

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011): FORTY-EIGHTH AMENDMENT

Lodged au Greffe on 17th June 2011
by the Minister for Planning and Environment

STATES GREFFE

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After the words “the revised draft Island Plan 2011” insert the words –

“except that in the Section relating to Tall buildings, at the end of paragraph 4.100 (Page 159) add the following new proposal –

‘Proposal 15: Urban character

The Minister for Planning and Environment will have regard to the St. Helier Urban Character Appraisal when determining proposals for development which affects the town, and particularly for the development of tall buildings.

The primary consideration will be to protect and enhance the character of the town and the impact of development proposals on the distinct character of the different parts of the town will be assessed and determined against the St. Helier Urban Character Appraisal, which will be issued by the Minister as supplementary planning guidance.

Development schemes will need to be fully justified in a Design Statement in accord with supplementary planning guidance issued by the Minister.’

and renumber subsequent Proposals accordingly.”

MINISTER FOR PLANNING AND ENVIRONMENT

NOTE:

This amendment has been lodged by the Minister for Planning and Environment for less than 8 weeks before the start of the debate in accordance with the provisions of Article 4A of the Planning and Building (Jersey) Law 2002. Paragraphs 4A(2), (3) and (4) are in the following terms –

4A Procedure for and following lodging of draft Island Plan

- “(2) An amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 6 weeks.
- (4) Paragraph (2) or (3) does not apply to an amendment lodged by the Minister if the States agree that the amendment may be debated forthwith or on a day or at a time approved by the States.”

In accordance with the provisions of paragraph (4) the Minister for Planning and Environment will seek the agreement of the States to debate this amendment during the debate on the 'Island Plan 2011: approval' (P.48/2011).

REPORT

This amendment relates to the 33rd amendment brought by the Deputy D.J. De Sousa of St. Helier.

The Minister is sympathetic to the intent behind the Deputy's amendment but believes that there is a more appropriate way of dealing with it by using the St. Helier Urban Character Appraisal to greater effect.

The Minister's intent to publish supplementary design guidance based on the Urban Character Appraisal is set out in the Plan, at paragraph 4.100 (page 159). In light of Deputy De Sousa's amendment, however, the Minister believes that this intent should be made more explicit, in order to ensure that the materiality of this work as a factor in decision-making is highlighted, particularly in relation to proposals for tall buildings. On this basis, the Minister's further amendment links decision-making on tall buildings in the town to the Urban Character Appraisal.

The Minister is also keen to avoid potential unintended consequences of Deputy De Sousa's amendment, which, in itself, could still permit tall buildings to be developed where they are sited next to existing tall buildings e.g. Cyril Le Marquand House (the Urban Character Area suggests that, in this locality, the predominant building height should be 2.5 to 3.5 storeys). The inspectors consider this to be an important point and the Minister's own amendment removes this potential unintended effect.

The independent planning inspectors support the approach set out by the Minister and recommend enhancements to the Minister's own further amendment, which he has incorporated.

Financial and manpower implications

There are no additional financial or manpower implications arising from this amendment.