

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room
4th September, 2012
0915 hrs

Present:

Mr G Sargent, Chairman
Mr A Llewellyn
Mr R Berry
Mr P Arditti

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

Apologies: Mr M Birmingham

ACTION

29/2012 **Minutes of previous meeting** of 17th July 2012 were confirmed and signed.

30/2012 **Matters Arising**

30.1 A4948 Mr R Street

Letters from Engineer to Mr Street dated 24.07.12 and 23.08.12 tabled and discussed. It was noted that the unauthorised car port structure had recently been modified, but that it was essentially still in place. **The Committee resolved to forward the matter to the Law Officers, for consideration of enforcement action.**

JBT

30.2 Damage to trees on Golf Course

Letter from Mr R Flatres dated 22.08.12 tabled and discussed. The Committee accepted the explanation given regarding the severe pruning of the trees, and noted the Golf Club's statement that the trees were now recovering. **Engineer to write to the Club to remind it of the position regarding trees and the Building and Development Control (Alderney) Law, 2002, as amended.**

JBT

31/2012 **Planning Matters**

31.1 Planning Report

A4979 Mrs H E Dickinson Dubarry House, Ollivier Street. Replace first floor front windows with heritage style uPVC. Application approved with condition: -

- 1) That the replacement uPVC windows are of the same style as the ground floor windows.

Reason: So that all windows of the elevation are of the same style, in the interests of visual amenity.

The Committee noted that the proposal was to change the first floor windows only, and that the windows proposed were of a different style to the ground floor windows. The Committee considered that the style of the windows proposed would be out of keeping with the existing windows to the ground floor of this elevation, which is visible from the public highway. In reaching the decision to approve the application with conditions the Committee took into account its policy on replacement windows in conservation areas, which requires that replacement windows are appropriate to the character of the building in terms of design and detailing. Sections 7(1)(c) and 8(2) of the Building and Development Control (Alderney) Law, 2002, as amended, were also taken into consideration.

JBT

A4980 States Engineer Butes Road. Removal of sycamore tree. **Application approved.**

A4981 Waterscape Developments Building B, Crusher Site. Advertising Sign (retrospective application). **Application refused.**

Reason: In the interests of visual amenity.

The Committee considered that the freestanding sign is visually obtrusive, and out of place in this very prominent location which is next to a main road, and opposite the historic Inner Harbour and adjacent restaurant.

In reaching the decision to refuse the application, the Committee took into consideration policies DBE1, which seeks to avoid the introduction of elements that would appear obtrusive or discordant in the street scene and sections 7(1)(c) & 7(1)(e) of the Building and Development Control (Alderney) Law, 2002, as amended, which seek to ensure that development is not out of keeping with its surrounds, or detract from the character of an area.

This area is within the Conservation Area of Braye and Grosnez Peninsula, and Section 8 of the Building and Development Control (Alderney) Law, 2002, as amended, and Policy Gen4, seek to preserve and enhance the character and appearance of conservation areas. The Committee did not consider that the sign enhanced the quality of the area.

The Committee also considered that by allowing such a sign in principle, an undesirable precedent will be created which will make it difficult to refuse permission for freestanding signs advertising other buildings and dwellings for rent or sale. A proliferation of such signs would have a detrimental impact on the character and appearance of the Island.

JBT

A4982 Grand Hotel Developments Ltd Grand Hotel Site, Butes. Erect site hut and portaloos. **Application approved, with condition: -**

- 1) That the permission is given for a limited period of 3 years, by which time the buildings shall be removed, or permission re-sought.

Reason: The permission is granted to meet a short term need.

JBT

A4983 Simon Benfield 'She View', Longis Road. Timber fencing (1.5m) onto existing boundary wall. **Application approved, with conditions: -**

- 1) That the fencing is post and rail / open type fencing to a maximum height of 1.5 metres.
- 2) That the post and rail / open type fencing is set-back from the existing retaining walls within the garden.

Reason : To ensure a satisfactory form and appearance in the interests of visual amenity.

The Committee considered that the solid fencing as proposed would be visually obtrusive and detract from the character of the area. It noted that the site is in a prominent elevated position on a main road, where there are numerous other properties elevated above road level, the majority of which have planting or hedges to elevations facing the road. Such boundary treatments contribute to the rural character of the area. Fencing to the extent and type as proposed is unprecedented in this road.

The Committee accepted that some form of fencing was desirable for safety reasons, and therefore approved of an open or post and rail type fence, which it considered would not detract from the character of the area.

