

SECTION 4: GENERAL POLICIES

INTRODUCTION

- 4.1 The strategies and the vision and objectives of the Plan are translated into a framework of policies and proposals that will form the basis for land-use planning decisions over the Plan period. In the 'plan-led' system, the policies and their criteria will be the primary consideration in all development control decisions.
- 4.2 The policies include those that are specific to particular areas of the Island (such as the countryside) or particular land-uses (such as industry and commerce). These are addressed in each topic section (sections five to fourteen) of the document.
- 4.3 There are general principles and policies for development that the Planning and Environment Committee will apply to the range of land-uses and development across the Island. In particular, it will seek to achieve sustainable development that maintains and improves the quality of life by only being allowed in appropriate locations. In this way, the impact on the environment and the community will be minimised. Moreover, features of environmental, historic or cultural importance are to be protected. The section also includes policies for types of development, which occur Island-wide and for various land-uses.
- 4.4 The policies and proposals of the new Island Plan, whether general or specific, together provide an holistic and integrated approach to land-use planning in Jersey. The policies do not stand in isolation and should be read together.
- 4.5 In addition to the policies of the Island Plan, the Planning and Environment Committee has, and will continue to publish supplementary guidance where required. Current guidance covers areas like the conversion of traditional farm buildings and the density of housing developments. The planning policy and advice notes provide more detail on issues to be taken into account in specific types of development. They supplement the policies of the new Island Plan. The relevant guidance should therefore be read in conjunction with the general and specific policies of the Plan. A list of such guidance is included as Appendix 2. In some cases there is a need for guidance to be updated to reflect new approaches and this is identified where necessary within the topic chapters.

POLICIES AND PROPOSALS

Sustainable Development

- 4.6 The vision, objectives and strategies of the Plan seek to achieve a sustainable future for Jersey. The States has adopted the principle of sustainability as a key strategic policy. The Planning and Environment Committee's responsibility is to draw the agreed policy of sustainability into its policy documents, especially the Island Plan. In considering the pattern and characteristics of future development in the Island, the Planning and Environment Committee supports development that is sustainable not just in the context of the Island but in terms of the impact on the global environment. Sustainability is a fundamental principle of the Island Plan and the basis for the vision, objectives and strategies. It will be applied to all forms of new development.
- 4.7 The Planning and Environment Committee will seek a sustainable level of development in the Island. Specifically, the Committee will apply the principle of sustainability to all locations and forms of proposed developments, with the aim of avoiding or minimising impacts on environmental resources, whilst at the same time improving the quality of life for Island residents.
- 4.8 Sustainable development favours the re-use, rather than redevelopment, of existing buildings, where this is practical and appropriate. The Planning and Environment Committee are concerned about the large volume of construction and demolition waste that arises from the redevelopment of existing buildings which is then disposed of at the La Collette land reclamation site. Concerns about how this type of waste is disposed of will intensify once La Collette 2 reaches the end of its lifespan.
- 4.9 In the interests of sustainability, the Committee is keen to ensure that proposals involving the redevelopment of existing buildings are subject to a balanced and objective decision-making process. Sustainability issues which will be taken into account in considering future redevelopment proposals include the amount and type of waste for disposal; the energy capital tied up with the existing buildings (that is, the energy used to quarry, transport and manufacture the building materials which make up the existing buildings and the energy used in the existing building's construction); and the feasibility of reducing the energy costs in using the existing building to an acceptable level. These factors need to be carefully balanced against matters such as the efficiency of land-use, and future energy conservation and maintenance savings associated with new build and concomitant structural stability.

POLICY G1 – SUSTAINABLE DEVELOPMENT

In accordance with the principles of sustainable development and the Island Plan objectives, all development proposals should in particular seek to:

- (i) integrate new development with the existing built-up area;**
- (ii) promote the vitality and viability of the town of St Helier and the defined rural and urban settlements;**
- (iii) re-use already developed land;**
- (iv) support an overall pattern of land-uses that reduce the need to travel and promote increased use of public transport, cycling and walking;**
- (v) conserve or enhance the natural environment and cultural heritage of the Island; and**
- (vi) minimise impacts on the Island and global environment.**

Applications which do not support these principles will not normally be permitted.

