

Department of the Environment
Supplementary Planning Guidance



Development brief

Jersey Gas Site
Tunnell Street, St. Helier

June 2012

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 site¹.

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.

Hard copies of all supplementary planning guidance can be obtained from Planning and Building Services, Department of the Environment, South Hill, St Helier, JE2 4US, telephone: 01534 445 508 email: planning@gov.je

¹ Under Article 6 of the Planning and Building (Jersey) Law

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Introduction

The purpose of this brief is to establish the general planning principles for the development of the Jersey Gas site in Tunnell Street, St Helier and to set out the guidelines to be adopted when preparing detailed proposals for its redevelopment.

Status of this guidance

This guidance is produced in accordance with the 2011 Island Plan Proposal 1 Supplementary planning guidance. It has been reviewed and amended in response to the findings of a public consultation, which the Minister has now adopted. The new guidance will provide the framework for the assessment and determination of any subsequent planning application.

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.

Policy context

The 2011 Island Plan² 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 Masterplan³ 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 new 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, will be required to make a contribution to the need for affordable homes under the terms of Policy H3 of the 2011 Island Plan, which the Minister will regard to as a material consideration in the determination of any application for this site. This requires the provision of a specific proportion of affordable homes, initially set at 12.5% of overall yield, but due to rise over the Plan period to maximum of 20%.

² Island Plan 2011: adopted 29 June 2011. see <http://www.gov.je/PlanningBuilding/LawsRegs/IslandPlan/IslandPlan2011/Pages/index.aspx>

³ Revised North of Town Masterplan - June 2011: <http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=661>

Policy H3 remains to become operational presently, but it is envisaged that its use will commence, during 2012, following the endorsement by the States of the supplementary planning guidance that will govern its application, however in the interim the percentage of affordable homes will be secured through a planning obligation agreement.

Operational context: Jersey Gas

This brief has been prepared against the context of Jersey Gas seeking to consolidate its existing operation in Jersey: the company has provided statements of its intentions, as set out at appendix 1, in relation to its properties in St Helier, in Tunnell Street and Belmont Road and at Les Ruettes in St John. It is important to note that the potential redevelopment of its Tunnell Street site is dependent upon the relocation of the facilities here to La Collette: this is likely to require additional land at La Collette adjacent to the existing Jersey Gas facility that already exists there. The issue of relocation is not the subject of this brief but is a fundamental dependency.

Similarly, it is acknowledged that the relocation of Jersey Gas activities from the Tunnell Street site, and its Les Ruettes site at St John, are dependent upon the creation of sufficient commercial value to enable the relocation to progress: any associated development proposals, however, remain to be considered having regard to the objectives of the North of Town Masterplan and the planning policy framework provided by the Island Plan, and any other relevant material planning considerations.

Planning guidance

The purpose of this brief is to establish the general development principles for the Jersey Gas site should it become available for development during the 2011 Island Plan period. A location plan and aerial image, showing the extent of the site, is provided at appendix 2.

The site, which is owned entirely by Jersey Gas (through the International Energy Group, it's parent company), is dominated by the existing gasholder with the remainder of the site occupied by workshops, a modern office and showroom block, and staff housing.

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 Appraisal⁴ and the North of Town Masterplan⁵.

The site extends from the new 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 uses on the site comprise a gas holder, 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 and those fronting onto St Saviour's Road are of heritage value and are Listed buildings. 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 accordingly.

The height of the existing development surrounding the site ranges from five storey down to two storey. 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 elsewhere⁶.

It provides an opportunity to create a predominantly residential development, which 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 short-stay public car parking, of benefit to local business and residents replacing some of that lost to the provision of the 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

⁴ St Helier urban character appraisal
<http://www.gov.je/PlanningBuilding/LawsRegs/IslandPlan/Background/Pages/UrbanCharacterAppraisal.aspx>

⁵ Revised North of Town Masterplan - June 2011:
<http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=661>

⁶ 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

Whilst the new Island Plan presumes in favour of the protection of existing employment land (under Policy E1) it is considered that the redevelopment of the existing 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 Planning and 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 a potentially hazardous use from this part of the town;
- enables the provision of a percentage of affordable homes, that contributes towards an identified Island need;
- provides an opportunity to realise the replacement of some of the public short stay parking, that is of value to local business and residents, lost as a result of the development of the Town Park; and
- presents an opportunity to secure wider public realm and pedestrian movement enhancements 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 of the LPG storage at Les Ruettes in St John; and the removal and/or remediation of any ground contamination.

