

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room

Thursday 23rd March 2023 at 1415

Open Meeting

Present:

Mr I Carter, Deputy
Mr A Snowdon
Mr B Woodhead
Mr B Kelly

Ms C Roberts, Planning Officer
Mrs L Baines, Committee Secretary

Apologies: Mr K Gentle, Chairman

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

ACTION

01/2023

Planning Matters

1.1 Fast Track Planning Applications – Ratified

PA/2023/012 – 40 High Street
PA/2023/014 – 48 Victoria Street
PA/2023/016 – Little Blaye House, Rue de La Saline
PA/2023/017 – The Old School House, Church Street
PA/2023/019 – Vue de la Saline, Le Petit Val
PA/2023/020 – 7 Champs Beulai
PA/2023/021 – La Guerite, Le Petit Val
PA/2023/022 – 4 Ollivier Street
PA/2023/023 – 5 QEII Street
PA/2023/026 – Weavers Cottage, Hauteville

Unanimously ratified by the Committee with no discussion. Conditions agreed as per PO's reports.

1.2 Planning Applications – new applications and deferred applications 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 will be published on the States website in due course.

Mr Snowdon removed himself from the meeting for this item

PA/2020/023 – Bel Air, La Trigale. Amendment to approved development to include an additional ground floor window.

Application approved.

PA/2023/006 – 2 Le Bourgage. Two storey extension to east side of the main house and internal alterations to the main house.

Application approved subject to the following conditions:

- A schedule of works is to be submitted for approval in writing before works begin.
- Hours of working with power tools or machinery (including battery operated appliances) are limited to between 8am and 5pm weekdays; between 9am and 4pm on Saturdays; and at no time on Sundays or Bank Holidays.
- During demolition works the affected areas must be shrouded to prevent dust and debris spreading from the development site.

- **No construction vehicles may be parked on the highway (Le Bourgage) at any time except for loading and unloading.**
- **No construction materials may be left on the highway at any time.**

PA/2023/007 - Chalet Blanc, La Vallee. Removal of 9 trees.

Application approved subject replacement of 9 trees within the property curtilage within three months of their removal. The species of trees to be confirmed in writing with the Planning Office.

PA/2023/008 – St Martins House, St Martins. Replacement of 15 timber sash windows.

Mr woodhouse spoke for the application stating that they have explored all options, but the current windows are very ill fitting and in some places are rotten. They had approached the Planning Office initially who advised to refurbish. Quotes obtained for refurbishment were over £13k, which still was without double glazing. The applicants are mindful that they want to keep in line with the surrounding area, therefore have requested heritage style uPVC replacement, which are energy efficient, and this would maintain and preserve the house to the best of their ability for future generations.

The Committee noted that this building has recently been added to the Register of Historic Buildings, which specify that the important features of this property are all 3 elevations, windows, dormers, chimney stack and boundary wall.

Application refused (Mr Snowdon and Mr Kelly against; therefore, the Chairman used his casting vote to approve the PO's report).

PA/2023/009 – 8 Victoria Street. Removal of Sycamore tree on property boundary to the rear (east).

Application refused.

PA/2023/010 – 7 Les Chevaliers Estate. Replacement of 12 hardwood windows with similar design in uPVC 'Anthracite'.

Application approved subject to hours of working with powered tools (including batteries) and vehicle movements to be restricted to between 8am and 5pm on weekdays; 9am and 4pm on Saturdays; and at no time on Sundays and Bank Holidays.

PA/2023/011 – St Katherines Cottage, Valongis. Removal of two storm damaged trees.

The third tree specified in the application had recently fallen.

Application approved subject to replacement of trees with two native species within three months of their removal and within the curtilage of the property.

PA/2023/013 – Fort Clonque. Replacement of existing roof covering and thermal upgrading of roof construction including raised parapets to guardroom, gatehouse, workshop, and upper magazine.

Remedial works to inner walls of Officer's Quarters and re-pointing.

Application approved.

PA/2023/015 – Burhou View, Le Petit Val Lane. Erect single storey extension and first floor balcony to the rear (north) elevation.

Application approved (Mr Woodhead abstained) subject to the following conditions:

- **Screens of an agreed opacity, of 1.8m height, installed at both ends of the proposed balcony are to be in place before the balcony is first brought into use; as the proposed development is not acceptable without the provision of the screens.**
- **A sample of the screen glass is to be submitted to and approved by the BDCC before work commences; to ensure that the opacity of the screens meets the requirement for the screens to provide adequate privacy.**

- The screens are to be retained in perpetuity, whilst the balcony remains in place; as the proposal is otherwise not acceptable.
- The proposed new window to the west elevation at ground floor level shall be glazed using obscure glass, a sample of which shall be retained as such in perpetuity; to protect the reasonable amenities of adjoining residents by ensuring adequate privacy.