General Development Considerations

- 4.10 In assessing proposals for development, there are a range of issues to be taken into account relating to the impact of the development on infrastructure and resources, the environment, adjacent uses and the wider community. These are general criteria that apply to all types of development and should be read in conjunction with specific policies of the topic chapters.
- 4.11 Sufficient information will be requested with an application to enable an assessment to be made of whether the criteria listed in Policy G2 have been fully taken into account.
- 4.12 Where a site development brief has been produced, the applicant will also need to provide evidence that the proposed development satisfies the requirements of that brief. In certain circumstances, applicants may also be required to submit design statements, environmental impact statements, transport assessments, archaeological evaluations, site investigations for contaminated land, access audits, travel plans and waste management plans. These requirements are addressed under Policies G4, G5, G6, G12, G17, TT19, TT22 and WM2 respectively.

POLICY G2 – GENERAL DEVELOPMENT CONSIDERATIONS

Applicants need to demonstrate that the proposed development:

- (i) will not unreasonably affect the character and amenity of the area;**
- (ii) will not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;**
- (iii) will not have an unreasonable impact on agricultural land;**
- (iv) will not have an unreasonable impact on the landscape, ecology, archaeological remains or architectural features and includes where appropriate measures for the enhancement of such features and the landscaping of the site;**
- (v) incorporates satisfactory provision of amenity and public open space where appropriate;**
- (vi) will not have an unreasonable impact on important open space or natural or built features, including trees, hedgerows, banks, walls and fosses;**
- (vii) provides a satisfactory means of access, manoeuvring space within the site and adequate space for parking;**
- (viii) will not lead to unacceptable problems of traffic generation, safety or parking;**
- (ix) is accessible by pedestrians, cyclists and public transport users, including those with mobility impairments;**
- (x) will not have an unreasonable impact on public health, safety and the environment by virtue of noise, vibration, dust, light, odour, fumes, electro-magnetic fields or effluent;**
- (xi) is not at risk from flooding or does not increase the risk of flooding elsewhere;**
- (xii) does not have an unreasonable impact on the safe operations of the Airport;**
- (xiii) where possible makes efficient use of construction and demolition materials to avoid generation of waste and to ensure the efficient use of resources;**
- (xiv) takes into account the need to design out crime and to facilitate personal safety and security;**
- (xv) encourages energy efficiency through building design, materials, layout and orientation; and**
- (xvi) includes the provision of satisfactory mains drainage and other service infrastructure.**

Applications which do not comply with these principles will not normally be permitted.

Quality of Design

- 4.13 The Planning and Environment Committee will continue to promote high quality design. The physical context will always be a major factor in the appropriate design of development and, apart from quality, the response to local distinctiveness will be part of the measure of success of an application.

- 4.14 The policy establishes the importance of scale, siting, landscape works, building materials, high quality design and local character. The distinctive local character of the area is important, but good design need not necessarily replicate local traditions. Good design will respect, re-interpret and be in harmony with the local context.

POLICY G3 – QUALITY OF DESIGN

A high standard of design that respects, conserves and contributes positively to the diversity and distinctiveness of the landscape and the built context will be sought in all developments. The Planning and Environment Committee will require the following matters to be taken into account as appropriate:

- (i) the scale, form, massing, orientation, siting and density of the development, and inward and outward views;**
- (ii) the relationship to existing buildings, settlement form and character, topography, landscape features and the wider landscape setting;**
- (iii) the degree to which design details, colours, materials and finishes reflect or complement the style and traditions of local buildings;**
- (iv) the use and maintenance of landscape to enhance new development and the degree to which this makes use of local features and an appropriate mix of materials and plant species suited to both the landscape and wildlife interests of the locality;**
- (v) the incorporation of existing site features into the development such as boundary walls, banks and trees;**
- (vi) the design of safe pedestrian routes, including for those with mobility impairments, vehicle access and parking; and**
- (vii) the incorporation of features to design out crime and to facilitate personal safety and security.**

Proposals that do not demonstrate that account has been taken of the above matters, as appropriate, will not normally be permitted.

