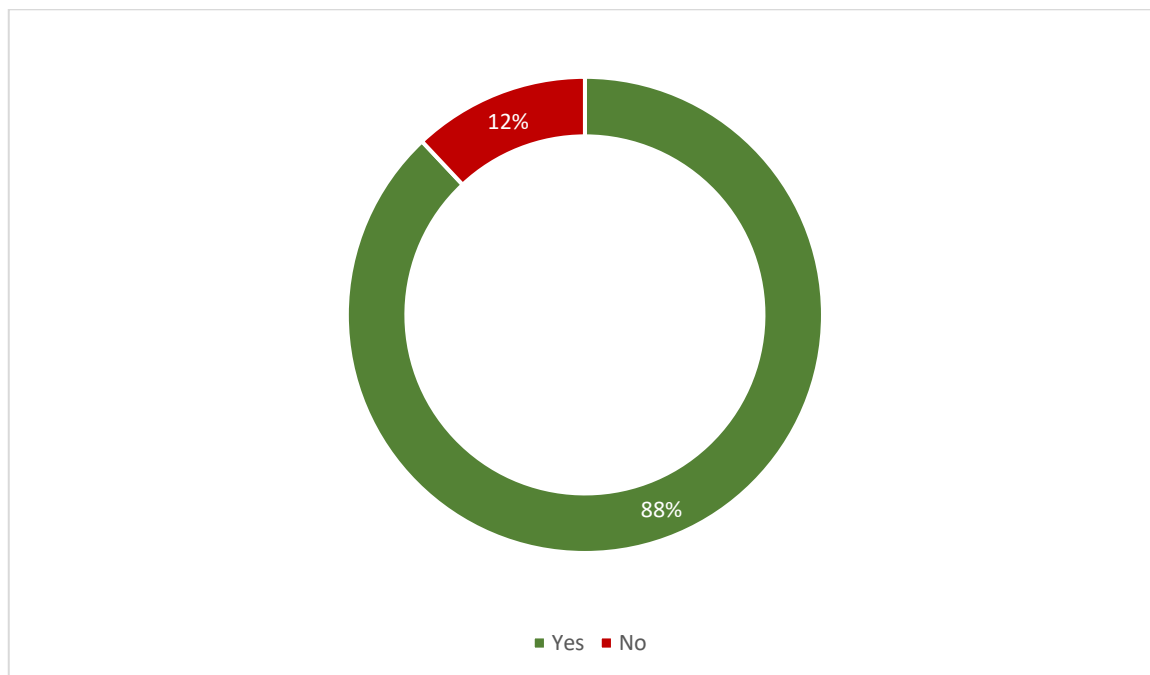


Conservation area framework: post consultation report

Appendix 1: consultation feedback and response

1. Do you support the designation of conservation areas in Jersey?



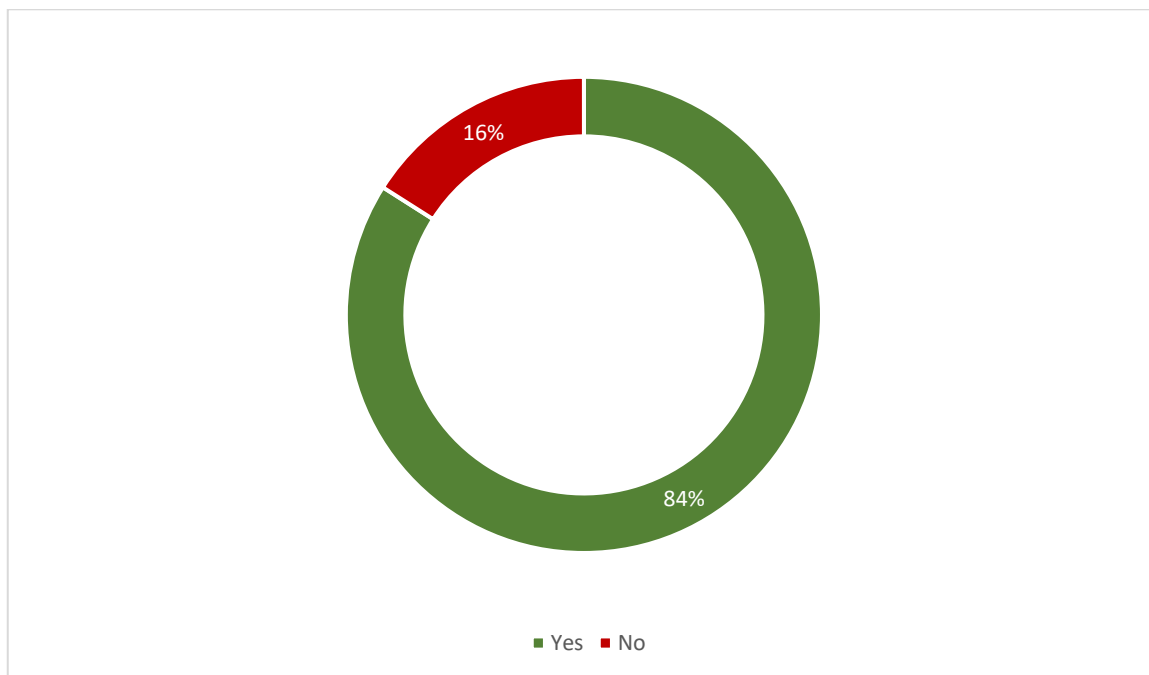
Consultation feedback	Response
The areas should also protect trees and other natural features	No change. The special character of conservation areas is broader than just the quality of the buildings. Other elements such as: the historic layout of roads; paths and boundaries; characteristic building and paving materials; street furniture, trees and open spaces can all contribute to the character of a place, creating a distinct sense of place and local identity.
Think this is particularly important to preserve historical St Helier	Noted. See Q7 below.
There are sufficient controls already in place with multiple area designations within the bridging Island Plan. This would add a further layer of cost and bureaucracy on top of that, and there is a real danger of collateral damage i.e. property owners whose properties are in every way unremarkable 50's to 90's buildings being caught up in this framework when they have no justification to be so included. They just	No change. Conservation areas protect and manage the character and appearance of a place that has a special architectural and historic quality and distinctiveness. This can be achieved by the application of extra planning controls in conservation areas to protect from harm those historic and architectural features which provide the place with its special character and distinctiveness. There is also scope to improve it by reinforcing and adding

Consultation feedback	Response
<p>happen to be in one of these conservation areas.</p>	<p>to its character through beneficial change. There are currently no provisions which can do this.</p> <p>The designation of a conservation area would not preclude change to modern buildings within the conservation area. Any such change would, however, need to make a positive contribution to the character or appearance of the area.</p>
<p>It is important that we preserve key historical, environmentally and culturally important areas for conservation. this can only really be done through legislation. Vested interests will always trump any voluntary standards.</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p>
<p>The proposed changes are highly intrusive and would dramatically increase the range of interventions that are subject to planning control. In view of this I feel that, if these changes were to be adopted, only the island's most visually sensitive areas should merit this very high level of scrutiny.</p> <p>However, I suspect that instead a blanket approach will be taken and huge swathes of Jersey will be designated as conservation areas because it's so much easier to do this.</p> <p>I therefore feel that, before any informed judgement can be formed on the appropriateness and proportionality of these enhanced planning controls, the extent of the proposed conservation areas first needs to be made known.</p>	<p>No change. Conservation areas protect and manage the character and appearance of a place that has a special architectural and historic quality and distinctiveness. This can be achieved by the application of extra planning controls in conservation areas enables protection from harm of those historic and architectural features which provide the place with its special character and distinctiveness. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve. Their designation will be based on criteria (see Q2); and will focus on a limited number of places (see Q7).</p> <p>The process of designating conservation areas, including the definition of their extent, will be open to public consultation and engagement (see Q3).</p>
<p>Broadly, but it is difficult to see how the implementation would not be a subjective assessment by the current incumbent and a further expansion of Big brother in the island.</p>	<p>No change. The designation and management of assets within the historic environment is based on a staged approach, all stages of which are transparent and open to the public.</p>

Consultation feedback	Response
<p>All green zones and protective areas in St Brelade / Jersey need to be protected. Trees and vegetation should be planted no more new builds on areas where trees could and should be grown.</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The special character of conservation areas is broader than just the quality of the buildings and may include important trees.</p> <p>It may be that tree planting may enhance the character or appearance of a conservation area and would be encouraged where that is the case.</p>
<p>The coastline and marine environment is extremely precious and the current policies regarding construction and French trawlers is devastating the environment</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve: this may include parts of the island's coastline.</p> <p>Conservation area designation does not affect the regulation of fishing activity.</p>
<p>The historical characters of certain areas deserve special protection to avoid having their historical interest, touristic charm, and overall character being destroyed by bad or intrusive design</p>	<p>Noted: the designation of conservation areas should help achieve these objectives.</p>
<p>My first thought is that this document is talking about a conservation area, whereas you have been talking about a Marine Park. I must admit that I find the title of a Marine Park somewhat clumsy, we have already had people putting up a tent in our garden by the sea, on the pretext that it is part of a park so they had a right to be there. When I explained it was in fact our garden, but we didn't stop people walking and sitting there, they understood that we did draw the line at a camp site because our garden was not a park. Perhaps the area could be called the Marine Conservation Area as expressed in</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve: this may include parts of the island's coastline.</p>

Consultation feedback	Response
this document- that does seem to make the title more relevant.	
It seems that this document is only dealing with houses and roads in the area and nothing is mentioned about the sea, beaches and inshore areas, which are also in need of conservation.	No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve: this may include parts of the island's coastline.
<p>Jersey Heritage is in the main very supportive of the proposals and there are only a couple of themes that we believe it would be beneficial to augment.</p> <p>Greater emphasis (and visibility within the document) could perhaps be given to the benefits of conservation areas to local residents and businesses. These are obviously well-rehearsed arguments, but issues such as:</p> <ul style="list-style-type: none"> • enhanced sense of place and community pride in it (already evident in a few areas such as St Aubin but could be fostered elsewhere); • improvements to the vicinity /setting of individual properties; • economic advantages (Historic England research showing property values in conservation areas higher); • local distinctiveness can provide a catalyst for regeneration and inspire well-designed new development which brings economic and social benefits; • designation could provide a framework for advice and guidelines to other agencies to improve road policies and street furniture; • designation would help prevent the incremental loss of character and historic value of an area, and if there was the reintroduction of historic building grant aid at some point in the future, it could be focused on enhancement schemes to repair / replace architectural features characteristic of a particular conservation area, such as window shutters or decorative ironwork. 	<p>Proposed change. The Jersey framework document is very much focused on setting up the tools and process for conservation areas in Jersey. It is not a celebration of what conservation areas might achieve and what has been delivered elsewhere. The principle of establishing conservation areas has already been established by virtue of the decision of the States Assembly to provide the Minister with the powers to designate them. Information about the value of conservation areas is available from other sources (e.g. 2017 - 50 Years of Conservation Areas and An assessment of the effects of conservation areas on value (historicengland.org.uk)).</p> <p>A summary of potential benefits of conservation designation will, however, be added to the background and context section of the report.</p>

2. Do you agree with these reasons for designating a Conservation Area?



Consultation feedback	Response
<p>I wish you could avoid words like "townscape" as members of the public like me have no idea what they mean.</p>	<p>Noted. The bridging Island Plan defines streetscape/townscape as follows: the overall appearance of a street or town, being a combination of architectural styles, colours, spaces, building heights and widths and the relationship between buildings, spaces and roads / pavements. What can define the unique quality of a street or area of town.</p>
<p>Conservation Areas are not just important within urban settlements. Other areas also have special architectural and historic characters worthy of protection (eg. the historic core of every Parish). It's important to include the open spaces as well as the developed spaces as often these contribute to the character of a particular area and to consider the setting of an area and whether this merits inclusion or will be sufficiently protected by policies protecting the setting.</p>	<p>No change. Conservation areas will be designated within both urban and rural contexts.</p> <p>There are a number of places in the island with a special and distinctive character where conservation area designation would protect or improve their qualities including: parts of St Helier; the environs of some of our small harbours; parish churches and agricultural hamlets. Areas for potential designations might include, for example, St Aubin, Havre des Pas,</p>