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 EDAW⁷ 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

⁷ St Helier Development and Regeneration Strategy (2007) EDAW

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 Masterplan⁸, which proposes that this site is suitable for a significant new residential development should it become surplus to the gas company's requirements.

Any new residential development on this site should provide a percentage of affordable housing to accord with the 2011 Island Plan Policy H3: Affordable housing. The percentage yield of affordable homes is initially set at 12.5 % which will increase to a maximum of 20% over the Plan period: the contribution to this form of housing will, therefore, depend on how quickly the site can come forward.

The table below sets out the timescale for amendments to the proportion of yield of affordable residential development under Policy H3. These parameters will apply as of 01 January for the years indicated below, unless the Minister issues guidance otherwise.

For clarity, and to enable the most efficient and simple application of this policy, the proportion of yield applied will be based on the date at which an application is made⁹, and the form and scale of the application at this time, rather than when it is determined, or permission enacted. On phased or outline applications the relevant yields will relate to when an application for reserved matters is made.

Table one: Changing proportion of residential development to be delivered as affordable housing

Year	2012	2013	2014	2015	2016+
Proportion	12½%	12½%	15%	17½%	20%

It is intended that the minimum threshold will remain at the 2016 position and the proportion will remain at 20% for the remainder of the Plan period as long as these parameters deliver the required affordable housing.

It is envisaged that the tenure of new affordable homes would be affordable homes for purchase and could include accommodation for both families and couples. Should any other form of residential tenure be proposed for the affordable homes on this site, the Minister will require appropriate evidence of need.

The remaining residential yield could provide open market housing, however, it should respond to requirements, by size and type of home, that responds to the Island's needs.

⁸ P.73/2011 Revised North of Town Masterplan: adopted by the States on 30 June 2011

⁹ The date of application is deemed to be when the application is registered as a valid application by the Department of the Environment

The preferred use for the site identified in the North of Town Masterplan is residential which 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 incorporating these uses and of this 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.

Whilst the North of Town identifies residential development as the preferred use, this would not preclude other uses, such as community use being considered.

Housing Need

The redevelopment proposals should provide an appropriate mix of dwelling types that are needed by the community. In assessing the dwelling mix, the Minister will have regard to Policy H4 and the Jersey Housing Assessment (2008 – 2012) 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

Significantly, the development of this site also needs to provide an element of public off-street short-stay car parking spaces (in addition to the private car parking provision required in association with any residential development). The North of Town Masterplan identifies that 138 public car parking spaces should be provided here: these are to replace some of those lost through the development of the Town Park and they should meet the needs of short-stay visitors and residents, and their provision and management must accord with the prevailing policy and management regimes for off-street public parking. In the event that this extent of public off-street provision cannot be made on-site, a commuted sum will be sought and agreed. The public car parking provision or commuted sum will be secured by planning obligation agreement.

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.

Similarly, the opportunity to create a new pedestrian route from Tunnell Street to Belmont Road through property owned by Jersey Gas should remain an integral part of the comprehensive regeneration package presented by this development opportunity in order to deliver upon the wider public realm improvements required of a development of this scale, as set out in the North of Town Masterplan.

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 Materplan, 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 from the Jersey Gas site in Tunnell Street, St. Helier, and to create the potential for the relocation of the LPG storage site at Les Ruettes, St. John, to more appropriate locations;**
- **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 in accordance with Policy H3 of the Island Plan;**
- **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 new 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;**
- **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 new 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 designed 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.

The North of Town Masterplan recognised that the Jersey Gas site would have to deliver an element of public parking that was being lost from the Gas Works car park and gave an indication of a possible quantum of development of 24,000 sq.m. However this figure is purely indicative and the Minister must be satisfied that an appropriate density should properly emerge out of the design process, which must seek to accommodate the planning constraints, other factors and key principles of development set out here.

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.

Public parking is required to meet some of the parking lost as a result of the development of the Town Park and, on this basis, the site is required to provide 138 public spaces, to be made available for shopper short-stay and residents' parking at prevailing public parking rates. This will be required to be delivered through an appropriate management company and be the subject of a planning obligation agreement. In the event that this extent of public off-street provision cannot be made on-site, a commuted sum will be sought.