Design Statements

- 4.15 A design statement may be requested to accompany planning applications at the discretion of the Planning and Environment Committee. Certain types of proposals will, however, always require a statement:
- any development (other than minor alterations) in the Zone of Outstanding Character;
 - any development that directly affects a Site of Special Interest (or proposed SSI); or
 - a building more than five storeys high.
- 4.16 The design statement will provide the Committee with justification for the design and the likely impacts on the landscape and built environment. The design statement is intended to be as much a facilitating mechanism to promote design quality as it is a controlling mechanism.

- 4.17 The design statement will cover all aspects of design and not simply the appearance of a building, structure or space. In the wider interests of sustainability, the applicant should have regard to the nature and origin of construction materials, the energy inputs required for construction and the lifetime energy requirements of the development. A construction and energy audit will therefore form a part of the design statement.

POLICY G4 – DESIGN STATEMENTS

Where a development is likely to have a significant impact on the quality and character of the physical and visual environment due to its location, scale or type of development, the Planning and Environment Committee will require an applicant to submit a design statement with the planning application.

The design statement should provide details as to how the development responds to the need for quality design and in particular should, where appropriate, set out:

- (i) the principles of the design, describing how the design will enhance, re-interpret and complement the character of the area;**
- (ii) how the proposed development satisfies the requirements of any relevant development brief or planning framework;**
- (iii) a detailed landscape and visual impact assessment;**
- (iv) the extent to which the proposal retains or creates open space and evidence of its appropriateness in terms of the intended end users of the development; and**
- (v) the construction materials to be used and their origins, the energy requirements for the construction of the development and an energy forecast for the life of the building.**

Environmental Impact Assessments

- 4.18 An Environmental Impact Assessment provides a proper assessment of the environmental effects of a proposed development and helps ensure that any impacts can be avoided, or mitigated against. Environmental Impact Assessments (EIAs) are part of the development control framework. The aim is to ensure a consistent and detailed examination of the potential impacts on the environment of certain development proposals before their implementation. There are a number of benefits of EIAs:

- they enable States' committees to make more informed decisions about land-use in Jersey;
- by addressing the implications of a project proposal, the Island will be able to make more considered judgements about major development;
- public concerns can be aired at an early stage in the proceedings; and
- developers have the opportunity to amend and develop proposals in the light of the investigations, thereby preventing expensive retrospective changes late in a project.

- 4.19 An EIA will be required where there are likely to be significant impacts on the environment, which includes the impact on human health. Supplementary guidance is available from the Environmental Services Unit on the requirements and process for Environmental Impact Assessments (Environmental Policy Note 1). The EIA will need to address the impact and proposed mitigation of impacts on the following, as appropriate to the development:
- humans;
 - flora;
 - fauna;
 - soil;
 - water;
 - air;
 - climate;
 - landscape;
 - interactions between the above;
 - material assets; and
 - cultural heritage.
- 4.20 Environmental Impact Assessments, the cost of which falls to the applicant, should be undertaken at the earliest possible stage of a development proposal, particularly in major projects where there may be a number of alternative solutions, including not proceeding with the project. A screening process will determine whether an EIA is required. Some projects will clearly need an EIA, such as a new marina. Other projects *may* require an EIA and will be screened on a case by case basis by officers of the Environmental Services Unit. When an EIA is required for a project an Environmental Impact Statement, reporting the findings of the assessment, will need to be submitted as part of the planning application.

POLICY G5 – ENVIRONMENTAL IMPACT ASSESSMENTS

The Planning and Environment Committee will require that an Environmental Impact Assessment is carried out for developments of a scale, type or location that could have a significant impact on the environment.

Transport Assessments

- 4.21 Where a proposed development could have significant transport implications a Transport Assessment should be prepared and submitted as part of the planning application. The coverage and detail of the Transport Assessment should reflect the scale of the development and the extent of the transport implications of the proposal. Types of development likely to require a Transport Assessment include housing developments, industrial and commercial proposals (including retail developments), and community facilities and services (such as educational and recreational establishments) where a significant level of traffic is likely to be generated or where there are existing traffic problems.

