

4 Built Environment

4 Built Environment

BE: Introduction

4.1 This section of the Island Plan deals with the built environment - those parts of Jersey that are essentially urban or suburban in character - which has delivered by far the most development in the past, and is likely to provide the greatest opportunities for future development during the lifetime of this Island Plan, through the processes of regeneration and renewal.

4.2 Like its predecessors, the Island Plan defines the Island's Built-up Areas as three main entities;

- the town of St Helier (including the contiguous urban areas of St Saviour and St Clement as defined in SP1 Spatial Strategy⁽¹⁾);
- the coastal strip; and
- rural and other urban settlements

4.3 It delineates the boundaries of these areas - by defining them on the Proposals Map - and sets out a series of objectives of particular relevance to the built environment.

4.4 The Minister for Planning and Environment recognises the significance of the designation of the built environment for Jersey. It is acknowledged that there is a requirement to focus greater attention on the comprehensive and detailed planning of the Island's Built-up Area in order to ensure that it can meet the needs of the Island whilst retaining its character and identity, and providing the amenities and facilities necessary to support its residents and users. The Spatial Strategy of the new Island Plan, places a far greater emphasis on the focusing of development activity on the Island's Built-up Area, particularly St Helier, during the Plan period. This supports the delivery of a more sustainable form and pattern of development and meets the Island's development needs, for housing and economic activity, in accordance with key strategic policies including SP1 'Spatial Strategy', SP2 'Policy SP 2 'Efficient use of resources', SP3 'Sequential Approach to Development', Policy SP 5 'Economic growth and diversification' and SP6 'Reducing Dependence on the Car'.

4.5 This section of the Plan seeks to set out, in greater detail, the specific objectives for the future development of the Town of St Helier, in particular. It also acknowledges, however, that more detailed and specific proposals will emerge

1 The Town of St Helier comprises the continuous built-up area of development that is associated with the town, extending westwards to include First Tower, eastwards to Plat Douet, and northwards to the top of the escarpment which creates the bowl in which the town 'sits'. The southern boundary is formed by the sea. For planning purposes, the definition of the "Town of St. Helier" includes parts of the urban environment of the parishes of St. Saviour and St. Clement.

for some parts of the Town, and for places such as La Collette and St Helier's harbours and Jersey Airport, that provide an opportunity to meet some of Jersey's specific development needs and at the same time, regenerate the fabric of the built environment. These are identified as Regeneration Zones in the Plan, and will be the subject of further area or site specific plans and proposals, in the form of master-plans or development briefs, to be issued as supplementary planning guidance, during the Plan period.

Urban focus

4.6 The new Island Plan continues to apply broadly the same spatial strategy to that adopted in earlier Island Plans, which essentially sought to restrict most development to within or adjacent to the existing Built-up Area. This approach ensured the least impact on the continued protection of the countryside and also the redevelopment and re-use of land within the Built-up Area. The key difference in this Plan is that there is virtually no planned development of greenfield land to meet the Island's need: the focus is on the Island's existing urban areas, and in particular St Helier, to meet the Island's development needs over the Plan period.

4.7 The 2002 Island Plan redefined the Built-up Area boundary, and included small areas of land which were previously subject to a planning policy which presumed against new development. The extent of the 'relaxation' of these boundaries, however, did not dilute the focus of development activity on the redevelopment and regeneration of the Island's Built-up Area. For example, the designation of Category A Housing sites on the edge of the Built-up Area, generally served to consolidate existing urban areas.

4.8 The relatively high level of development activity in the years immediately following the adoption of the 2002 Island Plan - largely reflecting the buoyancy of the economy - and the public sensitivity to the development of some urban edge sites, combined with some public concern at the redevelopment of existing urban sites at higher densities, resulted in the States reviewing parts of the Built-up Area boundary in 2005 ⁽²⁾ and protecting additional important open spaces within the Built-up Area. Notwithstanding these interim Island Plan amendments, it is evident that the 2002 Plan was successful in delivering regeneration and enhancement of the Island's built environment through the new policy regime. For example, between 2002 and 2007 there were approximately 2700 Category B dwellings provided on 'windfall sites', the great majority of which were in designated Built-up Areas.

4.9 There is no deliberate 'relaxation' of the Built-up Area boundary in this Plan to meet development need, or, with one exception, the planned release of greenfield land on the edge of the Built-up Area. The Spatial Strategy is very much

2 P77/2005: Island Plan 2002 - changes to Built-up Area boundary, Environment and Public Services (Date of debate: 05 July 2005)

focused on the development and re-use of existing urban areas and previously developed land to meet the Island's needs, except where there is a clear and demonstrable justification for development in the coast and countryside.

4.10 It needs to be clearly recognised, however, that unless land in the Built-up Area is developed at higher and more land-efficient densities than have previously been achieved, in accordance with the strategic policies of the Plan (SP2 Policy SP 2 'Efficient use of resources'), it will not be possible to meet all the Island's identified needs, particularly for housing, without reviewing the need to release greenfield sites for development during the Plan period.

BE: Objectives and indicators

Urban regeneration

4.11 St. Helier is the administrative and commercial capital of Jersey, and by far the Island's most significant urban settlement: the strategic objectives for the new Island Plan, and specifically the Spatial Strategy supported by policies SP3 'Sequential Approach to Development' and SP6 'Reducing Dependence on the Car', will serve to focus attention and development activity on the Town of St Helier over the Plan period. For this reason, the objectives for the built environment are very much St Helier focused, in addition to which a specific set of objectives has been developed which related solely to the Town. The concentration of development activity in the Island's Built-up Areas will also present opportunity for other parts of the Island's urban environment to contribute to the Island's needs and to renew and improve its fabric.

4.12 Despite its dominance as the Island's major centre and unprecedented levels of new development in recent years there remain major concerns about the future of large parts of the town. There appears, perhaps unfairly, to be a consensus that St Helier is a disappointing and under-performing place which has failed to keep up with changing expectations of residents, visitors and businesses ⁽³⁾. There is, however, a clear acknowledgement and recognition that the Town of St Helier has a critical role to play in meeting the Island's needs and that there are significant opportunities to provide solutions in relation to the perceived tensions between economic growth and quality of life as well as to regenerate the fabric, character and perception of the Town, as a place to live, work and visit.

4.13 The Minister for Planning and Environment is fundamentally committed to reversing these somewhat negative perceptions of the town and realising its full potential to contribute to Jersey's quality of life. The Minister is determined that St Helier becomes a place of choice for living and leisure and the focus for new development in the Island; not least because there is significant opposition in the Island to the principle of building homes on undeveloped land.

3 St Helier Urban Character Appraisal (2005) WMUD pp20

4.14 It is considered that there will be significant opportunity during the Plan period for the regeneration of Jersey's urban environment and to realise the aspirations for St Helier. This will be driven by;

- the **Spatial Strategy** of the Plan, which focuses development on the Island's Built-up Areas, particularly St Helier, but at the same time as respecting its character, as set out in policy SP4 Policy SP 4 'Protecting the natural and historic environment', and enhancing the quality of the built environment, in accord with SP7 'Better by Design';
- the **delivery of the St Helier Waterfront**, at Esplanade Quarter in particular, and further development potential of La Collette and the St Helier harbours;
- and the **regeneration opportunities available in the Town of St Helier**, created by the relocation of business to the Waterfront but also from key development sites which already exist - such as the Town Park site - that have the potential to become catalysts for regeneration.

Objective BE 1

Built environment objectives

1. To promote the regeneration and enhancement of the built environment and the re-use of land for new development by providing land and development opportunities to meet and accommodate the requirement for new development during the Plan period within the designated Built-up Area;
2. To maintain the role and support the development and regeneration of the Town of St Helier as the Island's principal centre providing land and development opportunities to provide for homes, economic activity and cultural needs, whilst protecting and enhancing the character of the town and the quality of its environment as a place to live, work and visit.
3. To develop a vision and overarching strategy for St. Helier

Indicators BE 1

Built environment indicators

1. Proportion of new development - housing, office, retail and other commercial use - approved within Built-up Area;
2. Proportion of new development - housing, office, retail and other commercial use - approved within Town of St Helier;
3. Extent and quality of public open space in St Helier
4. Progress of development of overarching strategy for St Helier.

Development and regeneration of St Helier

4.15 With a renewed emphasis and focus on the need and opportunity for development in the Island's built environment and, in particular, the regeneration of St Helier, there has been a need to give much greater attention to the town.

4.16 The States [Strategic Plan 2006 - 2011](#) gave high priority to the need to regenerate St Helier, to develop its Waterfront and to deliver the Town Park at the former Gas Works site. The [Economic Growth Plan](#) agreed by the States in 2005 also recognised the role that St Helier needs to play in enabling and supporting economic growth.

4.17 This has resulted in a number of discrete but related areas of work including the St Helier Development and Regeneration Strategy (EDAW March 2007); [The Jersey Waterfront](#) supplementary planning guidance (Shepley April 2006); the Masterplan for the Esplanade Quarter, St Helier (Hopkins Architects April 2008); and a Masterplan for the northern part of Town which is currently in preparation.⁽⁴⁾ These have led to the development of an overarching vision for the development and regeneration of the Town which is ***to create a vibrant, compact and characterful town that is worthy of its role as Jersey's capital and principal settlement, with an economically sustainable future and which offers the highest quality of life for its communities.***

4.18 To bring about the realisation of this vision, it has been necessary to develop a specific set of objectives and associated set of proposals, for the development and regeneration of St Helier, including the St Helier Waterfront.

4.19 These objectives set out a clear framework for delivering significant and positive change to the Town over the coming decades, ensuring that St Helier will mature into a town that provides a high quality living and working environment with a character that reflects its unique history. Through this, St Helier will enhance its role as Jersey's main town and the focus for Island life and, it is hoped, will become one of Europe's most desirable and vibrant harbour towns, with a world-class financial district and tourist accommodation, improved architecture, shopping, public spaces, leisure and arts facilities, and a place and destination of choice to visit.

