

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room

19th January, 2012

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

Apologies: Mr P Arditti

ACTION

01/2012 **Minutes of previous meeting** of 29th November 2011 were confirmed and signed.

02/2012 **Administration**

02.2 Appointment of Deputy Chairman

Mr Llewellyn was elected Deputy Chairman.

03/2012 **Matters Arising**

03.1 Any matters arising from the minutes

A4918 R Street Retrospective application for raised deck/ car port / wind break. Letter from R Street dated 16.01.12 tabled. It was noted that the applicant was proposing to modify the structure for which development permission had been refused. It was noted that a further separate application would be required for the development.

JBT

Works at Bray Lane Engineer gave a verbal report on the matter.

Harbour Boat Park The Committee considered that it was inappropriate to further defer application B3078 for the development of a boat park. Whilst it was acknowledged that a master plan for the harbour area was required, it was felt that this proposed use of the site would not affect any future development opportunities in the area. Engineer and CEO agreed to initiate a master plan for the Harbour.

JBT/RB

Updating of Building Regulations was discussed. The Committee requested that the current status of the matter, including advice and information received to date, be the subject of a report at the next meeting.

JBT

04/2012 **Planning Matters**

04.1 Planning Report

A4933 Miss J Bathgate & Mr M Barrier AY 1454, Grand Blaye. Field shelter (5.2m x 5.8m x 3m). **Refused.**

Reason: The application site is situated in the Designated Area, where there is a general presumption against development except for the purpose of appropriate agricultural business. The field is open countryside, and is visible from the track leading from Venelle de Val de Sud towards the southern cliffs, and La Murette Road.

The Committee considered that a structure of this height in this proposed location would appear as an unnatural feature on the skyline, thus detracting from the openness of the countryside. The application was refused because the Committee considered that the proposal was contrary to Section 7(1)(a) of the Building and Development Control (Alderney) Law, 2002, which is concerned with preserving the natural beauty of the area and keeping land adjacent to the Island's cliffs in a natural state, and Section 7(1)(e), which seeks to make certain that development does not detract from the character of an area. The proposal was also contrary to the Committee's policy guidelines for stables, which states that the siting of buildings on the open skyline must be avoided.

JBT

A4937 C Rivett-Carnac The Pool House, Mare Jean Bott. Removal of large conifer tree.

Approved with condition:

- 1) That the tree be replaced on site by an appropriate native species

Reason: To mitigate for the loss of greenery in this built-up area.

JBT

B3079 Quality Design (CI) Ltd Wells House, Longis. Demolish existing detached garage and single storey structures. Construct two storey extension to west elevation.

Approved.

JBT

B3080 Mr P Sebire, Mr E Sebire & Mr W Sebire AY1328, land adjacent to St Michaels, Valongis Road. Construct 3 bungalows. **Deferred.**

JBT/defer

B3081 Mr & Mrs A P Mauger Robins Nest, Braye Road. Storm porch to north gable.

Approved with condition:

- 1) That the pitch of the proposed porch roof is to the same angle as the main pitched roof of the existing property.

Reason: - to ensure that the design of the extension is in keeping with the property.

JBT

B3082 Paul Clark Building B, Crusher Site. Insert 6 windows to west side of building at first floor level. **Approved.**

JBT

04.2 Deferred items

B3077 V Levine Coin de Soleil, Le Petit Val. Extensions and alterations. **Refused.**

Reason: The Committee considered that the design of the proposal was unsympathetic and completely out of scale and character with adjacent buildings. In the Committee's opinion, the development would result in a building of excessive bulk and mass and would significantly detract from the character of the area. It also considered that the design and architecture were not of an appropriate standard. It was also considered that the development would significantly impact on the adjoining property (to the east) by way of overlooking from first floor windows and balcony, and be overbearing to that property because of the scale and massing of the development.

The application was refused because the Committee considered that the proposal was contrary to the following sections of the Building and Development Control (Alderney) Law 2002: -

Section 7(1)(c) "whether the ...immovable structure...would be incongruous with its surroundings because of itsdesign or exterior appearance..."

Section 7(1)(e) "the extent to which the development ...would detract from the character...of the locality...."

Section 7(1)(f) "the effect of the development ...on adjoining properties"

The Committee considered that the development would be contrary to policies Gen5, Gen12, and DBE1 of its Policy Guidelines, 2008, as follows: -

Gen5 – Design seeks to ensure that new development is well designed and in keeping with its surroundings, including scale.

Gen12 – Effect on adjoining properties takes into account significant impact of the enjoyment of adjoining properties, including overlooking and overshadowing.

DBE1 – Design General states that new development should achieve a good standard of architectural design, respect the scale and massing of existing buildings in the vicinity and achieve satisfactory relationship with adjacent properties.

JBT

04.3 The Grand Site Confidential Item. See Confidential Annexure.

05/2012 Policy / Legal Matters / Systems & Procedures

05.1 Untidy and derelict land Report from States Engineer dated 12.01.12 tabled and discussed. The Committee considered that the matter should be approached by the formation of a public engagement campaign about island tidiness in the run-up to the tourist season. Mr

Birmingham reported that the Chamber of Commerce were prepared to lead such a campaign, with Mr Birmingham acting as the link to the States. **Mr Birmingham to report back at next meeting.**

MB

05.2 Housing Exemption Ordinances discussion paper tabled and discussed. The Committee was supportive of the principle of changing the Law to make it easier to legally sub-divide existing dwellings to form additional dwellings. **Subject to be further discussed at next meeting.**

JBT

05.3 New build housing Letter from C A Eggleston, Bell and Co Ltd, dated 21.12.11 tabled and discussed. Mr Eggleston was requesting a definitive answer to the question of when a new dwelling, constructed by a person residentially qualified under Section 33 of the Building and Development Control (Alderney) Law, 2002, could legally be sold to a third party. **Advice to be sought from Law Officers.**

JBT

Letter from C A Eggleston, Bell and Co Ltd, dated 30.11.2011 tabled and discussed. Mr Eggleston was requesting advice on whether it would be possible for the owners of Mother Friday's House, Newtown, to build a new bungalow for themselves in their garden. It was noted that such a proposal would require a Housing Exemption Ordinance which would need the support of the States. **Information to be sought on whether other options had been considered and the justification for putting such a scheme forward for the Ordinance.**

JBT

06/2012 Any other business

Revitalisation of Victoria Street Mr Birmingham reported that he was working on ideas to improve the appearance of the Victoria Street, in association with the Chamber of Commerce, with the formation of a Town Centre partnership.

07/2012 For Information

The following items were tabled for information only: -

- Letter from R Street 16.01.12
- Letter from Alderney Wildlife Trust dated 03.12.11
- Letter from Mrs Keay dated 13.12.11
- Letter to Mr Jean dated 20.12.11

Meeting finished 1715

Date of next meeting: TUESDAY 6TH MARCH 2012

Signed : G Sargent

Dated: 6th March 2012