- 4.22 For minor schemes, the Transport Assessment should simply outline the transport aspects of the application in a statement. For larger developments, the Transport Assessment should indicate how accessibility to the site by pedestrians including the mobility impaired, cyclists and public transport users is to be achieved and the likely share of journeys to and from the development by each mode. It should also give details of proposed measures to improve access by pedestrians, cyclists and public transport, reduce the need for parking and mitigate any transport impacts, such as on the road network. Where appropriate, the Transport Assessment should include a Travel Plan (as discussed in Policy TT22).
- 4.23 The Assessment will enable the Planning and Environment Committee, in conjunction with the Public Services Committee, to better assess the application and the detail of the proposal. It should be noted that the cost of preparing a Transport Assessment will fall on the applicant.

POLICY G6 – TRANSPORT ASSESSMENTS

The Planning and Environment Committee will require that a Transport Assessment is carried out for proposed development that is likely to have significant transport implications.

Control of Unauthorised Development

- 4.24 Unauthorised development is any form of development that requires planning permission but which has taken place without the approval of the Planning and Environment Committee. Under the Planning and Building (Jersey) Law, such development is illegal. Similarly, any development not undertaken fully in accordance with approved drawings may also constitute unauthorised development. Unauthorised development can lead to a range of unfortunate outcomes such as the loss of buildings and features of architectural or historic importance, development in inappropriate locations or development out of character with the site and its context or adverse impacts on adjacent land uses.

POLICY G7 – CONTROL OF UNAUTHORISED DEVELOPMENT

Where unauthorised development occurs the Planning and Environment Committee will take appropriate enforcement action. For the avoidance of doubt, any development not undertaken fully in accordance with any permission granted by the Planning and Environment Committee also constitutes unauthorised development.

Access for All

- 4.25 When a new building or space, conversion or the change of use of an existing building or space is proposed, to which the general public has access, ensuring that access is achievable for all should be considered at an early stage in the design process. Securing the accessibility of public buildings and spaces is important in enhancing the quality of life for all residents of Jersey. It will not only benefit those with disabilities but will make the facility generally more accessible to those, for example, with

pushchairs and prams. The particular needs of those with mobility difficulties, including wheelchair users and those with visual impairments, should be met. This includes not just the entrance to buildings but also their internal circulation and facilities.

POLICY G8 – ACCESS FOR ALL

Developments to which the public has access must include adequate arrangements for safe and convenient access for all and in particular should meet the needs of those with mobility difficulties.

Designing Out Crime

- 4.26 The planning system can be instrumental in creating safe and secure environments that help to discourage anti-social behaviour. The layout of new housing developments, the arrangements for seating areas and open space in towns and villages and the number and positions of entrances and exits to developments, can improve the security of an area and improve the public's perception of safety.
- 4.27 Establishing principles for the design, layout, lighting and landscaping of new residential or commercial development can make crime more difficult to commit and raise the likelihood of detection. For example, the layout of dwellings should be such that unobstructed views of neighbouring properties are allowed where possible, to improve natural surveillance, without compromising privacy. Design layouts can also foster a sense of neighbourliness or community. Routes through an area for both vehicles and pedestrians should be clear, direct and well-used. The correct use of certain species of plants can help create or enhance perimeter security, although landscaping should not impede natural surveillance or create potential hiding places.
- 4.28 The Planning and Environment Committee generally supports measures to reduce crime. However, a balance must always be achieved between the need for security and other environmental, visual and amenity concerns particularly where proposals may affect heritage or environmental designations.

POLICY G9 – DESIGNING OUT CRIME

The Planning and Environment Committee will look for evidence of good design practice aimed at reducing the incidence or fear of crime in considering proposals for new development. Examples of good practice may include:

- **the layout of the new development to maximise natural surveillance;**
- **clear definition of public and private spaces and the links between;**
- **the avoidance or elimination of blind corners, alley ways and hiding places;**
- **lighting in potential high risk areas, such as car parks; and**
- **landscaping to enhance perimeter security.**

Applications which do not have due regard to personal safety will not be permitted.