Objective BE 2

Regeneration of St. Helier objectives

Character, quality and vitality

4 [St Helier Urban Character Appraisal](#) (WMUD 2005); [The Jersey Waterfront](#): supplementary planning guidance (April 2006) Chris Shepley; Masterplan for the Esplanade Quarter, St Helier (April 2008) Hopkins Architects

1. Establish a design-led high quality built environment, which showcases its heritage;
2. Consolidate the town centre to create a legible and vibrant shopping heart;

Meeting needs

3. Ensure provision of suitable floorspace to cater for the demands of economic growth and diversification;
4. Create attractive residential areas to support healthy and sustainable communities;
5. Establish the Town Park as part of a network of high quality open space;
6. Promote and enable access to the countryside for the residents of St Helier through the creation of a St HelierCountryPark; and
7. Revive Fort Regent, ensuring that it is physically and publicly accessible.

Access and movement

7. Rationalise vehicle movements and edge-of-centre car park provision to minimise unnecessary vehicle movements, while supporting economic viability;
8. Create a 'walkable' and 'cyclable' town - with a permanent and continuous network of safe and continuous routes for pedestrians and cyclists to help promote modal change in transport choices;
9. Define a new western gateway for the Town;

St Helier Waterfront

10. A lively, modern maritime quarter which extends the best qualities of St Helier into the 21st Century;
11. A new sea frontage which integrates with and complements the heart of the old town;
12. A place for everyone, all year round, in all weather;
13. A mixture of uses to bring interest, variety and quality to the Waterfront;
14. A mixture of landscaped open spaces with different character and scale for meeting, strolling, sitting and playing.
15. Priority access for all non-car users - a safe, relaxed environment
16. A variety of urban spaces with durable high quality contemporary buildings and a mix of large and small developments;
17. A space for a special building which celebrates 21st Century Jersey;
18. A sustainable manageable and robust development

4.20 Over the Plan period, the progress towards meeting these objectives can be assessed relative to the following indicators;

Indicators BE 2

Regeneration of St Helier indicators

1. Progress of Conservation Area designation in St Helier against milestones;
2. Provision of new residential development;
3. Provision of employment-related floorspace against projected need;
4. Progress of Town Park delivery against milestones;
5. Extent of public realm/open space created or enhanced; and
6. Extent of new development and public space created at St Helier Waterfront

BE: Policies and proposals

Regenerating St Helier

4.21 The development and regeneration of St Helier will be the principal focus of land-use planning and development activity over the Plan period of the new Island Plan. This is a major task which will require a high level of integration and management to secure effective development outcomes that serve to meet the Island's needs whilst protecting and enhancing the character and quality of the Town, of benefit to its existing and new residents, workers and visitors.

4.22 Whilst inter-related, the management of development and regeneration activity in St Helier over the Plan period can be viewed from three different perspectives and this section of the Plan is ordered to reflect this, as follows:

- **Protecting and enhancing the Town environment:** it is important to identify, recognise and protect the qualities and value that the Town of St Helier already possesses. The existing historic and architectural character of the Town, reflecting its historical and cultural development, is the essence of the place and is a critical resource if St Helier is to be regenerated in a manner which is relevant to Jersey and which reflects, protects and promotes our unique Island identity. This does not just relate to the Town's buildings, but also includes the streets, spaces, squares and parks which make up the public realm network of the Town and are also essential to its character. The activity that takes place in the town - its vitality and vibrancy - is also something to be protected and nurtured, to enhance the attractiveness of the place to be in and to visit.
- **Delivering the St Helier Waterfront:** there has been considerable deliberation about the future of the St Helier Waterfront. Some development has already been realised and other work is ongoing, but the Plan period should represent

the time frame in which much of the reclaimed land of the St Helier Waterfront, at Esplanade Square in particular, will be realised, leading to the development of a new maritime quarter for St Helier and reconnecting the town with its seafront.

- **Managing change:** economic change, the urban focus of development activity - particularly the development of new homes, and the development of the Waterfront, will have implications for the land use and built-fabric of the existing Town of St Helier. Managing this change will provide some challenges and also some opportunities, and this will need to be guided by a planning policy framework - in the form of Island Plan policy, Masterplans and development briefs - to ensure successfully integrated development outcomes.

Protecting and enhancing the town environment

Protection of historic character

4.23 The [St Helier Urban Character Appraisal](#) identified that the integrity of St Helier's historic built environment has been slowly eroded since the end of the Occupation, though over the past fifty years the pace and magnitude of the changes has not been consistent. For example, in the 1960s and '70s, the programmes of urban renewal swept away many old streets and traditional neighbourhoods, whereas in recent years the losses have been much more incremental. Still, the cumulative effect of minor alterations, let alone the outright demolition and replacement of historic buildings, has greatly diluted the original character of many parts of St Helier. Most worrying, however, is the fact that the Town's historic character is still under threat despite over four decades having passed since conservation was first enshrined in Jersey's planning legislation. The actual and potential threat to the historic character of the Town is only likely to increase as the focus of development and redevelopment falls upon the fabric of the Town.

4.24 In the UK and elsewhere, it has been accepted that the conservation of historic buildings makes good cultural and economic sense - and is an essential element in successful regeneration.

4.25 Conservation provides benefits ranging from civic pride and social cohesiveness to job creation and environmental sustainability. It has taken several decades for these truisms to work their way to the forefront of government thinking, but many in the field have been arguing the case for many years. More than thirty years ago, the eminent architect and town planner, Lord Esher, testified at a public inquiry into Glasgow's road expansion plans that the importance of conservation must be recognised. If a solution to the proposed devastation of the historic environment could be found, Esher argued, "you do not merely protect old buildings and give them a new lease of life, but you conserve more than buildings; you conserve the gross capital value. You conserve the investment that previous owners have put into a city in which they believed and on which they thought it was

worthwhile to spend their money. You conserve their investment and you conserve that city's attraction to the outside world. It becomes a place worth visiting, worth seeing, worth staying in. These are inevitable but vital economic factors. They are not sentimental factors." Summing up his testimony, the late Lord Esher concluded that "conservation is often thought of as just a fad of a few... the truth is that it is hard economics." (5)

4.26 Likewise, in its evidence to the Commons Committee, the Royal Institution of Chartered Surveyors commented: "There is often a win/win situation where keeping the best of the old and introducing high quality, sensitive new development, can achieve the best result for regeneration (and sustainability) and the historic environment. Regenerators need to appreciate the value that historic buildings can represent, and that sympathetic development of such buildings can be of benefit to both the building and the area." (6)

4.27 The existing historic character of the Town of St Helier is, therefore, considered to be an important factor - and a critical and valuable asset - in the regeneration of the Town, as set out in the objectives for the Built Environment (Built Environment Objectives). Although the historic townscape of St Helier may appear robust, many valuable buildings and their surroundings are fragile and are prone to long-term decline due to neglect and incremental change (eg loss of original architectural features or despoiling of settings). As part of the effort to protect them and to ensure their role and contribution in the regeneration of the Town, it is proposed to introduce Conservation Area designation into the Island, and specifically in St Helier. This is already being progressed as part of the review of the historic environment protection regime, and has been referred to in the Historic Environment chapter (Conservation Area Designation). The planning policy framework for the assessment of planning applications in Conservation Areas is set out at Preservation or Enhancement of Conservation Areas and HE Demolition in Conservation Areas.

4.28 Work has already been undertaken to identify areas of historic character in St Helier and includes the following areas, each of which have their own distinct identity:

- Havre des Pas: seaside exuberance
- The Terraces, including Royal Crescent, Don and Grosvenor Terraces, St Saviour's and Waverley Terraces, Almorah and Victoria Crescents and Gloucester Terrace: formal set pieces;
- West Park: seaside exuberance
- Old Town: the historic core
- The Parade: northern town expansion
- Great Union Road: town expansion

5 cited in St Helier Urban Character Appraisal (2005) WMUD, pp 179-204

6 As cited above

- Northern Town, including St Mark's and Stopford Roads, Victoria St and St Thomas' Church: town expansion
- Old harbours: old seaport and trade buildings

4.29 St Helier's finest buildings are distributed widely throughout the town, set within a matrix of more modest buildings. The more "ordinary" architecture is often, however, of a consistency and quality that means it still contributes in a significant way to the overall character of the town. As it defines the context or setting for St Helier's most important buildings and townscape features, it is important in its own right and therefore worthy of protection. Any dilution of the character of these lesser historic buildings would diminish the amenity of the town as a whole. It is, however, likely that the Minister will propose the designation of more than one Conservation Area for St Helier, rather than one for the whole town, whilst seeking to ensure that the proposed extent of the areas being considered for designation seeks to reflect and capture the historic integrity of St Helier.

Proposal 9

St Helier Conservation Areas

The Minister for Planning and Environment will develop proposals for Conservation Area designations in St Helier, in consultation with relevant stakeholders, over the Plan period.

An appraisal of the character of each Conservation Area will be undertaken to ensure that its special interest is clearly identified for the community, land owners and developers. This will assist and inform decisions made in the planning process, and will form part of supplementary planning guidance.

Improving the public realm

4.30 The public realm and public spaces - parks, streets and squares, and play spaces - are vital parts of the built environment. In the UK, ninety-one per cent of people say that parks and public spaces improve their quality of life and over 40 per cent of us visit our local green space each week ⁽⁷⁾. A successful park or public space can be the making of a place and an unsuccessful one can help to ruin it. As streets make up about 80 per cent of our urban public spaces their quality and ease of use are going to be critical determinants in our experience and perception of a particular place.

7 cited by [CABE Space](#)

4.31 Given the focus of development pressure on the Island's Built-up Area and the demands that will be made, upon St Helier in particular, to meet the needs of existing and new residents, and on visitors and users of the urban environment, it is critical that the Town's public realm is maintained and improved.

4.32 St Helier's public realm is made up of four main types of public space:

- soft or green spaces;
- the seafront;
- hard spaces and squares;
- the street network and connections.

4.33 The extent and quality of St Helier's public space has been improved under the auspices of the 2002 Island Plan, principally through the St Helier Street Life Programme, which has delivered pedestrian and environmental enhancements through the reclamation of road space and the implementation of environmental improvements, to the benefit of the pedestrian. This has reduced road accident injuries and improved the street network and connections of the public realm of benefit to walking, as a more sustainable mode of travel. New hard spaces and squares have also been created or improved at Charing Cross, Weighbridge, West's Centre and the Royal Square.