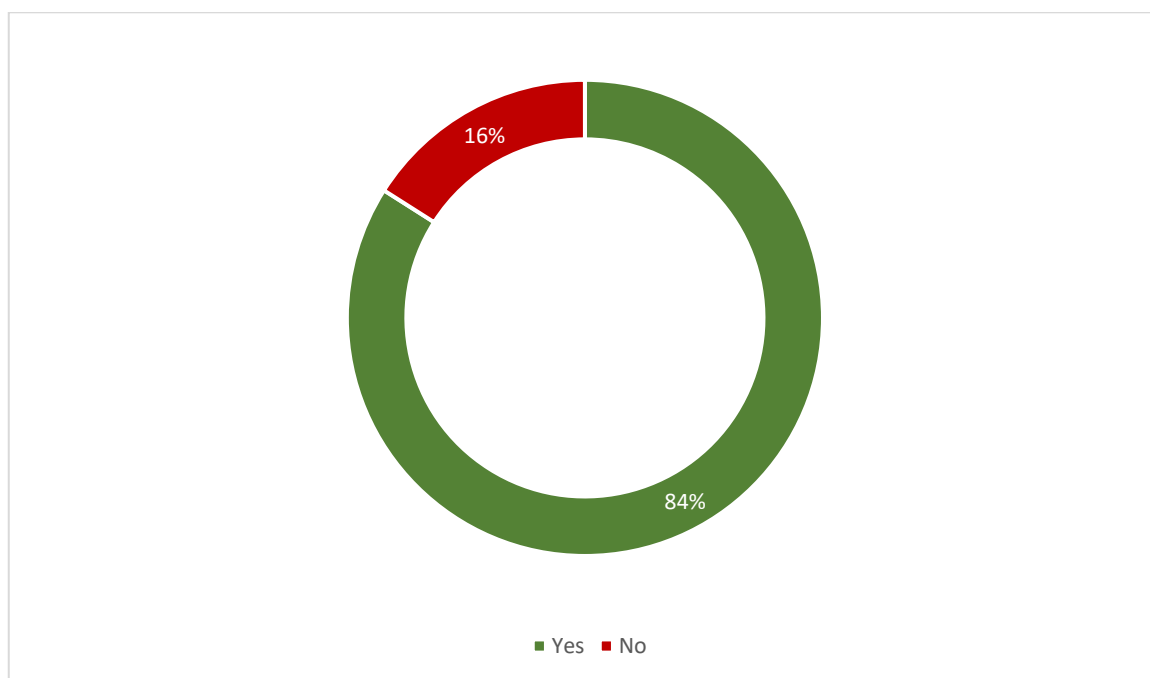
Consultation feedback	Response
	<p>Gorey and Rozel Harbour, and the environs of many of the island's parish churches.</p> <p>The special character of conservation areas is broader than just the quality of the buildings. Other elements such as: the historic layout of roads; paths and boundaries; characteristic building and paving materials; street furniture, trees and open spaces can all contribute to the character of a place, creating a distinct sense of place and local identity.</p> <p>Setting is explicitly identified as a criterion for assessment when seeking to designate a conservation area.</p>
<p>St Brelade / Sand dunes and landscapes are picturesque and symbolic to Jersey. For future generations green zones and rural landscapes need to be preserved.</p> <p>Areas such as St Brelade Bay must not be spoilt by flats and privatization.</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p>
<p>I think it needs more clarification.</p>	<p>Noted. Section three of the framework provides a comprehensive list of the criteria to be used for identification and assessment</p>
<p>It would be nice to see more emphasis on light pollution from high intensity floodlights, and further protection for trees</p>	<p>No change. Q5 deals with the regulatory regime proposed to be adopted for conservation areas. This includes a proposal to include the regulation of external illumination; along with work to trees.</p>
<p>We are surprised that no specific reference is made to the presence (or otherwise) of listed buildings within a proposed conservation area, given that these buildings and places often represent the core heritage assets in a particular locality. They will already have been diligently examined as part of the recent Island-wide review.</p>	<p>Noted. Existing designated heritage assets will form part of the detailed appraisal of a potential conservation area.</p> <p>The criteria for assessment explicitly states: '<i>does the area contain a concentration of listed buildings and places?</i>'</p>

Consultation feedback	Response
<p>We find the explanation of the initial identification process to be confusing. It is stated that the initial identification process of potential conservation areas is unlikely to be a lengthy process, as its purpose is to determine whether the area fulfils three basic criteria, i.e. is it special? is it experienced through character or appearance? Is it desirable to protect or improve it? We agree on this approach and we are confident that such assessments can be robustly undertaken relatively quickly.</p> <p>However, a fourth consideration is then added – ‘what issues could designation help to solve?’ This is potentially a far more complex matter and the lack of any explanation of what is meant by this phrase is unhelpful. As conservation areas are a new concept in Jersey there is no local experience to draw on.</p> <p>This element of the Framework is lifted directly from UK guidance where the context is absolutely different, as 10,000 conservation areas have been designated over the last 50+ years, generating significant experience of conservation area management. The drivers of change in conservation areas are complex and we believe that such matters should be left to the detailed appraisal stage, once a determination has been made that an area has the potential, on its architectural and historical merits, to warrant conservation area status.</p>	<p>No change. There are three criterion proposed for initial identification, not four. The identification of potential problems that a conservation area might address is part of the third criterion.</p> <p>This is a discretionary provision and is considered helpful if there is a particular issue that is known, which is already threatening to erode the character of the proposed conservation area, and which designation might help to address. To identify any such issues does not require significant experience of previous multiple conservation area designation, but simply provides an opportunity to highlight particular known local issues. An example of a particular problem might be the loss of frontage gardens to car parking in the Victorian seaside quarter of Havre des Pas, resulting in the loss of roadside walls, railings and decorative front gardens and paths.</p>
<p>Paragraph 3 goes on to list 5 additional criteria that should be taken into account and we acknowledge that this requirement is sensible, provided that the depth of analysis and assessment against these criteria is proportionate to the underlying aim of this preliminary identification stage.</p> <p>However, despite the claim that the identification stage is unlikely to be a lengthy process, paragraph 3 goes on to imply that a list</p>	<p>No change. Paragraph three states (emphasis added) that <i>‘This initial identification, and any subsequent detailed appraisal, should be informed by assessing the area against various criteria which might consider the following:</i></p> <ul style="list-style-type: none"> • <i>the area’s townscape quality; the nature and quality of its public realm and its architectural interest</i> • <i>the area’s historical interest</i> • <i>whether the area is a rare or notable example of a particular type</i>

Consultation feedback	Response
<p>of 40 additional questions should be considered at both the identification and designation stage. This detailed level of appraisal will clearly be very demanding of resources. If we have read this part of the advice correctly, (we do not believe that it is well phrased) there is no real distinction between the identification stage and the more detailed appraisal stage. This appears to contradict the advice given in paragraph 4 of the report, and we believe that clarification on this point is needed.</p>	<ul style="list-style-type: none"> • <i>the area's setting and context; and the significance of views into and/or out of it; and</i> • <i>whether the area has scope to improve or better reveal significance, character or appearance.</i> <p>The initial identification will have regard to the key criteria and be based on a proportionate assessment of them, where they are appropriate and of relevance.</p>
<p>Our view is that the criteria described in Section 3. of the Framework and proposed for use in Appraisals should be extended beyond landscape, trees and other boundary features to also include an assessment of all biodiversity associated with a proposed area; be that historical, current or through future opportunities.</p> <p>We are very clear that the Island's built heritage and its biodiversity are entwined, each providing the other with opportunity and value as well as risk. In many instances the built environment and the natural environment have evolved over time each to offer the other identity and character. One example of this is the relationship of the Wall Lizard (<i>Podarcis muralis</i>) with coastal fortifications around the Island. In other words, species assemblages and behaviours should be considered an integral part of the special interest and distinctive character of an area. In Jersey studies suggest that just as in traditionally recognised rural environments, biodiversity is also present within the urban Townscape and Public Realm. Other species of notes often associated with the built environment include bats, birds and maybe more unusually toads. For information we have attached a link to the Urban Habitat Statement BAP(BAP – Biodiversity Action Plan)</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The relationship between the built environment and nature may be a factor which contributes to its character and appearance but architectural heritage, as defined in the Granada Convention is the primary consideration.</p>

Consultation feedback	Response
<p>Ensuring opportunities are retained and provided within CA, for habitats to thrive and protected species to nest/breed, forage and commute is critical to their protection and enhancement. The NE Policies of the Bridging Island Plan (as adopted) and the Wildlife (Jersey) Law 2021 do provide mechanisms to further the protection and improvement of biodiversity, but our view is that recognition in CA offers the possibility for a greater understanding and appreciation of the value of biodiversity (in a way that maybe Wildlife Legislation and other Natural Environment Policies currently don't) and what it contributes to the very character of those localities.</p>	
<p>We suggest a preliminary assessment of ecological features, habitat, species presence and behaviour could form part of the criteria assessment that contributes to the character of a CA in the designation process.</p> <p>Our view is that we should seek to support the process either as a voluntary member of the Listing Advisory Panel or as a statutory consultee in the development of the Appraisal for designation. We will also, by necessity of the increasing numbers of planning applications (as a requirement of CA designation), act as a consultee in the planning application process.</p>	<p>No change. See above.</p>

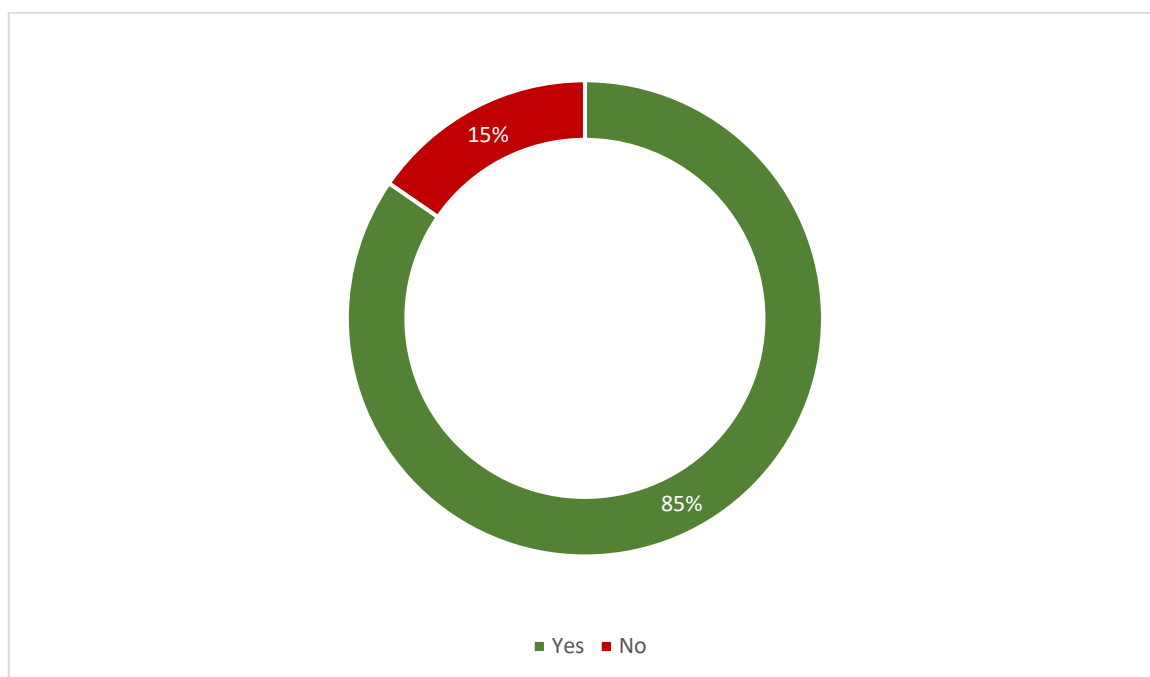
3. Do you support the proposed process for conservation area designation?



Consultation feedback	Response
It will be important to involve all the residents in the affected earlier so that they support designation	No change. It is proposed to involve residents early on in helping to identify and define the special architectural or historic interest of a place. Involving the community, in an informal way, at an early stage of potential designation (or the review of an existing area) can help capture local knowledge, raise awareness and garner support.
<p>First it should be bottom-up and organised by the parishes.</p> <p>Parishes should be able to identify local conservation areas through public participatory meetings and then propose that site to the Minister for review & approval.</p> <p>Involving the parish at such an early stage could prove useful to ensuring parish support throughout the project, which will be necessary.</p>	<p>No change. Parishes will be key stakeholders throughout the process.</p> <p>The initial identification will, however, need to be based on an objective assessment of whether an area has sufficient architectural or historic interest to be considered 'special'. It is proposed that this be undertaken by those with expertise in this field, involving Jersey Heritage and other heritage bodies including La Société Jersiaise and the National Trust for Jersey.</p>

Consultation feedback	Response
<p>More public participation should be expected from the beginning. The public should not be just informed, but helps to decide the conservation areas and management strategies.</p>	<p>No change. It is proposed that the public are involved in an informal stage of engagement before formal consultation is undertaken.</p> <p>Involving the community, in an informal way, at an early stage of potential designation (or the review of an existing area) can help capture local knowledge, raise awareness and garner support.</p>
<p>Greater emphasis / visibility could also perhaps be given to the importance in the designation process of enabling local residents to explore the sense of their place (building on that set out on page 6 of the paper) and the value of a community-based approach. The huge popularity of the Jersey Heritage What's Your Street Story continues to demonstrate a real interest in the history, stories and buildings of a locality.</p>	<p>No change. The informal engagement of and formal consultation with the local community is clearly stated in the proposed for designation; and will be captured in the relevant legal instrument setting out the designation process.</p> <p>The clear interest in the history, stories and buildings of a locality is noted, welcomed, and will hopefully be constructively channelled through the conservation area designation programme.</p>
<p>We recognise that whilst there is an approach outlined for identification, assessment and designation of CA there are already several priority areas for early consideration and designation in the Bridging Island Plan. It's probably likely (given the immediate pressures) that aside from the reference to Parish churches and village settings the likely focus will be on the built environment but there is also potentially future scope to include several rural and coastal CA and this in our view is a further justification for why an early understanding of associated biodiversity within the criteria is important</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The relationship between the built environment and nature may be a factor which contributes to its character and appearance but architectural heritage, as defined in the Granada Convention is the primary consideration.</p>

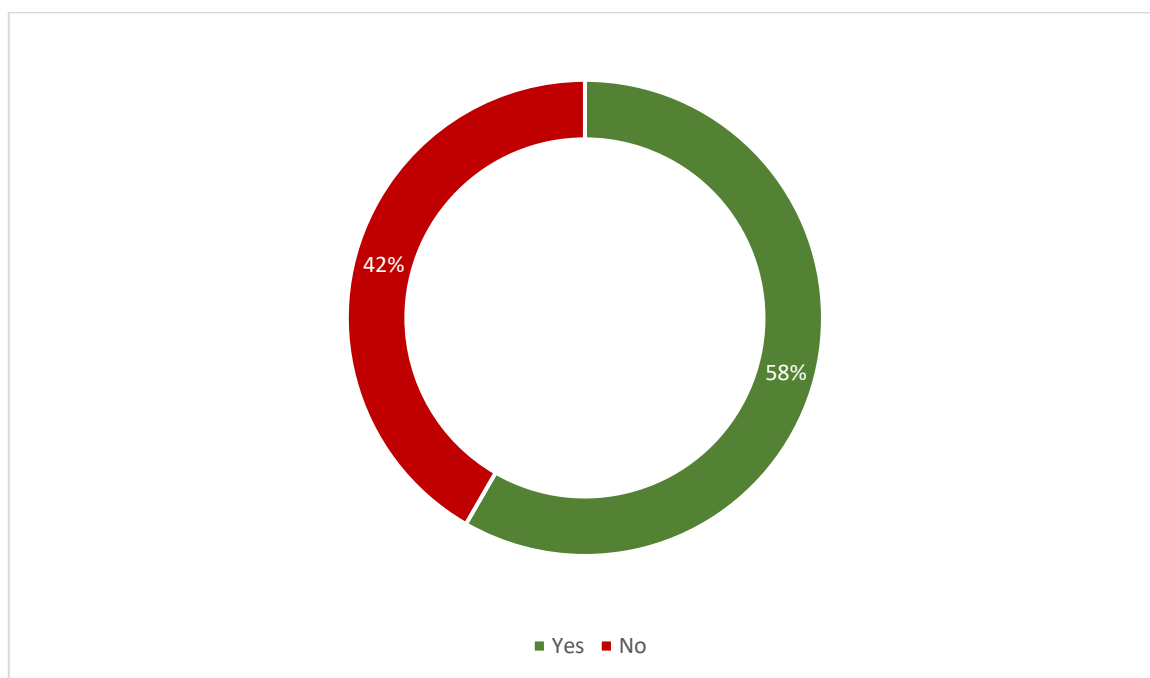
4. Do you agree that conservation area appraisals are prepared to support designation?



