



Supplementary Planning Guidance: development brief  
**JERSEY GAS SITE**

Bath Street, St. Helier

Consultation Draft: **Revision B**

**Consultation draft**  
February 2019

## About supplementary planning guidance

The Minister for Planning and Environment may publish guidelines and policies (supplementary planning guidance) in respect of; development generally; any class of development; the development of any area of land; or the development of a specified site.

Supplementary planning guidance may cover a range of issues, both thematic and site specific, and provides further detail about either, policies and proposals in the Island Plan, or other issues relevant to the planning process. It can also be used to provide information about how the planning system operates.

Where relevant, supplementary planning guidance will be taken into account, as a material consideration, in making decisions.

Supplementary planning guidance is issued in a number of different forms including:

**Advice notes**, which offer more detailed information and guidance about the ways in which Island Plan policies are likely to be operated, interpreted and applied in decision making;

**Policy notes**, which can be issued by the Minister, following consultation with key stakeholders, in-between reviews of the Island Plan, to supplement and complement the existing planning policy framework;

**Masterplans, development frameworks and planning briefs** provide more detailed information and guidance about the development of specific sites and areas of the Island; and

**Practice notes**, which aim to provide information about how the planning system's protocols and procedures operate.

The current supplementary planning guidance is listed and can be viewed on the States of Jersey website at [www.gov.je/planningguidance](http://www.gov.je/planningguidance).

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## **Status of this guidance**

This revised guidance is produced in accordance with the Revised 2011 Island Plan Proposal 1: Supplementary planning guidance. It is now the subject of public consultation and may be amended in response to any subsequent feedback prior to the Minister making a decision to adopt the guidance.

It has been revised to reflect the adopted Proposition<sup>1</sup> which required Andium Homes Ltd<sup>2</sup> to deviate from the requirements of the 2011 North of Town Masterplan<sup>3</sup> in the delivery of the expectations of that masterplan in respect of the Jersey Gas site.

The revised guidance will maintain a framework for the assessment and determination of any subsequent planning application for the redevelopment of the Jersey Gas site.

## **Introduction**

The purpose of this revised development brief (Revision B) is to supersede the guidance offered by the 2013 Jersey Gas Development Brief (Revision A) and to revise the general planning principles for the development of the Jersey Gas site in Tunnell Street, St Helier. It also sets out the guidelines to be adopted when preparing detailed proposals for its redevelopment.

### **Who is the guidance for?**

This guidance is principally aimed at those involved in the planning and design of any new development, to ensure that those planning issues that are relevant to it are taken into account in the design process. It is also designed to provide those with an interest in the project – neighbours, local residents, States departments and any other interested parties – with guidance and advice about the issues that will be considered during the planning process

### **Revision B: Explanation**

The Jersey Gas Site Development Brief (Rev. A) was adopted on 25/09/2013<sup>4</sup> as part of a strategy for advancing the delivery of a new affordable homes and regenerating the town of St Helier, in accord with the objectives of the 2011 Island Plan (revised 2014) and the 2011 North of Town Masterplan.

Outline planning permission for the redevelopment of the site to yield up to 253 new homes was subsequently granted, following the dismissal of a third party appeal, in July 2017<sup>5</sup>. The application had not, at the time of the issue

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<sup>1</sup> Proposition P.114/2017: January 2018

<sup>2</sup> Andium Homes Ltd is a wholly States owned but independent company.

<sup>3</sup> Revised North of Town Masterplan: June 2011; see [www.gov.je/Government/Pages/StatesReports.aspx?ReportID=661](http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=661)

<sup>4</sup> Ministerial Decision MD-PE-2013-0106

<sup>5</sup> Reference PP/2016/1414; Approved 31/07/2017 by MD-PE-2017-0075

of this draft revision to the Development Brief, progressed to the submission of an application for the approval of reserved matters.

In January 2018, a Proposition<sup>6</sup> was adopted by the States Assembly that required Andium Homes Ltd to deliver, as part of the re-development of the Jersey Gas site, 'a significant extension to Millennium Town Park' together with the provision of 110 new homes, some of which should be affordable homes, and below-surface car parking.

In response to the States' resolution to adopt the Proposition, the Minister for the Environment, through the guidance of this development brief, expects that any planning application for the re-development of the site will ensure the satisfactory provision of:-

- an extension to the Millennium Town Park of approximately 1.35 acres (5,463 sq.m);
- approximately 110 new homes, some of which should be affordable homes<sup>7</sup>; and,
- below surface car-parking (150-200 spaces), primarily for residents and shoppers.

### **Policy context**

The 2011 Island Plan<sup>8</sup> focuses development activity over the Plan period upon St Helier and emphasises that this is likely to be focussed on the residential regeneration of key sites in the town. The Jersey Gas site is identified in the North of Town Masterplan as being a key regeneration site and its release for development could act as significant catalyst to further continue the regeneration of this part of St Helier, which is already underway following the delivery of the Millennium Town Park.

It is important, however, that any residential regeneration serves to contribute not only to the renewal of St. Helier's urban fabric, but that it also contributes to the specific housing needs of the Island. In this respect, a comprehensive regeneration of the Jersey Gas site, based on the provision of new homes and the extension of Millennium Town Park, will be required to make a contribution to the need for affordable homes.

### **Planning guidance**

The purpose of this revised brief is to establish the general development principles for the Jersey Gas site should it become available for development

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<sup>6</sup> Proposition P.114/2017 (Council of Ministers)

<sup>7</sup> 'Affordable Housing' refers to a range of both rented and discount sale housing available for households in priority need whose incomes deny them the opportunity to purchase or rent housing on the open market. The full definition can be found in the 'Affordable Housing' section of the Revised 2011 Island Plan.