Any provision of public commuter (long-stay) parking will be advised by the Minister for Transport and Technical Services.

In terms of the provision of private residential parking spaces the North of Town masterplan suggested that the site would be required to provide at least 180 below ground private residential spaces, but this will need to be related to the quantum of development to be achieved.

The Minister's current published guidelines are set out in Parking guidelines (Sept 1988)¹⁰ as a starting point. It is, however, acknowledged that these standards do not accord with the policy direction of either the Sustainable Transport Policy (2010) or the new Island Plan, and require review.

The Minister will, therefore, consider innovative parking solutions and may offer flexibility in the level of provision to be provided, treating each proposal on its individual merits and

¹⁰ Parking guidelines (Sept 1988):
<http://www.gov.je/PlanningBuilding/LawsRegs/SPG/PolicyNotes/Pages/ParkingGuidelines.aspx>

having due regard to the potential choice of other sustainable transport options, including walking, cycling and public transport. The Minister will support the use of parking systems which utilise technology to maximise the efficiency of the parking space. In addition the use of 'car clubs' would be considered provided the membership of the car club forms part of the cost of the dwelling unit in perpetuity.

It is considered that parking provision on this site could be best met through the provision of on-site semi-basement 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 Planning and 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.

Archaeology and Listed buildings

The Minister for Planning and Environment has an obligation, under the terms of international conventions¹¹ to protect buildings and places of architectural and historic value and archaeology¹² and for this reason, the new Island Plan 2011 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

¹¹ Convention for the Protection of Architectural Heritage of Europe (Granada, 1985)

¹² European Convention on the Protection of Archaeological Heritage of Europe (Valletta, 1992)

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.

Potential Listed buildings

Nos. 1 to 4 Faux Bie Villas, whilst in themselves relatively modest dwellings, have been identified as having heritage value and of contributing to the townscape character of the area, reflected in their current heritage designation.

As part of a comprehensive Island-wide resurvey of heritage assets, the heritage value of these buildings is being re-assessed but they remain of heritage value presently.

The Minister for Planning and Environment will apply a balanced approach, in accordance with his obligations under the law and internationally, in weighing up any negative impact of change on the integrity of Listed buildings and archaeology against the need to secure the long-term future of heritage assets and the wider regenerative benefits of any proposed scheme. The developer of the site will be expected to liaise closely with the Department of the Environment's Historic Environment Team to secure a successful outcome.

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.

In addition to footpaths in and around the development site, a new public pedestrian route should be provided through property owned by Jersey Gas, which links Tunnell Street with Belmont Road, as an integral part of this development scheme, as set out in the North of Town masterplan.

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 new Town Park, is so important that it warrants the highest quality architecture. Accordingly, following outline planning approval to establish the quantum of development, the final design solution must be achieved through an architectural competition.

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 street frontage, urban character, archaeology and listed buildings.

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 new 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 new 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 help to inform an exploration of potential height envelopes for different parts of the site, as set out at appendix 4 and described below;

There is considered to be potential for a scheme ranging from six storeys¹³ 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 the existing dwellings along Tunnell Street is not compromised in terms of 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 be achieved whilst respecting

As mentioned previously, Nos. 1 to 4 Faux Bie Villas, located on the eastern side of the site, have been identified as having heritage value and of contributing to the townscape character of the area, which is reflected in their current designation.

Accordingly, the Minister for Planning and Environment will apply a balanced approach, in accordance with his obligations under the law, in weighing up any negative impact of change on the integrity of the buildings and the wider regenerative benefits that any proposed scheme proposed scheme may bring. The developer of the site will be expected to liaise closely with the department's Historic Environment Team.

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. However, the Minister would expect to see a corresponding increase in public amenity space at ground level.

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

¹³ 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.

applicant should refer to supplementary planning guidance¹⁴, 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 Highway Engineer at Transport and Technical Services 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.

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 Planning and 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.

¹⁴ Development of potentially contaminated land (2005):
<http://www.gov.je/PlanningBuilding/LawsRegs/SPG/AdviceNotes/Pages/DevelopmentPotentiallyContaminatedLand.aspx>

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 space¹⁵.

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 Planning and 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.