PA/2023/018 – Platte Saline & Route de Picaterre. Construction of Phase 2 of public main sewer and underground pumping station with control kiosk above.

Application approved (Mr Carter abstained) subject to hours of working with powered tools (including batteries) to be limited to between 8am and 5pm weekdays; 9am to 4pm on Saturday; and at no time on Sunday or Bank Holidays.

PA/2023/024 – The Old German Power Station Site, Val Reuters. Construction of two storey house with mezzanine bedroom and bathroom and integral garage with storage loft over.

Application approved subject to:

- **Hours of working with powered tools (including batteries) to be limited to between 8am and 5pm weekdays; 9am to 4pm on Saturday; and at no time on Sunday or Bank Holidays.**
- **All construction machinery and materials are to be kept within the site curtilage.**

PA/2023/025 – Avocet, Longis Road. Replace existing conservatory with glazed living accommodation; construct dormers to north and south roof areas; construct garage to west elevation of bungalow; revised roof plans as necessary.

Application approved subject to:

- **Hours of working with powered tools (including batteries) to be limited to between 8am and 5pm weekdays; 9am to 4pm on Saturday; and at no time on Sunday or Bank Holidays.**
- **No construction vehicles to be left on the private road except for loading and un-loading.**

1.3 Deferred Applications

Mr Kelly removed himself from the meeting for this item

PA/2023/002 – Plot 2364, Cotil du Val. New 2 storey 3-bedroom house.

The Chairman reminded the Committee that this was a deferred application from the February Meeting and that it had been deferred on the grounds that the committee needed time to seek clarification over site access issues, as there appears to be conflicting views on access to the site. As such the Committee at its previous meeting did not consider any other aspects of the application itself but was constrained by its consideration of whether the applicant had appropriate access to the site. Specifically, this references 7 (1) g of the Building and Development Control Alderney Law 2002 which asks the Committee to take into account 'the availability of access and the proximity of appropriate services, including roads, electricity, water and sewage disposal.'

Ms McPhilemy spoke against the application stating that since the last meeting, she has confirmed that Cotil du Val has not been adopted by the States of Alderney, therefore it is a private road as it does not have an AY number. The 5 property owners are in the process of finalising a freehold agreement. The applicant still has no legal access. All neighbours are not happy and have never been consulted.

Mr McIntyre spoke against the application stating his concerns that the site poles were not in the correct position/height. These measurements should have been checked and clarified. With these inaccuracies, the Committee are not able to make a true evaluation of the proposed build.

Mr Phelan spoke against the application stating that the plans are not detailed enough – they did not include the levels and dimensions of neighbouring properties. The drawings submitted are not sufficient as specified in the Supplementary Planning Guidance. If done properly the measurements as identified by Mr McIntyre would not be incorrect. Main objection is overshadowing of his property, and

loss of privacy, which the Committee did not have an opportunity to take into consideration at the previous meeting.

Mrs Jolly spoke against the application stating that the ground content is sand, and the proposed building is directly on her boundary side. Main concern is subsidence, overlooking, shadowing and privacy loss. The strip of land running adjacent to her property which would be used to connect the services is only 1m wide which is inadequate.

Mr Fulford spoke on behalf of the applicant stating that they had not been given copies of the consultations with Law Officers. The design of the building as detailed in the previous planning report was recommended for approval by the Planning Officer. No other concerns were raised by the Committee regarding the proposed dwelling, only on the access issues. The access dispute is a private issue, which should not affect the decision of the BDCC. Private access disputes are not a material planning consideration.

Application refused.

The BDCC is required by section 7(1)(g) of the Law, when considering the exercise of its powers to grant, refuse or grant with conditions any permission applied for, to take into account, amongst other relevant planning considerations, “the availability of access and the proximity of appropriate services, including roads, electricity, water and sewage”. Given that the Committee doesn’t have reasonable certainty on the availability of access the Committee supports the Planning Officer’s revised report recommendation to refuse the application. However, the Committee would consider the application again if right of access was confirmed.

02/2023

Any Other Business

PA/2022/118 - 1 Braye View Meadows, Newtown. Amendment to plans - Extensions and alterations to provide en-suite bathroom and extensions to lounge and dining room.

Application amendments approved subject to the previously approved conditions.

CR

Meeting closed: 4.05pm

Signed: Ian Carter

Dated: 24th March 2023