<sup>8</sup> Island Plan: 2011 (revised 2014) – see [www.gov.je/PlanningBuilding/LawsRegs/IslandPlan](http://www.gov.je/PlanningBuilding/LawsRegs/IslandPlan)

during the 2011 Island Plan period. A location plan and aerial image, showing the extent of the site, is provided at appendix 1. The site is owned entirely by Andium Homes Ltd.

### **Location, context and character**

The entire site is situated on the east side of the town ring road, has a gross site area of approximately 2 ¼ acres (9,632 sq.m.) and is located in an area of the town consisting of commercial and residential uses. The area formed part of the 19th century residential expansion of the town that over took and surrounded the gas works which had originally been on the perimeter of the town. The character of the surrounding area is assessed in the St Helier Urban Character Appraisal<sup>9</sup> and the North of Town Masterplan.

The site extends from the Millenium Town Park through to St. Saviour's Road (the town ring road) and has vehicular access directly onto L'Avenue et Dolmen du Pre des Lumieres and Tunnell Street.

The buildings and former uses on the site comprise a gas holder<sup>10</sup>, gas compression plant, showrooms, offices and stores, together with car parking and hard standing. The eastern, and part of the southern perimeter, comprises two storey houses.

In addition there is evidence of significant archaeology in the area: the Dolmen Du Pre Des Lumieres is located near the northern boundary of the site and its surroundings remain archaeologically sensitive and are designated Listed Place; Grade 1 and Area of Archaeological Potential, respectively.

The height of the existing development surrounding the site ranges from five storeys down to two storeys. The Channel Islands Co-operative Society's Grand Marché supermarket, situated to the north of the site on L'Avenue et Dolmen du Pre des Lumieres, is approximately five stories in height. The properties to the south and east are predominantly residential two storey town houses and flats. The gas holder located in the centre of the site is approximately seven-eight storeys high.

### **Key principles of development**

The redevelopment of this area offers a significant opportunity to repair the townscape and remove a non-conforming hazardous use from the town and elsewhere<sup>11</sup>.

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<sup>9</sup> St Helier Urban Character Appraisal- 2005: see [www.gov.je/planningbuilding/lawsregs/islandplan/background/pages/urbancharacterappraisal.aspx](http://www.gov.je/planningbuilding/lawsregs/islandplan/background/pages/urbancharacterappraisal.aspx)

<sup>10</sup> The gas holder, which held reserve stock, is no longer operational following a fire in 2012. The installation is being decommissioned.

<sup>11</sup> The gas holder at Tunnell Street and the LPG storage at Les Ruettes are identified as hazardous installations under Policy NR8 of the 2011 Island Plan; Revised 2014.

It provides an opportunity to extend the Millennium Town Park and to create a new residential development that contributes to the Island's specific housing needs within walking distance to schools and the town centre. There is also the potential to secure the provision of nearby short-stay public car parking, of benefit to local business and residents replacing some of that lost to the provision of the Millennium Town Park; as well as public realm enhancements, in accord with the objectives provided by the North of Town Masterplan.

The key principles of this brief, which help to inform the aims of any redevelopment of this site, are as follows:

### **Protection of employment land: exception**

Whilst the Island Plan presumes in favour of the protection of existing employment land (under Policy E1) it is considered that the redevelopment of the existing / former commercial and industrial use, represented by the gas company's operation in the heart of the town, may be a justifiable exception which accords with the provisions of the policy.

The Minister for the Environment believes that there would be an overriding environmental and community benefit for the regeneration of the area as outlined in the approved North of Town Masterplan, provided the development:

- secures the relocation of, or prevents the re-use of, the site of a potentially hazardous use from this part of the town;
- enables the provision of affordable homes, that contribute towards an identified Island need;
- realises an appropriate contribution to the provision of public short stay and residents' parking; and
- presents an opportunity to secure wider public realm and pedestrian movement enhancements, including a significant extension to Millennium Town Park, that accord with the objectives of the North of Town Masterplan.

### **Delivery of environmental improvement**

As stated above, the release of employment land is predicated on the delivery of social and environmental improvements - which is to be principally delivered by the reduction of risk secured by the removal of the gas storage and gas compression plant from this part of the town; the removal and/or remediation of any ground contamination; and the extension of the Millennium Town Park.

The delivery of these social and environmental enhancements must be an integral element of redevelopment proposals and will need to be managed through a planning obligation agreement involving all relevant parties.

## **Use and tenure requirements**

### **Residential regeneration**

The EDAW<sup>12</sup> report concluded that residential development was likely to be the principal 'driver' of regeneration in the older, established parts of town. Not only would this provide additional homes in the Island, reducing the extent of development in open countryside, but it would also ensure that a significantly increased residential population in the central area would continue to provide customers for the retail trade and other businesses, and reduce the need to travel to work by private car: these objectives accord with the strategic principles and policies set out in the Island Plan. It was observed also that there are a significant number of potential development opportunities in the central area, for the most part privately owned, and that these opportunities should be exploited in accordance with an overall strategy.

This strategy has been reflected in the North of Town Masterplan, which proposes that this site is suitable for a significant new residential development should it become surplus to the gas company's requirements. Proposition P.114/2017 stated that approximately 110 new homes should be provided, some of which should be affordable housing units and this guidance supports that requirement.

The preferred use for the site identified in the North of Town Masterplan is residential but its redevelopment could also include some community or commercial uses such as live-work units, small scale retail use, doctor's surgery, dentist, pharmacy and/or crèche. The purpose of facilitating these uses of a limited scale is to provide local facilities and to create vitality during the day and evening, to engender an element of natural surveillance and 'people policing' for the development.

### **Housing Need**

The redevelopment proposals should provide an appropriate mix of dwelling types that are needed by the community. In assessing the dwelling mix, regard should be had of Policy H4 and the latest assessment of housing needs<sup>13</sup> and any current socio-economic data that may be provided by the developer, in justifying the mix of dwelling units.