¹⁵ See Minimum standards for new housing developments (Feb 1994, as amended): <http://www.gov.je/PlanningBuilding/LawsRegs/SPG/PolicyNotes/Pages/HousingDevelopment.s.aspx>

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. The Minister may be prepared to negotiate an alternative community benefit, of equivalent value, in place of the percent for art as part of a planning obligation agreement.

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 dwellings shall comply with the minimum standards outlined in Minimum standards for new housing developments (Feb 1994, as amended)¹⁶ subject to any overriding planning and technical criteria, either set out in this brief, or agreed during the design process.

Whilst recognising that this guidance is in need of review, it still provides a useful benchmark against which to ensure that reasonable minimum standards are maintained.

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;

¹⁶ Minimum standards for new housing developments (Feb 1994, as amended):
<http://www.gov.je/PlanningBuilding/LawsRegs/SPG/PolicyNotes/Pages/HousingDevelopment.s.aspx>

-
- 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.

Services

Information concerning the principal services to the site should be obtained by the designer at an early stage, contacts for which are listed at Appendix 5.

- Foul sewerage
- Surface water sewerage
- Mains gas
- Mains water
- Mains electricity
- Refuse collection points, which should include recycling
- Fibre optic internet connection

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 Planning and 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 at the Jersey Gas premises at Tunnell Street, St Helier and Les Ruettes, St John;
- in accordance with the Island Plan 2011 Policy H3 "Affordable Housing", the site will deliver at least 12½% affordable homes and shall be allocated by the Minister for Housing for intermediate housing through the 'Housing Gateway' to persons meeting the required qualifications;
- the developer will be expected to sell the intermediate housing to persons who qualify through the 'Housing Gateway' at a price established through the housing development viability model; (this has yet to be agreed)
- in accordance with the North of Town masterplan, the site will deliver 138 public car parking spaces to be made available for public shopper (short-stay) or residents' parking at prevailing public parking rates. The planning obligation will deal with the delivery, management and maintenance of the facility. If in the event the public parking is not achieved, then a commuted payment will be secured to provide public

parking elsewhere, improve public transport and/or related infrastructure.

- a new public pedestrian route will be secured through 32 Belmont Road, owned by Jersey Gas, to link Tunnell Street with Belmont Road. The precise procurement of this will be the subject of further negotiations and be the subject of a planning obligation agreement.
- any associated infrastructure provision or directly related costs to the provision of:
 - 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 public and private parking, planting, paved areas, access roads, footpaths and open space, within the development site, by transferring the ownership to an appropriate authority (TBA) or facilitating the setting up of a properly constituted housing or residents' association.

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 required¹⁷

Planning applications

¹⁷ See EIA practice note (July 2011)
<http://www.gov.je/PlanningBuilding/LawsRegs/SPG/PracticeNotes/Pages/EIA.aspx>

A planning application (either outline of full planning) will be required to be submitted by the applicant in accordance with the advice contained in supplementary planning guidance Information required for a planning application (May 2012)

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 the Environment prior to the submission of 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. In this instance, in addition to a completed application form and the relevant fee, applicants will be expected to submit:

- a location plan (scale 1:2500);
- a site plan (scale 1:200), showing the layout of proposed buildings and spaces, the position of buildings on adjoining property, proposed landscaping and the means of vehicular and pedestrian access within the site;
- sections through the site, showing changing levels and the relationship with surrounding properties;
- 3-dimensional information which show how the shapes and forms of buildings and spaces are arranged and how the proposed development integrates with the surrounding area, including existing and proposed buildings on adjacent sites should be provided in a format compatible with the States of Jersey 3D model and guidance on the format will be available shortly.
- elevations of the proposed building(s) at a scale of at least 1:100;
- floor plans at a scale of at least 1:100;
- street elevation sketches showing relationship of elevations proposed with adjacent properties;
- a 'design statement' explaining how the design concept evolved and how it relates to the principles set out in this brief;
- any other further supporting information that is likely to be required, such as, for example, a site waste management plan (Policy WM1); a Travel Plan (Policy TT9); and a crime impact assessment (Policy GD1).

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 Planning and Environment from amending nor varying such information contained in the brief, before a planning application is determined.

