

Plémont Bay Holiday Village – P/2011/1673

Recommended Planning Obligation Agreement and Planning Conditions

Planning Obligation Agreements

- a) Prior to completion of the development the Applicant shall cede the open landscape created outside the boundaries of the three housing clusters (as defined on drawing no. 1871-08-68 Areas 2, 3 & 4) to an appropriate body or trust, with full agreement of the Minister, for allowing public access in perpetuity in accordance with a scheme of continued access to be agreed in writing with the Minister.
- b) The Applicant shall undertake, or arrange for the body or trust referred to in a) above, to undertake, landscape maintenance regime works for a period of at least 10 years after completion of the development, in accordance with a comprehensive programme to be agreed in writing by the Minister. Such programme shall include a monitoring schedule and provision for the maintenance regime to adapt according to the findings of the monitoring schedule.
- c) The Applicant shall provide appropriate funding towards a research and monitoring programme for conservation of puffins and seabirds.
- d) The German Coastal Observation Post (M3) shall be retained, or ceded to an appropriate body or trust, and refurbished by the Applicant, body or trust for making accessible to members of the public for use as a bird hide prior to completion of the development, in accordance with a scheme and timescale to be submitted to and agreed in writing by the Minister.

Planning Conditions / Reasons

1. The development shall be carried out strictly in accordance with the approved plans, drawings and schedules, and strictly in accordance with the submitted reports. No variations shall be made without the prior written approval of the Minister for Planning and Environment.

For the avoidance of doubt and in accordance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

2. Physical samples of all external materials to be used as identified on the approved Schedule of Required Sample Panels / Assemblies, dated 9 September 2010 shall be submitted to and approved in writing by the Department prior to such materials being used.

To safeguard the character and appearance of the area and in accordance with the requirements of Policies GD 1 and GD 7 of the Adopted Island Plan 2011.

3. Prior to the commencement of development, the finished floor levels, eaves and ridge heights of each dwelling shall be approved in writing by the Department. On sloping ground, detailed sections indicating the precise level of cut and/ or fill shall be similarly approved. No such approved level shall be exceeded without the express written approval of the Department.

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For the avoidance of doubt and in accordance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

4. The Architect appointed in the development of the scheme hereby approved (BDK Architects) shall be retained throughout all the construction phase of the development. Prior to the occupation / use of each element of the development, the Architect must give written confirmation to the Minister that he or she is satisfied that the building has been completed in accordance with the approved plans and that the quality of materials and workmanship is of the highest possible order. The Department reserves the right to request minor amendments to the approved development following advice from the Architect.

To safeguard the visual amenities of the area and to ensure the use of appropriate detailing in accordance with the requirements of Policies GD 1 and GD 7 of the Adopted Island Plan 2011.

5. The Landscape Architect appointed in the development of the landscaping scheme hereby approved (Michael Felton Ltd.) shall be retained throughout all the landscaping (both hard and soft) phase of the development. Prior to the occupation / use of each element of the development, the Landscape Architect must give written confirmation to the Minister that he or she is satisfied that the landscaping has been completed in accordance with the approved plans and that the quality of materials, planting and workmanship is of the highest possible order. The Landscape Architect shall liaise directly with the Department, including the Environment Division and the Department reserves the right to request minor amendments to the landscape proposals following advice from either the Environment Division or the Landscape Architect.

To safeguard the visual amenities of the area and to ensure the use of appropriate detailing in accordance with the requirements of Policies GD 1 and GD 7 of the Adopted Island Plan 2011.

6. Notwithstanding the provisions of the Planning and Building (General Development) (Jersey) Order, 2011, or the provisions of any Order that replaces, amends or supersedes the 2011 Order, no alterations, additions, extensions (including loft conversions, conservatories, conversion of garages and car-ports to any other habitable space and, external lighting to dwellings and vehicular areas), windows, doors, external utility meter boxes, fences, walls, sheds or other structures shall be installed, affixed or erected on any part of the site or building therein without the prior written approval of the Department.

To enable the Minister for Planning and Environment to control the development and so safeguard the character and visual amenities of the area and to ensure that adequate private amenity space is retained within the curtilage of the dwelling in compliance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

7. In respect of the provisions of Condition No. 6 above, a 'pattern book' shall be produced by the retained Architect for the applicant / developer detailing the form, style, materials

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and positioning of any future alterations, additions or extensions to the proposed dwellings that would respect the vernacular architecture of the development. Such a pattern book shall be submitted to the Department for written approval and shall thereafter, and without prejudice to any future decision, be used as guidance when assessing future planning applications relating to each dwelling.