Planning Obligations

- 4.29 Planning obligations have an important role to play in the planning system. In addition to overcoming problems resulting from the development they can help ensure a higher quality development. Planning obligations have not been possible so far but a recent amendment to the Island Planning (Jersey) Law, 1964 will permit them. The objective is to ensure that development proposals provide the necessary infrastructure and facilities, such as education, recreation and transport facilities, which are required as a direct consequence of the development, or will meet or contribute towards the costs of providing such facilities in the near future. Planning obligations may also be used to ensure that new development makes a contribution to the public realm by, for example, providing new pedestrian routes, new public spaces and in improving the streetscape through pavement widening and tree planting.
- 4.30 Planning permission will normally be refused for any development that does not make adequate provision for such matters, where it is appropriate to do so. In no circumstances, however, will the Planning and Environment Committee set aside the policies and principles in the Island Plan simply to avail itself of a locally needed facility, service, improvement or contribution.

POLICY G10 – PLANNING OBLIGATIONS

Where, as a direct consequence of a proposed development, additional infrastructure or amenities are required within a development site, the Planning and Environment Committee will negotiate the provision of appropriate facilities with the developer. Where necessary, the provision of financial contributions to off-site infrastructure and facilities, including measures to assist public transport, cyclists or pedestrians or to alleviate traffic impacts will be sought from the developer.

Planning permission will be refused for proposals that do not make satisfactory provision for infrastructure or amenities that are necessary for the development.

Sites of Special Interest

- 4.31 The Planning and Environment Committee is committed to maintaining a list of Sites of Special Interest (and proposed Sites of Special Interest), under the new Planning and Building (Jersey) Law. The list is to comprise buildings or places considered worthy of protection due to their public importance. Sites of Special Interest can be important for their:
- special zoological, ecological, botanical or geological interest; or
 - special architectural, archaeological, artistic, historical, scientific, or traditional interest that attaches to a building or place.
- 4.32 The 1987 Island Plan identified twenty-one sites of geological interest and thirteen sites of ecological interest worthy of designation as Sites of Special Interest. During the plan period only three sites of ecological interest were designated for full protection. The remaining sites were identified as proposed Sites of Special Interest for the purposes of development control.
- 4.33 The Planning and Environment Committee's *Register of Buildings and Sites of Architectural, Archaeological and Historical Importance in Jersey* registers the best buildings and structures in Jersey as Sites of Special Interest and also contains 'proposed Sites of Special Interest'. Policy G13 specifically addresses buildings on the register, including those that are Sites of Special Interest.
- 4.34 It is the intention of the Planning and Environment Committee to use its powers under Article 51 of the new Planning and Building (Jersey) Law to pursue the formal designation of the remaining Sites of Special Interest. Where a building, feature or site is in danger of damage the Planning and Environment Committee may need to act to safeguard the special environmental and cultural resources.

POLICY G11 – SITES OF SPECIAL INTEREST

Sites of Special Interest will be designated for protection in recognition of the importance of their:

- **special zoological, ecological, botanical or geological interest; or**
- **special architectural, archaeological, artistic, historical, scientific, or traditional interest that attaches to a building or place.**

Written guidance will be provided and advice offered on appropriate management and maintenance practices for Sites of Special Interest.

There will be a presumption against development that would have an adverse impact on the special character of a Site of Special Interest.

Where a proposed or designated Site of Special Interest is at risk of damage, and an agreement with the landowner or tenant to avoid such damage cannot be made, the Planning and Environment Committee may use powers of acquisition to safeguard and manage the site as an alternative to its statutory powers.

Where land is voluntarily put up for sale the Planning and Environment Committee may purchase proposed or designated Sites of Special Interest and manage them or enable other appropriate bodies to manage them. This will be subject to States' approval.

