

Minister for Infrastructure

Schedule of conditions: 31 – 41 Broad Street and, 19 – 29 Commercial Street, St Helier
Planning permission: P/2022/0388

Subject to the entering into, within 6 months of the date of the Minister's decision, of a suitable planning obligation under Article 25 of the Planning and Building (Jersey) Law 2002;

(a) to pay £492,560 to secure improvements to the public realm and also to walking and cycling routes; and

(b) to make a contribution of £50,000 to secure the provision of open space and children's play provision; and

(c) to construct and maintain a legal mechanism to ensure that at least 15% of the proposed apartments shall be made available for sale or occupation by Islanders eligible for assisted housing purchase,

the Minister for Infrastructure hereby grants planning permission reference P/2022/0388, subject to the following conditions:

- A. The development shall commence within three years of the Ministerial Decision.
Reason: The development to which this permission relates will need to be reconsidered in light of any material change in circumstance.
- B. The development shall be carried out entirely in accordance with the approved plans and documents.
Reason: To ensure that the development is carried out and completed in accordance with the details approved.
1. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Development Control section of the Infrastructure and Environment Department (I&E Department), a Phasing Plan, which shall include details of the order in which the principal elements of the development are proposed to be carried out. These shall include ground preparation works, construction of each building, vehicular access, car parking, the public realm and landscape works. The development shall thereafter be implemented in accordance with the approved Phasing Plan.
Reason: In order to ensure that the work being carried out in connection with the development is appropriately managed having regard to transportation, residential amenity and the protection of heritage assets, and to comply with policies TT1, TT2, SP3, SP4, HE1 and GD1 of the Bridging Island Plan 2022.
2. No part of the development hereby approved shall be occupied until the full separation of foul and surface water to the relevant sewers is completed to the satisfaction of the Development Control section of the I&E Department and thereafter shall be retained and maintained as such.

Reason: In order to ensure that suitable foul and surface water drainage interests are put in place in accordance with policies WER2 and WER6 of the Bridging Island Plan 2022.

3. Notwithstanding the information submitted with the planning application, the development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Development Control section of the I&E Department, a scheme setting out the allocation and future management of the car parking spaces and cycle storage spaces for individual dwellings and commercial units.

Reason: In order to ensure that there is sufficient provision for car parking and cycle provision, to comply with policy TT1 of the Bridging Island Plan 2022.

4. Notwithstanding the information submitted with the planning application, the development hereby permitted shall not be occupied until a Green Travel Plan to cover not less than 10 years from the date of first occupation has been submitted to and approved in writing by the Development Control section of the I&E Department. No accommodation shall be occupied until a Green Travel Plan Co-ordinator has been appointed and their details forwarded to the Development Control section of the I&E Department. The details of any subsequent appointees shall also be forwarded without undue delay. The approved Green Travel Plan shall be implemented in full over the period covered.

Reason: In order to ensure that there is sufficient provision for and encouragement of the use of alternatives to the private motor vehicle, to comply with policies TT1 and TT2 of the Bridging Island Plan 2022.

5. The development hereby permitted shall not be commenced until a scheme of service infrastructure has been submitted to and approved in writing by the Development Control section of the I&E Department. The scheme shall include details of:
 - (a) communal waste facilities, including provision for the separation of wastes for recycling, to include, but not be limited to, glass and cardboard;
 - (b) arrangements for the collection of waste;
 - (c) communications infrastructure, including but not limited to, any communal satellite television reception system;
 - (d) the location and number of electric car and bicycle charging points;
 - (e) a system of sustainable urban drainage and rainwater harvesting for the irrigation and watering of landscaped areas;
 - (f) external lighting;
 - (g) smart meters for water and electricity consumption visible within every residential unit; and
 - (h) phasing of the implementation of the foregoing by reference to the matters addressed in the approved Phasing Plan.

The detailed matters shall be implemented as approved and retained for the lifetime of the development.

Reason: In the interests of providing adequate service infrastructure in accordance with policy GD6 of the Bridging Island Plan 2022.

6. Prior to commencement of the development of any phase, a detailed Landscape Scheme shall be submitted to and approved in writing by the Development Control section of the I&E Department. The scheme shall provide details of the following:
 - i) all existing landscaping features to be retained;
 - ii) the position of all new trees and/or shrubs, this must include the species of plant(s)/tree(s) to be planted, their size, number and spacing and the means to be used to support and protect them, and details of their role within the scheme of landscaping where they are specifically designed to negate the impact of development on the residential amenity of neighbouring residential properties;
 - iii) other landscape treatments to be carried out to include any excavation works, surfacing treatments or means of enclosure; and
 - iv) the presence of any invasive plant species on site, and if present, a detailed method statement for the removal and long-term management/eradication of the species.

