

**LA ROCCO APARTMENTS, LA PULENTE, ST. BRELADE:
DEVELOPMENT (P.18/98) - REPORT**

**Presented to the States on 3rd March 1998
by the Planning and Environment Committee**



STATES OF JERSEY

STATES GREFFE

REPORT

1. **Introduction**

This report is submitted in response to proposition P.18/98 lodged au Greffe on 17th February 1998 by the Tourism Committee, which requests the States to decide whether they are of opinion to request the Planning and Environment Committee to reconsider its decision to reject an application for a proposed building extension at La Rocco Apartments, La Pulente, St. Brelade.

2. **Application**

The application forming the subject of the proposition is for a proposed building extension to La Rocco Apartments to provide an additional six self catering units specifically designed for disabled persons.

3. **Reason for refusal/planning considerations**

The Planning and Environment Committee gave lengthy consideration to this application at its meeting on 2nd October 1997, and decided to refuse permission for the following reason -

“That the proposal would involve an unacceptable extension of existing commercial premises in the Green Zone, which would be contrary to the provisions of policy CO4 of the approved Island Plan”.

The following factors were taken into account when the application was considered and determined.

3.1. **Island Plan**

On the States approved Island Plan the site lies in the Green Zone; Policy CO4 of the Island Plan states that -

“There will be a presumption against the approval of extensions to commercial premises in the Green Zone. However, in exceptional circumstances the Island Development Committee may approve proposals for limited extensions to, or the replacement of existing buildings where the proposals are designed to improve the appearance of the buildings, which will lead to a significant improvement in the appearance of the countryside”.

In assessing the application, the Committee had regard to these policies, and also considered the potential visual impact of the proposed development on the surrounding area. The Committee also took into account the fact that, during the previous 10 years, permission had been granted for various alteration and extension works which had resulted in a significant increase in the floor space of the premises; the Committee noted that the previous approved extensions had been permitted on the basis that they did not involve a significant increase to the “footprint” of the building and involved overall improvements to the appearance of the building, and as such were not in contravention of the approved Green Zone policies for the area.

However, the Committee considered that, unlike the previous approved extensions, the proposal for a significant new building extension on to open land to the north east of the premises, involving an increase to the existing floor space area of some 54 per cent, would involve an unacceptable extension of development in the Green Zone, which would be contrary to the approved planning policies, and that the circumstances did not justify making an exception to the policies.

The site also lies within Les Mielles Conservation Area, and the Planning and Environment Committee is committed to protecting Les Mielles from further ‘creeping’ development. The cumulative impact of gradual piecemeal development in the Bay has been a frequently expressed concern in recent years, and although Les Mielles Sub-Committee and the National Trust did not raise objections to this particular application, the Committee had regard to the wider and long-term policy issues relating to development in the Green Zone generally and Les

Mielles in particular; the Committee remains concerned that approval could set a precedent which would make it difficult to resist extensions to other commercial premises in the Bay, which in turn could prejudice its approved planning policies and detract from the character and appearance of the area. Recent Review Board cases have served to re-emphasise the need for the Committee to be consistent in its decision making

3.2. **Tourism considerations**

The Committee gave lengthy consideration to the comments and support of the Tourism Committee for this application, together with policy CM1 of the Island Plan which declares general support for the tourism industry, and the additional benefits of the scheme for disabled persons. However, the Committee considers that these circumstances do not outweigh the fundamental planning objections to additional development in this location on Green Zone policy grounds.

3.3. **Prior history**

The background circumstances leading up to the application are outlined in Section 4 of the Tourism Committee's proposition.

Notwithstanding the prior history of this case, the Committee was not prepared to submit a report and proposition requesting the States to consider a Green Zone exception for a proposal which the Committee itself was not minded to support.

4. **Conclusion**

The Committee remains of the opinion that the circumstances of this case do not justify making an exception to the States approved Green Zone policies which presume against this proposed development being allowed.