

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

Anne French Room
15th July, 2014, 0915

Present:

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

Ms J Turner, States Engineer
Ms D Allen, Minute Secretary

Apologies: Mr C Rowley

ACTION

26/2014 **Minutes of previous meetings** of 4th June 2014 were confirmed and signed.

27/2014 **Matters Arising** There were no matters arising.

28/2014 **Planning Matters**

28.1 Planning Applications

PA/2014/062 Anne Simon 20a Le Bourgage. Cover existing sun terrace at lower level with conservatory. **Application approved.**

SE

PA/2014/063 Mark Gill Chailey House, Butes Lane. Replace existing post and rail on West elevation with glass balustrade. **Application approved.**

SE

PA/2014/064 K P Wedd Fontaine Davide. Erect wooden shed (3mx2.5mx2.5m). **Application approved.**

SE

PA/2014/065 Richard Arnold Pottery House, Les Mouriaux. Remove three Scots Pine trees. **Application approved.**

SE

PA/2014/066 Philip Parker Bayfield, Les Venelles de Gaudion. Remove two pine trees. **Application approved.**

SE

PA/2014/067 N and J Tapley Scotts House, Braye Road. Erect garden shed – Retrospective. **Application approved with conditions:-**

1. Permission to be temporary, for a period of one year.
2. Planting to be undertaken to screen shed.

Reason: - To ensure that planting is successful in screening the shed to mitigate neighbourhood amenity in the Conservation Area.

SE

PA/2014/068 Sundial Holdings Ltd Surgery, Le Val. Erect practice signboard. **Application approved.**

SE

PA/2014/069 Estelle Gaudion Le Becasse 5, Picaterre. Demolish single storey extension, replace with two storey extension. **Application approved.**

SE

PA/2014/71 Barney and Carol Winder La Heche, Chemin de Meunier. Erect garden shed. **Application approved with condition: -** That existing planting alongside the roadside boundary is supplemented.

Reason: To mitigate the visual impact of the shed from the public highway in the Conservation Area.

SE

PA/2014/072 M C Aireton Fraggie Rock, Windy Corner. Convert first floor bedroom window at rear of property to door and add veranda. **Application approved**

PA/2014/073 M C Aireton Fraggie Rock, Windy Corner. Remove central chimney, make ridge continuous over. **Application approved.** SE

PA/2014/074 C H W Shales, Les Pommiers, Les Mouriaux. Remove two fir trees. **Application approved.** SE

PA/2014/075 Mr and Mrs L Aldis Huret Lodge, Le Huret. Demolish outbuilding and replace with garden room. **Application approved.** SE

PA/2014/076 H and N Peck Les Mouriaux Gardens. Reduce height of four sycamore trees. **Application approved.** SE

PA/2014/077 PJ Evelyn La Vieille Maison, Rue Des Marcheurs. Remove two Leylandii trees. **Application approved.** SE

PA/2014/055 States of Alderney Land at rear of Court/Police Station building, QEII Street. Demolish Victorian Gaol building; create new opening in existing western wall of QEII Street Car Park to provide access to land at rear of Court Building to provide extension of car park.

It was noted that the Gaol is not on the Historic Buildings Register and resolved that the application should be deferred until the General Service Committee has undertaken a full historical evaluation of the building and advised different options considered for the building. The Committee recommended that the following points are addressed:

1. A full study of the historic importance of the gaol building should be undertaken by a qualified person or body to allow the Committee to work out the relative importance of the building.
2. The Committee would wish to see a design statement, describing how the conclusion of demolition was reached, demonstrating the other options that were considered and the reasons why they were discarded.
3. A full study of the proposed parking should be undertaken to demonstrate the number of parking place that would be provided and lost, showing the turning circles of vehicles entering the new car park and a plan that shows how two-way traffic would be accommodated in the first car park.
4. The Committee wishes to see a plan showing the applicant's land ownership and rights of way close to the site.

States Engineer to write to General Services Committee.

