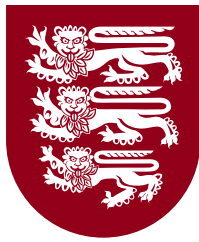


STATES OF JERSEY



Jersey

DRAFT PLANNING AND BUILDING (CONSERVATION AREAS) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 17th October 2023
by the Minister for the Environment
Earliest date for debate: 28th November 2023**

STATES GREFFE

REPORT

It is a longstanding proposal that conservation areas are introduced in Jersey to enable the designation and protection of areas of special architectural or historic interest where they are deserving of careful management to protect and improve their character and appearance. It was first mooted in the 1987 Island Plan.

Bridging Island Plan Proposal 15 – Conservation area designation proposes that the first conservation areas to be designated should be drawn from the following list: St. Aubin, the historic areas of St. Helier, the areas around the Parish churches of Grouville, St. Lawrence, St. Martin, Trinity, St. Ouen, St. Peter, St. Clement, Gorey Village and Pier, and Rozel Harbour. During the course of the Bridging Island Plan, at least four conservation areas should be designated from those listed in this proposal. The Minister has resolved that St. Aubin is to be the first area to be considered for such designation.

The States Assembly approved change to the [Planning and Building \(Jersey\) Law 2002](#) in April 2022 (at Article 56A) enabling the preparation of a new scheme of secondary legislation to confer power on the Minister for the Environment to designate areas as conservation areas.

The new Article also created related enabling powers so that the States may provide for the allocation of funding for the purpose of protecting or improving the character or appearance of conservation areas. These Regulations give effect to this provision to enable improvements in conservation areas to be supported where it is considered to be in the public interest to do so. Potential improvements will be identified through the preparation of a conservation area appraisal for each conservation area.

This provision reflects that already available to the Minister to make funds available, by way of grant or loan, towards the protection, repair or restoration of listed buildings, subject to the availability of funding.

Article 56A also enables the Minister to, by order, set out the process for the designation of areas of architectural or historical interest as conservation areas. The Minister will make the Draft Planning and Building (Conservation Areas) (Jersey) Order 202- shortly.

The control over development that would likely impact the character or appearance of designated conservation areas is to be achieved by the greater regulation of development activity in conservation areas. This is to be achieved by changing the [Planning and Building \(General Development\) \(Jersey\) Order 2011](#). The Minister's proposals, setting out those activities which would require planning permission in conservation areas, is presently the subject of consultation.

The Minister also proposes to implement a scheme of regulation to manage works to trees in conservation areas where they have a diameter which exceeds eight centimetres at a point 1.5 metres above ground level. This reflects the management regime for the control of works to trees at listed buildings and places as set out in the Draft Planning and Building (Operations to Trees – Exceptions) (Jersey) Order 202-.

Financial and staff implications

There are no new or additional financial or other resource implications.

EXPLANATORY NOTE

The Planning and Building (Conservation Areas) (Jersey) Regulations 202- would provide for the allocation of funding to protect and improve the character or appearance of conservation areas. These areas of special architectural or historical interest will be designated by the Minister for the Environment by Order under Article 56A of the Planning and Building (Jersey) Law 2002.

Article 1 defines “conservation area”.

Article 2 empowers the Minister to make funds available, by way of grant or loan, to the owner or occupier of land or a building within a conservation area, if the Minister is satisfied that it is in the public interest to do so for the purpose of protecting and improving the character or appearance of the conservation area.

Article 3 gives the citation, and provides that the Regulations will come into force 7 days after they are made.



Jersey

DRAFT PLANNING AND BUILDING (CONSERVATION AREAS) (JERSEY) REGULATIONS 202-

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Jersey

DRAFT PLANNING AND BUILDING (CONSERVATION AREAS) (JERSEY) REGULATIONS 202-

Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES make these Regulations under Article 56A(2) of the [Planning and Building \(Jersey\) Law 2002](#) –

1 Interpretation

In these Regulations, “conservation area” means an area designated by the Minister under Article 56A of the [Planning and Building \(Jersey\) Law 2002](#).

2 Minister may make funds available for conservation areas

- (1) The Minister may, by way of grant or loan, make funds available to the owner or occupier of land or a building within a conservation area, if the Minister is satisfied that it is in the public interest to do so for the purpose of protecting and improving the character or appearance of the conservation area.
- (2) The Minister may make funds available on such terms as the Minister determines.

3 Citation and commencement

These Regulations may be cited as the Planning and Building (Conservation Areas) (Jersey) Regulations 202- and come into force 7 days after they are made.