the Planning Officer.
12. Details of the proposed changes to the vehicle access to the building should be submitted and agreed by the Planning officer.
13. All permitted development rights (exemptions from requiring development permission) which would otherwise be conferred by Section 1 of the Building and Development Control (Exemptions)(Alderney) Ordinance 2007 as amended, in respect of the land and buildings which are the subject of this permission, are hereby removed.
14. No building work may be carried out without previously applying and receiving a building permit requiring the submission of full plans demonstrating compliance with the Building (Alderney) Regulations 2014, including the submission of structural engineer's calculations and designs.
15. Construction work should be supervised by a UK registered architect throughout the development and such supervision should require regular site inspections to ensure compliance with the approved design and the conditions 1- 12 applied to this Planning permission.
16. With the exception of the archaeological investigation of the site of the existing building, all construction work must be completed within 18 months of commencement of works.
17. The site to be managed throughout the period of development to confine materials, spoil, plant equipment and vehicles to the minimum area required for safe and efficient working, and to be kept in good order, in a clean and tidy condition. Protective measures must be taken to prevent solid and liquid waste, building materials, dust and toxic fumes from the development causing pollution and effecting the surrounding land and wildlife.
18. This planning permission shall expire within three years if work is not commenced.

32.4.2 PA/2015/010 Driffield Estates Ltd - Le Vallon, Fontaine David. Construction detached garage.

RESOLVED unanimously to approve the application subject to clarification that there is a verge in front of the property that will provide off road parking.

32.4.3 PA/2015/015 Mr S Benfield, Mr & Mrs A Gaudion – She View and Notre Reve, Longis Road. Construction of double garage to be used as two single garages by neighbours. It was noted that this item had been tabled at the recent meeting of the General Services Committee for its opinion as to whether the development would have an adverse

effect on other road users and road safety in general. Letter of representation received (see Confidential Annexure).

RESOLVED unanimously not to approve the application. The Committee, amongst other planning considerations, in reaching its decision particularly took into account section 7 (1) (f) of the Building and Development Control (Alderney) Law, 2002 as amended, and refused permission on the grounds of the effect that the development will have on road safety and other users and pedestrians in Longis Road.

33/2015 Other Planning Matters SEE CONFIDENTIAL ANNEXURE

34/2015 Enforcement Matters update – SEE CONFIDENTIAL ANNEXURE

35/2015 Policy Matters – SEE CONFIDENTIAL ANNEXURE

36/2015 Any Other Business

Meeting closed: 17.45pm

Date of next meeting: 1st September 2015

Signed Matt Birmingham

Dated: 10th September 2015