Appendix 1: Statement from Jersey Gas

1. Advantages of removing the Gas Storage and Gas Compressor Equipment away from Tunnell Street, St Helier to La Collette

Current Gas Equipment Tunnell Street

Currently Jersey Gas has a storage gas holder on the Tunnell Street site which holds up to 500,000 cubic feet of gas, this holder is used as a back-up facility for the gas production plant at La Collette and is an integral part of the security of the gas supply to the Island. Further gas compressing equipment sited at Tunnell Street is also used to supply both high pressure and medium pressure gas to St Helier town centre and the East of the Island. This equipment is in constant use 24 hours a day 365 days each year.

The Tunnell Street gas holder is surrounded by light commercial and domestic housing on two sides and the town ring road, to the north, which is the main thoroughfare for vehicular traffic around town and to the major schools in Jersey. More recently a Town Park has been developed that abuts Jersey Gas property and the gas holder is more prominent as a backdrop to this open space.

The proposal is to remove both the gas holder and gas compressing equipment from the Tunnell Street site and re-site alternative equipment to replace the gas holder at La Collette and replace the compressing equipment in a less sensitive location. By completing this work the gas holder and its associated potential risk will be removed from the centre of St Helier, the gas compressing equipment will be removed, rendering the site completely clear of gas storage, gas equipment and associated pipelines.

The equipment that will be installed as a replacement will fit within the existing footprint of the Jersey Gas La Collette site and will not materially increase the overall potential risk of the La Collette site.

The proposed relocation of the gas storage and equipment would reduce the overall risk to Jersey and as importantly remove the risk from this developed urban area of St Helier.

2. Advantages of relocating the Kosangas (Jersey) St John operations to La Collette

Land use planning

The Kosangas St Johns Site is recognised by the States of Jersey as a potentially hazardous site which is a lower tier Control of Major Accident Hazards (COMAH) site, thus the use of land, buildings and property in the vicinity of the site is subject to review and approval by the Islands HSI. The St Johns operation is sited on a small industrial / commercial site populated with office accommodation and retail outlets and abutted by domestic housing. The LPG operations are not in keeping with the surroundings or its neighbours, the site development is restricted by the LPG storage and could be put to a better, more efficient use if the LPG operations were relocated.

The States of Jersey's approach to potentially hazardous installations and or difficult to locate activities has been a tendency to collect them together at La

Collette. This would make the emergency management and control of these type of sites in Jersey easier to control and the relocation of the St Johns operation to La Collette would be consistent with this approach.

Additional land would be required at La Collette, adjacent to the existing gas facility at La Collette, to accommodate both the relocation of the St John and the Tunnell Street gas facilities.

Societal risk reduction

As stated in item 1 the St Johns site is a potentially hazardous installation with, in the potential worst case, incident scenarios that could impact upon the local housing and general public beyond the perimeter fence. The relocation of the site to La Collette would remove this potentially hazardous process from its rural, commercial and retail surrounding to a location with other similar installations, thus reducing societal risk around the St Johns site. A similar increase in risk would not be expected in the La Collette area as the site already has controls in place to mitigate and control risk from industrial hazardous sites and no additional storage would be required.

With the relocation of the St John operations to La Collette there would also be an overall reduction of LPG storage requirements across the Island as the existing operations at St John can utilise existing storage at La Collette.

A further improvement in societal risk is gained by reducing the number of LPG road tanker movements. HSE identify the transfer of LPG through road tanker movements as one of the higher potential hazards both on site operations and tanker movements through St Helier to St John. Currently the St John's site is supplied with LPG from the La Collette site by road tanker; circa 50 road tanker movements are made per year to supply St Johns. If the St Johns site is relocated to La Collette these journeys, filling and emptying operations would be eliminated with an associated reduction in societal risk.