### **Public parking and pedestrian movement**

Revision A of the Jersey Gas Development Brief suggested that a commuted sum would be sought to secure the provision of car parking nearby, rather than on-site. However, the adoption of Proposition P.114/2017 led to a

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<sup>12</sup> St Helier Development and Regeneration Strategy (2007) EDAW

<sup>13</sup> Jersey Housing Needs Assessment: please contact Department of Strategic Policy, Performance and Population for the latest study.



recommendation that on-site below surface public car-parking (primarily residents' and shoppers' parking) be provided, if proven viable following ground investigation.

It is envisaged that between 150 – 200 spaces could be provided. Early consultation with the Department of Growth, Housing and Environment should be undertaken in order to establish the current / projected need for car parking and the best practicable means of achieving this on site.

A Planning Obligation Agreement may be required to secure an appropriate breakdown of parking provision.

It is also considered that enhancement of the pedestrian realm adjacent to the site, where it is presently poor, should also be addressed, through wider pavements, incorporating appropriate species of tree planting.

### **Aims of development**

Informed by the key principles of development, as set out above, and derived from the strategic planning policy framework provided by the Island Plan and the North of Town Masterplan, should the Jersey Gas site become available for development, the overriding aims for the development of this site are:

- **to secure a positive environmental and social improvement for the Town Park area by the removal of a potentially hazardous uses / structures from the Jersey Gas site in Tunnell Street, St. Helier;**
- **to secure the significant extension of the Millennium Town Park;**
- **to assist in the regeneration of the area and breathe new life into the town;**
- **to provide a predominantly residential development that contributes to the provision of affordable homes;**
- **to incorporate some limited small-scale commercial, retail use/or a community use to serve local needs;**
- **to provide public and residents' car parking and to contribute towards the enhancement of the public realm in the immediate locality and also the North of Town area;**
- **to create a design that makes a positive contribution and improvement to the physical context of the neighbourhood, and which provides a focal point, enclosure and physical connection with the extended Millennium Town Park;**
- **to deliver a form of development that responds to the heritage value of the site and its context;**

- **to provide a well-designed development that is efficient in terms of space and energy consumption, making best use of the area of land available; and,**
- **to provide the people who will live there with the best level of amenity, in all its aspects, given the site's location on the town ring road and proximity to the Millennium Town Park.**

It should be noted that the sites contained within the North of Town Masterplan area have distinct characteristics, and so present their own constraints and opportunities in relation to design, scale and form.

Accordingly the guidance provided in this document is unique to the Jersey Gas site.

### **Constraints/ factors affecting the development**

There are a number of constraints and factors which will determine the successful development of this site. The resolution of these particular matters is considered to be essential to ensuring that the overall aim of this development is secured.

### **Development potential and density**

The density of the new development must emerge from a design led solution and be the highest consistent with maintaining reasonable standards of design, space about buildings and privacy, appropriate to the type of accommodation provided and the general surroundings. In particular, any design should not unduly prejudice the residential amenity of homes adjacent to the site. Together with the required extension to the Millennium Town Park, the site should accommodate approximately 110 new homes.

### **Parking provision**

The North of Town Masterplan requires the Jersey Gas site to provide vehicular parking provision for both public and private use, in accordance with the objectives of the Sustainable Transport Policy and the Island Plan.

The masterplan originally required on-site public parking to be provided to replace the parking lost as a result of the development of the Town Park and, on this basis, the development was to provide 138 public spaces, to be made available for shopper short-stay and local residents' parking at prevailing public parking rates. However, the masterplan also made provision for a biennial review of parking needs to be undertaken and following an independent review of parking needs in St Helier<sup>14</sup> revision A of the development brief was issued and this stated that the provision of public parking will no longer be required on the site, instead it was to be replaced by

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<sup>14</sup> St Helier Parking Needs Study (June 2013) Parsons Brinckerhoff

a negotiated commuted sum which will be used to support the initiatives of the Sustainable Transport Policy.

Proposition P.114/2017 reverted to the strategy of accommodating sufficient car parking on the site and, accordingly this guidance requires that between 150 and 200 spaces be provided below surface in order to serve residents and shoppers.

The Minister's current published parking guidelines do not accord with the policy direction of either the Sustainable Transport Policy (2010) or the 2011 Island Plan (revised 2014), and are currently under review. A level of flexibility may, therefore, be provided relatively to the amount and proportion of different types of parking provided on the site.

The Minister would wish to encourage the provision of sustainable transport options, including walking, cycling and public transport; and initiatives such as 'car clubs' in support of a reduction in the level of parking space to be provided. The Minister will also support the use of parking systems which utilise technology to maximise the efficiency of the parking space.

It is considered that parking provision on this site could be best met through the provision of on-site below-surface parking, subject to ground conditions, contamination and/or the impact of any such scheme upon archaeology in the locality.

This is considered to be a good location for residential accommodation, where its location near to amenities and facilities in town will afford residents greater travel options.

To encourage more sustainable modes of transportation adequate cycle storage should be accommodated within the scheme. The Minister for the Environment has no adopted standards for cycle parking presently, but provision in the order of one space per unit for one/two bed homes increasing to two spaces per unit for three+ bed dwellings, with provision for some visitor spaces, should be made.

For residential development cycle parking should be within a covered, lockable enclosure. For individual houses this could be in the form of a shed, garage or internal storage space and for flats, provision should be made with either individual lockers or cycle stands within a lockable, covered enclosure. Cycle parking should be easily accessible and convenient to use.

## **Historic environment: archaeology**

The Minister for the Environment has an obligation, under the terms of international conventions<sup>15</sup> to protect buildings and places of architectural and historic value and archaeology<sup>16</sup> and for this reason, the Island Plan sets out a strong presumption against the loss of the historic character, integrity and settings of Listed buildings and of archaeological assets.