Archaeological Resources

- 4.35 Archaeological remains constitute one of the principal sources of information about the people who have lived in Jersey during the last 250,000 years. A rich variety of archaeological sites survive in the Island ranging from the Paleolithic cave site at La Cotte de St Brelade, through Neolithic ritual sites, Iron Age promontory forts and medieval field patterns, to water mills and post-medieval town streets. These sites contain irreplaceable information about our past, are essential to a knowledge of the history of humanity, contribute to a sense of place and have education, leisure and tourism value.
- 4.36 The Island's archaeological heritage is increasingly at risk, particularly from development within the town of St Helier and changes in the countryside. However, the proposed development of a site can also provide opportunities for archaeological investigation.
- 4.37 The States of Jersey affirmed its commitment to the safeguarding of its archaeological heritage when it became a signatory to the 'European Convention on the Protection of the Archaeological Heritage (revised), Valetta, 1992' in September 2000. Some important sites are protected in

law through designation as Sites of Special Interest, but many archaeological sites and areas are not designated and there is a need for them to be evaluated and protected, as appropriate, through planning policy.

- 4.38 Consideration of the importance of possible archaeological remains should be made before schemes for the development of archaeologically sensitive sites are approved and archaeological evaluations of potential development sites should therefore be sought as early as possible. Supplementary planning guidance on Archaeology and Planning will provide information about areas of known or potential archaeological interest and guidance about the requirements of archaeological evaluation.
- 4.39 There is a presumption in favour of the preservation of important archaeological remains and there may be instances where archaeological remains will be of such significance to justify their preservation *in situ*. In most cases, however, mitigation measures (either through the design of development, through prior excavation and recording or an archaeological watching brief during development) will provide adequate protection.

POLICY G12 – ARCHAEOLOGICAL RESOURCES

The Planning and Environment Committee will normally require an archaeological evaluation to be carried out for development proposals which may affect archaeological remains.

Development which would adversely affect archaeological remains will normally only be permitted where the Planning and Environment Committee is satisfied that the importance of the proposed development or other material considerations outweigh the value of the remains in question. In such cases, the Planning and Environment Committee will require adequate provision to be made for the archaeological evaluation, investigation and recording of sites by the use of planning conditions and/or by the use of agreements prior to permission being granted.

For Sites of Special Interest, there will be a presumption in favour of the physical preservation *in situ* of archaeological remains and their settings.

Buildings and Places of Architectural and Historic Interest

- 4.40 A register of buildings and features of architectural and historic importance was first compiled in Jersey in 1989, published in 1992 and was subsequently revised and published in 1999 as the *Register of Buildings and Sites of Architectural, Archaeological and Historic Importance in Jersey*. The Register includes sites, buildings and other structures, which, because of their interest in archaeological, architectural, historical and other terms are felt to be worthy of protection.

- 4.41 The most significant buildings will be designated as Sites of Special Interest and the remaining buildings are identified as Buildings of Local Interest. Collectively, these are referred to as 'Registered Buildings'.
- 4.42 The Register contains criteria upon which the decision to include a building in the Register is made. In addition, the Register contains a set of Interim Historic Buildings Policies, which have been reviewed as part of the new Island Plan. These will be published separately as Supplementary Planning Guidance, simultaneous with the Island Plan. Applications affecting Registered Buildings and issues of registration will be dealt with in accordance with Policy G13 and the related Supplementary Planning Guidance (SPG).

POLICY G13 – BUILDINGS AND PLACES OF ARCHITECTURAL AND HISTORIC INTEREST

There will be a presumption in favour of the preservation of the architectural and historic character and integrity of registered buildings and places. Applications for the alteration or change of use of a registered building must contain sufficient information against which the impact on the fabric and appearance of the building can be assessed.

Permission will not normally be granted for the:

- (i) total or partial demolition of a registered building;**
- (ii) extension or other external alteration works which would adversely affect the architectural or historic interest, character or setting of a registered building or place;**
- (iii) addition of external items, including satellite dishes, antennae, signs, solar panels, rooflights and PVCu or aluminium doors or windows, which would adversely affect the special interest or character of the building; and**
- (iv) removal of natural roofing materials and render or stucco and their replacement with modern alternative materials.**

In addition, where the registered building is designated as a Site of Special Interest, permission will not be granted for alterations which would have an adverse impact on the internal structure, historic interiors and fittings.

Permission may be granted for partial demolition, but only for the removal of inappropriate additions to the building, where their removal would not harm, or would improve the historic character and appearance of the building or its setting.