SE/defer

PA/2014/070 Mouriaux Holdings Ltd. Site of old Mouriaux Garage. Construct twenty six garages. Thirteen letters, three emails and a forty signature petition of objection had been received and considered. Site visit to be conducted at end of meeting. See minute 31/2014

28.2 Deferred Items

PA/2014/058 Derek Coates, Tradewinds (Continued from 25.1 and 22.1) It was noted that revised information had been received for consideration at the next meeting.

Noted

28.3 Site visits See 31/2014

29 /2014

Policy/Legal Matters/Systems and Procedures

29.1 Enforcement matters See Confidential Annexure

29.2 LUP Zone 12 at Les Rochers

A letter received from Mr David Gillingham Senior was tabled and discussed. The Committee confirmed that whilst the subdivision of plot AY1206 at Les Rochers is not a matter for their consideration, the size of the proposed subdivision is considered suitable for use as a residential building plot within this zone of the Land Use Plan. The Committee noted that the matter of any exemption ordinance is independent of

that confirmation. Any application made by a person not residentially qualified as per the Building and Development Control (Alderney) Law, 2002 as amended, would be considered on its merits and in line with all Policy Guidelines and Law.

30/2014 **Any Other Business**

30.1 Site Poles

States Engineer to write to Law Officers to determine the legal standing of site poles.

SE

30.2 Quay FM Update

A paper prepared by Stephen Taylor, Interim CEO, was tabled and discussed. The Committee considered that it was appropriate to synchronise the planning consideration with the lease decision and agreed to extend the existing temporary permission to 5 years from the present meeting date. The Committee took into account potential harbour developments in the area and recommended that a development clause be added to the permission so that the States is not committed to compensation in the event of future proposals in the next five years.

SE

31/2014 **Planning Matters**

31.1 Planning Report (Continued from 28.1) PA/2014/070 Mouriaux Holdings Ltd. Site of old Mouriaux Garage. Construct twenty six garages.

The Committee agreed that there is no objection in principle to the use of this site for the construction of garages. **Application refused.**

Reasons:-

1. Character and amenity It was noted that existing development along Carriere Viront consists of residential properties. On the northern side all are set back from the road and mainly behind granite walls. The Committee considered that the site was suitable for garages, but that the scale of the development would constitute an overdevelopment of the site. The Committee considered that the proposed development should not be south of the existing building line on the north side of Carriere Viront and that any building forward of this line would adversely affect the amenity of the area. The Committee considered that the large number of garages proposed and the construction of garages up to the northern site boundary was out of keeping with the previous use of the site and the adjacent properties in this row. In considering the impact the proposed development would have on the character and amenity of the area, Sections 7(1) (e) and 8 of the Law and the Published Policy Guidelines Gen 4, Gen 6 and DBE2 were taken into consideration.

2. Access and Traffic The Committee considered that development would attract additional traffic to the area; inadequate turning and parking areas within the development, narrow access to the site and poor sight lines would be detrimental to highway safety; safe exit of site traffic would not be afforded by the proposed plans. The development plan does not demonstrate how increased traffic movements will be accommodated without adversely affecting highway safety; no turning circles or passing room to allow vehicle manoeuvres around the site, including on the ramp, were shown. It has not been demonstrated that the site ramp is wide enough to accommodate passing traffic or larger vehicles which may result in vehicles parking on, or reversing onto, the street. Concern was raised that service and emergency vehicles would not be able to access the site. In considering the proposal with regards to access and traffic, the Committee took into consideration Section 7(1) (f) of the Law, published Policy Guideline Gen 7.

3. Effect on adjoining properties The Committee considered that the construction of garages within close proximity to the neighbouring properties to the north would adversely affect the natural light reaching those properties and impact on the reasonable enjoyment of those properties. 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.

It was noted that the level of details provided on the plans was inadequate for their proper consideration by the general public, the matters of dimensions and disposal of rainwater as well as the

relationship between the proposed development and the adjacent walls not being clearly demonstrated. The Committee will require this level of detail in considering future applications. Members noted that no pre-application discussions had taken place and recommended that participation in these might assist with future applications. The States Engineer will liaise with Law Officers in drafting the notice of refusal. The Committee left the building at 1140 and undertook a site visit.

SE

Meeting finished 1210

Date of next meeting: Tuesday 2 September 2014

Signed: M.J. Birmingham

Dated: 02 September 2014