Consultation feedback	Response
Yes, but the areas should be designated and protected first, then the appraisal can confirm or not the designation.	No change. Once an area has been initially identified – but probably without a boundary being defined - it is proposed that a more detailed appraisal should be undertaken to explore, with the local community and key stakeholders, the special character of the proposed area. This will help identify and define the special architectural or historic interest of a place and help ensure this is sufficient to warrant designation as a conservation area.
Appraisals should be led by local architecture organisations, not by UK consultants, to focus on the uniqueness of these areas to Jersey.	No change. The initial identification of conservation areas will be based on an objective assessment of whether an area has sufficient architectural or historic interest to be considered 'special'. It is proposed that this be undertaken by those with local expertise in this field, involving Jersey Heritage and other heritage bodies including La Société Jersiaise and the National Trust for Jersey.

Consultation feedback	Response
	The subsequent appraisal will be developed by Jersey Heritage working with the local community and key stakeholders.
This implies requirements on existing property owners. . It is bad enough when you purchase, knowing the property comes with restrictions; applying retrospective regulation is unacceptable.	Noted. There are no proposals to apply regulation retrospectively.
Unnecessary delay. Usually quite obvious to community.	No change. It is proposed that appraisals are undertaken, with the local community and key stakeholders, to identify and define the special character of the proposed area. This will help identify and define the special architectural or historic interest of a place and help ensure this is sufficient to warrant designation as a conservation area. It is not envisaged that this should cause unnecessary delay.

5. Is this enough information for each conservation area?

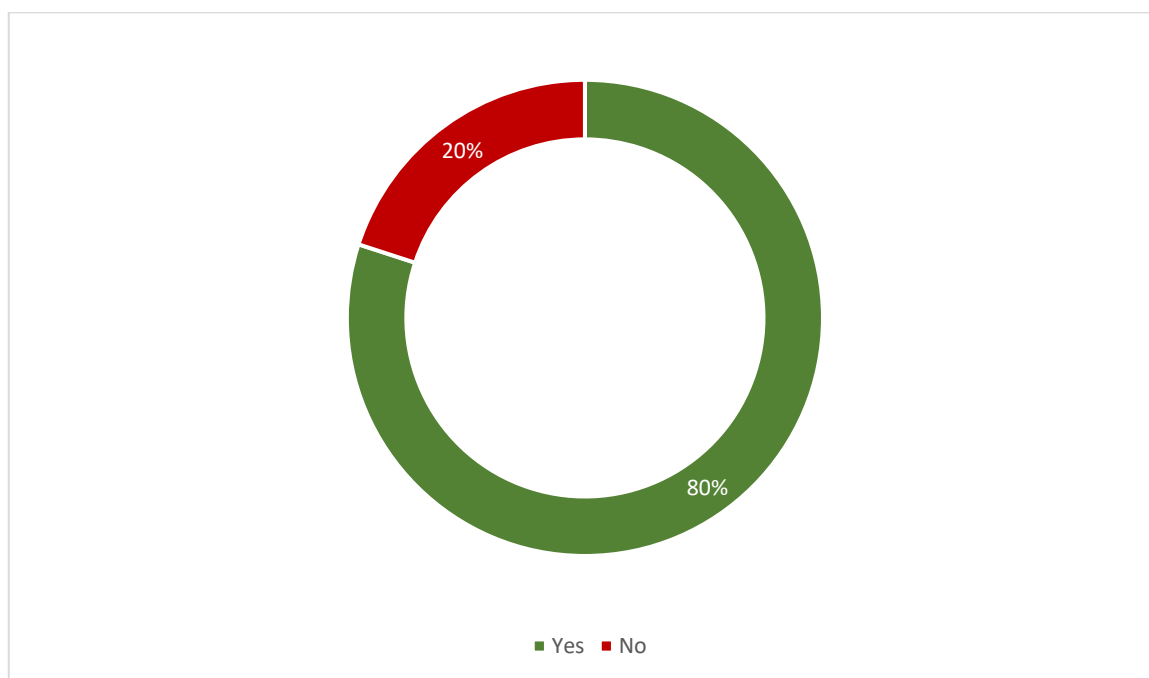


Consultation feedback	Response
They should be clearly mapped.	Noted. A conservation appraisal will provide a clear definition of the extent and boundary of the conservation area and its setting, which will be mapped.
I think a monetary value should be placed on such areas as they are priceless they are worth more intact and that no development can occur.	Noted. It is not considered possible to confer a monetary value on conservation areas. The designation of places in the island as conservation areas is not intended to prevent development, redevelopment or improvement. The purpose of conservation area designation is to protect from harm or improve the character and appearance of the area. There is a need to pay special attention to the impact of new development proposals on the distinctive qualities, local identity, sense of place and settings of conservation areas.
The question doesn't really explain what will be published but the more that is published the better.	Noted. Appendix 2 of the framework set out what a conservation area appraisal will contain, as follows: <ul style="list-style-type: none"> • introduction • planning context

Consultation feedback	Response
	<ul style="list-style-type: none"> • location and setting • historical development and archaeology • special Interest • spatial analysis • character assessment • land use • negative features • management strategy • useful information.
<p>Websites on the relevant parish website should be created about the Conservation Area, promoting it and highlighting its importance, what it means and how islanders can help to protect the Conservation areas.</p> <p>Furthermore, respectful signage (or other demarcation) should be used to designate the Conservation area. This could be through Welcome/Gateway signage designed by the parish, or reflected on street name signs with a subtitle e.g. 'Pathage d'Héthitage dé [zone name]'. </p>	<p>Conservation area appraisals will be adopted and issued as supplementary planning guidance by the Minister. The wider promotion and awareness-raising by other interested parties, such as the parishes, would be welcomed.</p> <p>Proposed change.</p> <p>Conservation area signage may be appropriate, and the Minister will give consideration as to whether it is necessary to make legal provision to enable this where consent would not be required to display appropriate signage. The option for this provision will be added to the Framework.</p>
<p>Yes , as long as the SPGs are published at the same time as the areas are designated.</p>	<p>Noted. Conservation areas will be designated by the Minister and appraisals will be published at the same time as CAs are designated as they will set out the basis for designation.</p>
<p>What information will be made public? This sounds like Big Brother intruding on people's homes.</p>	<p>Noted. The information to be published as part of a conservation area appraisal is set out in appendix 2 of the framework (see answer above). Publication of information will accord with the relevant data protection legislation and will not contain personal information.</p>
<p>Too much info</p>	<p>Noted. Conservation area appraisals are required to describe the special interest of an area. They will appropriate and concise relative to the area to be designated.</p>
<p>More advertising / media awareness needs to be done to get the public aware and be</p>	<p>Noted. It is proposed that information about conservation area designation will be publicised</p>

Consultation feedback	Response
<p>reassured as the public majority are keen on conservation and protecting St Brelade (against new builds and built up areas).</p>	<p>at both the informal and formal stages of stages of consultation.</p> <p>Once designated, information about conservation areas will be publicly accessible online.</p>
<p>It is a good start but not enough - these information repositories should be living documents, with people able to add previously unknown historical context</p>	<p>Noted. Following designation or change to a conservation area, it is proposed that details of each conservation area will be recorded in a statutory list, including the island's historic environment record. The latter is a repository of all information about heritage assets, including that which might exist outside of statutory designations. This is managed by Jersey Heritage.</p>
<p>We support the development of CA Appraisals as SPG's and welcome the use of these as a material consideration in the Planning process. As previously referred to, we are currently producing guidance to support the Wildlife (Jersey) Law 2021 and it's also envisaged that guidance will be produced by IHE Regulation to support the protection regime for trees, currently a part of the revision of the Planning and Building Law 2002. All of this guidance must reference and complement one another. If the appraisal is or does also support a management plan for the area then it's our view that how people and infrastructure connect to nature within those areas should be recognised.</p>	<p>Noted: Any guidance issued by the Minister in relation to conservation areas is likely to be in the form of supplementary planning guidance under the auspices of the Planning and Building (Jersey) Law.</p> <p>Where relevant and appropriate, reference may be made to other regulatory regimes – such as the Wildlife (Jersey) Law.</p>

6. Should each designated conservation area be reviewed from time to time?

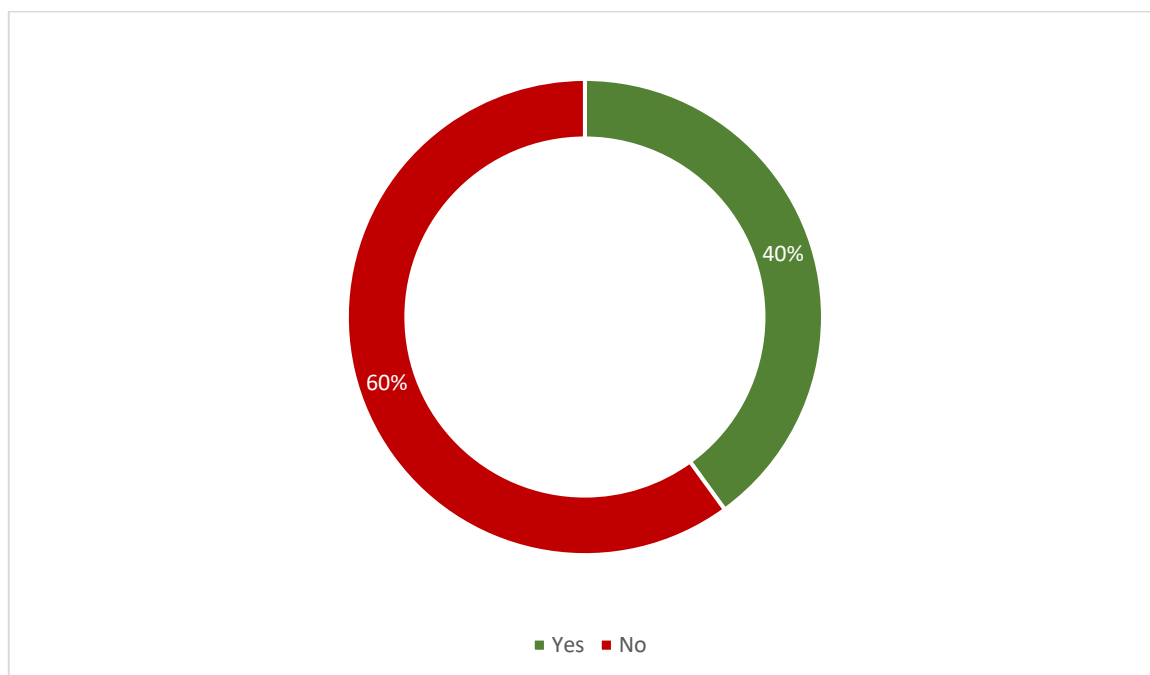


Consultation feedback	Response
But possibly not regularly, only when seems appropriate.	<p>Noted. It is proposed that conservation area designations should be reviewed from time to time particularly where designation might be needed for areas along the boundaries of a conservation area which would benefit from inclusion, or where the character of the area has been damaged.</p> <p>The need will be proportionate to pressures for change inside and outside the conservation area.</p>
Hopefully no changes will happen apart from repairs	<p>Noted. Conservation area designation will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve. It does not preclude development, changes or improvement so will not limit work to repairs.</p>
Review needs to involve the parish and could possibly be led by the parish.	<p>No change. The parish will be key stakeholders in both initial designation and any subsequent review.</p> <p>It is envisaged that any review would be led by the Minister for the Environment, but this may</p>

Consultation feedback	Response
	be in response to feedback from stakeholders, including parishes.
Perhaps in line with the island plan renewal / 10 years.	Noted. This may be dependent on the extent of change in and around the conservation area.
And they should have designation removed if more affordable housing is required	No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve. This does not preclude the provision of affordable housing where any such housing makes a positive contribution to the character or appearance of the conservation area.
key to ensure oversight, compliance and improvement	Noted.
Yes - but, given the high level of controls proposed, reviews should not be necessary for many years from the date of the original designation.	Noted. It is proposed that conservation area designations should be reviewed from time to time particularly where designation might be needed for areas along the boundaries of a conservation area which would benefit from designation.
The chances of not needing adjustment are remote. Any adjustment should not use the flawed methodology of the inappropriately named Coastal National Park redrawing. The Minister was clear that it is a planning zone and it should be named as such. 'Park' implies permission for public access on private property.	Noted. Any review will be related to the criteria used for designation.
To lose status? That would suggest flaw in original process	Noted. It is proposed that conservation area designations should be reviewed from time to time particularly where designation might be needed for areas along the boundaries of a conservation area which would benefit from inclusion, or where the character of the area has been damaged.
Once a conservation area - always a conservation area	Noted. It is proposed that conservation area designations should be reviewed from time to

Consultation feedback	Response
	time particularly where designation might be needed for areas along the boundaries of a conservation area which would benefit from inclusion, or where the character of the area has been damaged.
This seems like a recipe for degradation	Noted. It is proposed that conservation area designations should be reviewed from time to time particularly where designation might be needed for areas along the boundaries of a conservation area which would benefit from inclusion, or where the character of the area has been damaged.