3. Advantages of relocating staff accommodation at Belmont Road

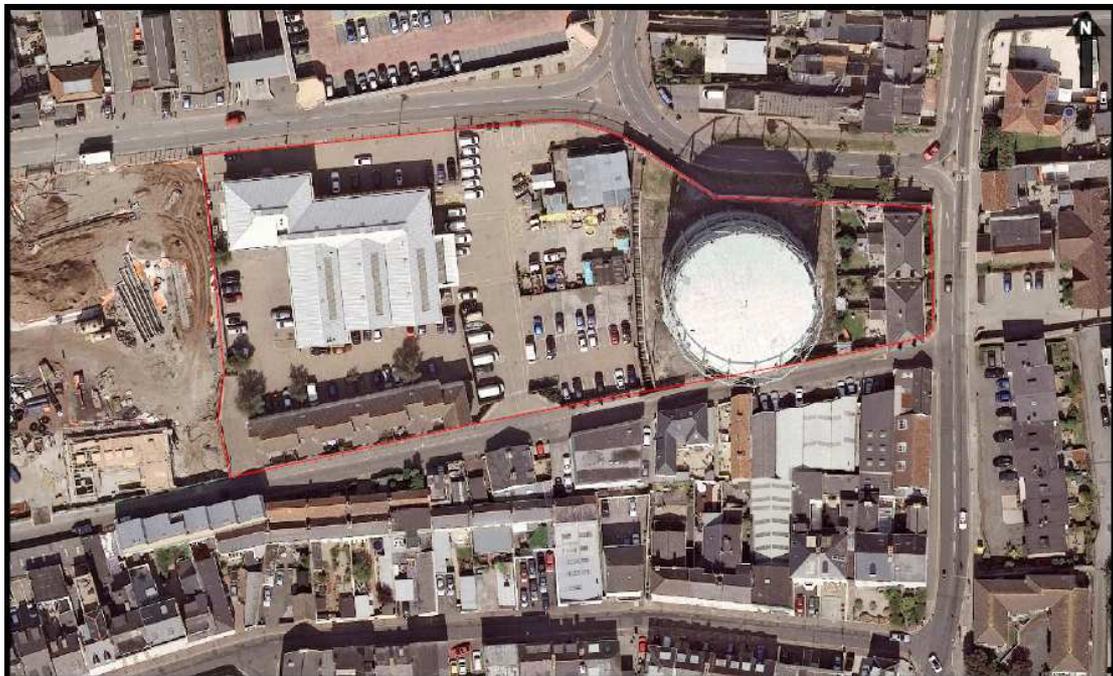
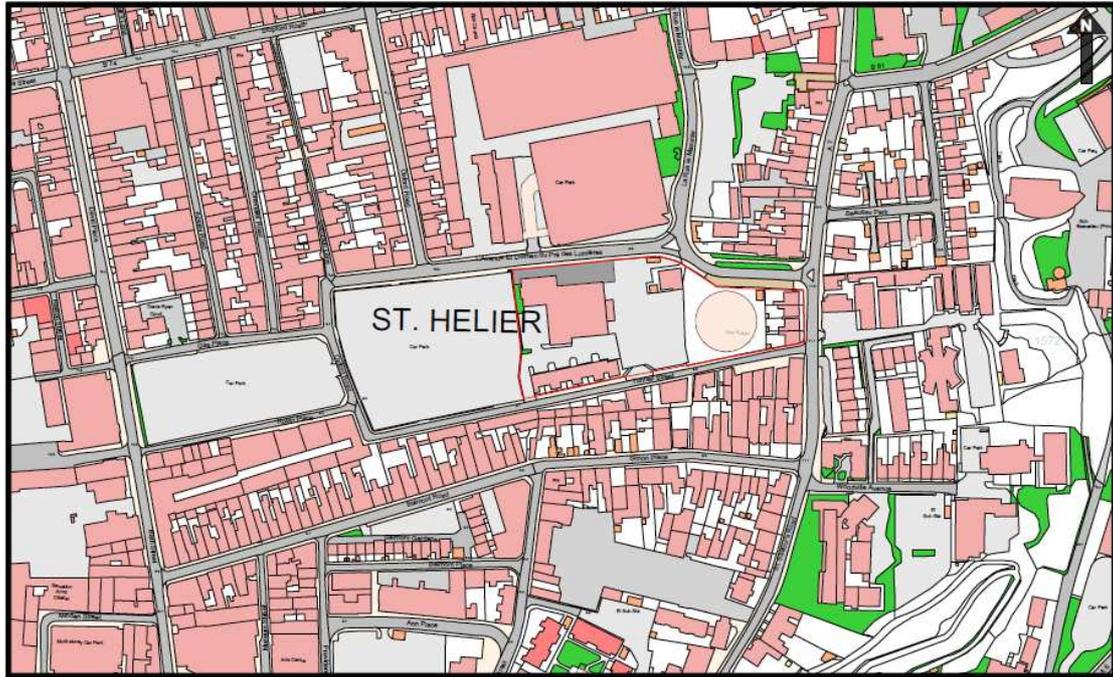
The property at 32 Belmont Road provides essential staff accommodation for non-qualified staff and is strategically located close to the principal offices, showroom and warehouse facility at Tunnell Street

The property is a three storey plus attic house recently converted into four self-contained flats, two being one bedroom and two three bedroom. Originally the property was constructed in the mid-19th century and unusually has the original coach house linking the Belmont Road elevation to the Tunnell Street elevation at the rear.

