

3.2 Deputy D.J.A. Wimberley of St. Mary of the Minister for Planning and Environment regarding a new development between La Saie and La Coupe

Given the public disquiet over the construction of a large house on a prominent site between La Saie and La Coupe, will the Minister explain to the Assembly the process which led to the approval of this application?

Senator F.E. Cohen (The Minister for Planning and Environment):

Planning permission was originally granted in 1996 for the re-development of this site and the construction of a large, replacement dwelling in a traditional style. In 2001, an alternative contemporary development on the site was approved. In 2003, a third application was submitted for a traditional design. This, I understand, was considered acceptable by the department, subject to some changes, but was withdrawn. In 2004, the building now being constructed was approved. Since 2004, some minor variations have been approved and an application for a new permanent access refused.

3.2.1 The Deputy of St. Mary:

Just to clarify what happened in 2003. The Minister said that a building of traditional design was found to be acceptable to the department and then I missed what he said next because, what is there now, I would doubt if many would consider it was of a traditional design.

Senator F.E. Cohen:

Just to repeat, I said that, in 2003, a third application was submitted for a traditional design. Although this was considered acceptable by the department, subject to some changes, it was withdrawn and, in 2004, the building now being constructed was approved.

3.2.2 Deputy F.J. Hill of St. Martin:

Very much on the same track, I am concerned, not only about that one but also what was known as Amy's House and Members will remember the difficulty we had in getting the States to agree to do something with that and I still think they made a mistake. In fact, it is quite clear now the amount of money that has been made on that particular building but what I would ask the Minister really is is it in line with what is in a traditional area? Like we had at La Coupe, one would see traditional type houses and, even worse, is where Amy's House was, which is all granite type buildings. How can the Minister give a thorough approval to such futuristic modern-looking houses which are completely out of context and way beyond even 10 per cent of the building they are replacing?

Senator F.E. Cohen:

I was not responsible for approving the house at La Coupe but what I would say is that there is a place for good, contemporary design in coastal locations providing it is excellent design. It is not necessary to design solely in the traditional vernacular but there is also a place for the traditional vernacular. You can have either. It is just that, whichever one chooses, it has to be excellent in design and excellent in quality of construction.

3.2.3 Deputy R.G. Le Hérissier of St. Saviour:

Is the Minister happy that the right lessons have been learnt from La Coupe and could he advise the House whether he has reviewed the files and what lessons he has learnt from what occurred?

Senator F.E. Cohen:

No, I have not reviewed the files but I think that the lesson that has been learnt is - and, particularly, this is obviously evidenced by the Line in the Sand event at the weekend - that there is considerable concern in the Island to protect the coastline, to protect the coastline sites and it is necessary to be extremely careful when considering applications for coastline sites and to ensure that they are of the very high standard.

3.2.4 Deputy R.G. Le Hérisier:

Therefore, can we assume, therefore, that the Minister believes that that decision was taken within the correct parameters of the Island Plan? If so, would he confirm it was a dysfunctional plan?

Senator F.E. Cohen:

I understand that the consent is valid. Whether or not it is a good design or a bad design, I am afraid it is rather too early to say. It is certainly a rather large house and considerably larger than the previous buildings on the site and it is very clear that there is some concern over allowing significant increases in the size of dwellings on coastal sites, particularly in very prominent locations. That does not mean there should be a firm rule against them but it does mean that one should be very careful in considering such applications.

3.2.5 The Deputy of St. Martin:

Could I just ask again a question about the size and the alleged 10 per cent rules because the Minister knows that we had a disagreement about another building in St. Martin which I felt should have been allowed to go larger than what it was? Could the Minister inform Members what is the general rule about increasing the size of a building which is on the site and then one wants to re-build? Is there a general rule that 10 per cent is the fair assumption or can one just pick and choose and, if one is lucky, maybe get 25 per cent, 30 per cent or even 50 per cent? Is there a general rule please about the size increase on re-building on a present site?

Senator F.E. Cohen:

There is no firm rule. It is a question of context, it is a question of relevance and it is also, to some extent, a question of design. There are examples where there have been very significant increases in the square footage of buildings that have been allowed and there are examples where the department has been very restrictive in allowing an increase in the size of the building and, in fact, I am dealing with one of those presently.

3.2.6 Deputy D.J. De Sousa of St. Helier:

Bearing in mind the Minister's reply to a previous question and his intimation of the Line in the Sand at the weekend, will he now make sure that, in future, things are much tighter for building on the coastal area?

Senator F.E. Cohen:

I think things are much tighter but that does not preclude some development in the coastal zone. The new Island Plan Review currently out for consultation does increase the protection by the creation of a new national park but there must always be some place for some development on the coastline. It is just essential that that development is sensitive, well-designed and excellent in execution.

3.2.7 The Deputy of St. Mary:

I feel that the Minister is somewhat dodging the question of public concern about this. Will he assure us and the public that this construction at La Coupe and the one on the west side of Portelet and the one on the west side of St. Brelade - the multiple huge houses there beyond the church - will be permissible within the new Island Plan, as has been put out?

Senator F.E. Cohen:

Each application must be considered on its own. It must be considered within the context of the application and within the context of the site. I cannot give any specific assurances in relation to generalities because each application is considered on its merits. It may be that some of the sites that have been referred to by the Deputy would currently be refused and it may be that others would be acceptable but without a careful analysis of each one and re-visiting the applications, it is impossible to say.

The Deputy of St. Mary:

The whole point, Sir, if I may comment on that ...

The Bailiff:

No, you may not comment. This is question time, Deputy.

3.2.8 The Deputy of St. Mary:

Will there be a policy that will outlaw these developments?

Senator F.E. Cohen:

There will not be a policy that will outlaw these developments but there will be tighter controls to ensure that whatever development occurs on the coastline is of the highest standard.