7. Do you agree that conservation area prioritisation should be focused on St Helier? Do you have a view on which parts of St Helier or other parts of the island could be designated?



Consultation feedback	Response
<p>St Aubin is probably more threatened. The north coast bays are also under threat from development. A proper prioritisation process should take advice from public consultation.</p>	<p>Noted. The prioritisation of conservation area designation was considered during the preparation of the bridging Island Plan. This included public consultation and consideration at the examination in public.</p> <p>In approving the amended bridging Island Plan, the States Assembly resolved 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.</p>
<p>I am very frustrated that people seem to think St Helier is not worth bothering about and that it is a given that it is ugly.</p>	<p>Noted. The special architectural and historic quality of St Helier is recognised.</p> <p>The historic areas of St Helier are identified as being amongst those areas to be considered in the first round of conservation area designation.</p>

Consultation feedback	Response
<p>St Helier has been absolutely decimated, the rest of the Island and especially the coastline should be our priority.</p>	<p>No change. The special architectural and historic quality of parts of St Helier, and the development pressure that it is under, is recognised in the St Helier Urban Character Appraisal.</p> <p>In approving the amended bridging Island Plan, the States Assembly resolved 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.</p>
<p>Yes. It's absolutely essential- on the footing that it will help preserve those few areas of St Helier worth preserving. But the parts which are worth preserving are very special.</p>	<p>Noted. The historic areas of St Helier are identified as being amongst those areas to be considered in the first round of conservation area designation.</p> <p>In approving the amended bridging Island Plan, the States Assembly resolved 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.</p>
<p>The first conservation area should be St Aubin and Gorey Pier as these areas have much more protectable character.</p> <p>Building on that Havre des Pas and the town centre, alongside other areas, could be considered for second phase.</p>	<p>Noted. The areas identified are amongst those to be considered in the first round of conservation area designation.</p> <p>In approving the amended bridging Island Plan, the States Assembly resolved 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.</p>
<p>Particularly if town is to be focus of constructing new homes for the next 10 years.</p>	<p>Noted. The historic areas of St Helier are identified as being amongst those areas to be</p>

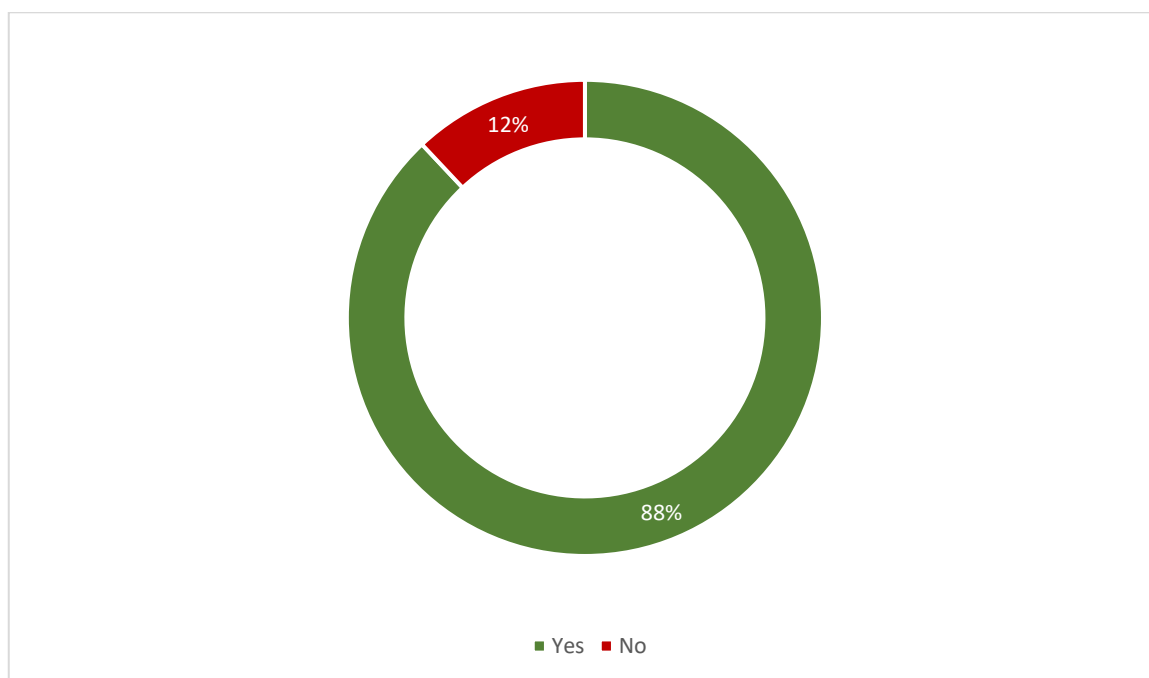
Consultation feedback	Response
	considered in the first round of conservation area designation.
All the buildings have sufficient controls in place, do not add further bureaucracy	No change. Conservation areas protect and manage the character and appearance of a place that has a special architectural and historic quality and distinctiveness. This can be achieved by the application of extra planning controls in conservation areas to protect from harm those historic and architectural features which provide the place with its special character and distinctiveness. There is also scope to improve it by reinforcing and adding to its character through beneficial change. There are currently no provisions which can do this.
St. Helier is a living town that needs to change and adapt to thrive. The enhanced controls that already exist to protect listed buildings are sufficient in my opinion to protect the town's significant buildings.	No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve. The special character of conservation areas is broader than just the quality of the buildings. There are presently no controls to regulate change over designated areas.
The historic core of St Helier is under imminent threat	Noted. The historic areas of St Helier are identified as being amongst those areas to be considered in the first round of conservation area designation.
Our island's heritage is not just confined to St Helier, it is entrenched in the character of the countryside	No change. Conservation areas will be designated within both urban and rural contexts. For areas of countryside to be designated, they would need to have architectural or historic character. This may be most applicable to settlements or hamlets in the countryside.

Consultation feedback	Response
The main advantage I can see is the protection of public views that could be lost through development blocking a vista..	Noted. the significance of views into and/or out of conservation areas will be part of their assessment and, where significant, these should be identified in the conservation area appraisal.
St Aubin, Gorey, St Brélade church end	No change. St Aubin and Gorey are identified amongst those areas to be considered in the first round of conservation area designation. The potential designation of a conservation area around St Brélade's Church may need to follow in a subsequent round of designation.
Rural areas/ rural parishes such as St Ouen / St Brélade/ Grouville should take priority.	No change. In approving the amended bridging Island Plan, the States Assembly resolved 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.
The public should also be listened at this stage and the criteria to define the priority areas should be informed.	Noted. The prioritisation of conservation area designation was considered during the preparation of the bridging Island Plan. This included public consultation and consideration at the examination in public.
St Aubin and Havre des Pas are probably urgent cases.	Noted. The areas identified are amongst those to be considered in the first round of conservation area designation. In approving the amended bridging Island Plan, the States Assembly resolved 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.
Central St Helier, Havre de Pas	Noted. The historic areas of St Helier are identified as being amongst those areas to be

Consultation feedback	Response
	considered in the first round of conservation area designation.
As to St Helier, the remaining Georgian and Victorian terraces and associated housing want designation Eg Almorah Crescent and the associated houses in Lower Kings Cliff and just above.	<p>Noted. The historic areas of St Helier are identified as being amongst those areas to be considered in the first round of conservation area designation.</p> <p>Most of St Helier’s set-piece Georgian and Victorian terraces are listed buildings including, where they exist, the formal gardens or open spaces that form part of their original layout and design. The potential value of these terraces within a wider area would need to be considered relative to potential conservation area designation.</p>
One key issue that is entirely absent from this document, and which will surely interest many stakeholders, are how the priorities for designation will be determined. This includes the question of where the programme of designation is likely to start, and how extensive the overall programme is expected to be. These are clearly fundamentally important matters which, we believe, should be included in the scope of this consultation. We believe that the priority for designation should directly reflect the historic areas which face the greatest development pressures. Such areas are not difficult to identify.	<p>Noted. The prioritisation of conservation area designation was considered during the preparation of the bridging Island Plan. This included public consultation and consideration at the examination in public.</p> <p>In approving the amended bridging Island Plan, the States Assembly resolved 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.</p>
Paragraph 4 – Process for designation. As stated earlier, we believe that paragraph 4 of the report is out of place and it would have been helpful for it to have been included in the introductory paragraphs. We have already indicated in paragraph 5 of this submission that the criteria to be applied in determining the sequence of designation is not addressed in this Framework. We do not understand why this aspect of the designation programme should not enjoy the same level of transparency as the	Noted. It is assumed that this comment is referring to section 4 (not paragraph 4) and refers to the prioritisation of CA designation (in which case, see response above.)

Consultation feedback	Response
<p>other aspects of this planning initiative. We would welcome an explanation of this.</p>	
<p>No attention has been given in the Framework to the larger urban areas, particularly St Helier, which contain large numbers of listed buildings and many distinct areas that are markedly different in character and appearance. Discussion and comment on this important matter appear to have been placed beyond the scope of this consultation Framework. We do not understand why this should be the case and would welcome a response on this point.</p>	<p>Noted. This framework is a generic one for the establishment of the tools and processes to enable conservation area designation in Jersey, wherever they may be designated, including St Helier.</p>
<p>We note that there are already quite a few CAs proposed with a commitment at this stage is only to designate 4 of them between 2022-25. Our view is that the both the offshore reefs of Les Ecrehous and Les Minquiers should be considered. There might also be a case for the consideration of other harbour sites including Bouley Bay.</p>	<p>Noted. Both Les Ecrehous and Les Minquiers are already listed buildings and places, and enjoy a high level of protection owing to their special architectural and historic interest.</p> <p>Other historic harbours, such as Bouley Bay, may warrant subsequent designation, subject to assessment against the relevant criteria.</p>

8. Do you support the introduction of the additional planning controls for conservation areas?



Consultation feedback	Response
<p>especially for the sanddunes in St Ouen</p>	<p>No change. Conservation areas will be designated within both urban and rural contexts. However, for areas of countryside to be designated, they would need to have architectural or historic character. This may be most applicable to settlements or hamlets in the countryside.</p> <p>Les Blanches Banques (the sand dunes) already enjoy a greater level of planning control because they are listed as sites of special importance because of their special ecological value.</p>
<p>Yes to protecting windows and most of the other things listed. But you should not need permission to re paint your house as suggested.</p>	<p>Proposed change. It is, however, proposed to make changes to the regulatory regime to clarify that the regulation of painting will only apply where:</p> <ul style="list-style-type: none"> • a building or structure is previously unpainted; and • where a change of colour is involved.

Consultation feedback	Response
<p>This needs to also come with projects to actively improve (or 'mend') these areas, not just plan & regulate.</p> <p>For example, sorting out the mess of road markings around Gorey Pier, tying together the public realm of St Aubin, tying together & recognising history of the Harbour areas. This should come with specific design codes designed by the parish with the cooperation of the Govt for public realm features, which must then be followed (and ideally implemented) by both parties & developers.</p>	<p>No change. Conservation area appraisals can provide a foundation for the positive management of change in a conservation area. They can provide a detailed picture of what makes an area special and can be used to identify opportunities and priorities for action to improve it.</p> <p>It is proposed that conservation area appraisals be developed in consultation with local stakeholders, including the parishes. They will be adopted as supplementary planning guidance by the Minister for the Environment and, therefore, become material to planning decisions and help to ensure consistent decision making. This should ensure that there is consistency in the treatment of, for example, changes to the public realm in conservation areas.</p>
<p>Yes, but only in limited areas of outstanding quality</p>	<p>Noted. This additional level of regulation will only apply in conservation areas, where these areas are of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p>
<p>These could be tempered with the relaxation of other controls, or the introduction of pre-agreed changes, such as agreed window, door, roof, wall, railing patterns, etc.</p>	<p>Noted. Conservation area appraisals will provide a foundation for the positive management of change in a conservation area. They can provide a detailed picture of what makes an area special and can be used to identify opportunities and priorities for action to improve it. Proposals that are aligned to the objectives of conservation area appraisal will likely receive favourable consideration through the regulatory process.</p>
<p>But to main facade only and focusing on good design, not pastiche.</p>	<p>No change. The proposed regulatory framework for the management of development in conservation areas would seek to exercise control over works that would be likely to impact the character of a conservation area where it is visible from a road (which includes all public roads and footpaths) and the foreshore. The precise legal provisions to</p>

Consultation feedback	Response
	<p>achieve this remain to be explored, but this is the policy intent.</p> <p>Very careful consideration will need to be given to the design of development proposals in conservation areas including their mass, scale, form, materials and detailing of building alterations to protect the character and appearance of the area and its setting from harm, or to improve it through beneficial change. The elevational treatment of all facets of any development, and its roofscape, is as important as that of main façade or street frontage of a building. This does not preclude high quality modern design of buildings or spaces within the area, rather it seeks a contextual response to fit the place.</p>
<p>While the aim to retain the 'feel' of certain iconic areas is laudable, some of the proposals seem excessive.</p>	<p>Noted. The extent of regulation is that which is considered proportionate and necessary to manage change to the character and appearance of conservation areas.</p>
<p>I suggest different levels of control for different areas, depending on their character.</p>	<p>No change. The extent of control, which is established by legislation, will be consistent across all conservation areas. Each conservation area will, however, have its own specific conservation area appraisal. Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can provide a detailed picture of what makes a particular area special and can be used to identify opportunities and priorities for action to improve it. Proposals that are aligned to the objectives of conservation area appraisal will likely receive favourable consideration through the regulatory process.</p>
<p>Within the concern that the island is drowning under regulation and this process should be with a light touch. e.g. Having to get permission for maintenance, to repaint in the same colour, is bureaucracy gone mad.</p>	<p>It is important that regulation is proportionate and appropriate to the objectives that are sought to be achieved. In certain circumstances, it can be important to regulate painting and maintenance work as this can affect the character or appearance of an area.</p>

