

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room

3rd December, 2013 0915 hrs

Present:

Mr M Birmingham, Chairman
Mr F Simonet
Mr R Berry
Mr S Roberts

Mr R Burke, Chief Executive (until 0950hrs)
Ms J Turner, States Engineer
Ms R Sowden, Planning Assistant /
Minute Secretary

Apologies: Mr C Rowley

ACTION

40/2013 **Minutes of previous meeting** of 14th October 2013 were confirmed and signed.

41/2013 **Matters Arising**

41.1 Plot AY690, Rue de la Saline

The Committee considered that a single access from the north of the site, onto Le Petit Val, would be preferential to the two previously proposed and approved accesses onto Rue de la Saline. Whilst it was noted that sight distances at this junction fell short of the required standard for residential roads, the Committee considered that access/egress onto Le Petit Val would not cause a hazard to other road users, given the sightline distances available. It was noted that the Police were also of this opinion. With regards to the previously proposed widening of Rue de la Saline, the Committee considered that a passing space would be sufficient, in lieu of this. Although the Committee supported a change of access and potential change to the site layout in principle, it was noted that formal planning permission would need to be granted for any amendment to the previously approved scheme.

SE

41.2 Any other matters arising from the minutes

There were no other matters arising from the minutes.

42/2013 **Planning Matters**

42.1 Planning Applications Report

A5068 Henry Colbert 1 La Brecque Phillipe. Replace timber windows with Heritage style uPVC. **Application approved.**

It was noted that the above application had already been approved by the Committee Members following the required public advertising period. The Committee therefore ratified its previous decision.

A5069 Annie Savage AY1440, Venelle du Val du Sud. Extend permission for existing field shelter. **Application approved with condition: -**

1. That the permission is personal to the applicant and temporary, for the duration of the applicant's current horse's life only.

Reason: In accordance with the LUP guidelines for temporary agricultural buildings in the Designated Area (greenbelt), and to ensure that a building does not remain in this location indefinitely (in accordance with stables and field shelter policy).

SE

A5070 Rowland Neal Rock Bottom, Crabby. Removal of leylandii trees from south boundary. **Application approved.**

SE

A5071 Allan & Louise Hayward Saye Farm House, Mannez. Erect polytunnel (25' x 14'), adjacent to existing polytunnel. Application approved with conditions: -

- 1) That the permission is granted for a period of two years, following which the structure should be removed, or permission re-sought.

Reason: In accordance with the Land Use Plan guidelines for temporary agricultural buildings in the Designated Area (greenbelt).

SE

A5072 Mrs T B Charles Burhou, Route de Crabby. Removal of fir trees. **Application approved.**

SE

B3157 John & Jane Strick Les Quest, La Petite Blaye. Balcony to west elevation. Two letters of representation tabled and considered. **Application approved.**

SE

B3158 Mr & Mrs T S Finding Les Jumelles, Longis Road. Alterations and extensions. **Application approved.**

SE

B3160 Mount Hale Ltd AY1729, The Arsenal. Form new gated entrance in boundary wall and extend roadway. Renew existing drain. **Application approved.**

SE

B3161 Kilba Holdings Ltd The Old Presbytery, Les Rocquettes. Replace existing corrugated roof at rear of property with new slate roof. **Application approved.**

SE

B3162 Sundial Holdings Ltd New surgery, Le Val. Extension to south elevation. **Application approved.**

SE

B3163 Francois Gerard Step-aside Cottage, 12 Braye Road. Second floor extension to rear of dwelling. **Application approved.**

SE

0950 The Committee left the meeting to visit the following application site

B3159 Mouriaux Holdings Ltd AY152, Le Bourgage. Construction of 24no. lock-up garages. 13no. letters of objection and 35no. signature petition tabled and considered. Supporting information document from Colin Partridge dated 12.11.13 tabled and considered, two letters in support of the application tabled and considered. **Application refused.**

Reasons: -

1. **Character & amenity** It was noted that existing development in the vicinity consisted generally of residential properties, ranging from historic granite-built terraced dwellings to more modern detached bungalows. The Committee considered that a large-scale non-residential development as proposed would constitute over-development of the site, and be completely out of character with this residential part of the Conservation Area of St Anne. The Committee did not consider that the proposed development would conserve or enhance this part of the Conservation Area. In considering the impact that the proposed development would have on the character and amenity of the area, Sections 7(1)(e) and 8 of the Law, and published Policy Guidelines Gen 4, Gen 6, & DBE2 were taken into consideration.

2. **Access & traffic** The Committee considered that the proposed development would undoubtedly attract many more vehicles into a narrow street which was accessed from other equally narrow and constricted routes. The narrow road network in this area was not considered to be adequate to cope with the potential and envisaged number of additional vehicle movements that the proposed development would bring. The lack of turning point within the development itself and poor access and sight lines were considered to be detrimental to highway safety in this area. In considering the proposal with regards to access and traffic, the Committee took into consideration Section 7(1)(f) of the Law, and published Policy Guideline Gen 7.

