

**BUILDING AND DEVELOPMENT CONTROL COMMITTEE**

Anne French Room

Thursday 17<sup>th</sup> January 2019 at 1415

Present:

Mr M Dean, Chairman

Mr K Gentle, Deputy

Mr D Earl

Mr A Snowdon

Ms S Osborne, Land, Planning & Research  
Support Officer

Mrs L Baines, Minute Secretary

Apologies:

The meeting was open to the public and press in accord with the BDCC Protocol.

The chairman welcomed the new members to the Committee, and thanked Mr Birmingham and Mr Roberts for their time served on BDCC.

**ACTION**

01/2019 The resolutions from the previous meeting were noted and ratified.

02/2019 Planning Matters

2.1 Planning Applications – Ratified

PA/2018/114 Mr Robin Shales, Orchard at Newtown  
PA/2018/115 Mrs Norma Paris, Valongis House, Valongis  
PA/2018/116 Mrs I Bowen, Ptarmigan, 1 Colin Bott  
PA/2018/117 Guernsey CEI, Fort Grosnez  
PA/2018/118 Ms H Beards, Moonstone, Les Rochers  
PA/2018/119 Ms Debbie Burgess, 2 Picaterre  
PA/2018/120 Mr & Mrs Barnett, Anglers Retreat, Gauvains Row  
PA/2018/121 Braye Beach Hotel, Harbour Lights Hotel  
PA/2018/122 Helen Conder, 7 Val de Mer, Newtown  
PA/2018/124 AWT, Giffoine overlooking gannets  
PA/2018/125 AWT, Battery No.3, Fort Tourgis  
PA/2018/128 AWT, Cambridge Battery, Fort Tourgis  
PA/2018/129 Ms Ugglá, Val des Portes  
PA/2018/132 GSC, Bute Community Centre, The Butes  
PA/2018/133 AEL, Maison des Venelles, Venelle des Gaudion  
PA/2018/135 Blonde Hedgehog Ltd, Clarence House, Le Huret  
PA/2018/136 Mr C Bennett, 3 Venelle des Gaudion  
PA/2018/138 Mr J Flynn, Alderney Centre, 7 Victoria Street

Unanimously ratified by the Committee with no discussion.

2.2 Planning Applications – new applications & deferred in running order.

Unless otherwise stated, advance notice had not been given; there were no speakers for or against the application from the applicant or objectors. Written representations were included in the committee papers. Copies of the drawings and letters of representations (redacted of personal information) and the planning officer's report had been published on the States website.

PA/2016/098 Mr & Mrs Edwards, 1 Picaterre. Extensions and alterations to existing house - AMENDED.

Application unanimously approved.

**PA/2018/126 Mr David Harris, Les Fougères, Butes Lane.**

Mr Pimm-Smith spoke for the applicant, stating that the LUP is only a guide in planning matters. Stating that the limited infill of this area has been reached – how can this be determined by the Committee? Is this applied to other housing character areas? This plot within HCA5 should be able to be developed like the other areas in HCA5. HCA% conditions must apply to this application? The plots on this development area range from 1000sqm to 5000sqm – it should not be classed as over development as this is the 4<sup>th</sup> smallest plot in the area. Larger dwellings contribute to the economy. This applicant has taken BDCC to Court twice over this issue and the Committee's decision was quashed.

The Committee noted that the driveway runs all the way through the plot which is access to another property within the area.

Mr Earl asked why the applicant had not completed a Development Proposal for this whole site. Mr Pimm-Smith stated that that would be for schemes of a larger scale.

Mr Dean stated that this application is to be reviewed on its own merit, and for members not to focus on the past applications for this site. Mr Dean advised that the planning recommendation for a refusal is in compliance with the LUP Policies BA2 & HCA5.

**Application unanimously refused.**

**PA/2018/130 Ms Claudette Woodruff-Clark, 4 Ollivier Street.** Replace existing single storey flat roof annex with a one and a half storey annex on same footprint.

Ms Osborne advised that this design was super sustainable, and that the Committee could take a minor departure from the LUP on this occasion.

**Application unanimously refused, in compliance with Housing Character Policies BA2 C part 2 of the LUP.**

**PA/2018/131 GSC, New Connaught Care Home, Le Val.** New extension and alterations to existing care facilities.

Mr Dean stated that he was not conflicted with his membership on GSC.