4.34 There are plans and proposals to enhance the public realm of the Town during the Plan period of the new Island Plan, most notably through the delivery of new green space at the Town Park site (SCO5 'Provision and Enhancement of Open Space'); the creation of a new hard and soft spaces at the Esplanade Quarter and some planned improvements to the street network and connections in the town centre and elsewhere (Proposal 18 'Pedestrian Priority'). The Plan also contains a policy to ensure that the existing important public open spaces in the Town, and elsewhere, are afforded appropriate protection from development and loss (Policy SCO4 'Protection of Open Space'). Developer contributions may also be sought to provide new or to improve existing open space, where it is appropriate to do so (Proposal 22 'Open Space Strategy').

4.35 It is, however, acknowledged that whilst St Helier's public realm provides a reasonable range of spaces of different scales and types, there are some notable weaknesses, with some parts of the network being not well-connected and certain types of open space under-represented ⁽⁸⁾. The provision and management of new public spaces, and the existing public realm, needs to be co-ordinated through the development and adoption of a public realm strategy for St Helier. This strategy will need to clarify of the role of St Helier's public spaces; reinforce parts of the network of links, through a range of physical interventions and improvements; and resolve issues of quality, related to management and maintenance. This will require

8 St Helier Urban Character Appraisal (2005) WMUD, pp 251-257

the involvement of all key stakeholders and engagement with the local community. This work also has the potential to complement the proposals to develop an Proposal 22 'Open Space Strategy' for Jersey.

Proposal 10

Public Realm Strategy

To ensure that the public spaces of the Town of St Helier are maintained and improved, the Minister for Planning and Environment will, in consultation with relevant stakeholders and through engagement with the local community, develop and adopt a public realm strategy for St Helier which will;

- define an integrated public realm network;
- set out proposals to enhance the quality, extent, access and links to and between existing and proposed new public space in St Helier;
- set out proposals to improve the quality of the public realm along the main pedestrian and cycle routes into and around St Helier;
- ensure effective management and maintenance of St Helier's public realm;
- consult upon and develop the proposal to designate a St Helier Country Park in the countryside immediately to the north of the Town.

Town centre vitality

4.36 The vitality of the town centre, in a planning context, is a direct product of the mix, function and form of the buildings, and importantly the design and use of the spaces between those buildings. Vitality is dependent upon a diverse and appropriate juxtaposition of uses that allows for a concentration of activity in a vibrant environment, which importantly should extend beyond the daylight hours. The extent and nature of activity on the ground floor of buildings; the design, form and visibility of building frontages; and the introduction or extension of uses onto the street are all factors which influence the vitality of an area. Critically, vitality is dependent upon the accessibility and ease of use of a space or place, and particularly pedestrian access.

4.37 It is important for the future vitality of St Helier that the Town Centre retains its primacy as the Island's retail centre, and where people should increasingly wish to shop, eat, drink and relax. To achieve this, there is a need to create an environment where residents and visitors will want to spend more time and where retail spend is correspondingly increased.

4.38 The extent of the Town Centre, as defined in the 2002 Island Plan, is considered to be large and amorphous, with no clear distinctions between the differing roles and functions of particular parts. For this reason, there is considered

to be a need to redefine the primary retail core of the town centre, to meet the needs of retailers and demand for additional retail floorspace but also refocus on where there is a need to retain retail vitality and viability, whilst allowing other parts of the town centre to respond to other development needs. There is also a need to redefine the area of prime retail activity to reflect and best manage the potential shift and increase of pedestrian footfall between the Esplanade Quarter and the primary retail frontage of King Street/Queen Street.

4.39 On this basis, the new Island Plan provides a new definition of the Core Retail Area, focused of the Town's primary and secondary retail frontages, within a reduced Town Centre boundary, which embraces parts of the St Helier Waterfront and excludes the peripheral parts of Colomberie ⁽⁹⁾. The planning policy regime for retail development is set out here and at Policy ER 1 'Retail expansion in the Town Centre' and Policy ER 2 'Protection and promotion of St Helier for shopping'.

4.40 To achieve this, the Minister will have specific regard to the need to maintain retail uses, particularly at ground floor, in the Core Retail Area. It is recognised that other uses, such as food and drink outlets (Class B ⁽¹⁰⁾), along with some office uses (Class C ⁽¹¹⁾), can play a role in the mix and vitality of an area and the potential contribution of these uses will be considered in terms of their impact upon the vitality of the Core Retail Area.

4.41 The quality of the public realm of the Core Retail Area environment is essential and the Minister will seek to support and encourage uses and development which make a positive contribution to the vitality of this public space and which promotes appropriate use and activity within it. The Minister will also seek to ensure that the vitality and viability of the Town's covered markets are safeguarded on the basis of their social, cultural and retail value to the Core Retail Area.

Policy BE 1

Town centre vitality

The Minister for Planning and Environment will seek to protect and promote the vitality of the Core Retail Area of the Town Centre as defined on the Town Proposals Map.

Development proposals involving the change of use of ground floor premises within the Core Retail Area will only be permitted provided that the proposed use does not detract from the primary shopping function and contributes to the vitality and viability of Core Retail Area of the Town Centre.

9 St Helier Development and Regeneration Strategy (2007) EDAW pp18 -21

10 see [Planning and Building \(General Development\)\(Jersey\) Order](#)

11 already cited above

The assessment of proposals for the change of use from a shop to other uses will be assessed against the following factors:

1. the location and prominence of the premises within the shopping frontage;
2. the floorspace and frontage of the premises;
3. the number, distribution and proximity of other ground floor premises in use as, or with planning permission for, food and drink (Class B) and office (Class C) uses;
4. the particular nature and character of the proposed use, including the level of activity associated with it; and,
5. the proportion of vacant ground floor property in the immediate area.

To promote the vitality of the Core Retail Area of the Town Centre as defined on the Proposals Map the Minister for Planning and Environment will;

6. support the preservation and viability of the covered markets;
7. support the provision of improved cycling and public transport links serving the Core Retail Area;
8. support the provision of adequate off-street parking for shoppers and visitors to the Core Retail Area;
9. support proposals for al fresco activities associated with restaurants, bars and cafés and outdoor performances subject to there being no unacceptable;
 - a. loss of amenity to neighbouring users;
 - b. impact on the character and amenity of the area;
 - c. loss of public space of detriment to the public use and enjoyment of the area;
 - d. impact on the safe use of the public realm, with particular regard to pedestrians and cyclists.
10. support the extension of pedestrian priority areas and streetscape enhancements which raise the quality of the public realm, and other improvements for pedestrians;
11. support appropriate proposals that enhance the 'green' infrastructure and urban environment;
12. support the conversion of under-utilised upper floors to residential use. In such cases, normal residential standards will be applied flexibly to enable the best use to be made of such accommodation;
13. support schemes that take into account the need to design out crime and facilitate personal safety and security, particularly in relation to car parks and pedestrian links to them; and
14. support traffic management schemes which reduce the adverse effects of traffic on the Core Retail Area.

Delivering St Helier Waterfront

4.42 The development of the St Helier Waterfront is hugely significant for Jersey, both in providing capacity for greater economic activity in the Island which is critical to a healthy and sustainable future, but also in contributing to the development, growth and enhancement of the Town of St Helier. The Minister for Planning and Environment is acutely aware that many islanders feel disappointed with the early phases of development at the waterfront and whilst the physical outcome of development thus far may not contribute positively to the character of the Town, the new spaces and uses that have been created are well-used and have begun to reconnect the Town with its seafront. In addition, the old abattoir is being sensitively restored and converted to provide a transportation centre, serviced apartments, offices, and a range of speciality shops and restaurants all linked by a network of indoor and outdoor streets, bringing this important old building back to life.

4.43 There has, rightly, been much deliberation on the future of the St Helier Waterfront. A clear vision and objectives for the area have now been established, through a process of engagement with the community, and a planning framework for the future development of this significant piece of urban development and place-making established: this is represented by:

- [The Jersey Waterfront](#): supplementary planning guidance (April 2006) Chris Shepley; and
- Masterplan for the Esplanade Quarter, St Helier (April 2008) Hopkins Architects.

4.44 It is to these documents which, together, provide the planning policy framework for the development of the St Helier Waterfront, that the Minister will have regard as the principal material consideration in the determination of planning applications for the development of the St Helier Waterfront.

4.45 Subject to the successful conclusion of the development agreement for the Esplanade Quarter, the Island Plan period should provide the timeframe for the delivery of much of the new development and realisation of the St Helier Waterfront.

Esplanade Quarter

4.46 The Esplanade Quarter is the key location on Jersey's waterfront, because it straddles the area between the old town and the new area of waterfront. Until now, proposals have failed to provide the quality, ease of access and seamless connection between town and waterfront that people have been expecting.

4.47 The Masterplan for the Esplanade Quarter ⁽¹²⁾ proposes the sinking of Route de la Liberation to provide seamless links between the old town and the waterfront. The current surface level car park will be replaced underground. The sinking of the road allows for a large volume of development without the need for tall buildings. A grid of streets and boulevards will integrate with the old town and create a number of public squares and public open and enclosed spaces. It is envisaged that the development of this land will provide around 630,000 square feet of office space, around 350-400 apartments, a 30 bedroom hotel, 65 self-catering tourist apartments and a range of shops, restaurants and bars.

4.48 The proposals provide an extended financial quarter designed to meet the needs of those existing businesses in Jersey wishing to upgrade and improve operating efficiency through large footplate, raised floor buildings, easily accessible to transport and the town centre, and to accommodate new businesses.

Policy BE 2

Delivery of the St Helier Waterfront

The planning framework for the development of the St Helier Waterfront is provided by:

- [The Jersey Waterfront](#): supplementary planning guidance (April 2006) Chris Shepley; and
- Masterplan for the Esplanade Quarter, St Helier (April 2008) Hopkins Architects.

This will be the principal material consideration in the determination of planning applications for the development of the St Helier Waterfront. Development proposals which accord with the planning framework for the St Helier Waterfront, represented by supplementary planning guidance, will be permitted.

