

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-THIRD AMENDMENT ST. BRELADE'S SHORELINE

Lodged au Greffe on 12th 2021
by the Connétable of St. Brelade

STATES GREFFE

ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-THIRD
AMENDMENT

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After the words “the draft Island Plan 2022-25” insert the words “except that –

- (a) within Policy SP7, immediately after the final bullet point, there should be inserted the following new bullet point –

- “in the case of the shoreline zone of St. Brelade's Bay, that the development makes a positive contribution to its daytime and evening tourist economy and is unlikely to deprive it of sites for future expansion.”;

- (b) within Policy PL5, the following new paragraph should be inserted after the second paragraph –

“To protect the seascape and future public and visitor enjoyment of St. Brelade’s Bay, within in its shoreline zone:

- the development of new homes on previously undeveloped land; and
- the extension of existing buildings in private residential use

will not be supported except in very limited circumstances.”;

- (c) within Policy GD5, the following new paragraph should be inserted after the final paragraph –

“In the case of the shoreline zone of St. Brelade’s Bay, exceptions to this policy will be allowed to accommodate any improvements that:

- a. enhance any site in daytime and evening use of any premise, and
- b. improve the appearance and sense of place of its seafront,

in the context of its attractiveness as a Tourist Destination Area and of the Bay as a coastal unit. This will be subject to any guidance and recommendations in the St. Brelade’s Bay Improvement Plan, once progressed.”

- (d) Within Policy GD7, the following new paragraph should be inserted immediately after the final paragraph –

“Subject to any further specifications in the St. Brelade’s Improvement Plan, if progressed, in St. Brelade’s Bay:

- any development, redevelopment or extension of:
 - any building in the shoreline zone to the west of Winston Churchill Seaside Gardens, and

- any building in private residential use in the shoreline zone and shoreline extension zone to the east of Winston Churchill seaside gardens,

that results in a development higher than the building or residence's current ridge height, and

- any development, redevelopment or extension of any building in daytime and evening economy use in the shoreline zone and the shoreline extension east of Winston Churchill seaside gardens (including any building permitted to change to residential use), that results in a development higher than the current ridge height (excluding fixtures) of the L'Horizon Hotel,

will not be supported.

For these purposes, "shoreline extension zone" should be created within in the designated green backdrop zone area of St Brelade's Bay to embrace the land immediately to the east of the shoreline zone as far as the western boundary of the adjacent Coastal National Park boundary to the east, and between Mont Sohier to the north and the mean high water mark to the south."; and

- (e) within Policy SP2, the following additional paragraph should be inserted immediately after the final paragraph –

"The optimisation of building density in St. Brelade's Bay shall be subject to the policies applying to its shoreline zone."

CONNÉTABLE M.K. JACKSON OF ST. BRÉLADE

Note:

After this amendment, the proposition would read as follows –

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

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, except that –

- (a) within Policy SP7, immediately after the final bullet point, there should be inserted the following new bullet point –

- "in the case of the shoreline zone of St. Brelade's Bay, that the development makes a positive contribution to its daytime and evening tourist economy and is unlikely to deprive it of sites for future expansion.";

- (b) within Policy PL5, the following new paragraph should be inserted after the second paragraph –

“To protect the seascape and future public and visitor enjoyment of St. Brelade’s Bay, within in its shoreline zone:

- the development of new homes on previously undeveloped land; and
- the extension of existing buildings in private residential use

will not be supported except in very limited circumstances.”;

(c) within Policy GD5, the following new paragraph should be inserted after the final paragraph –

“In the case of the shoreline zone of St. Brelade’s Bay, exceptions to this policy will be allowed to accommodate any improvements that:

- c. enhance any site in daytime and evening use of any premise, and
- d. improve the appearance and sense of place of its seafront,

in the context of its attractiveness as a Tourist Destination Area and of the Bay as a coastal unit. This will be subject to any guidance and recommendations in the St. Brelade’s Bay Improvement Plan, once progressed.”

(d) Within Policy GD7, the following new paragraph should be inserted immediately after the final paragraph –

“Subject to any further specifications in the St. Brelade’s Improvement Plan, if progressed, in St. Brelade’s Bay:

- any development, redevelopment or extension of:
 - any building in the shoreline zone to the west of Winston Churchill Seaside Gardens, and
 - any building in private residential use in the shoreline zone and shoreline extension zone to the east of Winston Churchill seaside gardens,

that results in a development higher than the building or residence’s current ridge height, and

- any development, redevelopment or extension of any building in daytime and evening economy use in the shoreline zone and the shoreline extension east of Winston Churchill seaside gardens (including any building permitted to change to residential use), that results in a development higher than the current ridge height (excluding fixtures) of the L’Horizon Hotel,

will not be supported.