Protection of Trees

- 4.43 Trees play an important rôle in the landscape of the built-up area and countryside. Some individual trees, avenues and groups of trees are of exceptional visual value particularly in and around villages, or along lanes or skylines. Development proposals should retain trees within the site, wherever appropriate, for example where trees make a valuable

contribution to the character of the landscape, streetscape, settlement or the setting of the development. Under the new Planning and Building (Jersey) Law, the Planning and Environment Committee shall maintain a List of Protected Trees, which can include single specimen trees, groups of trees, shrubs, bushes and hedges. Their protection is often essential. The task of identifying worthy trees is large and will require the services of the parishes, arboriculturalists and interest groups. Others will be identified if they are at risk from felling or harm.

POLICY G14 – PROTECTION OF TREES

Proposals which would result in the loss of or damage to protected and other significant trees will not normally be permitted.

The Planning and Environment Committee will seek to protect trees where they make a significant contribution to amenity by maintaining a List of Protected Trees. Trees worthy of preservation and threatened by felling or harm will be placed under immediate protection orders.

Replacement Buildings

- 4.44 The Planning and Environment Committee aims to promote a culture of re-use of buildings rather than demolition and rebuilding. Re-using the Island's buildings will usually be more sustainable and will produce less construction waste for landfill. Where there are existing buildings on a site proposed for development, developers should seek to incorporate them into the new development where practical and possible.
- 4.45 Where there are existing buildings on a site proposed for development, developers should examine carefully their potential for re-use or adaptation. Sustainability considerations that need to be applied when contemplating re-use or redevelopment of buildings include the amount and types of waste for disposal to landfill, the life-time energy capital of a building and future energy conservation and maintenance issues. Policy WM2 outlines the framework within which the disposal of significant quantities of waste material will be considered.

POLICY G15 – REPLACEMENT BUILDINGS

The replacement of buildings will normally only be permitted where the proposed development would:

- (i) enhance the appearance of the site and its surroundings;
- (ii) replace a building that it is not appropriate to repair or refurbish;
- (iii) not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;
- (iv) involve loss of an existing building that is unsympathetic to the character and amenity of the area; and
- (v) be in accordance with other principles and policies of the Plan.

Demolition of Buildings

- 4.46 Under the new Planning and Building (Jersey) Law, the demolition or removal of the whole or any part of a building requires planning consent (for buildings or structures that are not exempted development when constructed). In considering applications for demolition, the Planning and Environment Committee will be particularly concerned with the architectural and cultural heritage value of the building and its context and the need for demolition. It will also be concerned about the disposal of waste material and Policy WM2 outlines the framework within which the disposal of significant quantities of waste will be considered.

POLICY G16 – DEMOLITION OF BUILDINGS

The demolition of a building or part of a building will normally only be permitted where the proposal:

- (i) involves the demolition of a building or part of a building that it is not appropriate to repair or refurbish;
- (ii) would not have an unacceptable impact on a Site of Special Interest, Building of Local Importance or a Conservation Area;
- (iii) would not have an unacceptable impact on the character and amenity of the area;
- (iv) makes adequate provision for the management of waste material arising from demolition as required by Policy WM2; and
- (v) is in accordance with other principles and policies of the Plan.

Contaminated Land

- 4.47 Past developments and processes can result in the contamination of land in both urban and rural areas. Examples of potentially contaminated land include industrial sites where hazardous materials have been used and former gas works where toxic substances may have built up in the land. Contamination can pose a threat to the health of future users of the site

and to the surrounding environment. Few sites are so badly contaminated that they cannot be re-used at all, but the contamination may limit the range of potential uses. The re-use of contaminated land is in line with the principle of sustainable development, because it effectively recycles the land and reduces pressure for development of greenfield sites. However, a balance needs to be struck between the need to bring the land back into beneficial use and the risks and liabilities posed by the contamination.

- 4.48 The Planning and Environment Committee will encourage the redevelopment of contaminated sites, provided that this does not pose an unacceptable risk to human health or the wider environment. Responsibility for determining the extent and effects of contamination rests primarily with the developer. The definition of contamination, liabilities and guidance on appropriate requirements for site investigations and risk assessment will be given further consideration by the Planning and Environment Committee over the Plan period.