Managing change

4.49 The St Helier Urban Character Appraisal ⁽¹³⁾ identified some of the challenges facing St Helier in 2005 by stating that "*St Helier is in many ways a remarkable place, with many of the assets and attributes of a much larger city, but - at the same time the urban experience is disappointing, and in some respects the town is dull and old-fashioned.*" It also went on to identify some of the drivers of change and opportunity that will shape the future of St Helier including:

12 Masterplan for the Esplanade Quarter, St Helier (April 2008) Hopkins Architects

13 St Helier Urban Character Appraisal (2005) WMUD

- the opening up of the Island Site and the rest of the waterfront will provide a new focus for commercial development: as a result, the town's centre of gravity will shift south, and some traditional town centre activities will be displaced;
- residents and visitors will demand a more sophisticated product, based on quality, distinctiveness and authenticity;
- there will be increasing competition as other places raise their game, and market themselves more effectively;
- 5-10,000 people will earn the right to buy homes in the next 10 years; this will create demand pressure in the residential market.

4.50 The report also identified and described a worst-case scenario for St Helier, in which the town fails to respond to these challenges and drifts into anonymity and provincialism: sub-standard waterfront development would suck the life out of the traditional town centre, without creating an attractive new place, and the flight to the countryside - by residents and visitors - would continue.

4.51 In response to this, and in relation to the need for a more focused and action-oriented approach upon which to develop policies and proposals, the Minister for Planning and Environment appointed, in March 2006, a team of consultants, led by urban master-planners EDAW, to produce a development and regeneration strategy for the Town of St Helier - defined broadly as the area within the town escarpment. That report was published in 2007 ⁽¹⁴⁾ for consultation purposes and some specific proposals emerging from its strategic outlook, with appropriate amendments, have been incorporated into this Plan.

Drivers of change

4.52 The EDAW 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.

4.53 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.

14 St Helier Development and Regeneration Strategy (2007) EDAW

4.54 The St Helier Development and Regeneration Strategy generated the strategic objectives for the Town of St Helier (Objective BE 2 'Regeneration of St. Helier objectives'). In seeking to apply and deliver these objectives, specific change will need to occur in particular areas and key interventions will be needed to lead this process of change with a planning framework of policy and guidance.

4.55 The key areas of change are identified as **Regeneration Zones** in the Island Plan. Regeneration Zones are characterised as areas of land where public intervention - probably through the provision of essential infrastructure or the release and/or development of key sites - will be required to provide the catalyst for change.

4.56 To promote and guide the desired regeneration and development activity in this area, in accord with the objectives of the Plan, the Minister for Planning and Environment will develop, in consultation with stakeholders and the local community, Masterplans and development briefs for these areas and key sites within them. Area-based Masterplans will include or be supplemented by a design framework or design code. These will be adopted by the Minister as supplementary planning guidance.

Residential regeneration

Town capacity

4.57 As part of the initial preparation for the review of the Island Plan, work has been undertaken to assess the capacity of St Helier to accommodate new residential development and its ability to meet the Island's housing needs. This work ⁽¹⁵⁾ is based on assumptions about the likelihood of individual, mostly privately-owned, sites being released for residential development during the Plan period. It is based on a desk-based assessment of an indicative yield of residential development related to gross site areas and at a range of densities and accommodation types, as set out in the table below. The study looked not only at central St Helier (excluding the Waterfront area) but also the Town's outer suburbs (but still within the Built-up Area) such as First Tower, Five Oaks (St Saviour) and Georgetown (St Saviour).

4.58 This work suggested that the Town has the capacity to accommodate a maximum potential yield of between 2000-3600 homes, were all the identified sites to be released for residential development in the next 10 years. As most of the sites are in private ownership, it is highly unlikely that they will all be developed but, for the purposes of planning to meet the Island's housing needs over the Plan period, an assumption has been made that a development yield of 1,500 homes (based on a development yield of 40% of the sites identified at an appropriate

15 Town Capacity Study (October 2007) Planning and Environment Department

density of development for each site) might occur. This has been incorporated in the work that has been undertaken to plan for the supply and demand for homes and will clearly need to be monitored during the Plan period ('Provision of homes').

4.59 This work is entirely indicative and does not represent any form of zoning for residential development and does not have the status of a development plan proposal in so far as it relates to individual sites.

Timescale (years)	Lower density range				Higher density range			
	Flats	Town Houses	Family Homes	Total Yield	Flats	Town Houses	Family Homes	Total Yield
5	501	247	119	872	1547	64	119	1730
10	96	306	0	612	761	48	0	809
15+	276	331	137	744	834	93	137	1037
Totals	873	884	256	2013	3142	205	256	3603
Yield at 33%	288	292	84	664	1037	68	84	1189
Yield at 50%	437	442	128	1007	1571	103	128	1802
Yield at 66%	576	584	168	1328	2074	135	168	2377

Table 4.1

4.60 Delivering residential development on urban sites may prove challenging and the Minister for Planning and Environment will seek to work with applicants, developers and the local community to assess and weigh the value of development proposals , in terms of their contributions to promoting and enhancing urban living and/or maintaining and enhancing the primary retail function of St Helier relative to other material considerations, such as re-using resources (Policy SP 2 'Efficient use of resources' and Policy GD 2 'Demolition and replacement of buildings') and protecting and enhancing the historic character of the Town (Policy SP 4 'Protecting the natural and historic environment'; Proposal 9 'St Helier Conservation Areas'; Policy HE 3 'Preservation or enhancement of Conservation Areas' and Policy HE 4 'Demolition in Conservation Areas'Policy GD 2 'Demolition and replacement of buildings').

Higher density development and conversions in St Helier

4.61 The Minister for Planning and Environment has made it clear that he wishes to raise significantly the design quality of new buildings, and is prepared to 'reward' excellent design with higher densities of development: he is keen to encourage property owners and developers to consider how they can produce high-quality development at higher densities, while at the same time, benefiting the St Helier community. This needs to be considered within the context of seeking to secure the optimum use of developable land, having regard to issues such as design, character and impact on amenity of neighbouring uses and users ('Density of development'.)

4.62 There is a strong likelihood that a significant number of commercial occupants of the new financial and business centre to be created in the Esplanade Quarter will have relocated from other premises in central St Helier. Potentially this creates the spectre of long-term property voids, as secondary office accommodation becomes difficult to re-let or sell. This could have a damaging effect on the appearance and vitality of the town, as has been seen, to some extent, in Hill Street. Inevitably property owners will hold out for a certain time in an attempt to secure new office tenants, and eventually the market will adjust but this may take some time. Many of the properties vacated may never find new commercial tenants.

4.63 Accordingly, it is necessary to consider appropriate alternative uses, and in many cases they might be suitable for conversion or redevelopment for residential purposes. As such, there is a case that standards should be applied flexibly, on matters such as amenity space and on-site car parking, if they are unable to be met fully on site. For buildings which are less important in the contribution they make to the character of the town, and having regard to matters of building sustainability and energy efficiency, the Minister for Planning and Environment may actively encourage their redevelopment for residential purposes.

4.64 Densities of development and land prices in central St Helier largely preclude the use of private gardens in many housing developments. The application of 'one-size-fits-all' amenity space standards in such circumstances is not entirely appropriate. It is, therefore, proposed that in central St Helier, and perhaps other highly accessible urban locations, rather than requiring individual or communal gardens of a specific size to be provided, the developer should be required instead to demonstrate that every effort has been made to incorporate design features to ensure a high standard of amenity, for example, by the use of balconies and roofs as amenity areas, or some other amenity to be enjoyed by the residents.

4.65 A particular concern with increasing densities has been lack of opportunities for children to play and for “kick-about” areas. The Open Space study ⁽¹⁶⁾ has examined standards for such facilities and on smaller sites there is a case for using planning obligations to ensure shared contributions towards the provision of communal facilities on larger sites (Policy SCO 5 ‘Provision and enhancement of open space’).

4.66 The Minister has already published draft development guidelines for the Town for consultation, which set out how regeneration of the Town might be encouraged and how better quality design and higher density development might be achieved. On the basis of the response to consultation, and having regard to the objectives in the Plan, the Minister will issue supplementary planning guidance to comprehensively address, in particular, standards applicable to amenity space and parking requirements, throughout the Island.

4.67 Any increase in density does not imply a reduction in space standards within dwellings. The Minister for Planning and Environment is particularly concerned to ensure that new development is more spacious than in the past and to that end has raised internal space standards by around 10%.

Proposal 11

Guidelines for residential development and regeneration

The Minister for Planning and Environment will develop and issue new supplementary planning guidance to assist with the regeneration of St Helier.

This will establish and inform the application of minimum density standards and will address and establish guidelines for the provision of amenity space and parking, in particular, for the Town, other parts of the Built-up Area, and other parts of the Island.

In addition it will consider whether there should be any further increase in internal space standards and whether there should be any improvements in internal noise and sound insulation of, and between, units of accommodation.

Regeneration Zones

4.68 The development and regeneration of St Helier will involve the integration of the three key elements of protecting and enhancing the Town environment; delivering the St Helier Waterfront; and managing change. The last of these elements - managing change - will specifically involve planning for and shaping the

16 Outdoor Open Space, Sport and Recreation Study (July 2008) JPC Strategic Planning & Leisure Consultants

outcomes provided by the regeneration opportunities available in the Town of St Helier. These regeneration opportunities will be created by the relocation of business to the Waterfront but also from key development sites that already exist and which have the potential to become catalysts for area-wide regeneration.

4.69 These areas have been identified as Regeneration Zones in the Island Plan, based upon work undertaken in the St Helier Development and Regeneration Strategy ⁽¹⁷⁾. Specific change will need to occur in particular areas and key interventions will be needed to lead this process of change with a planning framework of policy and guidance.

4.70 To promote and guide the desired regeneration and development activity in this area, in accordance with the objectives of the Plan, the Minister for Planning and Environment will develop, in consultation with stakeholders and the local community, masterplans and development briefs for these areas and key sites within them. Area-based masterplans will include or be supplemented by a design framework or design code. Area-based masterplans, development briefs, design frameworks or design codes will be adopted as supplementary planning guidance by the Minister for Planning and Environment.

4.71 Intervention - probably through the public provision of essential infrastructure or the release and/or development of key sites - will be required to provide the catalyst for change in the Regeneration Zones. The States of Jersey Development Company Limited ⁽¹⁸⁾ may provide the delivery mechanism to stimulate or generate change in these areas, where there are States-owned assets. Where these are key determinants to the delivery of the masterplan the Minister may refer masterplans to the States for consideration.