For these purposes , “shoreline extension zone” should be created within in the designated green backdrop zone area of St Brelade’s Bay to embrace the land immediately to the east of the shoreline zone as far as the western boundary of the adjacent Coastal National Park boundary to the east, and between Mont Sohier to the north and the mean high water mark to the south.”; and

(e) within Policy SP2, the following additional paragraph should be inserted immediately after the final paragraph –

“The optimisation of building density in St. Brelade’s Bay shall be subject to the policies applying to its shoreline zone.”.

REPORT

St Brelade's Bay is a high profile and popular scenic seaside resort that has been identified as a Tourist Destination Area in the draft Island Plan 2022-25. It also has proved popular for wealthy residents and speculative developers to construct and extend private residences.

In some cases, this has been at the expense of its scenic charm and has prejudiced the possible future use of land along its public promenade as public amenity area or premises for day and evening economy use of its local tourism industry. Land along the public promenade that acquires value for residential development usually becomes unviable to acquire for public amenity or day and evening economy use.

The report of the public engagement exercise carried out in connection with the St. Brelade's Bay character appraisal, that is part of the core evidence base for the draft Island Plan 2022-25, found:

1. an 'overwhelming' concern that the Bay 'should be for the local community and visitors, not an elite or exclusive residential domain for the ultra-rich as it is increasingly becoming', and;
2. a concern expressed by most of the Bay's tourist businesses that 'the tourism offer needs to be supported or tourism businesses will continue to decline'.

This was despite the States Assembly approving amendments to the current Island Plan on two occasions that sought to contain insensitive development in the Bay's shoreline zone. Most of these restrictions have been lifted in the draft Island Plan 2022-25.

Proposal 16 and paragraph 4.87 of the current Island Plan proposed a Local Development Plan for St. Brelade's Bay which has not been progressed, despite independent planning officers in their Report following the 2014 review of the current Island Plan recommending it be progressed with 'urgency'.

It similarly remains uncertain that the current Proposal 17 of the draft Island Plan 2022-25 for a St. Brelade's Bay Improvement Plan will be progressed either, or if it is progressed, if that progress will be at a rate or have content that would succeed in curtailing further residential spread at the expense of the Bay's green infrastructure and potential increase of areas supporting future public amenities and daytime and evening economy premises.

Conflicting policies in the current draft Island Plan 2022-25 apply to S Brelade's Bay without indicating which the extent to which local tourist economic interest should take precedence over wealthy individual landowner's interests,

The Integrated Landscape and Seascape Character Assessment which forms part of the core evidence base for the Island Plan 2022-25 and to which it refers contains guidance on landscaping for much of the Bay but falls sort of encouraging landscaping in its shoreline zone that would be sympathetic with, and enhance its green backdrop, at best encouraging a trend of removing trees and green vegetation to install dune land and a lizard sanctuary that also provides improved views for private residences.

The landscape guidance in the 1989 Environmental Improvement Plan for Bay (which the States Assembly through its approval of paragraph 4.86 of the current Island Plan sought to continue to make relevant in future Island Plans) actively encouraged tree planting in the Bay to avoid the relativeness bleakness of dune land.

The draft Island Plan 2022-25 effectively is devolving resolution of these continuing tensions to individual planning officers and members of the Planning Committee. While conflicting policies can allow for flexibility in planning decisions, they also lead to confusion and an expensive and time-consuming process of delay, referral and appeal that does not serve anyone. Furthermore, a lack of clear and transparent resolution supports the potential for abuse of personal authority or superior economic power (or perception of such), neither of which is conducive to good government, let alone a satisfactory planning system.

Where residential development in along the Bay's seafront is encouraged, a space of ten years has shown it will be encouraged to the detriment of potential tourist economy and public amenity development and the landscape elements of the Bay that are important to public enjoyment and the Bay's local tourist economy.

This amendment seeks to go some way towards resolving the current conflict in the draft Island Plan 2022-25 and to address at this important stage the concerns expressed in the public engagement survey. It seeks to achieve this by importing further restrictions on developments in the Bay's shoreline zone to stall current trends so that land that has potential tourist economy and public amenity development value is better preserved for the benefit of the wider community and landscaping is encouraged that is more sympathetic to its wider context.

Financial and manpower implications

There are no financial or manpower implications in relation to the proposed amendments.

Child Rights Impact Assessment implications

These amendments have been assessed in relation to the [Bridging Island Plan CRIA](#). Improved well-being of children will arise from improved public access to, and improved enjoyment of, a public beach and recreation area.