Consultation feedback	Response
	<p>Proposed change. It is, however, proposed to make changes to the regulatory regime to clarify that the regulation of painting will only apply where:</p> <ul style="list-style-type: none"> • a building or structure is previously unpainted; and • where a change of colour is involved. <p>No change. Maintenance and repair work is only regulated where it is not of a minor nature.</p>
<p>Paragraph 5 – Protection of character and appearance: regulatory regime. At the head of page 9, there is an explanation of the additional controls enabled by the GDO over certain works which would be likely to impact the character (and appearance) of a Conservation Area where these would be visible from a road (which includes all public roads and footpath) and the foreshore.</p> <p>We consider that views such as those obtained from publicly owned monuments and spaces such as Gorey Castle, Fort Regent and the open space at South hill, are also important viewpoints, and we would welcome clarification as to whether such viewpoints will or can be included in relevant definition, and applied throughout the appropriate GDO clauses.</p>	<p>No change. Important views into and out of conservation areas will be specifically identified and defined through the process of conservation appraisal and will be accordingly provided with some protection, where appropriate.</p> <p>All of the sites identified are also listed and any development which might affect their setting would, as a matter of course, be a material planning consideration.</p>
<p>We believe that the limitation over the extent of additional controls to be imposed within conservation areas is important, as the concern is often expressed that designation will impose unacceptable levels of bureaucracy, expense and delay for building owners. There is also a cost to the public purse in planning officer resources. While we are strong advocates of conservation area designation, we believe that additional controls should be reasonable and proportionate. The publication of detailed design guidance on routine changes within specific conservation areas will clearly be very helpful as part of the published Conservation</p>	<p>Noted. It agreed that it is important that regulation is proportionate and appropriate to the objectives that are sought to be achieved.</p> <p>The appraisal will contain guidance on the future management and improvement of each area which will in part deal with design guidance in response to the areas' distinctive character.</p>

Consultation feedback	Response
Area appraisal. This should provide some degree of certainty to building owners.	
Part 3: We do not support additional control over painting or repainting as this will probably involve significant planning officer resource and is almost certain to cause considerable irritation to building owners – there is history of public challenge on this subject. The benefit of imposing this control is questionable.	<p>Proposed change. It is important that regulation is proportionate and appropriate to the objectives that are sought to be achieved. In certain circumstances, it can be important to regulate painting and maintenance work as this can affect the character or appearance of an area.</p> <p>It is, however, proposed to make changes to the regulatory regime to clarify that the regulation of painting will only apply where:</p> <ul style="list-style-type: none"> • a building or structure is previously unpainted; and • where a change of colour is involved.
Part 7: Demolition. Does this include partial demolition? If the structure to be demolished cannot be seen from a public road and footpath (etc), what is the justification for this control?	No change. Demolition can have significant visual impacts. The partial or wholesale loss of buildings and structures, including walls, and outbuildings can undermine and damage the character of a place. Conservation areas are particularly sensitive and, therefore, any proposal to demolish buildings and other structures in these areas will require careful consideration, where they affect its character and appearance.
Part 8: Change of use. What is the justification for this additional control, given that change of use is presumably controlled through other planning policies.	No change. No specific control in relation to change of use is proposed for conservation areas.
We question whether the proposed control over the external illumination of residential property can be justified, given the planning officer resource likely to be involved in the assessment process.	<p>No change. The use of external lighting can dramatically alter the character and appearance of an area by night.</p> <p>This is an increasingly problematic issue which is causing harm, particularly in rural parts of the island where external illumination is not characteristic. This was identified as part of the</p>

Consultation feedback	Response
	Jersey Integrated Landscape and Seascape Character Assessment (ILSCA)
<p>We suggest that in relation to work to trees, exemption should be considered in the case of routine management work that is undertaken by a qualified arboriculturalist in accordance with the appropriate British Standard.</p>	<p>Noted. Work is being undertaken to identify those works to trees which might be exempt from control and it is likely that this will include routine maintenance of trees.</p>
<p>The restrictions on maintaining our houses in this area sound rather draconian. I understand that if our gutter falls down or tiles come loose on our roof, we will have to go through a full and long application to be able to correct the fault and I guess that by the time it is permissible for us to do any repairs more damage will have come about</p>	<p>No change. It is proposed that maintenance and repair work is only regulated where it is not of a minor nature; including the installation or replacement of new rainwater goods, fascias and verges</p>
<p>Surely the colour we paint our windows is not a matter for Planning, it is a matter of preference and once again by the time the plans are past it is likely the windows will have deteriorated due to the wait.</p>	<p>Proposed change. It is important that regulation is proportionate and appropriate to the objectives that are sought to be achieved. In certain circumstances, it can be important to regulate painting and maintenance work as this can affect the character or appearance of an area.</p> <p>It is, however, proposed to make changes to the regulatory regime to clarify that the regulation of painting will only apply where:</p> <ul style="list-style-type: none"> • a building or structure is previously unpainted; and • where a change of colour is involved.
<p>We believe that there needs to be a clearer understanding of how the designation of CA will sit side by side with existing provision for designation of 'places' under the current planning law (Article 51(2) Buildings or places that are of public importance by reason of –</p> <p>(a) its special botanical, ecological, geological, scientific, or zoological interest; or</p>	<p>Noted. There is a clear distinction between the designation of sites and places of heritage interest; and areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve. The key difference is that conservation areas are <i>'homogeneous groups of urban or rural buildings conspicuous for their historical interest which are sufficiently coherent to form topographically definable units'</i>; whereas listed buildings or places are individual buildings or places of a</p>

Consultation feedback	Response
<p>(b) the special archaeological, architectural, artistic, cultural, or historical interest that attaches to the building or place.</p> <p>By way of example the term 'place' is not defined in the law so on what basis is a 'place' considered to be worthy of designation as a CA and not an SSI? Furthermore, how will physical overlaps between CAs, SSIs and different types of SSIs, be appraised and managed?</p>	<p>particular and specific interest (i.e. they are not groups of buildings or places).</p> <p>The criteria for the former are already adopted and published by the Minister (ID-criteria for listing and grading (April 2011) 20150323 mm.pdf (gov.je)); and the same will be undertaken in respect of the criteria adopted to inform the designation of conservation areas.</p> <p>The listing of a building or place imposes a greater level of control over works which would not otherwise be deemed to be development: this is a greater level of control over works that that proposed to be exercised within a conservation, and can extend to the interior of buildings where it might affect their special interest. The regulatory regime is thus different between a listed building or place and a conservation area, the former being tighter.</p> <p>There will definitely be listed buildings within defined conservation areas.</p>
<p>Given that proposals to designate Conservation Areas across the Island can be brought forward it does seem a little incomplete to only assess change where it is visible from roads (including footpaths) and the foreshore when character could also be impacted from other publicly accessible land or vantage points. This may be particularly relevant to Jersey, with its topography sloping north south it's multiple bays and inland valleys and coastal floodplains</p> <p>One final point as the proposals to vantage points apply – do the proposals extend to the offshore reefs of Les Ecrehous and Les Minquiers?.</p>	<p>No change. Important views into and out of conservation areas will be specifically identified and defined through the process of conservation appraisal and will be accordingly provided with some protection, where appropriate.</p> <p>For sites which are listed – such as the Minquiers and the Ecrehous - any development which might affect their setting would, as a matter of course, be a material planning consideration.</p>
<p>There is currently no control to prevent the conversion of roof spaces (a failure of GD policies in our view for associated biodiversity such as bats). The new proposals would seem to suggest that such loft conversion for 1 or more windows or skylights will now be controlled but only from the stated vantage points. This is</p>	<p>Noted. The proposed changes are primarily directed to manage change affecting the character or appearance of an area of special historic or architectural character.</p> <p>(NB Permitted development rights are defined by the general development Order; not the general development policies of the Island Plan).</p>

Consultation feedback	Response
therefore only a partially satisfactory change in relation to our views in relation to biodiversity.	
<p>All areas identified in Schedule 1 Parts 1-9 (also listed Appendix 1b) have a potential to impact biodiversity. That said it's worth highlighting a few of the key Parts. Part 6 Work by Public Services and Utilities. It's very likely that a large proportion of these types of works will be undertaken for or contracted by Public Bodies. The Wildlife (Jersey) Law 2021 makes provision for the requirement of Public Bodies to promote the conservation of biodiversity when undertaking their activities and this is equally as applicable in CA as elsewhere. Part 7 Demolition. Whilst the GDO provision is to remain unchanged we welcome the Policy requirements that a comprehensive plan be in place for spaces prior to demolition, which could include landscape plans. Our view is that the opportunity to retain open space as a result of demolition and how that impacts existing CA should also be set against the emerging need to support the wellbeing of the population and the environmental pressures being brought about through climate change. Climate adaptation will be a key emerging theme as we look to mitigate against climate change.</p>	<p>Noted. The requirement to apply for permission for demolition is set by the general development order; and the policy regime against which any such proposals might be assessed, is set out in the bridging Island Plan.</p>
<p>Additional Provisions. Its welcome that there is a recognition of both of these initiatives, with the caveats of our earlier comments in relation to specified vantage points. The former is something we've been raising for many years, as not only is there an impact to the character and setting of locations (including trees) that are artificially lit but there are also ecological implications. Artificial lighting and the type of lighting used can have significant implications for the nesting, foraging and commuting behaviour of wildlife and any proposals need to be set against that constraint. We would be</p>	<p>Noted. The impact of inappropriate illumination has an impact on character, hence the proposal to bring this within regulation under the general development order. Other ecological benefits of this control would be beneficial in the wider consideration of visual harm.</p>

Consultation feedback	Response
<p>happy to work with assessment and designating bodies to refine the detail in this area.</p>	
<p>The latter – tree protection – is work that is currently underway by IHE Regulation and forms part of the Amendment to the Planning & Building (Jersey) Law 2002 coming before the States Assembly in April 2022. LRM are currently represented on a project team involved with this work and will be looking to incorporate the output from the public consultation on the protection of trees (currently open) to compile the definitions to support protection. In this context and with relevance to CA are hedgerows and other semi-natural boundary features included within assessment criteria? Whilst not unique to Jersey their extent and historic implications make them a valuable contributor to any CA assessment and designation.</p>	<p>Noted. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The special character of conservation areas is broader than just the quality of the buildings and may include important trees.</p>
<p>We've always recognised the need to manage change carefully and in respect of biodiversity, to adopt a precautionary approach to proposals for change. [activities affecting wildlife that are undertaken deliberately or recklessly can be considered offences under the recently adopted Wildlife (Jersey) Law 2021]. We have also previously identified some tensions between permitted developments rights under the General Development Order and the potential impact on protected species, especially in relation to bats. It remains our view that it will be of benefit to bring the measures proposed to permitted development rights, discussed in Section 5 of the Framework Report (and detailed in Appendix 1b) under the control of a regulatory regime. As a consultee to the planning process, we will therefore be in a position to respond on issues of biodiversity that may be impacted by any proposals for change. As previously mentioned, the new NE Policies and Proposals of the Bridging Island</p>	<p>Noted. The proposed changes are primarily directed to manage change affecting the character or appearance of an area of special historic or architectural character.</p> <p>.</p>

Consultation feedback	Response
Plan will also help us to work as a consultee and an advisor across the topic of CA.	