Regeneration Zones

4.72 In St. Helier, six key areas of change have been identified and are defined as Regeneration Zones, as set out on the [Proposals Map](#).

17 St Helier Development and Regeneration Strategy (2007) EDAW

18 P.73/2010: Property and Infrastructure Regeneration: the States of Jersey Development Company Limited Lodged *au Greffe* on 7th June 2010 by the Council of Ministers



Map 4.1 Town Regeneration zones

4.73 These areas will be the subject of further study during the Plan period in order to develop plans, policies and proposals to guide their future development and use, and to inform intervention and catalysts for regeneration.

- **North Town:** This area embraces that part of the town which represents St. Helier's nineteenth century expansion, and includes key sites for the regeneration of the area including the Town Park site; the former Jersey College for Girls site; the former Ann Street Brewery site and Ann Court, as well as vacant land to the south of the Odeon Cinema and the Minden Place MSCP site. The Minister for Planning and Environment has already commissioned and published work on the North Town Masterplan;
- **Mont de la Ville:** Fort Regent dominates the town's skyline, and for a considerable part of the town's history it played a key role in its defence and dominated its identity. Today, its buildings and the surrounding open space represent a significantly under-used historic asset within the town. The Fort, together with its associated space and buildings, development sites at South Hill and the green space provided by Rue de L'Est and Mount Bingham, present the town with considerable opportunity and an asset capable of a use and value of greater benefit to the local community;
- **Western Gateway:** the western end of this area marks the entrance to the Town of St Helier from the west, where the road network converges on West Park, dissecting a number of important public open spaces. The area itself, which extends to the north and east towards the heart of the town, is already undergoing change, driven by some of the changes from tourist accommodation to residential development and this may continue to offer regeneration potential. The area also contains some major public institutions, represented by sites occupied by the Hospital, emergency services and States and court buildings.
- **La Collette and the Port:** The future development of La Collette and the commercial port - defined by the Elizabeth Harbour, Terminal and associated facilities on and around the New North Quay and Victoria and Albert Piers, is currently the subject of a feasibility study. The present port facilities are ageing and inefficient - both for freight and passenger traffic. The port cannot support either 24hr operations or berthing for larger vessels, and, taking a long-term view, it is possible that there will be a need for a new port in due course. Crucially, revenues from the current port operation cannot support a major capital improvement. Feasibility work has shown that a new port could be sited, in various configurations, at La Collette where there is significantly deeper water. A new port will need to have sufficient land and buildings available to accommodate commercial port operations and potential expansion over the port's lifetime. It will also need to be able to accommodate berthing for larger ships and tankers up to 180m.

The scale of investment means that it is unlikely that this infrastructure can be funded by the States of Jersey out of its normal capital programme. A new port is therefore only achievable if it can be funded by the realised value of development in the Elizabeth Harbour area, as part of the next phase of the waterfront redevelopment. Relocating the facilities of Elizabeth Harbour, New North Quay and Victoria Pier to La Collette, and reclaiming some of the area between the breakwater arms at Elizabeth Harbour, immediately adjoining the terminal, could potentially create an area of around 13.8ha (34 acres) which through residential and other development could pay for the costs of a new port. It is estimated that this area could provide between 600-800 new homes.

Studies have also been undertaken into the impact of development constraints on surrounding land imposed by stricter controls in the interests of public safety, following the petroleum vapour explosion at Buncefield in December 2005, and the feasibility and financial viability of moving the fuel farm to a more remote location, possibly offshore, is being considered.

- **Old Harbours:** this includes the old French and English Harbours, where there is a strong sense of the maritime functions of historic St Helier and strong sense of identity and character generated by the architecture and mix of uses, which still includes maritime activity and provides an active, colourful and living water's edge. The potential for the greater integration of this area into the new St Helier Waterfront and the introduction of greater residential, marine leisure and cultural activities will be the subject of further consideration. The area also includes La Folie, New North Quay and Commercial Buildings which are considered to offer development potential but care will need to be given to the retention of the area's distinct character, conferred by its architecture, detailing and craftsmanship and mix of genuine uses, for a successful outcome.

Proposal 12

St Helier Regeneration Zones

The following areas are identified as Regeneration Zones for St Helier:

1. North Town
2. Mont de la Ville
3. Western Gateway
4. La Collette and the Commercial Port;
5. Old Harbours
6. Eastern Gateway

To promote and guide the desired regeneration and development activity in the Regeneration Zones, in accord with the objectives of the Plan, the Minister for Planning and Environment will develop, in consultation with stakeholders and the local community, masterplans and development briefs for these areas and key sites within them. Area-based masterplans will include or be supplemented by a design framework or design code.

Area-based masterplans, development briefs, design frameworks or design codes will be approved and adopted as supplementary planning guidance by the Minister for Planning and Environment.⁽¹⁹⁾

Where there are significant States-owned assets that are key determinants to the delivery of the masterplan the Minister may refer masterplans to the States for consideration.

Planning for other urban areas

4.74 Outside of St Helier, there is the potential for significant new development during the Plan period at Jersey Airport. It is a stated objective of Jersey Airport to reduce its reliance on aeronautical revenue by increasing the yield from non-aeronautical sources and increasing commercial development activity at the airport, which may meet some of the Island's needs and contribute towards the objectives of the Island Plan. To promote and guide desired regeneration and development activity at Jersey Airport, in accord with the objectives of the Plan, it has been identified as a Regeneration Zone and will be the subject of a land use masterplan to guide its future development.

4.75 In other parts of the Built-up Area - in some of the St Helier suburbs or 'urban villages', and in the Island's rural centres - the emphasis is not so much upon urban regeneration but about ensuring that local communities are served by appropriate and adequate infrastructure and facilities, and that new development, where it is necessary to support the social fabric of a local community, can be appropriately integrated into the existing rural context.

4.76 Other parts of the Island Plan support, protect and encourage the maintenance, enhancement and development of local facilities to support local communities including Policy ER 3 'Protection and promotion of local shopping centres'; Policy ER 4 'Development of local shops'; Policy SCO 3 'Community facilities'; Policy SCO 4 'Protection of open space' and Policy SCO 5 'Provision and enhancement of open space'. Where significant change is envisaged or where there is a recognised need to address deficiencies in local community infrastructure, it may be

19 Article 6 of the Planning and Building (Jersey) Law enables the Minister to publish guidelines and policies in respect of development generally; any class of development; the development of any area of land or the development of a specified site.

appropriate to undertake to develop a more detailed planning framework for parts of the Built-up Area providing plans, policies and guidance to guide development and to shape key interventions, where necessary: these may take the form of Local Development Plans or Village Plans.

Jersey Airport Regeneration Zone

4.77 Jersey Airport is the Island's principal gateway, and approximately 1.5 million people travel through the Airport each year. Whilst Jersey Airport is seeking to continue to increase passenger numbers by increasing the network of destinations between Jersey, the UK and mainland Europe, while sustaining existing air services, it is also seeking to reduce its reliance on aeronautical revenue by increasing the yield from non-aeronautical sources and increasing commercial development activity. A commercial masterplan is being drawn up to provide the basis for development of the Airport and is giving consideration to non-aviation related uses, which could benefit from proximity to the airport, and other forms of commercial development. The commercial masterplan is also considering all land holdings managed by Jersey Airport, which includes landout with the operational boundary of the site.

4.78 The commercial masterplan for Jersey Airport will emerge during the Plan preparation period and the Minister for Planning and Environment will need to give consideration to this within the context of the objectives for the Island Plan, whilst also considering the strategic significance and role of the Airport to the Island.



Map 4.2 Airport Regeneration Zone

4.79 To promote and guide the desired regeneration and development activity in this area, in accord with the objectives of the Plan, the Minister for Planning and Environment will develop, in consultation with stakeholders and the local community, a land-use masterplan for Jersey Airport during the Plan period. The spatial extent of this will relate to the existing operational boundary of the airport.

4.80 Any land-use masterplan or development brief for Jersey Airport will be adopted and published as supplementary planning guidance by the Minister for Planning and Environment following consultation and engagement with key stakeholders, including local residents.

Proposal 13

Jersey Airport Regeneration Zone

A Regeneration Zone is identified for Jersey Airport, and relates to the land that sits within the defined operational boundary for Jersey Airport.

To promote and guide the desired regeneration and development activity in the Jersey Airport Regeneration Zone, in accord with the objectives of the Plan, the Minister for Planning and Environment will develop a land-use masterplan for Jersey Airport which may include or be supplemented by a design framework or design code.

This will be adopted as supplementary planning guidance to be approved by the Minister for Planning and Environment.⁽²⁰⁾

Where there are significant States-owned assets that are key determinants to the delivery of the masterplan the Minister may refer masterplans to the States for consideration.

Small urban centres

4.81 It is recognised that outside of the commercial core of St Helier there are a number of smaller urban centres or 'urban villages' which have developed, or are developing, their own character and identity. These include areas such as Cheapside; Miladi Farm; Georgetown; Grand Vaux; Havre des Pas; Colomberie (eastern end); David Place/Stopford Road; Five Oaks; Millbrook; Great Union Road area; Mont a L' Abbé and First Tower. As stated above, the Island Plan seeks to encourage the provision of local facilities and to protect existing facilities and amenities, to ensure that these local communities can thrive and provide a good living environment.

20 Article 6 of the Planning and Building (Jersey) Law enables the Minister to publish guidelines and policies in respect of development generally; any class of development; the development of any area of land or the development of a specified site.

Local Development Plans

4.82 Where significant change is envisaged or where there is a recognised need to address deficiencies in local community infrastructure, it may be appropriate to undertake to develop a more detailed planning framework in the form of a Local Development Plan for small urban centres.

4.83 Five Oaks has evolved into a significant suburban centre providing a range of accommodation but with a particular concentration of family housing. It sits at a major confluence of traffic routes into and out of the town and has a number of commercial sites within its midst which have the potential to be developed for alternative uses during the Plan period. There is considered to be a legitimate need to undertake a specific piece of work to assess and review the planning issues in this area with the local community and other stakeholders to develop and adopt plans, policies and proposals to guide its future development and to identify, influence and secure any interventions necessary to improve or enhance local community infrastructure. This should, in particular, include a review of the need for, and provision of, youth facilities and highway improvements or other solutions to the traffic problems of the area.