In this respect, any development of this site will need to address the existing heritage assets within and around the site, as follows:

### Archaeological interest

The central third of the Gas Works site is designated as a Listed place, as a consequence of its archaeological interest: this area is important because of the proximity of Le Dolmen du Pre des Lumieres, a megalith cist or burial chamber and associated megalithic avenue which is located beneath the road at the north/west side edge of the site.

The cist and avenue were excavated in 1952 and while the cist was left *in situ*, the avenue was removed to a local museum. Both structures are considered to be prehistoric monuments of outstanding importance to the archaeological heritage of Jersey.

The western part of the site lies remains archaeologically sensitive and is defined as an Area of Archaeological Priority (AAP). The extent of archaeological interest is shown in appendix 3.

Policy HE5 of the Island Plan provides the policy regime for the preservation of archaeological resources, where the presumption is in favour of the preservation of assets *in situ*, and for appropriate evaluation to determine their treatment, as part of any development proposal.

### **Pedestrian movement and access**

Given the scale of development that may be provided on this site, and the potential for additional pedestrian footfall, it is appropriate that an enhancement of pedestrian infrastructure is secured.

It is important that the development of this site is integrated into the surrounding area: in particular, consideration should be given, in discussion with the highway authority, to review the provision and adequacy of pavement widths around the site and, where they are found to be deficient, for the pedestrian realm to be enhanced to ensure that facilities meet adequate standards. As a minimum, these should be widened; but preferably, consideration should be given to traffic-calming of the road environment around the site, particularly in Tunnell Street.

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<sup>15</sup> Convention for the Protection of Architectural Heritage of Europe (Granada, 1985)

<sup>16</sup> European Convention on the Protection of Archaeological Heritage of Europe (Valletta, 1992)

The precise procurement of any such public realm enhancements will be the subject of further negotiations and be the subject of a planning obligation agreement.

## **Other considerations**

The following factors should be considered in the development of any scheme. The issues raised here are not, however, designed to be prescriptive and thus, a degree of flexibility may be applied in their interpretation and application.

## **Design considerations**

The Minister believes that the location of this site, fronting on to the eastern end of the Millennium Town Park, is so important that it warrants the highest quality architecture. The overall design and layout of the scheme should respond to the following objectives:

- **to comprise appropriately proportioned buildings and spaces using features, materials and colours which enhance the character of the locality;**
- **to enhance the public realm through the contribution of the entire development, including buildings, spaces and landscaping elements, to the local townscape. This should be related and justified in relation to the design guidance provided in the North of Town Masterplan;**
- **to enhance the legibility of the area by ensuring that the new design respects the site context;**
- **to provide a safe and secure environment, where the access and internal circulation promotes a sense of neighbourliness, intimacy and human scale, and where the external spaces, including access routes, and the activities in them can be overseen by residents to promote a feeling of security. A crime impact assessment is likely to be required, in accord with Policy GD1.**

A design statement will be required to be submitted as part of any proposal to explain the rationale of the scheme layout and the design's relationship to the context, including the Millennium Town Park, street frontage, urban character and heritage assets.

## **Urban character, context and the masterplan**

This part of St Helier was subject to rapid expansion during the first quarter of the 19th century and a number of grand set piece terraces of contiguous houses were developed, which are evident in and around Bath Street and David Place, near to the development site.

The North of Town Masterplan recognises that these formal terraces form part of the character of the town and provide an architectural language drawn essentially from the 'Golden Ratio' of proportion.

The application of this system of proportion permits variation in treatment of façades allowing architecture of today, whilst maintaining the essential character of St Helier. It ensures variety such as raised ground floors and half-in half-out basements, thus enabling semi basement parking to be achieved, elevating living and bedrooms above street level.

Whilst not intended to provide a restrictive architectural form and style, it is considered appropriate that the golden ratio of proportion is relevant and could be given contemporary expression in development on this site to ensure that its grain and character is sympathetic and relevant to this part of St Helier. The Minister will, however, give consideration to the development of an overall architectural approach that confers its own identity and character to the development scheme but only where his design principles of local relevance, integration, sustainability, connectivity and enrichment and delight can be demonstrated.

### **Design led approach**

As mentioned previously in this document, the density of the new development must emerge from a design led solution and be the highest consistent with maintaining reasonable standards of design, space about buildings and privacy, appropriate to the type of accommodation provided and the general surroundings.

### **Form, layout and height**

A fundamental objective of the North of Town Masterplan is to repair the existing 'grid iron' street pattern, respecting the plot and street widths of the surrounding streetscape, where possible. The development must provide an important visual focal point to the east side of the new town park which must be of the architectural excellence. It must also have the potential of interfacing with the Millennium Town Park.

The North of Town Masterplan presents a development concept for the Jersey Gas site in Tunnell Street which introduces a mix of terraced town houses and apartments with basement car parking, and encourages pedestrian permeability around the perimeter of the site and also through a series of private quadrangles, connecting the Millennium Town Park with St Saviour's Road.

Whilst this scheme is entirely conceptual, and in no way prescriptive, it is helpful in beginning to explore the potential scale and massing of development that might be possible on the site. It has thus helped to inform an exploration of potential height envelopes for different parts of the site, as set out at appendix 3 and described below;

There is considered to be potential for a scheme ranging from six storeys<sup>17</sup> along the northern boundary of the site to up to four storeys along the southern boundary. The southern side should respect the existing street context and care must be taken to ensure that the residential amenity enjoyed by the existing dwellings along Tunnell Street is not unduly compromised in terms of loss of sunlight, daylight, residential outlook and privacy, and specific attention is given to how the development 'turns the corners' to avoid any unduly large blank gables and overbearing impact to the street. In addition, care must be taken to ensure that the internal parts of the scheme are not constantly in shadow and that a good level of sunlight can penetrate the development.

The presence of the existing gas holder on the site may bring an opportunity for a higher element within the development, which may help create a significant area of public amenity space at ground level and a focal landmark for any scheme.