9. How best do you think improvement should be delivered and how do you think this can be best achieved?

Consultation feedback	Response
Guidelines for construction in character areas should be provided	Noted. Conservation area appraisals will provide a foundation for the positive management of change in a conservation area.
I think a real effort should be made to develop brownfield sites in areas of historic interest sympathetically	Noted. Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can be used to identify opportunities and priorities for action to improve it, which might include the development of brownfield sites.
No more building along the coast line. Nature should be allowed to vive every possible. Beaches should be cleared of rubbish especially plastic.	Noted. The first point is an issue related to general planning policy, provided by the Island Plan, and is not specific to conservation areas. Beach cleaning is not an issue that is of relevance to conservation areas although the maintenance of the public realm is a critical issue in terms of maintaining good character and appearance of an area.
Clear policies and local support.	Noted. The policy for the management of conservation areas is established in the bridging Island Plan. It is proposed that a detailed appraisal should be undertaken to explore, with the local community and key stakeholders, the special character of the proposed area. This will help identify and define the special architectural or historic interest of a place and help ensure this is sufficient to warrant designation as a conservation area, as well as help to garner local support.
It needs to be parish-led. This is a local issue and should consequently be led by locals, from proposal to implementation. If the States wants to promote island identity and the parish system, this is a great way to do it.	No change. The initial identification of conservation areas will be based on an objective assessment of whether an area has sufficient architectural or historic interest to be considered 'special'. It is proposed that this be undertaken by those with local expertise in this

Consultation feedback	Response
	<p>field, involving Jersey Heritage and other heritage bodies including La Société Jersiaise and the National Trust for Jersey.</p> <p>The subsequent conservation area appraisal will be developed by working closely with the local community and key stakeholders, including the parish.</p>
<p>Get the local village or area to create a village design statement to highlight the features that are important to them, this can then help inform the more formally trained to identify the feeling of local interest and culture within their decision making.</p>	<p>Noted. It is proposed that a detailed appraisal should be undertaken to explore, with the local community and key stakeholders, the special character of the proposed area. This will help identify and define the special architectural or historic interest of a place and help ensure this is sufficient to warrant designation as a conservation area, as well as help to garner local support.</p>
<p>There is already a coastal zone, and coastal national park. There is no need for further layers of protection.</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The protected coastal area and the coastal national park are defined by, and seek to protect, landscape character. They do not confer any additional levels of regulatory control that is necessary to help protect the special character and appearance of conservation areas.</p>
<p>Proper Island plan is all that's needed.</p>	<p>No change. The bridging Island Plan provides the policy framework to manage change in conservation areas.</p> <p>It does not confer any additional levels of regulatory control that is necessary to help protect the special character and appearance of conservation areas.</p>
<p>through education, awareness raising, planning decisions.</p>	<p>Noted. Education and awareness will be derived from the community engagement</p>

Consultation feedback	Response
	<p>associated with the proposed process for designation.</p> <p>Conservation area appraisal will be adopted as guidance and published online.</p> <p>Conservation area signage may be appropriate, and the Minister will give consideration as to whether it is necessary to make legal provision to enable this where consent would not be required to display appropriate signage.</p> <p>Once designated, planning decisions will need to have regard to the special character and appearance of a conservation area and the requirement to protect and improve it.</p>
Planning control	<p>Noted. Once designated, planning decisions will need to have regard to the special character and appearance of a conservation area and the requirement to protect and improve it.</p>
Provision of guidance notes on 'how to improve your property', where to obtain products, appropriate products for heritage buildings, links to UK guidance, etc.	<p>Noted. Guidance is available for owners and users of protected buildings and sites to see how best they can accommodate their needs without harm to the particular interest of their property (see: Managing change in historic buildings (planning advice note) (gov.je)). More detailed information about managing change to specific parts of historic buildings is already available from agencies such as Historic Scotland (see: Building Advice Scotland's Dedicated Building Conservation Centre (engineshed.scot)) and Historic England (Looking After Historic Buildings Historic England).</p>
The policy has to be reasonable. Designation should be undertaken by local specialists.	<p>Noted. The bridging Island Plan provides the policy framework to manage change in conservation areas: this has been approved by the States Assembly.</p> <p>The initial identification of conservation areas will be based on an objective assessment of whether an area has sufficient architectural or historic interest to be considered 'special'. It is</p>

Consultation feedback	Response
	<p>proposed that this be undertaken by those with local expertise in this field, involving Jersey Heritage and other heritage bodies including La Société Jersiaise and the National Trust for Jersey.</p> <p>The subsequent conservation area appraisal will be developed by working closely with the local community and key stakeholders, including the parish.</p>
<p>With a light hand that is not subjective so that people know what they are dealing with.</p>	<p>Noted. The level of additional planning controls for conservation areas will be set out in planning legislation and supported by guidance, so that those who own and manage change to buildings and spaces within conservation areas are aware of what permissions are required.</p> <p>The bridging Island Plan provides the policy framework to manage change in conservation areas and this will be used by decision-makers dealing with planning applications in conservation areas.</p>
<p>With members of community affected guiding projected supported rather than directed by government</p>	<p>Noted. The initial identification of conservation areas will be based on an objective assessment of whether an area has sufficient architectural or historic interest to be considered 'special'. It is proposed that this be undertaken by those with local expertise in this field, involving Jersey Heritage and other heritage bodies including La Société Jersiaise and the National Trust for Jersey.</p> <p>The subsequent conservation area appraisal will be developed by working closely with the local community and key stakeholders, including the parish.</p>
<p>The current abuse of existing 'planning guidelines' need to be stopped. Rules are introduced to protect areas but are interpreted far too literally by Planning (e.g. the Wayside development in St Brelade's Bay is a significant increase in developed area, but was nodded</p>	<p>Noted. Jersey has a plan-led system and the Island Plan provides the policy framework against which decisions are required to be made. Where decision-makers wish to depart from the Island Plan, they are required to set out a reasoned justification for so doing.</p>

Consultation feedback	Response
through by the Environment Minister of the time despite being unanimously reject by the States Planning Committee)	<p>Planning decisions remain open to challenge, including review by independent planning inspectors, and a <i>de novo</i> review and decision by the Minister.</p> <p>The decision of the proposed development at Wayside, St Brelade (P/2017/0574) was approved by the Minister on appeal, in accordance with the recommendation from the independent planning inspector (MD-PE-2018-0028).</p>
No new builds of flats on sea fronts such as St Brelade Bay / At Aubin - public interest needs to be considered for future generations ie family parks, eco woodlands, eco parks and including areas in national trust	Noted. Development proposals along the island's coastline will be considered against the planning policy, provided by the Island Plan, which is not specific to conservation areas.
The coastline from Havre des Pas, east and around the island to St Aubin should be protected from further development up to a 1/4 mile inland.	Noted. Development proposals along the island's coastline will be considered against the planning policy, provided by the Island Plan, which is not specific to conservation areas.
In terms of designation, we support the option of additional focused specialist support being provided within SPPP to further the designation process. We take no view on the question of whether the individual providing this resource might undertake other planning duties.	Noted.
In terms of protection (Para.6.3) while we recognise that some additional staff resource will be needed to deal with the inevitable increase in planning applications, we would point out that other planning jurisdictions, including Guernsey, have made the necessary financial provisions to expand their planning services to encompass conservation areas – we see no reason why Jersey should not do so.	Noted. IHE (Regulation) has secured additional resource through the Government Plan process to support the planning application process. This will assist in the management of planning applications in conservation areas, as and when they are designated.
In terms of improvement work in conservation area, we understand the limitations on funding and we support the approaches and initiatives set out in Paragraph 6.4.	Noted.

Consultation feedback	Response
<p>The whole process seems to involve considerable expense, employing extra architects and advisors, submitting plans and, I assume, we. The house owners, will charged for needing to repair our houses or paint them. I feel this extra burden of expense which is already high on old and listed properties will too great for some home owners, and will lead to a general deterioration of the quality of the buildings.</p>	<p>Noted. The imposition of additional planning controls in conservation areas will mean that applications will need to be made for a greater range of works.</p> <p>Any planning applications required as a result of conservation area designation, where works would not normally require permission, will be fee exempt.</p> <p>The designation of a conservation area does not impose any obligations for maintenance or repair on the owners of buildings within a conservation area. It is hoped that the designation of conservation areas will encourage owners to maintain their properties to help maintain the special character and appearance of the area.</p>
<p>We note that it's not proposed that the Listing Advisory Panel considers archaeology as this will be done by a different group and we would also query how the issue of geodiversity is planned to be addressed. Our understanding of the recently published Geodiversity report is that it highlights the need to designate a number of areas which will likely coincide with CA and have implications for designation and management.</p>	<p>No change. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>The geological interest of sites ought to be considered relative to criteria for their potential designation as sites of special geological interest. The designation of these sites as SSIs would impose their own, different regulatory regime.</p>

10. Would you like to add anything else?

Consultation feedback	Response
<p>Again, I feel there is a sense that people consider St Helier the ugliest part of Jersey so do not make an effort</p>	<p>Noted. It is important that regulation is proportionate and appropriate to the objectives that are sought to be achieved. In certain circumstances, it can be important to regulate painting and maintenance work as this can affect the character or appearance of an area.</p>
<p>Jersey seriously needs to protect its environment/biodiversity as this is the Islands true beauty. Nature is invaluable and needs to be viewed as more valuable than the most precious jewels and metals. Making money is not more important than Nature please put our Environment/biodiversity first</p>	<p>Noted. The designation of conservation areas will be based on areas of special architectural or historic interest, the character or appearance of which it is desirable to protect or improve.</p> <p>Heritage is an irreplaceable asset and conservation area designation seeks to recognise this.</p>
<p>I hope that you can progress this quickly. It will enhance the Island and give to those in conservation areas additional pride in their local environment.</p>	<p>Noted. The proposals to introduce conservation areas in Jersey has been outstanding for a long time.</p> <p>It is proposed to introduce the necessary tools to effect their designation by the end of 2022; and to commence designation in 2023, with at least four conservation areas being designated by 2025.</p>
<p>A reminder that conservation isn't universal nor should it just be focused on the cliché of creating fake Victorianism. Like it or not, the built heritage of the past century are just as part of the character of an area and therefore just as much to be conserved as the stuff that pre-dates it.</p>	<p>Noted. Conservation area appraisals will define that which makes an area special, which can include all forms of heritage.</p>
<p>In compiling this information about conservation elements, it might also be useful to identify acceptable development zones within them, or at least an example of what might be acceptable to aid future decision making and design proposals.</p>	<p>Noted. Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can be used to identify opportunities and priorities for action to improve it, which might include identifying development opportunities in the area.</p>

Consultation feedback	Response
<p>Please do not spend more time and money on this exercise. The island is short of funds and needs to concentrate on healthcare and affordable housing.</p>	<p>Noted. International conventions, planning law and the Island Plan recognise the importance of safeguarding our collective memory and shared cultural heritage by identifying places of interest and taking statutory measures to protect them. The previous Council of Minister's Common Strategic Policies 2018-2022 also explicitly recognised the value of the Island's heritage and sought to retain its contribution to sense of place, culture and distinctiveness.</p> <p>Work to develop conservation area is managed relative to a range of other government priorities.</p> <p>Proposals to bring conservation area forward in Jersey has been outstanding since 1987.</p>
<p>This is another waste of time and money. Covered in the Island plan.</p>	<p>Noted. The Island Plan only provides the policy framework for the management of change in conservation areas.</p> <p>The Island Plan policy cannot take effect unless there are other regulatory tools that enable conservation areas to be designated and greater planning control to be exercised over development which might affect the character and appearance of conservation areas.</p>
<p>This is long overdue and the Island continues to lose historic areas and features of interest on a daily basis. Please consider this a priority.</p>	<p>Noted. The proposals to introduce conservation areas in Jersey has been outstanding for a long time.</p> <p>It is proposed to introduce the necessary tools to effect their designation by the end of 2022; and to commence designation in 2023, with at least four being designated by 2025.</p>
<p>Architects/agents should have a briefing on Conservation areas to understand how they can increase the quality of the area but that development can still take place if it is a quality design.</p>	<p>Noted. General briefings will be provided to the development industry in relation to the introduction of conservation areas as a regulatory tool.</p> <p>Architects/agents will also be welcome to participate in relation to the designation of specific conservation areas, along with</p>

Consultation feedback	Response
	contributing to the development of conservation area appraisals for such.
<p>This additional layer of bureaucracy will inevitably have to be paid for either by the taxpayer out of general taxation or as a fee, together with the other costs to the property owner of making an application. This should not add to a reputedly thriving industry providing employment to past planning staff as the public cannot reasonably find their way through the planning process and also have additional charges for maps etc..</p>	<p>Noted. It is not proposed to charge fees for works in conservation areas that would not otherwise require planning permission.</p>
<p>Please protect our island.</p>	<p>Noted. The proposals to introduce conservation areas in Jersey has been outstanding for a long time.</p> <p>It is proposed to introduce the necessary tools to effect their designation by the end of 2022; and to commence designation in 2023, with at least four being designated by 2025.</p>
<p>Development has been so intense over the last couple of decades it's vital to protect history and environment</p>	<p>Noted. See above.</p>
<p>It is essential to recognize that urban and rural settlements are different types of arrangements if compared with individual buildings (usually listed individually or in groups) and should be treated as so. In this context, the Conservation Areas as a means of heritage preservation evolved to incorporate new categories and enlarge their coverage. Their concept changed to contemplate the most recent discussions in the academic and practical fields after a continuous evaluation of previous cases.</p> <p>Having this development in mind, a review of the document "A framework for Conservation Areas: consultation (March/2022)" indicates some principles and strategies that could be clarified and reviewed, to make the Jersey</p>	<p>Noted. The character and appearance, and that which makes it special, are a consequence of the economic, social and architectural evolution of a place. It is important to develop a knowledge and understanding of an area's historical evolution over time, and the forces which have shaped, to inform future management decisions. This should form part of the conservation area appraisal.</p> <p>The policy intent seeks to recognise that changes to buildings and places within a conservation area that are not just on the principal façade may have a significant affect on its character and appearance, and ought to be embraced by regulation. This should avoid the concern of 'facadism'.</p>

Consultation feedback	Response
<p>proposal up to date with the discussion on the field.</p> <p>I will mention here two principal issues regarding, first, the contradictions in the definition of "character" in the document and second, the lack of public involvement in the process. I will then list some other more specific questions that also came to my mind as relevant to be clarified for the benefit of the proposal, and that can be discussed in another opportunity.</p> <p>The principal issue is related to the definition of "character". The clearance on this concept fundamentals whatever the proposal of a "conservation area appraisal and management" intends to be.</p> <p>The text contains a contradiction between a) the well-described criteria to identify the areas to conserve and b) the actions to enable the intended preservation. Despite the range of criteria described in the first four items, in item 5 the perception of the "character" changes and focuses mainly on the "appearance" of the area. The principal preoccupation, from here, focuses on the aspects of the buildings if visible from the road.</p> <p>In this context, if the emphasis is limited to the external/frontal physical appearance, the result of the management of an area can lead to at least three risks for the heritage:</p> <ul style="list-style-type: none"> a) facadism and weight only on the urban scenario; b) pastiche on the new propositions to "match" existing references; c) loss of a range of other significant elements. 	<p>It is only envisaged that conservation areas will be designated in both urban and rural contexts.</p> <p>Restoration, repair and development anew will need to have regard to the character and appearance of an existing building or place. This does not, however, preclude high quality modern design of buildings or spaces within the area, rather it seeks a contextual response to fit the place.</p> <p>In preparing conservation area appraisals, which will include a greater understanding of that which makes a place 'special', greater care and attention can be given to ensure that those features of significance which contribute to that sense of place and identity can be protected.</p>
<p>The emphasis on the setting and the ambiance is necessary and understandable and can be the general aim for new conservation areas. But, nowadays, the conservation areas can (and</p>	<p>Noted. The character and appearance, and that which makes it special, are a consequence of the economic, social and architectural evolution of a place. It is important to develop a</p>