4.84 For many generations St. Aubin has been a year-round highly attractive, photogenic and bustling harbour area providing for both Islanders and tourists alike. Successive Island development plans have sought to retain and protect its natural beauty and character.

4.85 Whilst the shore and skyline settings and important open spaces which characterise the area are identified and protected through Island Plan policies, there is a need to develop a more detailed planning framework for the defined Built-up Area from Le Mont du Boulevard to the south to Le Mont au Roux to the North, to ensure that current and future pressure for the development and redevelopment of existing buildings in particular is sympathetic to its context and does not detract from the visual amenity of the area and the public enjoyment of it.

4.86 St. Brelade's Bay is generally regarded as one of the most beautiful natural bays in the Island. Successive development plans ⁽²¹⁾ have sought to retain and protect its natural beauty and character whilst recognising its role as an attractive place for tourists and islanders to visit and as a place to stay and live. However, it is important that the spirit of the 1968 proposition 'Development in St. Brelade's Bay area (P .15/1968)' and the 1989 St. Brelade's Bay Environmental Improvement Plan, continue to be addressed in this and subsequent Island Plans where they remain relevant today.

21 P.15/1968: Development in St. Brelade's Bay area; 1987 Island Plan; 1989 St. Brelade's Bay Environmental Improvement Plan; 2002 Island Plan.

4.87 Whilst the landscape setting and important open spaces which characterise the bay are identified and protected through Island Plan policies, there is considered to be a need to review and develop a more detailed planning framework for the area, and specifically the defined Built-up Area, including those parts of the Built-up Area within the Green Backdrop and Shoreline Zones, to ensure that current and future pressure for the development and redevelopment of existing buildings in particular is sympathetic to its context and does not detract from the visual amenity of the bay and the public enjoyment of it.

4.88 The need for additional Local Development Plans and the ability for this work to be resourced, will be reviewed by the Minister for Planning and Environment on an annual basis during the Plan period.

Proposal 14

Local Development Plans

The Minister for Planning and Environment will develop a planning framework in the form of a Local Development Plan for; Five Oaks to guide its future development and enhancement and; the St. Aubin area to ensure that development is sympathetic to its context and does not detract from the visual amenity of the area and the public enjoyment of it; and for St. Brelade's Bay to ensure that development is sympathetic to its context and does not detract from the visual amenity of the bay and the public enjoyment of it.

This will be adopted as supplementary planning guidance to be approved by the Minister for Planning and Environment.⁽²²⁾

The Minister will review the requirement for and ability to undertake other Local Development Plans during the Plan period.

Rural centres

4.89 The Island Plan addresses many of the planning issues that would be dealt with by local development plans for the Island's small main rural centres - i.e. Village Plans - most notably the protection and enhancement of the character of these areas through the potential designation of Conservation Areas; the potential requirement for new housing to meet an Island-wide need; the protection and provision of public open space; the extent of the Built-up Area boundary and retail policy for settlements outside St Helier. On this basis, the Minister for Planning and Environment does not propose to undertake new, or to review existing, Village

22 Article 6 of the Planning and Building (Jersey) Law enables the Minister to publish guidelines and policies in respect of development generally; any class of development; the development of any area of land or the development of a specified site.

Plans. Nevertheless, the Minister for Planning and Environment considers that there should be provision for Village Plans to be produced and adopted for the rural parish centres, particularly where there are specific local housing needs that need to be addressed to support the vitality and viability of the parish community, or where a parish wishes to produce one.

4.90 The Island Plan acknowledges and supports the principle of the provision of new development in some of the Island's smaller main rural centres to maintain and support parish life, which is a valuable and unique aspect of Jersey's character and identity (see Policy SP 1 'Spatial strategy' and Policy H 5 'Housing in rural centres'). Where there is a clear and demonstrable need to protect the vitality and viability of Jersey's smaller rural settlements, in the northern and central parishes of St Ouen, St Mary, St John, St Lawrence, Trinity and St Martin, and new development is proposed to sustain parish communities, the Minister for Planning and Environment will require the parochial authorities to undertake and develop their own village study or plan. This will need to clearly demonstrate a justifiable need for any new development proposals and clearly set out and justify its potential impact on the countryside and the character of the village relative to the objectives and strategic policies of the Island Plan. Proposals for the development of new homes would need to satisfy the requirements of Policy H 5 'Housing in rural centres'. Any such village plans would be required to be developed by the parochial authority but be subject to a full and comprehensive assessment and engagement with the local community and relevant stakeholders, including the relevant regulatory departments of the States of Jersey.

4.91 Where Village Plans are to attain formal status as part of the planning framework for the protection and development of one of the Island's rural centres they will require the formal review, approval and adoption by the Minister for Planning and Environment as supplementary planning guidance. In such circumstances, any development proposals in the Village Plan must be consistent with the Island Plan and must relate to and be within the defined Built-Area boundary for the settlement, as defined on the Island Plan Proposals Map.

4.92 Where, however, Village Plans contain a specific proposal for the rezoning of land outside the existing defined Built-up Area boundary, any such proposal would require the approval of the States as a draft revision of the Island Plan.⁽²³⁾

23 Article 4 of the law states that the designation of land for any particular development or use should be set out in the Island Plan and article 3 of the law sets out exacting procedures for public engagement for an Island Plan or a revision of it.

Proposal 15

Village Plans

Where new development is proposed to protect the vitality and viability of Jersey's smaller rural settlements the Minister for Planning and Environment will require the parochial authorities to undertake and develop their own village study or plan.

This will need to clearly demonstrate a justifiable need for any new development proposals and clearly set out and justify its potential impact on the countryside and the character of the village relative to the objectives and strategic policies of the Island Plan. It must be subject to a full and comprehensive assessment and engagement with the local community and relevant stakeholders, including the relevant regulatory departments of the States of Jersey.

Where Village Plans are to attain formal status as part of the planning framework they will require the formal review, approval and adoption by the Minister for Planning and Environment as supplementary planning guidance.⁽²⁴⁾ In such circumstances, any development proposals in the Village Plan must be consistent with the Island Plan and must relate to and be within the defined Built-up Area boundary for the settlement, as defined on the Island Plan Proposals Map.

Where, however, Village Plans contain a specific proposal for the rezoning of land outside the existing defined Built-up Area boundary, any such proposal would require the approval of the States as a draft revision of the Island Plan⁽²⁵⁾

Development in the built environment

Built environment policies

Green Backdrop Zone

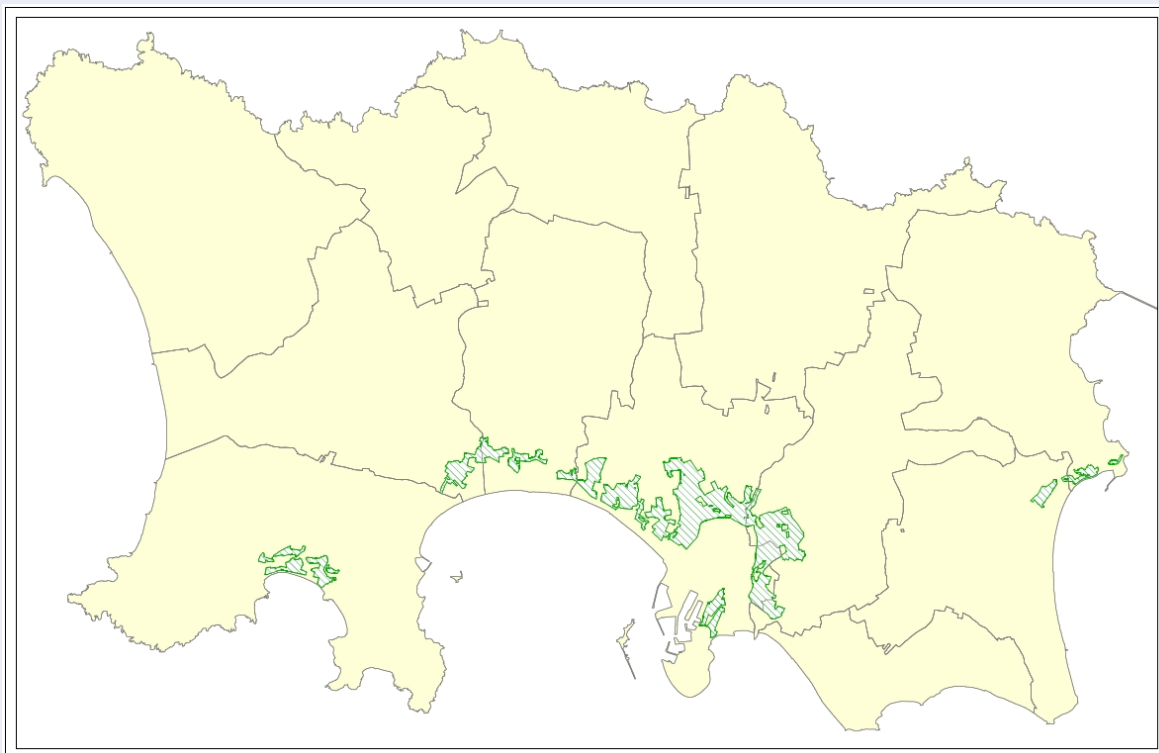
4.93 Much of the setting of St Helier, St Aubin, Gorey and St Brelade's Bay consists of hill slopes with low density residential development set amongst private gardens or natural landscaping providing a green backdrop to these urban environments.

24 Article 6 of the Planning and Building (Jersey) Law enables the Minister to publish guidelines and policies in respect of development generally; any class of development; the development of any area of land or the development of a specified site.

25 Article 4 of the law states that the designation of land for particular development or use should be set out in the Island Plan and Article 3 of the law sets out exacting procedures for public engagement for an Island Plan or a revision of it.

These settings are important for the character of these areas and for the enjoyment of views along the coast and from within the built environment. There are also important views from the higher ground down to the town roovescape in particular, as well as to the coast and sea beyond.

