

PlanForum

Guernsey Agents Forum
Meeting 26th November 2014 @ Sir Charles Frossard House

MEETING NOTES

PlanForum members in attendance:

David Aslett - Aslett Architects
Jill Bray - Courtillet Design
Carl Foulds - Direct Architectural Solutions
Tim Guilbert – Consult and Build Ltd
Rachel Jones - Hatstone Lawyers
Nic Joyce - Create
Rob Le Page - Robert W Le Page Architects & Chartered Surveyors
Chris Lovell – Lovell & Partners
Chris Martel - CCD
Andrew Merrett – Lovell Ozanne & Partners Ltd
Oliver Westgarth - CCD
Craig Whitman – Swoffers
Alex Whitmore - PF+A

Apologies:

Claire Barrett - Policy & Environment Manager (CEB)
Alun White - Principal Conservation & Design Officer (AWW)

From States of Guernsey:

Jim Rowles - Director of Planning (AJR)
Elaine Hare - Development Control Manager (EMH)
Andy Mauger - Building Control Manager (AAM)
Joanna Sines – Trainee Executive (Notes)

AJR opened the meeting and welcomed all present.

1. Development Control - update and progress (EMH)

EMH informed agents that Ruth Wilkes, Edward Tildesley and Chris Crew have all joined Development Control as Planning Officers; following which Development Control is now fully staffed for the first time since February.

Amy Harper has left Technical Support and her previous post is currently being advertised, for which recruitment is aimed to take place early in 2015.

Agents were advised that there may be some delay when dealing with registration of applications and pre-application enquiries prior to the Department recruiting new staff

members. The Technical Support team will be under great pressure until new staff members are recruited and trained. It remains the Department's priority to keep applications moving whilst the Department regains full strength.

On Friday 21st November there were 435 live applications and 87 pre-application enquiries.

The monitoring report for DC performance in the third quarter will be available in early January. During the week of 17th to 22nd November the Division exceeded its 8 week and 13 week targets for issuing decisions; 83% of decisions were made within 8 weeks (target 80%) and 97% of decisions were made within 13 weeks (target 90%). 59 applications were decided during the week.

Agents were informed that the structure of the Development Control team will soon be reviewed.

Agents were requested to ask clients to ensure that site notices are removed promptly to prevent confusion and more recent notices being overlooked.

Agents unanimously confirmed that they were happy with the service provided by Development Control.

2. Building Control - update and progress (AAM)

Assistant Building Control Surveyor Kieran McSwiggan and Trainee Building Control Surveyor Sarah Birtwistle have joined the Department. It is hoped that Sarah Birtwistle's previous plumbing role will enable the Department to improve communication with plumbers. Building Control is now fully staffed, although the additional trainee positions have reduced the percentage of highly skilled staff members.

Agents confirmed that they had received Part P. Andrew Merrett queried provisions relating to shared surfaces, which had been used on a number of significant developments. Agents were informed that any plans which are not covered by the guidance would be open to discussion. The Vehicle Access Strategy is intended to contribute to the allowance for early discussion. Agents were recommended to contact the Department early with application enquiries.

Part B will be inclusive of Guernsey Fire Services' Fire Safety codes to improve consistency.

Agents were informed that the Building Control Section was looking into requesting dual submission of paper and electronic drawings. All agents confirmed that they would be able to submit drawings in PDF format. Building Control intends to start this on a trial basis in 2015. Andrew Merrett suggested requesting a submission of final drawings electronically at the end of the project. AAM noted that this would be challenging for those without an Architect managing the project. Rob Le Page suggested that this may create financial challenges following minor revisions.

Agents were requested to ensure that consideration was given to the unintended consequences to other areas of the project, which may arise from instructions for changes given by architects on site. Rob Le Page requested that recommendations from Building Control of changes also considered potential consequences for architects.

Agents were asked if they routinely review licences issued by the Department with their clients, ensuring that relevant information is given to builders. AAM stated that builders should have their 'FP' number to hand when booking site inspections. AJR added that the requirements of planning permissions should also be discussed with clients, especially any pre-commencement conditions. It was noted that this was done to varied levels depending on the agent's role but that all clients were informed of this requirement.