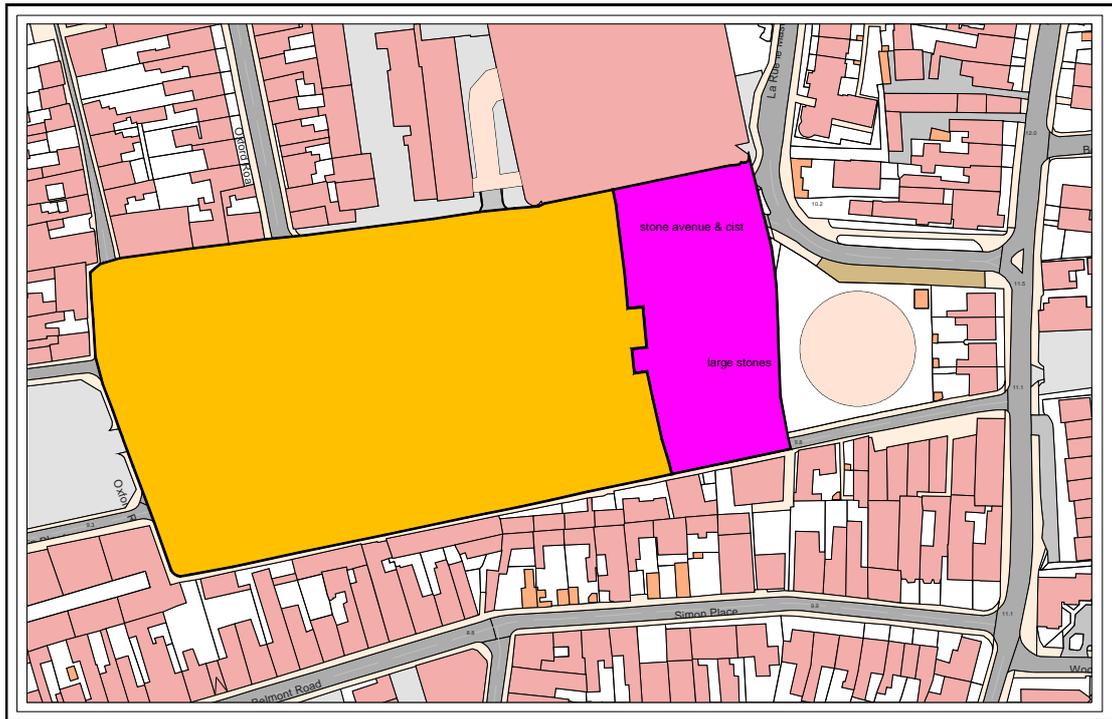
The property represents the only real opportunity to open up links between Tunnell Street and Belmont Road thus creating the permeability desired by Planning as part of the Master Plan for the area. It would create pedestrian and cycle route way linking the Town Park with other parts of the North of St Helier and is considered a vital part of the Master Plan

The property is available for Public acquisition as part of the overall solution to the Tunnell Street Site and subject to the ability to replace this important facility elsewhere at reasonable cost.

Appendix 2: Location plan and aerial images



Appendix 3: Archaeology (AAP = yellow; Listed place = purple)



PLANNING AND BUILDING (JERSEY) LAW 2002

SCHEDULE

Le Dolmen du Pré des Lumières, 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 the Minister's permission;

the following supports the Minister for Planning and Environment's view that the site known as **Le Dolmen du Pré des Lumières**, situated in **L'Avenue et Dolmen du Pré des Lumières in the Parish of St. Helier** is of special interest.

i) Special interest	Archaeological and historical
ii) Description: abbreviated	Megalithic Cist and Avenue, Neolithic c3500BC
Description: expanded	A prehistoric monument of outstanding importance to the archaeological heritage of Jersey.
	<u>Monument Type</u>
	Megalithic Cist and Avenue
	<u>Period/date</u>
	Neolithic c3500BC?
	<u>Excavation History</u>
	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.
	<u>Description</u>
	The 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.