4.94 Green Backdrop Zones were identified in the 1987 and 2002 Island Plans with the aim of ensuring that proposed development within the zones, which sit within the defined Built-up Area, would protect and enhance the landscape backdrop to these urban areas through careful siting and design of buildings, the retention of existing trees and the use of appropriate new planting to strengthen the landscape setting of these slopes.



Map 4.3 Green Backdrop Zone

4.95 The Green Backdrop Zone policy is still considered to be a useful and legitimate tool in achieving an appropriate lower intensity of building and a higher degree of open space and planting. It is, however, acknowledged that greater resolve in its application is needed than has been applied in the past and that greater attention to the requirements for new and enhanced landscaping in this zone, as an integral element of new development proposals, in accord with Policy NE 4 'Trees, woodland and boundary features', is required. New development in the Green Backdrop Zone will also likely need to be considered within the context of its potential impact upon views, in accord with Policy GD 5 'Skyline, views and vistas'.

4.96 New planting and landscaping should be appropriate to the landscape character of the area and should also seek to contribute towards the Island's biodiversity through habitat creation and the use of appropriate species. Further guidance on the character of these areas is given in the Countryside and Urban Character Appraisals⁽²⁶⁾.

Policy BE 3

Green Backdrop Zone

The Green Backdrop Zone is defined on the [Proposals Map](#).

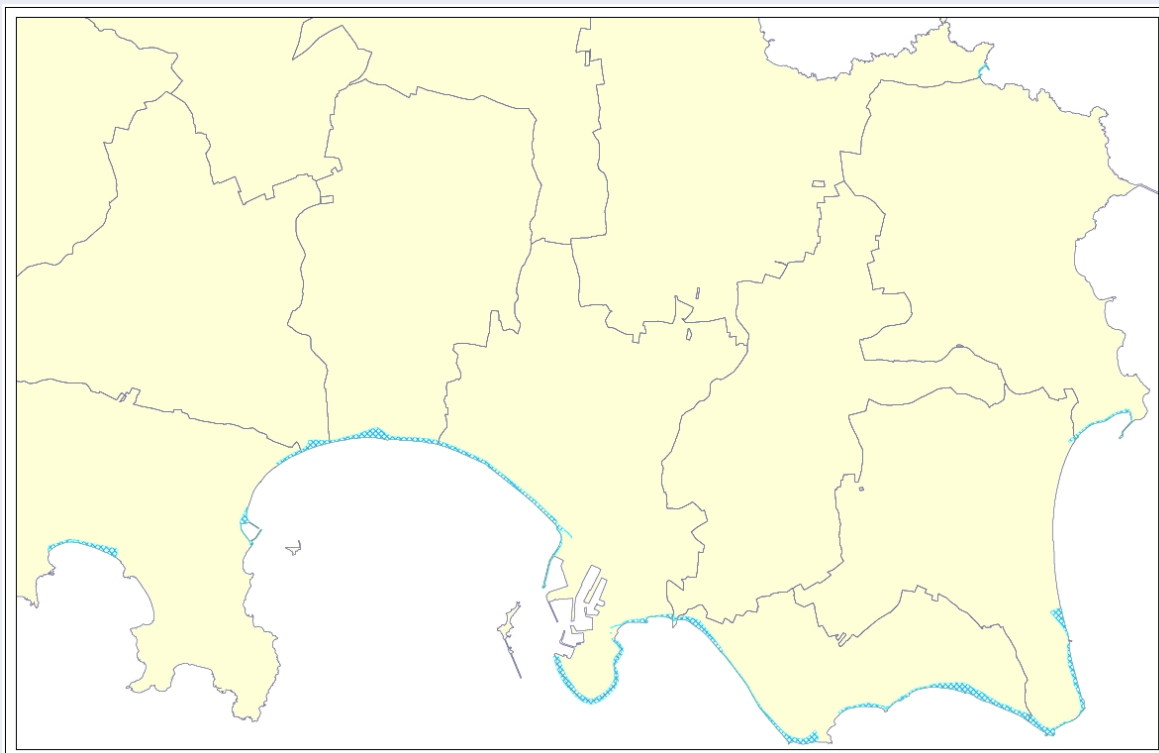
Within the Green Backdrop Zone, development will only be permitted where:

1. the landscape remains the dominant element in the scene and where the proposed development is not visually prominent or obtrusive in the landscape setting;
2. it retains existing trees and landscape features;
3. it presents satisfactory proposals for new planting which serve to maintain and strengthen the landscape setting and character of the area.

Shoreline Zone

4.97 Parts of the Island's south and south-east coast form a significant element of the Built-up Area representing the area where the built environment meets the sea. This is defined as the Shoreline Zone and is designated within the Built-up Area in St Brelade's Bay; St Aubin's Bay; the south-east coast from La Collette to Gorey Pier; as well as the harbourside in Rozel Bay, on the [Proposals Map](#).

26 Countryside Character Appraisal (1999) Land Use Consultants; St Helier Urban Character Appraisal (2005) WMUD



Map 4.4 Shoreline Zone

4.98 The Shoreline Zone represents a significant resource and asset to the Built-up Area. It has a vital and important rôle in publicly linking, physically and visually, the built environment and the sea, and requires special consideration to ensure that the public accessibility and quality of this connection is maintained and enhanced. Of particular importance in a land-use context are:

- the protection, maintenance and enhancement of physical access to and along the coastline, beaches and the sea;
- the protection, enhancement and creation of 'visual access' to the shoreline involving views to the foreshore and sea, often through the maintenance of open space and gaps between buildings along the coastline of the Built-up Area;
- the quality of the public realm; and
- the design of development within the Shoreline Zone.

4.99 Some of the Shoreline Zone is in private ownership and public access to the coast, both visually and physically, is prohibited. Where opportunities arise, through the planning process, for public access to the coastline to be created or enhanced through planning gain, the Minister for Planning and Environment may seek to deliver this objective through the use of planning obligation agreements.

4.100 Parts of the Shoreline Zone represent significant elements of the Island's public realm, including formal promenades, such as those in St Brelade's Bay, St Aubin's Bay and Gorey; formal gardens; car parks; commons and slipways. These

are significant assets to the quality of life for town residents in particular and, in accordance with the objective of seeking to improve and enhance the quality of the public realm ('Improving the public realm'), sympathetic environmental improvements in these areas will be supported and encouraged where they do not have any adverse impact on places or structures of historic or architectural importance (in accord with Policy HE 1 'Protecting Listed buildings and places'). The provision of facilities which encourage and enhance access to and awareness of the coast will also be supported ('Access and awareness').

Policy BE 4

Shoreline Zone

The Shoreline Zone is defined on the [Proposals Map](#)

Within the Shoreline Zone the following types of development proposals will not be approved;

1. new buildings, new structures or extensions to existing buildings, where such development will obstruct significant public views to the foreshore and sea;
2. development involving the loss of open spaces that are considered important for the preservation of public views to the foreshore and sea;
3. development which adversely affects public access to and along the coastline and seafront.

Public access to and along the shoreline will be protected and enhanced, where possible.

Proposals which seek to raise the quality and standard of design of the public realm within the Shoreline Zone, particularly with regard to promenades, quay sides, car parks and other waterfront areas will be approved where they do not have a significant adverse impact on places or structures of historic or architectural importance.

Proposals for facilities that encourage and enhance access to and awareness of the coast will be permitted where they do not have a significant adverse impact on the biodiversity and character of the coast.

Tall buildings

4.101 The 2002 Island Plan policy for tall buildings applied to those above five storeys in height, or rising more than two storeys above their neighbours. This policy, which is carried forward into the new Island Plan in an amended form, does

not prohibit the development of tall buildings but sets a series of criteria against which development proposals for tall buildings will be assessed in the determination of planning applications. Clearly, the urban focus of development over the Plan period and the stated objective of encouraging a more efficient use of land and higher density of development may increase the potential for the development of taller buildings over the Plan period.

4.102 The predominant building heights in St. Helier are two to five storeys, but there are also tall buildings ranging in height up to 16 storeys. St. Helier's historic buildings are generally small in scale with a predominance of 2.5-3.5 storeys. The Town's existing tallest buildings generally lack quality, however, and do little to contribute to the overall character and distinctiveness of the place. More recent developments on the Waterfront and Esplanade have raised the average height of development in this part of the town to five - seven storeys. The planning framework for the future development of the St Helier Waterfront ⁽²⁷⁾ sets a height limit of six floors of development above ground.

4.103 Of critical importance in St Helier is the silhouette of buildings against the sky with the existing powerful and distinctive skyline profile set by the landmarks of Elizabeth Castle, Fort Regent, Victoria College, St Thomas' Church, Almorah Terrace and Victoria Crescent. Generally speaking, tall buildings should not break the skyline of the escarpment around St Helier when viewed from a distance of more than 300 metres and should not adversely affect the views and settings of important landmark buildings, in accord with Policy GD 5 'Skyline, views and vistas'.

4.104 The Environment Scrutiny Panel, in its review of regeneration proposals for St Helier ([Urban Regeneration](#) S.R. 15/2008 04/12/2008), suggests that the Minister should produce prescriptive guidance on the heights of buildings. It is, however, considered better to review high building proposals on their merits, with reference to their specific context and their impact on the surrounding areas and views across town. To assist with this, the Minister for Planning and Environment will adopt and publish supplementary planning guidance based on the [St Helier Urban Character Appraisal](#). This will provide advice on the heights of buildings relative to the character of different parts of the town and will be used to inform the application of policy in considering development proposals for tall buildings in the town.

27 represented by [The Jersey Waterfront](#): supplementary planning guidance (April 2006) Chris Shepley; and Masterplan for the Esplanade Quarter, St Helier (April 2008) Hopkins Architects

Proposal 16

Urban Character

The Minister for Planning and Environment will have regard to the St Helier Urban Character Appraisal when determining proposals for development which affects the town, and particularly for the development of tall buildings.

The primary consideration will be to protect and enhance the character of the town and the impact of development proposals on the distinct character of the different parts of the town will be assessed and determined against the St Helier Urban Character Appraisal, which will be issued by the Minister as supplementary planning guidance.

Development schemes will need to be fully justified in a Design Statement in accord with supplementary planning guidance issued by the Minister.