### **Ground and noise contamination**

That part of the site occupied by the gas works will need to be investigated at an early stage to determine whether there is any contamination as a result of the historic use. Accordingly, the potential for land contamination should be investigated at an early stage and the applicant should refer to Supplementary Planning Guidance: Advice Note – Development of Contaminated Land, August 2017, which sets out the approach to development on potentially contaminated sites required under Policy GD 6.

The St Helier Ring Road is a key part of the Island's Primary Route Network and is subject to heavy traffic flows throughout the day, but particularly in the morning and evening rush hours, with consequent implications for local noise and air quality. Due consideration should, therefore, be given to the constraint imposed by the proximity of the ring road, and the volume and frequency of traffic that uses it, to ensure that the prospective occupants of new homes on the site enjoy a level of residential amenity that they should reasonably expect.

### **Access and transport**

Currently, the site has a number of vehicular access/egress points from the north and south side of the site. It abuts the St Helier Ring Road, which is part of the Island's Primary Route Network and, as a consequence, vehicular access to/from the site should be discussed with the Department of Growth, Housing and Environment to ensure a successful outcome that does not prejudice strategic traffic management: the potential requirement for a traffic impact assessment should form part of this discussion.

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<sup>17</sup> A storey represents a floor of a building above ground. Provision of an underground basement does not constitute a storey except where any part of it is above ground i.e. a semi-basement, which may be construed as a half-storey.

Under the terms of Policy TT8: Access to public transport, there is a requirement to ensure that there is a bus stop within 400m of the site and a reasonable frequency of service. In the event that this is not available, there will be a requirement to secure enhancement to public transport provision in the locality.

Under the terms of Policy TT9, there will also be a requirement to develop a Travel Plan for the development and subsequent use of the site, in order to promote, facilitate and enable more sustainable patterns from the development of the site.

### **Waste minimisation**

In considering proposals for new development and in accordance with the principles of sustainable development, the Minister for the Environment will encourage the minimisation of waste generated as part of demolition and construction activity and an increase in the recycling, re-use and recovery of resources, in compliance with Island Plan policy WM1 Waste minimisation and new development. This will require the preparation, submission and implementation of a site waste management plan.

### **Safeguarding amenity**

Any development on the site should be sited and designed to avoid undue prejudice to the amenities currently enjoyed by the neighbouring properties that may be created by virtue of loss of light, overbearing impact and loss of privacy; particularly those on the southern side of the development site in Tunnell Street.

Likewise, similar consideration will need to be given to the design of new homes to ensure an acceptable environment and secure an appropriate level of residential amenity for prospective occupants, particularly where single aspect dwellings may be provided with an 'internal' and/or northern outlook.

### **Open space, landscaping and internal amenity space.**

The development should make provision for amenity space within the boundaries of the site some of which may contribute to the public realm and be genuinely publicly accessible: the potential to provide public routes through the site should be explored.

The private amenity space created must form an integral element of the overall design and layout of the development, and serve a useful purpose to people living there, to ensure that it is convenient and safe to use and also provides visual amenity.

Consideration should also be given to creating an acceptable internal environment through the provision of internal communal amenity space which could take the form of wide access corridors; a winter garden; an atrium at



ground floor level; or other communal amenity space or facilities inserted into upper floor levels, together with the creation of roof gardens and private terrace/ balcony areas. A good quality residential amenity is sought for prospective residents and this should not be compromised in seeking to of maximise development yields: regard should be had of the Minister's standards for the provision of amenity space.

This area is urban in character and the landscape design should introduce appropriate soft planting, particularly trees of an appropriate species, which will contribute not only to the site but also the area. This may also serve to screen and buffer the development, to a limited extent from the adjacent busy ring road and contribute to the general townscape amenity. Examples of this can be seen further along St Saviour's Road at the Liberation Court and the former Rex Hotel site.

### **Percent for art**

The Minister for the Environment will seek to secure a percent for art contribution as part of any regeneration project on this site, to be integrated into any new development, in accord with the Island Plan policy and supplementary planning guidance.

There is considerable scope, given the scale of this site and the potential mix of open space and buildings, for an artistic input to be secured early in the design process, to enable an integrated and relevant outcome.

### **Development specification**

In the first instance, consideration should be given to achieving a sustainable development. Such considerations might point to the necessity to achieve higher standards than those currently set by the Building Byelaws.

### **Sustainable homes**

The specification of new dwellings shall comply with the latest minimum standards as may be applied, or otherwise agreed, by the Department for Growth, Housing and Environment.

Robust, quality designs are sought which enable dwellings to fulfil the requirements of a range of different lifestyles and the design and layout of which is flexible enough to cater for the needs of the present and future generations of users.

Consideration should be given to matters such as:

- the thermal efficiency of walls, to provide comfort conditions with the lowest energy consumption in use;
- the sound insulation quality of walls, to facilitate freedom and privacy, in spite of high density and a potentially noisy external environment;

- the orientation of development and the design and distribution of windows to maximise natural light, passive ventilation and solar heat gain;
- the employment of designs which can be serviced by an efficient heating system whilst still achieving required comfort conditions;
- the employment of designs which allow for a low-energy approach to water supply and which might, for example, seek to:
  - minimise the use of white (i.e. mains) water;
  - collect and use storm water/rainwater;
  - recycle effluent after treatment;
  - the use of construction materials with low embodied energy and those produced using renewable resources and environmentally benign processes.

Under the terms of Policy NR7: Renewable energy, new development on the site will need to incorporate a reduction in 10% of predicted carbon emissions, either through the provision of renewable energy generation on site, or through carbon offset as part of the design.

### **Planning obligations**

Powers to secure development through planning obligations and to enable acquisition by compulsory purchase are available to the Minister under Article 25 of the Planning and Building (Jersey) Law 2002.