In reaching the decision to approve the application with conditions, the Committee took into account Sections 7(1)(c) and 7(1)(e) of the Building and Development Control (Alderney) Law, 2002, as amended, which seeks to ensure that development is in keeping with its surroundings and is not harmful to the character of an area. The Committee also took into account Policy DBE1, which requires that development avoids the introduction of elements that appear obtrusive in the street scene.

JBT

B3106 Douglas Wilson Thiseldome, QEII Street. Construction of single storey building (9.2m x 7.2m) to provide garage and gym. Mr Arditti declared an interest and abstained from discussion and voting. **Application approved.**

JBT

1000hrs Mr Burke, CEO, entered the meeting

B3084 Edward Etheredge Blaye Cottage, Chemin du Meunier. *Item a)* Replace porch with sunroom. **Application approved, with conditions: -**

1. That the lean-to sunroom is centrally positioned on the facade and between the windows on either side, leaving the brick surrounds fully visible.
2. That the sunroom is constructed from timber.

Reason: The Committee considered that the proportions and symmetry of this cottage are important qualities which make it a building of special interest, due to its age. The sunroom as proposed to the front facade would cover one of the windows, therefore removing the symmetry which contributes to the cottage's attractiveness. The Committee considered that replacing the existing porch with a slightly larger glazed lean-to structure, clear of the windows on either side, would maintain the distinctive character of the cottage. The use of timber would enable frame section sizes to be finer, which will help the structure to appear lighter, thereby not dominating the facade.

In reaching the decision to approve the application with conditions, the Committee took into account Policy DBE3, which requires that buildings of special interest are protected from development that would detract from their special qualities. It also took into consideration Section 8 of the Building and Development Control (Alderney) Law, 2002, as amended, and Policy Gen4, which requires that proposals for development in the Conservation Area enhance the quality of the built heritage.

Item b) Solar panels to roof. **Application deferred, pending further information on appearance and size.**

Item c) Trellis to front wall (0.6m). **Application approved.**

JBT

B3098 States of Alderney Longis Car Park. Replace existing portacabin toilet block with new timber block. **Application approved.**

JBT

31.2 Plot AY690, Rue de la Saline Letter from Mr R Phelan dated 25.08.12 and BDCC Policy Guideline for Individual Plots at AY690, Rue de la Saline tabled and discussed. It was noted that the Guideline specified that the external walls of proposed properties should be of painted render or local stone. Mr Phelan was asking whether wood cladding could also be included as an external finish. **The Committee resolved to alter point 2 of the policy guideline to: -**

“External walls of properties shall be painted render or stone faced in local stone, or have such other finishes to be approved by the Committee.”

JBT

31.3 C1052 Mr R W Burgess, La Trigale Letter from Mr Burgess dated 23.08.12 tabled and discussed. Mr Burgess was requesting an amendment to his previously approved plans for a new dwelling on AY2190 La Trigale, which involved increasing the height of the ridge by approximately 150mm. **The Committee resolved to approve an increase in ridge height of 150mm.**

JBT

32/2012 Policy / Legal Matters / Systems & Procedures

32.1 Planning & Building Regulations Fees
Item to be carried forward.

JBT/
DEFER

32.2 Running a business from home Report from States Engineer dated 30.08.12 tabled and discussed. (the following to be in confidential annexure) Sample guidance document (from Basingstoke and Deane) tabled and discussed. Letter and photos from Gillian M Cleverly dated 21.08.12 tabled and noted. The Committee considered that the running of Alderney Freight Services from a residential dwelling did constitute a change of use. **Guidance document on ‘running a business from home’, based on the sample document tabled, to be adopted. Engineer to request Alderney Freight Services to apply for development permission to run the business from a residential property.**

JBT

32.3 Environmental Impact Assessments Report from States Engineer dated 29.08.12 and proposed Environmental Impact Assessment (EIA) Framework tabled and discussed. It was noted that the criteria for EIAs is currently inadequately covered under the planning law, the Land Use Plan and policies. A framework of EIAs has been developed, in association with Sustainable Direction, an environmental consultancy, to provide a straightforward assessment that can be adapted to suit the complexity of any applications which require an EIA to be undertaken. It was noted that only a small proportion of applications necessitate an EIA, mostly for developments in the Designated Area (greenbelt). **The Committee resolved to approve and apply the Framework, to be trialled for a 12month period.**

33/2012 Any other business

Solar Panels The Committee suggested that a policy on solar panels would be useful, to guide future decision making on installations in visually sensitive situations. **Discussion paper to be prepared for next meeting.**

JBT

Running a business from home The Committee resolved to approve the publication of an information sheet on the subject, as guidance to those wanting to use their private residences for business purposes.

JBT

Meeting finished 1230

Date of next meeting: TUESDAY 16TH OCTOBER 2012

Signed : Geoffrey Sargent

Dated: 16th October 2012