4.105 The more successful new developments are those which respect the scale of the historic streetscape. It is acknowledged, however, that there may be instances where a relatively tall building or a group of tall buildings could add visual interest to the skyline. At certain gateways to the Town; on the Waterfront; the Esplanade; or fronting large open spaces, it is considered that taller buildings could provide new focal buildings or landmarks for the Town. Owing to the smaller scale of development and the landscape context of the remainder of the Island's Built-up Area, coast and countryside, it is not considered appropriate for buildings over approximately 18 metres in height to be developed outside the Town of St Helier.

4.106 All buildings of a commanding height (over approximately 18 metres) will need to be of the highest design quality. A design statement will be required to justify the height and massing of the development if it is to be higher than approximately 18 metres (see supplementary planning guidance [Design Statements](#)).

Policy BE 5

Tall buildings

Tall buildings, defined as those either above approximately 18 metres in height, or rising more than 7 metres above their neighbours, will only be permitted where their exceptional height can be fully justified, in a Design Statement, in urban design terms. Development which exceeds the height of buildings in the immediate vicinity will not be approved.

Development proposals for tall buildings in the Town of St Helier which fail to justify their exceptional height relative to the following criteria will not be permitted:

1. appropriateness to location and context;
2. visual impact;
3. impact on views;
4. design quality; and
5. contribution to the character of St Helier.

Buildings above approximately 18 metres will not be appropriate outside of the Town of St Helier and will not be approved.

For the avoidance of doubt, for the purposes of the definition of a tall building as laid out in the first paragraph of this policy, where roof top plant is incorporated into the design of the building, there will be a further 2 metres allowed in the calculation of the height of the building before it is defined as a tall building.

Building alterations and extensions

4.107 The alteration and/or extension of an existing building can provide additional extra space either in support of economic activity or for living space, and other uses, and can represent an environmentally efficient use of land, space and buildings, in accord with the strategic principles of the Plan (Policy SP 2 'Efficient use of resources').

4.108 Some minor alterations and extensions to properties, particularly dwellings, are exempt from planning control and will not fall to be considered within the context of this policy, although the general principles contained within it should apply, if satisfactory design outcomes are to be achieved. There are some issues that are generally applicable to the consideration of planning applications to extend properties, as set out in Policy GD 1 'General development considerations'. The Minister for Planning and Environment, whilst recognising that there needs to be some freedom for architectural expression, nevertheless considers that there are simple guidelines that should be followed to ensure that alterations and extensions to existing buildings make a positive contribution to the quality and character of an area. This policy establishes those criteria against which development proposals for alterations and extensions to existing properties will be assessed.

4.109 The potential impact of proposed alterations and/or extension of an existing building needs also to be considered in relation to their potential impact for the natural and historic environments in accord with Policy SP 4 'Protecting the natural and historic environment', and specifically Policy NE 2 'Species protection';

Policy NE 4 'Trees, woodland and boundary features'; 'Coast and countryside character'; 'Listed buildings and places' and Policy HE 3 'Preservation or enhancement of Conservation Areas', as appropriate.

4.110 To better inform applicants, it is also proposed that the Minister for Planning and Environment publish supplementary planning guidance on the design of alterations and extensions to existing buildings.

Policy BE 6

Building alterations and extensions

Development proposals to alter or extend existing buildings will be approved where they:

1. respect or complement the design, detailing and materials of the existing building;
2. are sympathetic to the form, scale, mass and proportions of the existing building;
3. complement the design of adjoining buildings and the quality of the surrounding area; and
4. respect the space between buildings where it contributes to the character of the building group or surrounding area.

Shopfronts

4.111 Shopfront alterations are often undertaken with insufficient consideration for the character of the individual building or the area in which it is located and the Minister for Planning and Environment wishes to improve standards.

4.112 Particular regard should be paid to advertisements on fascias or shop windows, internally illuminated box and projecting signs, and the provision of security shutters, particularly on Listed buildings or in Conservation Areas.

Policy BE 7

Shopfronts

Development proposals for the alteration, removal or replacement of shopfronts will only be approved where:

1. it can be demonstrated that the retention and restoration of the original shopfronts and original features is not viable or appropriate in design terms; and
2. it improves the design and appearance of the building and makes a positive contribution to the character of the area.

Shopfront development proposals will not be approved where it is proposed to;

3. retain or install solid security shutters; or
4. remove separate access to upstairs accommodation.

The design of new shop fronts should be well related in scale, proportion and character to the building of which they are part and enrich the street scene. They should be designed to be fully accessible to those with special mobility needs.

Frontage parking

4.113 There are a number of areas throughout the Built-up Area where the distinctive character and appearance of the street scene is enhanced by small front gardens and their boundary treatments, notably walls and railings. The loss of these private amenity areas to frontage parking will be resisted where the loss would have a detrimental impact on the character and appearance of the street scene, particularly in Conservation Areas in accordance with Policy HE 3 'Preservation or enhancement of Conservation Areas'.

Policy BE 8

Frontage parking

Development proposals involving the loss of front gardens, and their boundary features, to provide for frontage parking with direct access off the public highway will not be approved where this would have a detrimental impact on the character and appearance of the street scene or on highway safety.

Street furniture and materials

4.114 Whilst there has been a significant improvement in the quality of materials and street furniture used in recent years, there has been an inconsistency and lack of coherence to the design and specification of street furniture and materials. This has the effect of presenting a disparate, confused and cluttered appearance to

the public realm, particularly to the streets of St Helier. Part of the reason for this is the plethora of agencies with some responsibility for the public realm, and part down to the lack of care and awareness of the importance of good design and quality in the public realm.

4.115 Greater coherence has begun to be achieved by a greater co-ordination and working of the relevant agencies and a recognition of the significance of the elements that go to make up our public spaces and streets. Good examples of this are provided by some of the pedestrian and environmental enhancement schemes undertaken through the St Helier Street Life Programme at Broad Street, Sand Street, Charing Cross, New Street, York Street, West's Centre, Colomberie and Grenville Street, as well as some of the public realm creation in the St Helier Waterfront.

4.116 The General Development Order, while exempting public agencies from making planning applications for public realm works, nevertheless requires that the specification of street furniture and equipment should be selected from a product range previously agreed by the Minister for Planning and Environment. The Minister will work with the relevant agencies to ensure that the future specification of street furniture presents a more coherent impression and will address this issue through the development of a Public Realm Strategy (Proposal 10 'Public Realm Strategy'). The Minister will also seek to ensure that street furniture reflects local relevance and identity and, where possible, employs recycled material.

4.117 Most streets in town are intensively used by pedestrians. There is a need to improve the public realm to provide people with the facilities that make town streets safe, easy and pleasant to use - including benches, bins, lights, signage and trees - without creating visual and physical clutter and obstruction.

Policy BE 9

Street furniture and materials

The Minister for Planning and Environment will ensure that any street enhancements are designed to a high standard appropriate to the area.

Well-designed street furniture should be sited to ensure it is sited to avoid visual clutter and to allow clear and safe passage for people, particularly those with sensory and mobility difficulties.

The Minister will ensure that:

1. traditional surfacing materials and street furniture should be retained and re-used to enhance local relevance;

2. new materials and street furniture, where used, should contribute to and complement the local character, and should be agreed with the Minister in advance;
3. redundant street furniture will be removed as part of any enhancement schemes;
4. the number of street trees and benches is increased, where appropriate; and
5. street trees are planted in the ground rather than in planters wherever possible.

Roofscape

4.118 The treatment of the roof shape and finish of the top of a building is an important factor in determining how it will contribute to the character and townscape of an area.

4.119 Architectural details, such as the treatment of the eaves line, roof planes and the roofline silhouette, are all important aspects of a building's design. In St Helier - where there are a large number of important public vantage points providing views across the topographical 'bowl' in which the town sits as well as long public views into the town along main transport corridors and from around St Aubin's Bay - the contribution of these elements to the town's roofscape and skyline is highly significant.

4.120 The scale of buildings affects the scale of streets and spaces and is also a strong determinant of urban character. Even in St. Helier, the scale of building is of a markedly human scale, generally ranging from 2.5 to 3.5 storeys in height, interspersed with discrete clusters of buildings up to 6 storeys, with the occasional highrise building. The treatment and finish of a building's roofline, therefore, affects its scale and massing and its relationship to the public realm, and can alter the scale and character of the Island's urban areas.

4.121 Given the significance of the treatment of the roofs of buildings for the urban character and roofspace of the Island's built-up areas, and particularly the town of St. Helier, the Minister for Planning and Environment is becoming increasingly concerned by the apparent desire to accommodate building plant and associated equipment on the top of new and existing buildings.

4.122 The siting of what can be a significant amount of wholly functional and visually unsightly plant and equipment in a manner suggestive of an after-thought, rather than an integral element of the original design of the building, not only has the potential to be visually damaging to the appearance and design of the development and the character of the area, but can also add a significant amount

of height and mass to a structure. In addition, the rooftop installation of plant and equipment may also lead to problems related to nuisance for neighbouring uses and occupants, as a result of emissions of various forms.

4.123 The Minister wishes to avoid the proliferation of rooftop accretions, in the form of building plant, equipment and other structures, and would encourage building owners, occupiers, developers and architects to explore more environmentally passive solutions to the management and operation of buildings, or to incorporate plant or equipment essential to the operation of a building and/or its intended use or occupants within the original design concept and fabric of any new or refurbished building.

4.124 Proposals for new rooftop plant, equipment or other structures will only be approved in exceptional circumstances where it can be demonstrated that there is overriding justification for its provision and where it can be provided in a position and form that does not cause unreasonable harm, relative to a number of key tests.

Policy BE 10

Roofscape

The siting of roof plant, equipment or other structures on the roofs of new or existing buildings, where it projects above the roofline will not normally be permitted.

Where roof plant enclosures already exist, there will be a presumption against the placing of new roof plant, equipment or other structures which extend outside or which would serve to enlarge the existing roof plant enclosure.

In exceptional circumstances, where it can be demonstrated that plant, equipment or other structures essential to the use of the building cannot be located within the existing building envelope, such development may only be permissible where it is located in a position that:

1. will not unreasonably affect the character and amenity of the area;
2. will not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;
3. will not have an unreasonable impact on public health, safety and the environment, by virtue of noise, dust, light, odour, fumes, electro-magnetic fields or any other form of emission; and
4. will not have an impact on the safe operations of the airport.