The Minister for the Environment will seek to ensure that planning obligation agreements are entered into, as appropriate; to regulate and uphold in perpetuity the following:

- the delivery of environmental improvements through the relocation of hazardous installations and the extension of Millennium Town Park;
- the provision, management and maintenance of residents' and shoppers' car parking.
- The precise procurement of this will be the subject of further negotiations and be the subject of a planning obligation agreement.
  - drainage;
  - traffic;
  - public transport;
  - pedestrian;
  - health;
  - environmental protection measures;
  - communal public amenity space.

The planning obligation agreement will make arrangements for the long-term management and maintenance of the development to include private and public parking, planting, paved areas, access roads, footpaths and open space, within the development site, by transferring the ownership to an appropriate authority or facilitating the setting up of a properly constituted housing or residents' association.

Further guidance on planning obligation agreements is available in Supplementary Planning Guidance: Advice Note – Planning Obligation Agreements, July 2017.

## **Environmental Impact Assessment**

Environmental Impact Assessment (EIA) is a process that identifies both the positive and negative environmental effects of proposed developments prior to planning permission being considered. It aims to prevent, reduce or offset any identified significant adverse environmental effects of development proposals.

The EIA process is a method of ensuring that planning decisions are made in the full knowledge of the environmental effects and with full engagement of statutory bodies, local interest groups and members of the public.

The responsibility of completing an EIA lies wholly with the developer. Developers need to fully consider the environmental implications of a development at an early stage. Early consideration is cost effective, as time and money can be wasted on pursuing schemes where the environmental constraints prevent development or undermine its feasibility.

The Planning and Building (Environmental Impact) Order 2006, schedule 1, describes the form of development for which will require an environmental impact statement. In this instance the proposal would come within the provision of 'Infrastructure Projects 10 (2)' which identifies urban development projects where the floor area of the proposed buildings exceeds 10,000 square metres and an EIA will be required.

## **Planning applications**

A planning application will be required to be submitted by the applicant in accordance with the advice contained in the Department of Growth, Housing and Housing's latest guidance<sup>18</sup>. In preparing proposals for submission, it is strongly recommended that the owner or developer appoints an architect capable of developing imaginative and well thought out proposals.

Developers and their architects are strongly advised to contact the Department of Growth, Housing and Environment prior to the submission of

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<sup>18</sup>

[www.gov.je/PlanningBuilding/MakingApplication/Planning/Pages/PlanningApplicationInformation.aspx](http://www.gov.je/PlanningBuilding/MakingApplication/Planning/Pages/PlanningApplicationInformation.aspx)

an application, to discuss their proposals and to generally maintain close contact with the department throughout the design process.

A full planning application should be sufficiently detailed to demonstrate how the site can be satisfactorily developed, having regard to the guidelines and constraints of the brief.

**Note** in the case of an outline planning application the level of detail required will be less, however the architect should discuss the required information with the planning officer prior to submitting an outline planning application.

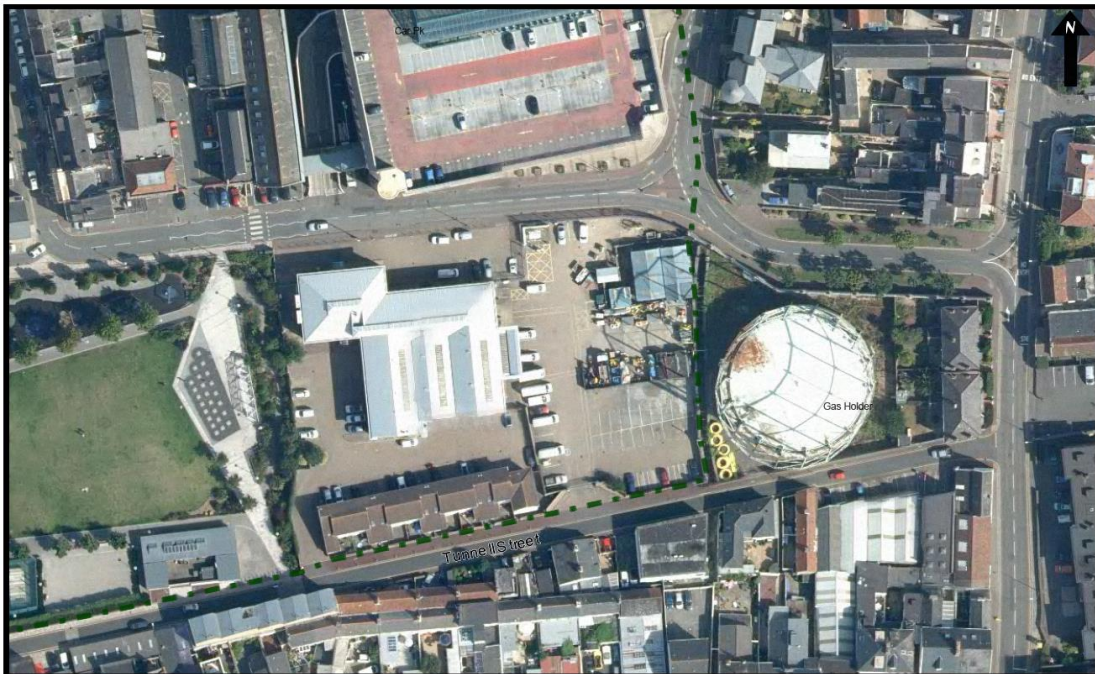
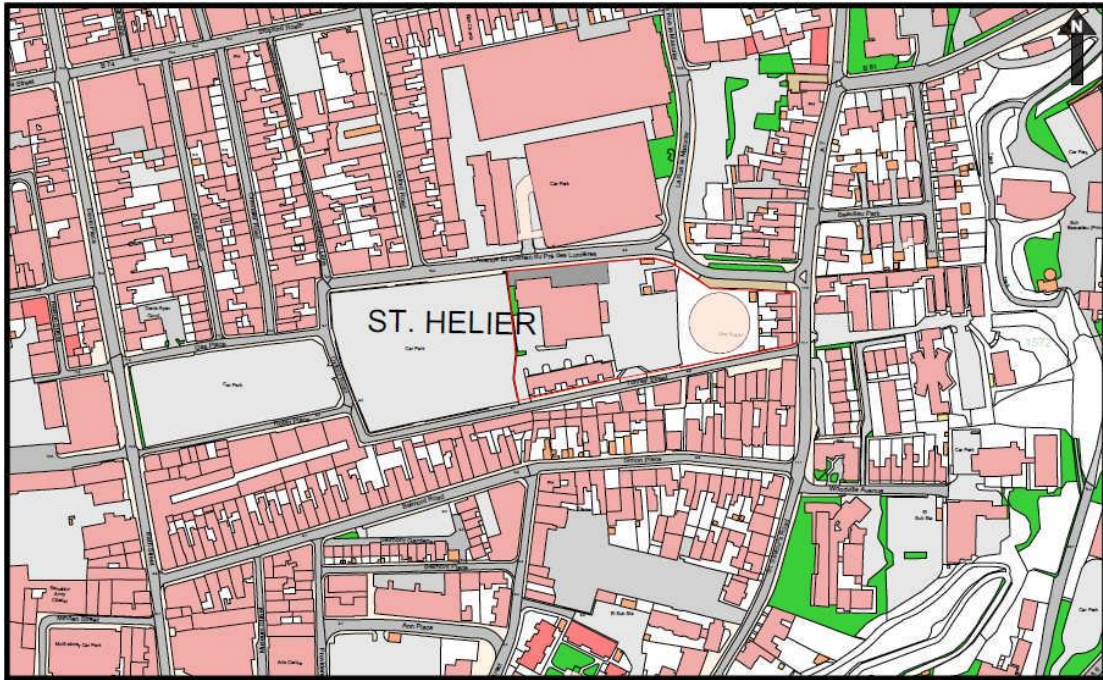
**Other comments**