**Application unanimously approved, subject to conditions as set out below:**

**Condition 1: All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Committee under the Law.**

**Reason: To ensure that it is clear that permission is only granted for the development to which the application relates and is in compliance with the Law.**

**Condition 2: No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Committee:**

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground;
- viii) all existing trees, hedges & other landscape features, indicating clearly those to be removed; and
- ix) all external lighting.

**Reason: To comply with policy IW1, to make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.**

**Condition 3: Prior to any demolition or construction works starting on site a Construction Management Plan shall be submitted to and approved in writing by the Committee. The agreed details shall be carried out as approved unless otherwise agreed in writing by the Committee.**

**Reason: To comply with policy IW10, to manage potential disturbance during the demolition and construction phases of the development on the surrounding area.**

**Condition 4: No development, including site clearance and demolition, shall take place until precise details of all proposed excavation work and of how any harm to geodiversity will be mitigated have been submitted to and approved by the Committee. The development shall thereafter be carried out only in accordance with the approved details.**

**Reason: To ensure that any harm to geodiversity will be satisfactorily mitigated in compliance with Policy IW15: Geodiversity.**

**Condition 5: The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Committee. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.**

**Reason: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings. IW1**

**Condition 6: The new entrance to Le Val is designed to GTS Part P, with correct sight lines.**

**Reason: To comply with IW16.**

**PA/2018/134 Mr L Oselton, Plot 130A, AY1163, Valongis.** New four bed dwelling.

Ms Osborne suggested that a green roof could be conditioned to incorporate the building into the surrounding area.

Mr Earl and Mr Snowdon voted for the condition of a green roof, with Mr Dean and Mr Gentle against. Mr Dean, as Chairman, also used his casting vote on this issue.

**Application unanimously approved subject to a landscaping scheme.**

**PA/2018/137 Mr & Mrs E Staffin, Starfish, Butes Lane.** New single storey dwelling.

**Application approved subject to:**

- All hard landscaping to be sustainably designed, using permeable paving or similar, to prevent flooding and comply with IW7;
- The minimum height of the boundary hedge/tree line to be 2.4m;
- No removal of any trees at the boundary; and
- Roof tiles to be in keeping with the surrounding dwellings.

**PA/2018/139 Mr Simon Wild, 13 Victoria Street.** Remove and block up one door, enlarge one window, replace one window with French Doors and insert one set of French Doors.

**Application unanimously approved.**

SO

The open section of the meeting was then closed by the Chairman – 3.20pm.

03/2019

**Policy Matters**

**Appointment of Deputy Chairman** – Mr Kevin Gentle was appointed as Deputy Chairman of BDCC.

**2019 BDCC Mandate** – BDCC Mandate 2019 tabled and noted.

**The Committee approved the 2019 BDCC Mandate which reflects the new LUP and Law changes.**

**Building Regulation Fees** – Building Regulation Application Fees tabled and noted.

**The Committee approved the updated fee schedule for Building Regulation submissions, subject to Finance Committee comments and public consultation of 28 days. Once the consultation period has ended the Committee will discuss any revisions before sending the fee schedule to the Law Officers for drafting, and then to be placed on the Billet for full States approval.**

**Committee Meeting Dates** – Revised 2019 BDCC Committee meeting dates tabled and noted.

**The Committee approved the revised BDCC meeting dates.**

**Any Other Business**

**Hansard BDCC Meetings** – this was proposed to the new Committee, and was declined.

**Electronic Agenda Packs** - it was noted that Mr Dean and Mr Earl requested electronic copies, with Mr Gentle and Mr Snowdon having paper copies until requested otherwise.

**Annual Monitoring Report on LUP** – it was noted that this was due in March. Mr Dean to liaise with Ms Osborne on the framework for the report.

**Visit to Law Officer's and Guernsey Planning Department** – the Committee agreed that this would be a beneficial visit for all members of BDCC.

**LUP for an Award** – it was noted that ARUP are nominated for an award regarding the Alderney LUP. If shortlisted, the award ceremony will be in London in April.

**Standard Letter to Immediate Neighbours of Larger Planning Applications** – Mr Snowdon stated that this practice is carried out in the UK. The Committee agreed to trial this administration process for a period of 3 months starting from February.

**Meeting closed: 3.50pm**

**Signed:** Mike Dean

**Dated:** 18<sup>th</sup> January 2019