Consultation feedback	Response
<p>should) be much more. The definition of “character” should understand the settings as sedimented (but not crystalized) areas, resulting from a sequence of events, solutions, and choices, including between others, the selection of a determined place to build, and the successive changes in each building to adapt to each contemporary requirement. In this perspective, the purpose of a conservation area is not to emphasize the visual appearance and preservation of elements of the buildings (or their elevations). On the contrary, the preservation of the external visual appearance should result from the set management as a whole.</p> <p>The importance, here, is to protect, preserve and enhance elements that allow the next generations to understand and be able to make their assumptions about the selected areas. The preservation of a “distinctive local identity” would be a consequence of that and not the pretext or initial purpose. Similar perspectives have emerged, regarding the conservation of natural areas. There, the former approach based mainly on the visual “landscape” (visual) criteria for designation is been replaced with a more “scientific and biological conservation”. The aim of the natural conservation areas is now to enhance the diversity/ rarity/ fragility of the context, increasing their current uniqueness while giving a better natural heritage to the next generations. The emphasis changes from the image/ appearance to the material and immaterial references/ character.</p> <p>I can resume some instances where the use of multifactorial criteria extrapolates the external character and where the control of the “visual from the road” can imply in loss of historic, material, and social fabric.</p> <p>For example, the criteria to select an area can focus on the urban block, where the most important element is the type of “urban parcel”,</p>	<p>knowledge and understanding of an area’s historical evolution over time, and the forces which have shaped, to inform future management decisions. This should form part of the conservation area appraisal.</p> <p>Different levels of protection may operate within a conservation area to reflect the significance of the buildings and places within it. For example, it is likely that a conservation will contain numerous listed buildings and places which not only contribute and form part of the special interest of the conservation area, but also have sufficient special interest in their own right – based on an assessment of their own archaeological, architectural, artistic, cultural or historical interest.</p>

Consultation feedback	Response
<p>its size, and proportion. This sequence of parcels results in rhythm in the landscape, even if the building details on the elevations are not homogeneous or sufficiently appellative to be conserved. Because the element to be preserved, here, is not the external aspect, but the “urban occupation”, the conservation area could be limited around the block (or blocks, if similar). The restrictions on this area would be related to the preservation of the parcel, avoiding internal connections between them, for example.</p> <p>In another case, a specific element can not be visible from the road but represents the use of new technology or material in a specific area. It can be, for example, the construction of mirrored staircases in a long sequence of buildings. The set should be preserved or at least registered as an ingenious solution, or the mark of the introduction of this solution in the area.</p> <p>The examples above are not specific to Jersey but are useful to understand that the “homogeneity” of an area sometimes resides in other elements, and the historic interest can be in hidden aspects other than the visual only.</p> <p>In this instance, different types of areas can be overlapped, interconnected, crossed, and should not be treated under the same designation. Diverse levels of protection and management should be determined for each area and the areas between or around. The way to preserve can vary and should be part of specific and local “management plans”.</p>	
<p>And this management aspect leads us to my second main observation, related to the public. Precedent cases show the importance of public involvement in the recognition and preservation of the local built heritage, and the most recent proposals of urban planning advise the public</p>	<p>Noted. Hearing what the local community values about the local area will be a fundamental part of the development of a conservation area appraisal, as set out the in the framework.</p>

Consultation feedback	Response
<p>participation from the beginning of the process. It is expected technical support to pre-select the areas and highlight some starting points to discuss with the communities. But for a better acceptance of the new requirements and restrictions over the areas, it is important to have the communities embedded in the process. They can help the technicians to understand real problems that resulted, for example, in worse preservation of some areas compared to others. If each area is understood in its particularities and discussed with its inhabitants, the process will be more grounded in the reality and have more chances to thrive, with less rejection.</p> <p>Heritage education, workshops, public assemblies, direct questionnaires, etc. are recognized tools widely used in processes to create conservation plans. However, in the text of the "Consultation", it is explicit that the public will be "consulted" and "informed", mostly in "informal" ways. Although it is important for the public to "express their views", as mentioned in item 4, it is been clear with precedent cases that "to be heard" is even more appreciated.</p> <p>These were the most fundamental points I would like to bring to attention. Any change in the perception of these two points can change the fundamentals of the proposal between being an "imposed" decision related to a specific type of heritage, or being a "comprehensive" approach, (including the public in the process and bringing more aspects of the character of the areas to the discussion).</p>	<p><i>Once an area has been initially identified it is proposed that a more detailed appraisal should be undertaken to explore, with the local community and key stakeholders, the special character of the proposed area. This will help identify and define the special architectural or historic interest of a place and help ensure this is sufficient to warrant designation as a conservation area. It can also help to identify opportunities for positive management and change, to inform the preparation of a detailed conservation area appraisal (see section 5.3). Involving the community, in an informal way, at an early stage of potential designation (or the review of an existing area) can help capture local knowledge, raise awareness and garner support.</i></p>
<p>Other questions that could be better clarified: How it is expected to include the social and economic aspects in the selection and management of each area (especially in the urban context)? These aspects are not directly mentioned in the document and are not just part of the problems/potentials: they are also</p>	<p>Noted. A conservation area appraisal will be required to provide an understanding of an area's special historic interest, including both social and economic aspects, where relevant.</p> <p>Part of the process of identification will include consideration as to whether it is desirable for the character or appearance of the area to be</p>

Consultation feedback	Response
<p>part of the historical interest of some areas, like their relationship with the immigrant population, immaterial appropriation of public spaces, the capacity of intervention for conservation, etc.</p>	<p>protected or improved, and what issues designation could help to solve, which include social and economic considerations.</p>
<p>It is proposed to preserve what is “public visible from a road or the shore”, but Jersey has a topography with ups and downs, making some lower areas visible from higher locations. There can be cases where an alteration on the back of an individual terraced house can make a relative impact if noted from above. How are you including the topographical characteristics on the plan?</p>	<p>Noted. The policy intent seeks to recognise that changes to buildings and places within a conservation area that are not just on the principal façade may have a significant affect on its character and appearance, and ought to be embraced by regulation. This will also serve to address issues of topography.</p>
<p>What are the proposed levels of protection and their relation to intermediate and buffer areas?</p>	<p>Noted. The policy framework for conservation areas is established by the bridging Island Plan where the consideration of development upon the setting of a conservation area is explicitly identified as a material consideration.</p>
<p>Is it proposed any collective engagement that could benefit some areas or the preservation of some elements? For example, some funds or programs to incentive owners to replace PVC windows with proper timber-framed units, working an area and not individual buildings?</p>	<p>Noted. Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can be used to identify opportunities and priorities for action to improve it, which might include enhancement of specific architectural elements or features of buildings in the area.</p> <p>The framework identifies potential sources of funding (section 6.4)</p>
<p>What are the criteria to judge what is an “appropriate renovation” of a building to “improve their contribution” to the character of an area? And what will be encouraged as “repair or restoration”? The risk here is facadism or pastiche.</p>	<p>Noted. The contribution of repair, restoration or new development to the special interest of the historic environment is a matter that is assessed on regular basis through the planning process, involving the input of specialist historic environment advice relative to established best practice and principles. This does not preclude high quality modern design of buildings or spaces within the area, rather it seeks a contextual response to fit the place.</p>

Consultation feedback	Response
<p>How the experience of an area by the public will be connected with the real character of the settlement and buildings (and not just the visual appearance of the structures)?</p>	<p>Noted. The special character of conservation areas is broader than just the quality of the buildings. Other elements such as: the historic layout of roads; paths and boundaries; characteristic building and paving materials; street furniture, trees and open spaces can all contribute to the character of a place, creating a distinct sense of place and local identity.</p> <p>Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can be used to identify opportunities and priorities for action to improve it, which might include enhancement of the public realm and public access to it, to promote the public experience of an area’s essential character.</p>
<p>What criteria will guide the levels of risk and pressure, or the capacity to improve or preserve each area, aiming to decide which ones should be listed first?.</p>	<p>Noted. In approving the amended bridging Island Plan, the States Assembly resolved 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.</p> <p>The Minister for the Environment will determine the actual priority order and it is envisaged that at least four conservation areas will be designated during the bridging Island Plan period.</p>
<p>What is defined as "emergency development", and what are the risks of big developments pressuring to replace conservation areas using this argument?</p>	<p>Noted. Emergency development is defined by Part 9 of the Planning and Building (General Development) (Jersey) Order</p>
<p>It would be good to clarify what “future” is represented in the proposal for the Conservation Areas in Jersey. How our choices regarding the areas to be preserved now, considering the tools and information that we have, will impact the availability of the future generations to analyse the same areas with their tools and information? The aim, I think, is to</p>	<p>Noted. It is proposed to enable the review of conservation areas over time to reflect change both within and without the areas to be designated.</p>

Consultation feedback	Response
<p>look for a balance between our right to select what to protect, in the present, and the right of the future generations to receive more than well-conserved urban scenarios, with no relation to other elements of their character.</p>	
<p>Introductory paragraph 1: It seems to us that the first paragraph, headed Purpose, is curiously tentative, as it lacks any direct statement setting out the purpose of conservation areas, or the reasons for designating them. The intent of New Article 56A of the Law is much clearer, however, and can be taken to mean an area of special architectural or historical interest where an underlying planning purpose is to protect and improve the character or appearance of that area.</p>	<p>Proposed change. This information is set out in the background and context of the framework but will also be made explicit within the first part of the framework.</p>
<p>Although large parts of the report are taken verbatim from the Historic England (HE) guidance in its Advice Note 1, 'Conservation Area Appraisal, Designation and Management', 2019, the logical sequence of that report has been reordered, making the complex subject matter far less easy to follow. Moreover, the context of the UK advice is very different, as Conservation Areas have been an established part of planning practice there since 1967. The underlying concept, and the scope of the additional planning controls that are brought to bear, are very much taken for granted by members of the planning and development fraternity and are also very familiar to property owners.</p> <p>This is not the situation in Jersey, however, where some careful explanation in plain language would surely have been helpful in this document - this is a new and challenging subject for the development industry and has already given rise to some instinctively negative reactions.</p> <p>The document fails to reflect any sense of celebration that this significant breakthrough in local planning process has finally been achieved, nor is there any recital of the benefits</p>	<p>Proposed change. The Historic England publication Advice Note 1, '<i>Conservation Area Appraisal, Designation and Management</i>' (2019) is designed to provide information to key stakeholders about the designation and management of change in conservation areas using tools that are already established in the English planning system: its purpose is not to provide advice about the establishment of a framework to introduce conservation areas. The Jersey framework document is very much focused on setting up the tools and process for conservation areas in Jersey.</p> <p>It is not a celebration of what conservation areas might achieve and what has been delivered elsewhere. The principle of establishing conservation areas has already been established by virtue of the decision of the States Assembly to provide the Minister with the powers to designate them. Information about the value of conservation areas is available from other sources (e.g. 2017 - 50 Years of Conservation Areas and An assessment of the effects of conservation areas on value (historicengland.org.uk)). A summary of potential benefits of conservation designation</p>

Consultation feedback	Response
<p>to the Island community that are likely to flow from the more focussed management of historic areas that this change in planning practice will bring about. Some illustrative material and more overt, positive messaging would certainly have been welcome. There is no shortage of such material published as a result of the UK experience and much of it has direct relevance in the Jersey context.</p>	<p>will, however, be added to the background and context section of the report.</p>
<p>The four-stage process that conservation area designation and management will follow is extracted from the HE document described above and modified to suit local circumstances. However, it is moved out of its intended position in the introduction of that document. This means that with very little explanation of the benefits of this significant planning initiative, and the underlying sequence that designation and management will follow, the reader is launched almost immediately into a long and detailed list of the many technical considerations relating to assessment criteria, which extends to three pages. Readers are drawn into fine detail without an appreciation of the overall structure. We think this is unhelpful.</p>	<p>See above.</p>
<p>Terminology. The underlying purpose of conservation area designation, as embodied in Article 56A of the law, is clearly at the heart of this initiative. As stated earlier, this can be translated as an area of special architectural or historical interest where an underlying planning purpose is to protect and improve the character or appearance of that area. We understand why this terminology is different from the familiar UK wording; the new phrase here is protect and improve. The interpretation of these terms will be fundamental to decisions on any planning application in a conservation area. We therefore believe it important that these terms should be defined from the outset. The meaning of the equivalent UK phrase - preserve or enhance – has of course been established after decades of practice, challenge and case law. Without</p>	<p>Noted. The phraseology is consistent with the island’s legal framework where the primary purpose of the Planning and Building (Jersey) Law is to conserve, protect and improve Jersey’s natural beauty, natural resources and general amenities, its character, and its physical and natural environments’; and the recent amendment to the primary law which has introduced a provision for the designation of conservation areas where it is desirable to protect or improve the character or appearance of areas of special architectural or historic interest.</p> <p>As stated in the bridging Island Plan, the Minister will issue supplementary planning guidance about the interpretation and application of policy in a Jersey context having</p>