Any development proposals will, of course, be subject to other normal planning and technical requirements, as necessary.

**Disclaimer**

**It is important to note that this document is not binding in itself. Any information supplied in this brief does not in any way absolve an applicant from satisfying himself that all necessary information on the requirements of the various authorities and organisations is correct at the time. Neither does it restrict the Minister for the Environment from amending nor varying such information contained in the brief, before a planning application is determined.**

## Appendix 1: Location plan and aerial photograph



## Appendix 2: Archaeology

PLANNING AND BUILDING (JERSEY) LAW 2002  
**LISTED BUILDINGS and/or PLACES**  
Les bâtisses et endroits historique



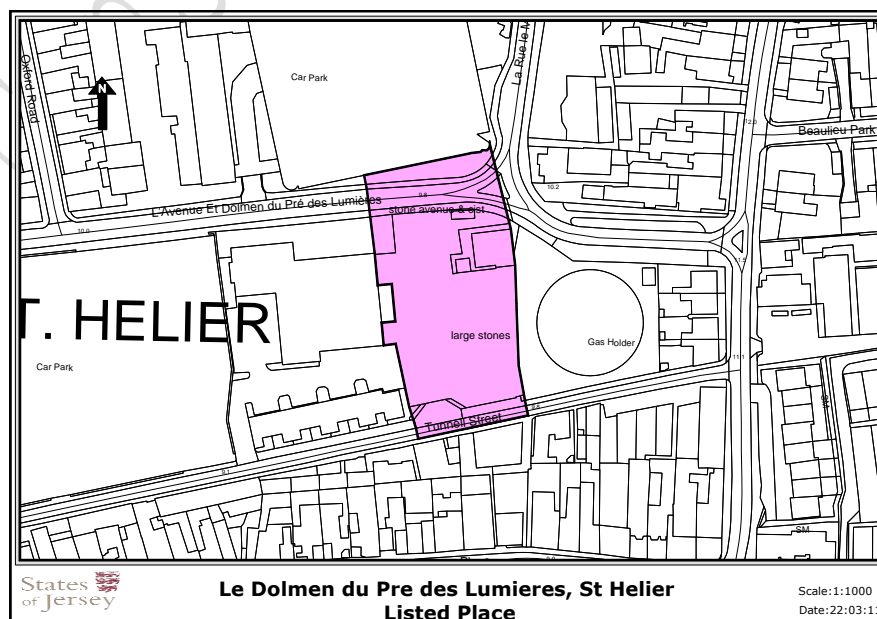
### SCHEDULE

Le Dolmen du Pre des Lumieres (Gasworks Dolmen), L'Avenue et Dolmen du Pre des Lumieres, St. Helier.

In amplification of the requirement of;

- i) Article 51 Paragraph 3(a) to show in relation to each site included on the List which one or more of the special interests set out in paragraph (2) attaches to the site;
- ii) Article 51 Paragraph 3(b) to describe the site with sufficient particularity to enable it to be easily identified and;
- iii) Article 51 Paragraph 3(d) to specify any activity, referred to in Article 55 Paragraph (1), which may be undertaken on the site without permission;

the following supports the view that the site known as **Le Dolmen du Pre des Lumieres (Gasworks Dolmen), L'Avenue et Dolmen du Pre des Lumieres** in the Parish of St. Helier is of special interest.