POLICY G17 – CONTAMINATED LAND

Proposals for development on contaminated land will normally be permitted where:

- (i) the developer carries out and submits a full and satisfactory investigation of the condition of the site to include, and fully identify, the nature and extent of contamination present and where it can be ascertained, the period over which contamination occurred;**
- (ii) the developer proposes a satisfactory programme of works to treat and/or remove the contamination present in a manner that is acceptable to the relevant regulatory bodies; and**
- (iii) the proposal is in accordance with other principles and policies of the Plan.**

Signs and Advertisements

- 4.49 Outdoor advertising is important to promote business, communicate information and provide directions. The location and illumination of signs in the countryside needs careful consideration to prevent the incremental 'urbanisation' of the character of rural Jersey. Within the built-up areas, advertisements can have a considerable impact on the character of a space or a building and, depending upon the quality and the type of sign or advertising used, can contribute positively or negatively to the street scene.
- 4.50 The Planning and Environment Committee recognises that good quality and appropriately located signs can improve the appearance and character of an area by adding colour and variety to the street scene. Conversely, poor quality and inappropriately located signs and advertising can be visually intrusive and can significantly reduce the character and environmental quality of an area. It is often said that Jersey suffers from 'visual clutter', a large part of which is signs. Planning Advice Note 7 'Signs and Advertisements' provides detailed guidance on submitting applications and should be read in conjunction with the policy below.

POLICY G18 – SIGNS AND ADVERTISEMENTS

Control will continue to be exercised over the display of advertisements, signs and notice boards. Those requiring consent will only be permitted where they are well sited, suitably designed and in accordance with the relevant supplementary guidance.

Satellite Antennae

- 4.51 Satellite dishes attached to buildings and structures can be visually intrusive. Applicants will be encouraged to install satellite dishes where they will have the least visual impact. Locations that should be avoided include in front of the building line of the property, above the roof ridge and other particularly conspicuous locations.

POLICY G19 – SATELLITE ANTENNAE

Applications for the installation of satellite dishes will be judged on their merits, having particular regard to:

- (i) the nature of the building and its surroundings;**
- (ii) the type, size and colour of the equipment in relation to its background; and**
- (iii) whether the building is a Site of Special Interest, a Building of Local Importance or within a Conservation Area.**

In all cases, the Committee will seek to minimise any adverse impact. Where a building is in multiple occupation, an additional consideration will be whether a dish for each apartment is required, or whether a communal dish will be appropriate.

Light Pollution

- 4.52 Whilst external lighting can play an important role in terms of safety, security and enhancement of the built environment, excessive, poorly designed and inappropriately located lighting can be of detriment to the environment.
- 4.53 Light pollution can have adverse effects on road safety through dazzle or distraction to drivers, cyclists and pedestrians, whilst light seepage can impinge into people's homes, reducing their quality of life and also affecting both domestic and farm animals and the Island's biodiversity. Within the Jersey coast and countryside, unnecessary illumination can be particularly intrusive affecting the landscape and scenic qualities and impeding viewing of the night sky. Excessive lighting is also a wasteful use of energy resources.
- 4.54 Through the implementation of Policy G20, the Planning and Environment Committee will support lighting schemes which will benefit development in terms of safety and enhancement of the environment, providing they do not harm amenity and cause light pollution.

POLICY G20 – LIGHT POLLUTION

Lighting within all new developments and environmental improvements will be designed to minimise the effect of sky glow whilst providing adequate illumination levels.

When considering such matters, the Planning and Environment Committee will not normally grant planning permission where the proposal would:

- (i) cause harm to the occupants of nearby properties by virtue of the intensity, direction and hours of lighting;
- (ii) result in road safety problems from dazzle or distraction to drivers;
- (iii) unreasonably affect the character and amenity of the area; and
- (iv) not be in accordance with other principles and policies of the Plan.

In locations where an unrestricted permission would conflict with the above criteria, planning permission may be granted restricting the hours of operation or requiring shielding to reduce light spillage.