Consultation feedback	Response
<p>absolute clarity on the meaning of the key words protect and improve, and in the absence of appropriate Supplementary Planning Guidance, we think there is a risk that interpretation will be made on a case-by-case basis.</p>	<p>regard to established principles and best practice elsewhere</p>
<p>Although not our specialist area we would also question whether, in interpreting the Granada Convention, CA are in fact more than just "... places of special architectural or historic interest that are deserving of careful management to protect and or improve their character" The focus of our comment is seeking to create an understanding that biodiversity, as a whole, contributes to character and setting, whether in the built environment or the rural environment and as such should maybe be afforded more consideration in the selection, consideration and designation of CA.</p>	<p>No change. The Granada Convention requires each party to take statutory measures to protect the architectural heritage where architectural heritage is defined as (in Article 1):</p> <ul style="list-style-type: none"> 1 monuments: all buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings; 2 groups of buildings: homogeneous groups of urban or rural buildings conspicuous for their historical, archaeological, artistic, scientific, social or technical interest which are sufficiently coherent to form topographically definable units; 3 sites: the combined works of man and nature, being areas which are partially built upon and sufficiently distinctive and homogeneous to be topographically definable and are of conspicuous historical, archaeological, artistic, scientific, social or technical interest.
<p>The designation process will also see the CA Appraisals issued as SPG. It's important to point out that LRM are currently drafting guidance to support the Wildlife (Jersey) Law 2021 and in future are also likely to be a key stakeholder in the development of guidance that supports some of the new NE Policy and Proposal work in the Bridging Island Plan as well as guidance that will support tree protection across the Island. Referencing, that direct readers across all sets of guidance needs to be incorporated.</p>	<p>Noted. Any guidance issued by the Minister in relation to conservation areas is likely to be in the form of supplementary planning guidance under the auspices of the Planning and Building (Jersey) Law.</p> <p>Where relevant and appropriate, reference may be made to other regulatory regimes – such as the Wildlife (Jersey) Law.</p>
<p>The Framework Report rightly identifies potential resourcing constraints and opportunities. As identified an increase in the number of planning applications will have direct implications for all consultees to this process. We would envisage an increase in the number</p>	<p>Noted. As set out in the framework, relative to the primary purpose of conservation area designation, the principal impact upon resourcing will involve the processing of planning applications; and consideration of the impact of development proposals upon the</p>

Consultation feedback	Response
<p>of applications we would need to review from a biodiversity perspective. LRM are also tasked with the monitoring of air and water quality providing data for developing and complying with Policy & Legislation. These areas are both currently under resourcing pressures. However, we see great opportunity in being able to raise early awareness of working with and supporting biodiversity within CA. Our experience tells us that engagement can enrich the lives of citizens and support wildlife populations which will lead to an improvement in the quality of CA.</p>	<p>historic and architectural character of conservation areas.</p>
<p>Policy NE2 of the Bridging Island Plan identifies the need to improve the connections for wildlife across both the rural and urban environments through the development of a green infrastructure and network strategy. With respect to CA we see collaboration with the Public Realm and Movement Strategy and the Active Travel Strategy as providing resourcing and opportunity to deliver multiple benefits across.</p>	<p>Noted. Conservation area appraisals will provide a foundation for the positive management of change in each conservation area. They can be used to identify opportunities and priorities for action to improve it, which might include identifying opportunities to improve green infrastructure and the public realm where this is consistent with improving the character and appearance of the conservation area.</p>

Appendix 2: written responses

Written responses were received from Jersey Heritage, the National Trust for Jersey, La Société Jersiaise and Infrastructure Housing and Environment's Land resource management team.

Responses to the comments made are included in the analysis at appendix 1.

Jersey Heritage

Jersey Heritage is in the main very supportive of the proposals. There is a few themes that it would be beneficial to augment. Greater emphasis (and visibility within the document) could perhaps be given to the benefits of conservation areas to local residents and businesses. These are obviously well-rehearsed arguments, but issues such as:

- enhanced sense of place and community pride in it (already evident in a few areas such as St Aubin but could be fostered elsewhere);
- improvements to the vicinity /setting of individual properties;
- economic advantages (Historic England research showing property values in conservation areas higher);
- local distinctiveness can provide a catalyst for regeneration and inspire well-designed new development which brings economic and social benefits;
- designation could provide a framework for advice and guidelines to other agencies to improve road policies and street furniture;
- designation would help prevent the incremental loss of character and historic value of an area, and if there was the reintroduction of historic building grant aid at some point in the future, it could be focused on enhancement schemes to repair / replace architectural features characteristic of a particular conservation area, such as window shutters or decorative ironwork.

Greater emphasis could be given to the importance in the designation process of enabling local residents to explore the sense of their place (building on that set out on page 6 of the paper) and the value of a community-based approach.

The National Trust for Jersey and Société Jersiaise

The first paragraph, headed Purpose, is curiously tentative. It lacks any direct statement setting out the purpose of conservation areas, or the reasons for designating them. The intent of New Article 56A of the Law is much clearer, however, and can be taken to mean an area of special architectural or historical interest where an underlying planning purpose is to protect and improve the character or appearance of that area.

In the UK Conservation Areas have been an established part of planning practice there since 1967. Some careful explanation in plain language would have been helpful because this is a new and challenging subject for the development industry and has already given rise to some instinctively negative reactions. The document fails to reflect any sense of celebration that this significant

breakthrough in local planning process has finally been achieved, nor is there any recital of the benefits to the Island community that are likely to flow from the more focussed management of historic areas that this change in planning practice will bring about. Some illustrative material and more overt, positive messaging would certainly have been welcome.

The underlying concept, and the scope of the additional planning controls that are brought to bear, are very much taken for granted by members of the planning and development fraternity and are also very familiar to property owners.

There would be benefit in an appreciation of the overall structure with an explanation of the benefits of this significant planning initiative and the sequence that designation and management will follow as and introduction before the long and detailed list of the many technical considerations relating to assessment criteria.

The Framework does not set out how the priorities for designation will be determined. This includes the question of where the programme of designation is likely to start, and how extensive the overall programme is expected to be. These are clearly fundamentally important matters which should be included in the scope of this consultation. We believe that the priority for designation should directly reflect the historic areas which face the greatest development pressures.

No attention has been given in the Framework to the larger urban areas, particularly St Helier, which contain large numbers of listed buildings and many distinct areas that are markedly different in character and appearance. Discussion and comment on this important matter appear to be outside the scope Framework. We do not understand why this should be the case and would welcome a response on this point.

The underlying purpose of conservation area designation, as embodied in Article 56A of the law, is clearly at the heart of this initiative. As stated earlier, this can be translated as an area of special architectural or historical interest where an underlying planning purpose is to protect and improve the character or appearance of that area. The interpretation of these terms will be fundamental to decisions on any planning application in a conservation area. We therefore believe it important that these terms should be defined from the outset with appropriate Supplementary Planning Guidance.

We are surprised that no specific reference is made to the presence (or otherwise) of listed buildings within a proposed conservation area, given that these buildings and places often represent the core heritage assets in a particular locality. They will already have been diligently examined as part of the recent Island-wide review.

The initial identification process of potential conservation areas is cited as swift as its purpose is to determine whether the area fulfils three basic criteria. However, a fourth consideration is then added – ‘what issues could designation help to solve?’ As a more complex matter an explanation of what is meant by this phrase would be helpful. Paragraph 3 goes on to list 5 additional criteria that should be taken into account when carrying out the preliminary assessment and we acknowledge that this requirement is sensible, provided that the depth of analysis and assessment against these criteria is proportionate to the underlying aim of this preliminary identification stage.

As conservation areas are a new concept in Jersey there is no local experience to draw on. In the UK there is significant experience of conservation area management. The drivers of change in conservation areas are complex and we believe that such matters should be left to the detailed appraisal stage, once a determination has been made that an area has architectural and historical merits to warrant conservation area status.

There appears to be a tension between the swift identification stage and the detailed appraisal stage. Paragraph 3 implies that a list of 40 additional questions should be considered at both the identification and designation stage. If correctly interpreted there is no distinction between the identification stage and the more detailed appraisal stage. We believe that clarification on this point is needed.

The explanation of the additional controls enabled by the GDO over works which would be likely to impact the character (and appearance) of a Conservation Area; where these would be visible from a road (which includes all public roads and footpath) and the foreshore. We consider that views obtained from publicly owned monuments and spaces such as Gorey Castle, Fort Regent and the open space at South hill, are also important viewpoints. We would welcome clarification as to whether such viewpoints will or can be included in relevant definition and applied throughout the appropriate GDO clauses.

Limitation over the extent of additional controls to be imposed within conservation areas is important to address the concern that designation will impose unacceptable levels of bureaucracy, expense and delay for building owners. There is also a cost to the public purse in planning officer resources. While we are strong advocates of conservation area designation, we believe that additional controls should be reasonable and proportionate. We make the following comments:

- Part 3: We do not support additional control over painting or repainting. This will probably involve significant planning officer resource and is almost certain to cause considerable irritation to building owners – there is history of public challenge on this subject. The benefit of imposing this control is questionable.
- Part 7: Demolition. Does this include partial demolition? If the structure to be demolished cannot be seen from a public road and footpath (etc), what is the justification for this control?
- Part 8: Change of use. What is the justification for this additional control, given that change of use is presumably controlled through other planning policies?
- We question whether the proposed control over the external illumination of residential property can be justified, given the planning officer resource likely to be involved in the assessment process.
- We suggest that in relation to work to trees, exemption should be considered in the case of routine management work that is undertaken by a qualified arboriculturalist in accordance with the appropriate British Standard.

We support the option of additional focused specialist support being provided within SPPP to further the designation process. In terms of protection, we recognise that some additional staff resource will be needed to deal with the inevitable increase in planning applications but would point out that other planning jurisdictions, including Guernsey, have made the necessary financial provisions to expand their planning services to encompass conservation areas – we see no reason why Jersey should not do so.

In terms of improvement work in conservation area, we understand the limitations on funding and we support the approaches and initiatives set out in Paragraph 6.4.

Infrastructure, Housing and Environment: Land Resource Management Team

We are in full support of the designation of Conservation Areas. Our comments reflect our remit to *ensure Jersey's natural environment is healthy and resilient in order for it to support a sustainable economy, community, health and wellbeing*. The Framework provides a clear appraisal of the issues relating to Conservation Areas (CA) and it's this that our comments relate to an understanding that biodiversity, as a whole, contributes to character and setting, whether in the built environment or the rural environment and as such should be afforded more consideration in the selection, consideration and designation. of CA.

Appraisals should be extended beyond landscape, trees and other boundary features to also include an assessment of all biodiversity associated with a proposed area that is historical, current or finds future opportunities because the Island's built heritage and its biodiversity are entwined. In many instances the built environment and the natural environment have evolved over time, each to offer the other identity and character. For example the relationship of the Wall Lizard (*Podarcis muralis*) with coastal fortifications around the Island. Jersey studies suggest that biodiversity is present in rural, urban and the public realm. Conservation areas that recognise greater understanding and appreciation of the value of biodiversity (in a way that maybe Wildlife Legislation and other Natural Environment Policies currently don't) and the contribution the character of areas. Appraisals as SPG's can act as a management document and be considered as a material consideration in the planning process, which further supports biodiversity being considered.

We recognise that whilst there is an approach outlined for identification, assessment and designation of CA there are already several priority areas for early consideration and designation in the Bridging Island Plan. It's probably likely (given the immediate pressures) that aside from the reference to Parish churches and village settings the likely focus will be on the built environment but there is also potentially future scope to include several rural and coastal CA and this in our view is a further justification for why an early understanding of associated biodiversity within the criteria is important.

To understand the contribution of biodiversity perhaps a preliminary assessment of ecological features, habitat, species presence and behaviour could form part of the criteria assessment that contributes to the character of an area as part of the designation process.

There will need to be a clarity over how conservation area designations sits alongside Article 51(2) allowing the Listing of buildings or places that are of public importance. There will need to be a

clarity as to how CAs, SSIs and different types of SSIs be appraised and managed? In particular a recent geodiversity report highlights the need to designate a number of areas (as SSI's) which could coincide with conservation areas.

Ensuring that work to protect trees accords with conservation designations will be important alongside links to relevant natural environmental planning policy and any associated guidance. In bringing forwards amendments to the General Development Order it is suggested these are appraised against impacts arising from protections under the Wildlife (Jersey) Law 2021.

Our view is that the both the offshore reefs of Les Ecrehous and Les Minquiers should be considered. There might also be a case for the consideration of other harbour sites including Bouley Bay.

The proposal to only control works that are visible from roads (including footpaths) and the foreshore may allow damage to the areas character from other publicly accessible land or vantage points. This may be particularly relevant to Jersey with its particular topography. There may be an opportunity to address the impacts of attic conversions on bats, but only triggered with change when seen from public views. Do the controls to visible public realm changes extend to the offshore reefs of Les Ecrehous and Les Minquiers? There are further concerns about the impacts on biodiversity and climate change from GDO Schedule 1 Parts 1-9 (also listed Appendix 1b) including Public Services and Utilities work and demolition.

Whilst the GDO provision is to remain unchanged we welcome the Policy requirements that a comprehensive plan be in place for spaces prior to demolition, which could include landscape plans. Our view is that the opportunity to retain open space as a result of demolition and how that impacts existing CA should also be set against the emerging need to support the wellbeing of the population and the environmental pressures being brought about through climate change. Climate adaptation will be a key emerging theme as we look to mitigate against climate change. The impacts of light pollution on nesting, foraging and commuting behaviour of wildlife and any proposals need to be set against that constraint.

There could be scope to improve or enhance an area with particular reference to biodiversity, this might include integrated bird/bat boxes, access tiles, green roofs, dedicated bat lofts etc. Hedgerows and other semi-natural boundary features could be included in assessment criteria because their extent and historic implications make them a valuable contributor to character.

The Framework Report rightly identifies potential resourcing constraints and opportunities. An increase in the number of planning applications will have direct implications for all consultees. We would envisage an increase in the number of applications we would need to review from a biodiversity perspective.

Policy NE2 of the Bridging Island Plan identifies the need to improve the connections for wildlife across both the rural and urban environments through the development of a green infrastructure and network strategy. With respect to CA we see collaboration with the Public Realm and Movement Strategy and the Active Travel Strategy as providing resourcing and opportunity to deliver multiple benefits across.