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.

Description: additional references

Wedgewood W and Mourant A E (1954) *The megalithic structures at the Jersey Gasworks* BSJ 16 (79) 148-160

Mourant BSJ (1985)

Dunlop, A (1986) *on some Jersey peat beds* BSJ 3 (24) 349-360

Description: location

Plan attached

iii) Permitted activities:

Activities referred to in Article 55(1) of the Law which may be undertaken on the site without the Minister's permission

The carrying on, of any of the following activities –

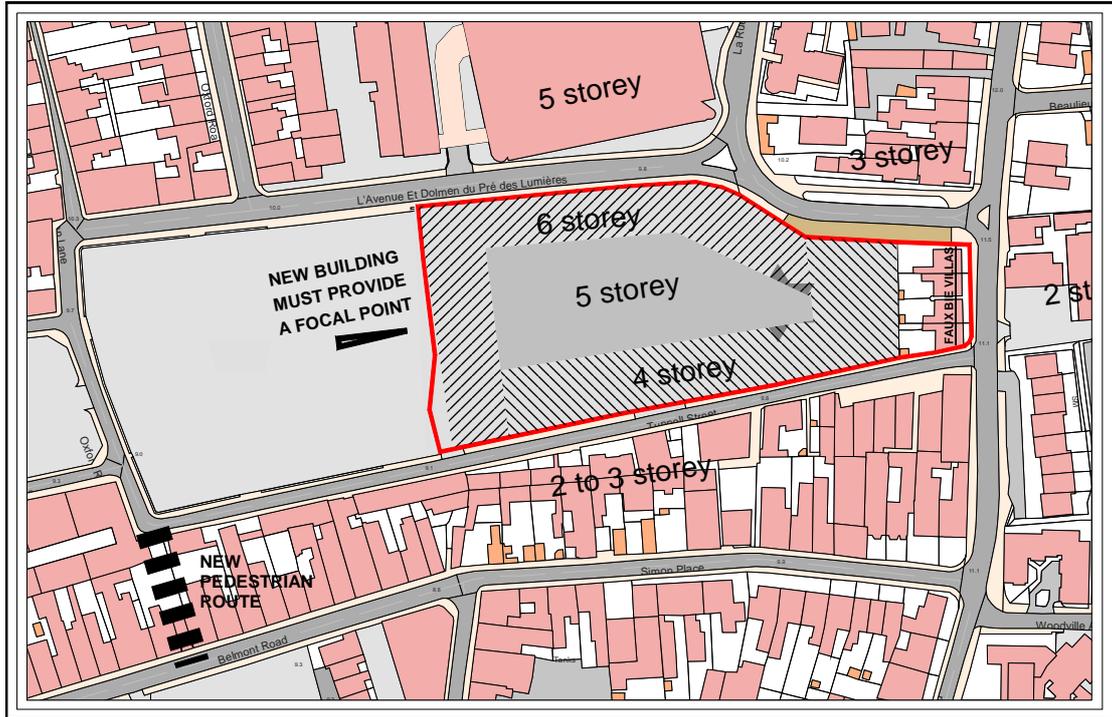
- (a) to use or operate a device designed or adapted to detect or locate metal or minerals in the ground;
- (b) to carry on an activity which might injure or deface the site or part of a site



require the express prior consent of the
Minister

Owners:

Appendix 4: Possible height envelope



Appendix 5: Useful contacts

Planning and Building Services

Tony Gottard, Principal Planner

t.448426; e. t.gottard@gov.je

Tracey Ingle, Principal Historic Environment Officer

t.448410; e. t.ingle@gov.je

Transport and Technical Services Department (Drainage)

Steve Fisher

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Transport and Technical Services Department (Highway Engineers)

Rob Cabot

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Health Protection

Alan Irving, Team Leader

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Housing Department

Carl Mavity, Assistant Director

t.449004 ; e. c.mavity@gov.je

Parish Constable

Connetable of St. Helier

t.811821; e. constable@posh.gov.je

Jersey Electricity Company Ltd.

Mains Department t.505460

Jersey Water

Mains Department t. 707300