

## Decision Summary

### Department of the Environment

#### Ministerial Decision

<b>Decision Reference:</b> MD-PE-2018-0004			
<b>Decision Summary Title:</b>	Public Inquiry Decision: PP/2017/0990 - New General Hospital	<b>Date of Decision Summary:</b>	9 <sup>th</sup> January 2018
<b>Decision Summary Author:</b>	Director of Development Control, Department of the Environment	<b>Decision Summary: Public or Exempt?</b>	Public
<b>Type of Report: Oral or Written?</b>	Written	<b>Person Giving Oral Report:</b>	n/a
<b>Written Report Title:</b>	Report to the Minister for the Environment	<b>Date of Written Report:</b>	2 <sup>nd</sup> January 2018
<b>Written Report Author:</b>	Mr Philip Staddon BSc, Dip, MBA, MRTPI	<b>Written Report : Public or Exempt?</b>	Public
<b>Subject:</b>			
Decision following a Public Inquiry under Article 12 of the Planning and Building (Jersey) Law, 2002 (as amended 2015) at Stafford Hotel, Revere Hotel, 33-40 and 44 Kensington Place, including Sutherland Court, Patriotic Street car park and parts of the General Hospital.			
<b>Decision:</b>			
The Minister refused to grant planning permission to develop land under Articles 12 and 19 of the Planning and Building (Jersey) Law 2002 (as amended 2015), in respect of the following development: “Outline application - Demolish Stafford Hotel, Revere Hotel, 33-40 and 44 Kensington Place, including Sutherland Court, and parts of General Hospital. Construct new hospital with associated landscaping, highways and infrastructure works, including the addition of 2 No. half-decks of parking to Patriotic Street carpark. 3D Model Available. EIS Submitted. Fixed Matters: Scale and Mass, Siting and Means of Access. Materials and Landscaping related to the Grade 1 Listed Building only. Reserved Matters: External Appearance and Materials and Landscaping.”			
<b>Reason(s) for Decision:</b>			
The Minister agreed with the conclusions of the Inspector as detailed within his report dated 2 <sup>nd</sup> January 2018 and refused the planning application as per the Inspector’s recommended reasons for refusal as follows:			
<b>Reason 1:</b> The proposal, by virtue of its siting, size and mass would be grossly out of scale with its immediate surroundings and with the wider townscape. It would appear as an over dominant, obtrusive and alien structure that would harm the St Helier townscape and detract from visual amenities in many locations. This conflicts with the Island Plan’s strategic Policy SP 7 (Better by design), Policy GD 7 (Design quality), Policy BE 5 (Tall buildings), Policy GD 5 (Skyline, views and vistas) and with the Design Guidance for St Helier (2013), which is adopted as Supplementary			

Planning Guidance.

**Reason 2:** The proposal, by virtue of its siting, size and mass, would not preserve or enhance the settings of numerous heritage assets. It would cause serious harm to the immediate setting of the nineteenth century Grade 1 Listed building within the site, which would be overwhelmed and overshadowed by a very large, tall and imposing modern building. The settings of Listed buildings on Kensington Place and Gloucester Street, including the Opera House, would also suffer serious harm. There would also be harm to the settings of Listed buildings and places in the wider locality including heritage assets at Edward Place, Peirson Road, Patriotic Street, Patriotic Place, Parade Gardens, Victoria Park, People's Park and Westmount Gardens and Lower Park. More distant heritage assets, including the Grade 1 Listed Elizabeth Castle, Fort Regent and South Hill Battery, Noirmont Point and Almorah Crescent, would also suffer harm to the wider settings within which they are experienced. Each and all of these instances of harm conflicts with Policy HE 1 of the Island Plan and with the strategic 'high priority' given to the protection of Jersey's historic environment, established by Policy SP 4.

**Reason 3:** The proposed development would lead to unreasonable harm to the residential amenities and living conditions of neighbouring residential properties at Newgate Street, Patriotic Street, Patriotic Place, Gloucester Street and Kensington Place by virtue of its overbearing scale and presence and the associated loss of daylight, shadowing effects at certain times, and the likely loss of privacy. As such, the proposal is contrary to Policies GD 1(3) and GD 3 of the Island Plan 2011 (revised 2014).

Additionally the Minister considered whether, notwithstanding the failings of the application to align with the policy tests set out in the Island Plan, there were exceptional circumstances which could amount to a sufficient justification to approve the application. In considering this, the Minister took into account the compelling evidence before him of the need for a new hospital and all the representations made at the Public Inquiry. Whilst accepting the case made by the applicant on the grounds of need, the Minister noted the comments of the Inspector, that the proposed development would result in serious and lasting harm to the townscape of St. Helier, the heritage assets of the area and the residents affected.

The Minister concluded that, whilst the location is spatially appropriate for the hospital, the scheme before him is not the only possible solution. The application site proposed is too small to accommodate a building of this size, but other combinations of land, and/or project phasing, could result in a different outcome. This would require a re-appraisal of the rules set by the Hospital Project Board, but is outside the scope of the consideration of this planning application.

The Minister therefore decided that there was insufficient justification to make a decision which would be so far outside the terms of the Island Plan and refused the application.

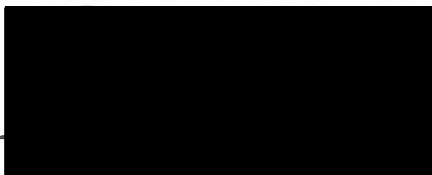
**Resource Implications:-**

None

**Action required:**

Inform interested parties, press and public of the decision.

**Signature:**



Deputy S Luce

**Position:**

Minister for the Environment

**Date Signed:**

9/1/18

**Date of Decision (If different from Date Signed):**