i)	<b>HER Reference</b>	HE0784
ii)	<b>Special interest</b>	Archaeological Historical
iii)	<b>Statement of Significance</b>	A prehistoric monument of outstanding importance to the archaeological heritage of Jersey.
iv)	<b>Description</b>	<p>Megalithic Cist and Avenue, Neolithic c3500BC. Discovered when the foundations were being dug for the retort house at St Helier gasworks in 1952, but at the time there was no opportunity for anything more than the most cursory archaeological examination.</p> <p>Conditions of the discovery prevented a full investigation or firm identification of the site. However this is certainly a megalithic complex of some importance, with further remains still buried at a depth of 4.5m. There is also considerable interest in the surrounding deposits and their relationship with the stones, raising the possibility not only of a deep stratified sequence with radiocarbon dates, but also of organic preservation. Its archaeological potential is therefore very high. The site has two components: an avenue of upright stones and, associated with this, a capstone resting on four uprights which has been interpreted as a possible rectangular cist. The cist consists of a capstone c2.4m by 1.8m resting on four boulders some 1m high and with paving slabs both inside and to the west. The larger stones were of Fort Regent granite (1km to SSE). In a second trench some 24m to the west a length of 'avenue' was recorded, consisting of two parallel rows of contiguous upright slabs from 0.3 to 1.2m high. The area between the rows some 1.7m wide, was paved with shale rubble. Part of the avenue which is aligned ESE-WNW, was removed and re-erected in the grounds of La Hougue Bie Museum, where it remains today.</p> <p>Finds: The cist was filled with dark clayey sand including two sections of tree trunk. Two flint chips and fragments of animal bone were the only finds but circumstances prevented full investigation.</p>
v)	<b>Location</b>	Plan attached
vi)	<b>Restricted activities</b>	<p>Where sites have special archaeological interest, the following are deemed to be restricted activities for which express consent is required</p> <p>(a) to use or operate a device designed or adapted to detect or locate metal or minerals in the ground;  (b) to carry on an activity which might injure or deface the site or part of a site.  (c) to insert a probe into the surface of the site  (d) to dig a hole or make an excavation,  (e) to remove sand, stone, gravel, earth or rock  (f) to tip earth or waste material.</p> <p>This might include activities that would involve works to the subsoil; drainage works; planting or uprooting trees, hedges</p>

or shrubs; the stripping of top soil; tipping operations; the commercial cutting and removal of turf or gardening.

The following activities are permitted and do not require express consent.

(g) Where part of or all of the site is in current agricultural use, ploughing to a depth not greater than previously carried out and no more than 30cm;

(h) Where part or all of the site is already in use as a garden digging, where the ground has been previously dug, where it would not disturb the soil below the depth of 30cm;

(i) Where part of or all of the site is used as a graveyard, the excavation of graves, where provision is made for archaeological recording;

(j) Where part of the site is used as carriageway, the repair, maintenance or other excavation of the carriageway, to a depth not greater than that previously excavated;

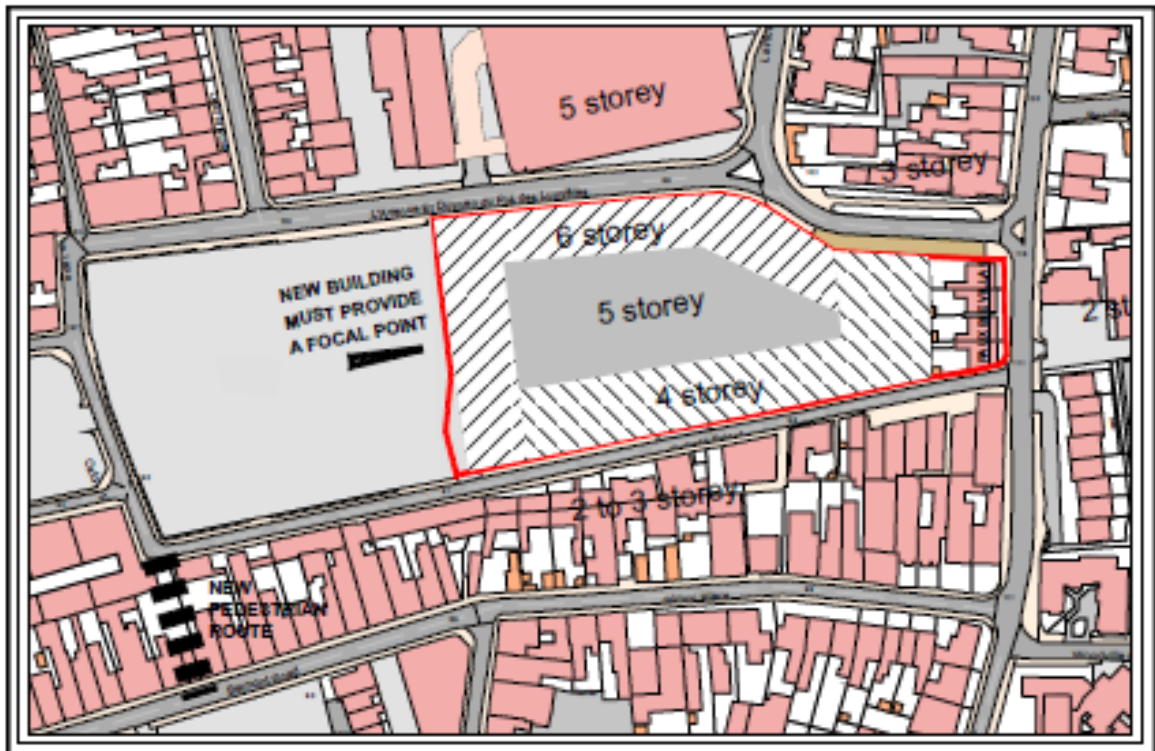
(k) Where part of the site is used for the provision of underground services and/or drainage, the repair, maintenance and/or re-laying of those services and/or drainage, where any excavation is not to a depth greater than that previously excavated in the existing service run.

*[Informative: the listing applies to the archaeological/ historical features and below-ground remains as set out in the Description and Statement of Significance and does not include later buildings as structures, unless they are specified as being part of the heritage interest of the site.]*

vii)	<b>Listed Status and Non-statutory Grade</b>	Listed Place Grade 1
viii)	<b>Date of Schedule</b>	28/02/2018



### Appendix 3: Possible height envelope



Consultant

End