3. Effect on adjoining properties The Committee considered that the additional traffic that a development of this type and size would bring to the area would create an unacceptable level of disturbance to nearby properties, thereby impacting on the reasonable enjoyment of those properties. Potential noise emanating from this number of garages would significantly affect the reasonable enjoyment of those adjoining dwellings, some of which were in very close proximity to the proposed development site. In considering the impact that the development would have on adjoining properties, the Committee took into account Section 7(1)(f) of the Law and published Policy Guideline Gen 12.

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A general discussion about parking provision in the town centre ensued. The Committee considered that wherever possible, new developments in the built areas should include off-road parking provision. Potential sites for public parking in the town areas were also discussed. **Discussion document on parking provision in relation to new developments to be prepared for future meeting.**

SE

42.2 Deferred items

a) B3109 Continental Metals AY1749, La Corvée. Proposed Industrial building. Engineer reported that legal and environmental health officials from Guernsey would be visiting the Island to meet with the Estates and Services Committee during the week commencing 16.12.13. A verbal update was given on the applicant's additional requirements for this venture.

A general discussion ensued about the need for an evaluation process for new businesses setting up on the Island. The Committee agreed that a co-ordinated and across-committee strategy was required, and recommended strongly that Policy Committee look into formulating a strategy to evaluate significant new business wishing to set-up on the Island at an early stage.

PC

b) B3146 Mr Michael Dismorr 'Hillside', The Butes. Re-roofing and removal of chimneys. It was reported that an architectural historian with an interest in Alderney would be visiting the Island shortly to look at this, and other buildings. **Application deferred, pending receipt of professional advice.**

Defer

42.3 Siting of bench in Old Town Churchyard Report from Planning Office dated 28.11.13 tabled. It was noted that the Estates and Services Committee had given approval, as landlords, for a wooden memorial bench to be sited in the Churchyard next to the Museum. **Siting of bench approved subject to the exact positioning being agreed with the States Engineer prior to installation.**

SE

42.4 Conversion of stable block into dwelling Paper from Planning Office dated 22.11.13 tabled, and letter and photographs from Philip Parker dated 28.10.13 tabled and discussed. Mr Roberts declared an interest and abstained from discussion on the item. It was noted that the building was located in the Designated Area, and therefore its development was not possible under the Law and Land Use Plan.

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43/2013 Policy / Legal Matters / Systems & Procedures

43.1 Enforcement Matters

Planning Assistant gave a verbal update on ongoing enforcement matters.

43.2 Building and Development Control (Alderney) (Amendment and Fees) Ordinance 2013

It was noted that the proposed fees schedules and comparisons had been circulated to members, and no further comment had been received. **Item to be included on next available Billet D'Etat.**

Billet

43.3 Planning Review It was noted that consultants from planning firm Arup had been on the Island during the previous week, and interviewed many stakeholders involved in the planning and development process on the Island, as part of the Review.

43.4 Housing Policy

Discussion paper from Chairman tabled and discussed. The Committee discussed previous housing schemes enabled by Section 33 Exemption Ordinances. Previously, such Ordinances had been promoted where proposals involved one or more of the following scenarios: -

- New build multiple dwelling schemes which filled an identified housing need, in appropriate locations.
- New build higher density dwelling schemes, which included some provision for rental or social housing dwellings.
- New build social housing.
- Change of use / subdivision of existing buildings which filled an identified need within the existing housing stock.

The Committee acknowledged that the policy which had now become established was that Section 33 Ordinances were only promoted for schemes which could not be built under the 'C Permit' criteria, and were for a type of housing identified as lacking, or where there was benefit to the community. It was noted however that the review of the planning system on the Island currently underway may lead to changes being proposed with regards to new housing provision.

The Committee agreed that a policy statement outlining the policy in place currently should be published in order to assist potential developers. Draft policy statement to be tabled at next month's meeting for consideration.

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44/2013 Planning Matters (Continued from 42/2003)

44.1 Request for Housing Exemption Ordinance Letter and appendices from D Gillingham, Odeon Heights Ltd, dated 12.11.13, tabled and discussed. It was noted that the Company was requesting that the Committee promote an Exemption Ordinance to the full States to enable the Company to apply for planning permission for the construction of a new dwelling on Plot AY1211, Les Rochers. The Committee did not consider that the proposed development was covered by the existing policy, and therefore not minded to promote an Exemption Ordinance to the full States in this instance.

SE

44.2 Conversion of garage building to dwelling Paper from Planning Office dated 22.11.13 tabled and discussed. It was noted that the the owner of the property wished to convert an existing garage in the grounds of 11 Courtil Lubin into a small dwelling, initially for rental purposes. The Committee considered that the proposal was in line with current policy, and was therefore minded, in principle (subject to receipt of further detail), to promote an Exemption Ordinance to the full States.

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45/2013 Any other business

There were no items of any other business.

Meeting finished 12:50

Date of next meeting: THURSDAY 16TH JANUARY 2014

Signed : M J Birmingham

Dated: 16th January 2014