3. Development Plan Review - update and progress (AJR)

Forward Planning is on course to publish the Island Development Plan in February 2015. The draft Plan will be considered by the Environment Board for final sign-off before Christmas 2014 before referral to the Strategic Land Planning Group for certification of consistency with the Strategic Land Use Plan. There will be a Planning Inquiry later in 2015, during which the process will become the responsibility of Policy Council. Once the Inspectors' report is received, the Plan will then go to the States in 2016, during the next Political Term. Information on the Inquiry timetable will be sent to agents with the meeting notes.

Post meeting note – A short presentation by the Policy Council setting out and providing an overview of the Planning Inquiry's statutory requirements, its procedure and how the Planning Inspectors will deal with the representations which may be submitted as part of the public consultation will be held on Wednesday 14th January 2015, from 12:30 to 13:30 and repeated at 16:30 to 17:30, at the Cambridge Room, Beau Sejour. For further details contact: Liz Dene, Programme Officer, Planning Inquiry (liz.dene@gov.gg).

Tim Guilbert stated surprise that the previously proposed schedule had been delayed by five months. AJR explained that this was following failure to secure additional resources required to deliver the draft Plan within the previously proposed timescale. Tim Guilbert requested that agents were emailed following any future significant timetable changes.

4. Managing the Historic Environment - update and progress (AJR)

Buildings are being surveyed to assess whether they should be added to or be removed from the list of protected buildings.

To date 214 buildings have been surveyed in 2014. There have been twenty-seven buildings removed from the list, fifteen added to the list and eight buildings have had notices amended. The website will be updated once milestones have been met.

Planning Policy for the historic environment is being updated through the Development Plan Review process and guidance will be aligned with the new Plan policies after publication of the draft IDP.

Buildings will be considered in accordance with the long-list of potentially architecturally important buildings, which are rated in accordance with their position on the spectrum of those likely and unlikely to be considered architecturally important. Carl Foulds commented that applications/enquiries seemed to prompt a Protected Buildings survey. AJR confirmed that properties can potentially be brought forward in the review due to planning applications. This issue had been raised in a planning appeal relating to a property known as White Gable at Les Prevosts Road, St Saviours, when the Department was criticised by the Planning Panel for not doing so in that case. This would cause their significance and the application to be reviewed simultaneously. EMH highlighted that the list of protected buildings was last reviewed in 1991 and suggested that the current review was long overdue.

EMH informed that some individual houses and developments had been visited and enquired if there were any properties, especially larger developments, which could be viewed to increase Development Control's awareness of completed developments. Jill Bray noted that there were viewings of Cour du Parc on 27th November. EMH suggested that although this was too short-notice, she would be interested in viewing the development at a later point. Tim Guilbert and Nic Joyce offered to copy the Department into emails referencing CPD opportunities.

Chris Lovell queried if potential issues could be highlighted to applicants following Planning applications for walls or other development on boundary lines, as this could raise significant legal issues and result in potential litigation. AJR suggested that these were classed as civil issues which were the responsibility of the applicant to consider. Chris Lovell suggested that some applicants may not be equipped or knowledgeable enough to adequately consider these issues. AAM informed that the right of access presentation informed that building on boundary lines may prevent property owners from maintaining exterior walls. Chris Lovell suggested that in these situations either development should be precluded or there should be an agreement drawn up between neighbouring property owners, to allow access rights but that the Department should personally only notify applicants. Andy Mauger suggested that applicants may not accurately read guidelines providing additional information. Oliver Westgarth suggested that including a tick box on application forms, for construction on boundary lines, may be enough to encourage applicants to consider these implications. EMH highlighted that to include all potential constraints on application documentation could lead to excessive information but that an additional tick box may be adequate.

5. AOB and items for next meeting

Rob Le Page queried if electronic submission would require internal printing by the Department, having regard to resource limitations in this area. AAM suggested that dual submission would be requested as paper copies would be required for the build process but

that some documentation could potentially be downloaded to iPads to reduce paper wastage and that sending electronic copies would be preferable to archiving paper records. Oliver Westgarth suggested additionally sending permits electronically in the future.

AJR informed agents that a consultation would shortly be issued by the Department on proposed high hedges legislation. A States Report was being drafted with significant input from Deputy Al Brouard who was a strong proponent of such legislation. Craig Whitman commented that high hedges were often grown to protect privacy and if required to be reduced in height by Law to protect a neighbour's amenity in terms of light this could be unfair on the hedge owner whose privacy may be compromised.

NOTE: The agenda and minutes are put on the Environment web pages and e-mailed to all the agents.

Date & time of next meeting:

May 2015 – Date, time and venue to be confirmed