

FANTASTIC TROPICAL GARDENS, LA DIMERIE, ST. PETER: DEVELOPMENT IN THE GREEN ZONE

**Lodged au Greffe on 27th July 1999
by the Planning and Environment Committee**



STATES OF JERSEY

STATES GREFFE

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PROPOSITION

THE STATES are asked to decide whether they are of opinion -

to support the Planning and Environment Committee's intention to grant permission for the demolition of the existing buildings and structures at the site of the former Fantastic Tropical Gardens, La Dimerie, St. Peter (as shown on drawing No. 620/1), and the construction of three four-bedroom dwellings on part of that site, which is situated within an area designated as Green Zone on the Island Map, as amended 1-87, as an exception to States' policies regarding the development of land within the Green Zone.

PLANNING AND ENVIRONMENT COMMITTEE

REPORT

1. Introduction

This application offers the opportunity to make a significant enhancement to this part of St. Peter's Valley, which currently has a sprawling commercial development in urgent need of redevelopment or replacement.

This report recommends that an exception be made to the Green Zone policy to allow the proposed demolition of all existing buildings and structures on the site of the former Fantastic Tropical Gardens in St. Peter, and the proposed construction of three dwellings on part of the site, two of which would be sited on the southern part of the former gardens and one on the northern part of the car park.

2. Reasons for recommended policy exception

Although new residential development would not normally be permitted in a Green Zone/valley location, the Planning and Environment Committee is minded to grant permission as an exception to the approved policies, having regard to the following points.

- (i) The site has the benefit of an existing commercial use. The proposal to redevelop the site for three dwellings would involve a more "low-key" use, having particular regard to the traffic/parking implications, in what is a sensitive Green Zone location.
- (ii) The proposal would involve certain environmental benefits, particularly the restoration of the remainder of this part of the valley to its natural state, and the removal/replacement of a large part of the car park by natural landscaping.
- (iii) The associated proposal to provide a foul sewer connection would eliminate any risk of water pollution, which would otherwise remain if the existing commercial use was reactivated in its existing form.
- (iv) The new housing development would form part of an existing small cluster of houses and is designed to integrate well into the surrounding area; when viewed from the main valley road, the houses would be seen against an existing woodland backdrop. As such, it is considered that the new houses themselves would not have an adverse visual impact on the area, and this anyway needs to be balanced against the other environmental benefits.

The type of houses proposed are clearly not for first-time buyers, but the size and design is considered appropriate in this context and location.

For the above reasons, the Planning and Environment Committee is minded to grant permission for this development.

3. The site

The site is located in St. Peter's Valley, on the western side of La Dimerie, comprising the former gardens area itself, which is located on the north side of Le Mont des Charrières, and the associated car park on the south side (location plan enclosed).

4. Recent background/applications

- In 1985 permission was granted for a large greenhouse with new restaurant, albeit this permit was not taken up, the site has for many years been a commercial site for a tourism-related business.

In the mid 1990s, with visitor numbers declining, the previous owner decided to explore alternative options for the site, and the following applications were considered by the Committee.

4.1. Leisure pool proposal

- In April 1996, the owner submitted an application to redevelop the site for a themed leisure pool, to be housed in a large glazed structure.

Permission was refused in September 1996 on grounds relating to unacceptable scale and form of development in

the Green Zone, potential adverse impact on the existing natural landscape character of the area, and inadequate car parking provision (for a facility which could have accommodated up to 400 persons). Car parking was a particular concern, given the potential problem of on-street parking in nearby roads, which would be against highway safety interests and cause unacceptable loss of amenity to neighbouring residents. The existing car park is capable of accommodating approximately 70-75 cars.

La Dimerie is a Green Lane.

In dealing with this application, the Committee recognised that the site has an existing commercial use, but advised the owner that any new commercial venture should preferably be linked to the established use for gardens, given its Green Zone/valley location.

4.2. Proposal for upgraded visitor attraction with additional facilities

In November 1997, an application was submitted on behalf of the owner to construct a new cafe/restaurant facility, children's play building and shop/exhibition building, all linked by covered walkways and all associated with a new themed attraction for botanical gardens.

Permission was granted for this development in February 1998, subject to a number of conditions, which included a requirement that the new development should be connected to the foul sewer. Shortly before the permit was issued, the site changed ownership.

4.3. Application for residential development

In June 1998, an application was submitted on behalf of the new owner (in the company name of La Rocher Guest House Ltd.) to demolish all existing structures and construct six dwellings on the site, four to be sited on the southern part of the garden area and two in the car park area. The submitted plans again involved a proposal to provide a foul sewer connection to serve the development.

Permission was refused on grounds that the proposal would involve an unacceptable scale of development in a sensitive Green Zone location and would adversely effect the landscape character and appearance of the area.

This decision was subsequently maintained by the Committee following various requests by the applicant for reconsideration of the proposal, and the Committee also rejected a revised proposal for the construction of four dwellings on the site. In making this latter decision, the Committee advised (without prejudice) that it might be prepared to support the development of three dwellings on the basis of the other related proposals for the site.

5. **Current application proposal**

5.1. Application details

The current application which forms the subject of this proposition includes the following proposals.

- (i) The proposed demolition of all existing buildings and structures on site.
- (ii) The proposed construction of three dwellings comprising -
 - one two-storey dwelling (Unit 1) to be constructed on the northern part of the existing car park, being of traditional form, layout and design and faced in granite, located opposite an existing granite barn and dwelling on the other side of La Dimerie;
 - two dwellings (Units 2 and 3) to be constructed on the southern part of the gardens area, set back behind an existing high roadside hedge which would be retained. Proposed Unit No. 2 (located close to the existing site entrance) would be single-storey, and proposed Unit No. 3 would be two-storey. External wall materials would include render and cedar boarding, with roof materials clay pantiles or cedar shingles, in order to integrate the houses into the existing landscaping.

The floorspace area of Unit 1 would be approximately 2,370 square feet, and Units 2 and 3 would each comprise approximately 2,500 square feet.

- (iii) It is again proposed that a foul sewer connection would be provided to serve the development.

- (iv) Beyond the residential curtilage of Unit No. 1, the remainder of the existing car park would be removed and the area banked up and restored to natural landscape.
- (v) In a northerly direction, beyond the curtilage of Units 2 and 3, the remainder of the former gardens area (with buildings removed) would revert back to its natural state.

5.2. Representations on application

- Following the normal advertisement procedure, the following representations were received -

5.2.1. *National Trust*

No objections raised to development in former garden area itself, but strongly object to proposal for a new dwelling (Unit 1) in the existing car park, which in the Trust's view should be restored to its natural state so that the environmental state of the valley is not impinged upon any further.

5.2.2. *Local residents*

- Two objection letters received, commenting that the area should remain unspoilt because of its Green Zone location, but raising no objections to just one house on the site of the existing gardens.

6. **Conclusion**

It is rare that the Committee is presented with such a good opportunity to reverse the impact of commercial development in an area such as this. The Committee believes that the proposals will be of significant benefit to this area of the Green Zone and seeks the support of the States.