The Minister considers that the production of a pattern book would be an appropriate mechanism by which to guide any subsequent planning application for alterations or extensions to the new dwellings.

8. Before the dwellings are occupied, the proposed means of boundary treatment to all external aspects of the development and between dwellings shall be submitted to and approved in writing by the Department. The use of low granite walls, banques, post & rail fences and hedgerows will be expected.

To safeguard the character and appearance of the area in accordance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

9. The stated Mitigation Measures, as embodied in the Environmental Impact Statement and supporting documents, and all other recommendations of the Environmental Impact Assessment and, any additional or revised measures as may be required by the Department as a result of a specific concern or consultation response, shall be implemented in accordance with a schedule of works, timings and on-going monitoring / remediation to be agreed in writing by the Minister.

The Minister considers that the proposed development may not be acceptable without the implementation of the stated mitigation measures.

10. All demolition and groundworks shall be undertaken outside the main seabird breeding season (April to August), unless written authority for specific elements of the proposal is given by the Department, in liaison with the Environment Section.

In the interests of minimising disturbance to seabirds which form an important element of the Island's bio-diversity.

11. A rat eradication programme and programme for the clearance of invasive plants (including Hottentot Fig) shall be agreed and implemented to satisfaction of the Environment Department prior to any demolition works taking place.

In the interests of allowing less invasive native species to establish within the area.

12. A detailed landscaping scheme shall be submitted to show sensitive planting with relevance to the landscape character and wildlife habitats of this area. The scheme shall provide for locally relevant habitat creation and shall be drawn up in consultation with the relevant Officers of the Planning & Environment Department's Countryside Section.

To safeguard the character and appearance of the area in accordance with the requirements of Policies GD 1 and NE 4 of the Adopted Island Plan 2011.

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13. Precise details of the proposed means of foul and surface water drainage, including full details of the reed-bed ponds and measures to store and re-use rainwater where practicable shall be submitted to and approved in writing before works commence. A sustainable drainage system will be required.

In order that such details can be the subject of further consideration by the relevant bodies to ensure that the site and development is adequately drained.

14. Precise details of types, positions, luminosity, shielding and justification for each external light, including measures to minimize sky-glow shall be submitted to and approved in writing by the Department before the development commences.

In order to prevent unnecessary light pollution in this sensitive headland setting.

15. The garages to all the houses shall not be used for any purpose other than those incidental to the enjoyment of a dwelling house but not including use as living accommodation.

To safeguard the character and appearance of the area and to ensure the provision of adequate parking accommodation within the three housing clusters and to avoid congestion by residents vehicles of adjoining lanes or public parking areas in accordance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

16. Reasonable access shall be made prior to, and during, the demolition phase to allow for an independent archaeological trenching evaluation to be undertaken to the standard proscribed by the Institute of Field Archaeology. Reasonable access shall also be given to a nominated member(s) of the Department's Historic Environment Team, Jersey Heritage Trust and the Channel Island Occupation Society for the purpose of observing and recording any Occupation structure or other archaeological finds. A minimum of 3 weeks written notice shall be given to each party prior to any works commencing. All subsequent records shall be lodged with the Department.

The Minister is aware that the site may hold archaeological finds, including Occupation material and wishes to ensure that appropriate opportunity is given to record such objects.

17. Prior to completion of the development the Applicant shall provide and pay the costs for the construction of a bus shelter at the south-western end of the central area footpath, to a design and details approved by the Department.

In order to promote the use of public transport.

18. A work of art shall be delivered in accordance with the advice of the appointed Approved Art Advisor and the Percentage for Art Statement dated 10th September 2010 which has been submitted to and approved by the Minister for Planning and Environment. The work of art must be installed prior to the first use/occupation of the development hereby approved unless otherwise agreed in writing.

To comply with the provisions of Policy GD 8 of the Adopted Island Plan 2011.

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19. Details of the siting and nature of all temporary site huts, compounds, security fencing, security lighting, fuel storage and waste disposal during the demolition and construction phases shall be submitted to and approved by the Department before works commence. Should additional elements be required during the course of works, subsequent approval from the Department shall be required.

To ensure that all construction / demolition related materials and operations do not result in unacceptable damage to the local environment.

20. Prior to commencement of the development, full details shall be submitted to the Minister to demonstrate how the proposed development will incorporate on-site low carbon or renewable energy production to off-set predicted carbon emissions by at least 10% or shall fully demonstrate that the proposed development will otherwise off-set predicted carbon emissions by at least 10% by alternative means. Any such measures as may be approved shall be implemented to the satisfaction of the Minister and thereafter maintained.

To ensure that the development complies with the provisions of Policy NR7 of the Island Plan.