Prior to the first occupation of any part of the development, the approved Landscape Scheme shall be implemented in full and in accordance with the Phasing Plan submitted in connection with condition 1 and shall thereafter be retained and maintained as such in perpetuity.

Reason: In the interests of visual and residential amenity, and to comply with policies GD1 and GD6 of the Bridging Island Plan 2022.

7. Prior to commencement of the development hereby permitted, the approved Written Scheme of Investigation (WSI) for an archaeological assessment (including excavation of the cleared site), with full archaeological mitigation in the event of finds of archaeological significance, shall be adhered to and implemented, including post evaluation/excavation recording and reporting as set out in the approved WSI.

Reason: To ensure that special regard is paid to the interests of protecting the architectural and historical interest, character and integrity of the buildings and site under the provisions of policies SP4 and HE5 of the Bridging Island Plan 2022.

8. Prior to commencement of the development hereby permitted, full details of the proposed restoration of the retained 'sea wall' structure shall be submitted to and approved in writing by the Development Control section of the I&E Department, to be implemented prior to first occupation and maintained in perpetuity thereafter. The details shall include the engineering methodology for the retention of the structure and the architectural details of the proposed finish.

Reason: To ensure that special regard is paid to the interests of protecting the architectural and historical interest, character and integrity of the buildings and site under the provisions of policies SP4 and HE5 of the Bridging Island Plan 2022.

9. Prior to commencement of the development hereby permitted, a full engineering specification and method statement for the retention of the facades to Nos. 35 and 37

Broad Street shall be submitted to and approved by the Development Control section of the I&E Department to be thereafter implemented prior to first occupation and maintained in perpetuity. The details shall include works necessary to meet any phased construction programme.

Reason: To ensure that special regard is paid to the interests of protecting the architectural and historical interest, character and integrity of the buildings and site under the provisions of policies SP4 and HE5 of the Bridging Island Plan 2022.

10. A Percentage for Art contribution must be delivered in accordance with a detailed Public Art Statement which shall be submitted to and approved in writing by the Development Control section of the I&E Department. The approved work/s of art must be installed prior to the first occupation of any part of the development hereby approved.

Reason: To accord with the provisions of policy GD10 of the Bridging Island Plan 2022.

11. Prior to their first use on site, samples of all external materials to be used (including any hard landscaping materials) shall be submitted to and approved in writing by the Development Control section of the I&E Department. The approved materials shall be implemented in full and thereafter retained and maintained as such.

Reason: In the interests of visual amenity, and to comply with policies GD6 and HE1 of the Bridging Island Plan 2022.

12. The measures outlined in the approved Species Protection and Enhancement Plan (ref. NE/ES/LS.02, 16 March 2022, Nurture Ecology) shall be implemented prior to commencement of the development, continued throughout (where applicable) and thereafter retained and maintained as such. Any variations that may be required as a result of findings on site are to be agreed in writing by the Land Resource Management Team prior to works being undertaken.

Reason: In order to safeguard and enhance biodiversity, and to comply with policy NE1 of the Bridging Island Plan 2022.

13. A scheme showing details of noise mitigation measures to protect internal ambient noise levels within the proposed dwellings from external environmental noise sources including from the central plaza should be submitted to and approved in writing by the Development Control section of the I&E Department. The submitted scheme shall include measures to control external noise ingress so that appropriate internal ambient noise levels are achieved. The assessment shall include reference to BS8233:2014. The approved details shall be implemented prior to the first occupation of the development, and thereafter permanently retained as approved.

Reason: In order to safeguard the living conditions of proposed and existing residential dwellings, and to comply with policy GD1 of the Bridging Island Plan 2022.

14. The Demolition/Construction Environmental Management Plan submitted with the application documents (Appendix A3 of the application documents – Stantec) shall be implemented in full from the commencement of works until the completion of the development. Any variations shall be agreed in writing by the Development Control section of the I&E Department, prior to such revised working commencing.

Reason: To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with policies GD1 and GD6 of the Bridging Island Plan 2022.

15. Prior to the commencement of the development, details shall be submitted to and approved in writing by the Development Control section of the I&E Department, to demonstrate that the proposed development would reduce energy consumption by 20% as measured against the target energy rate pursuant to the Jersey Building Bye-laws, to be demonstrated using the existing Jersey Standard Assessment Procedure (JSAP) calculator, or Simplified Building Energy Model (SBEM) tool. The development shall be carried out in accordance with such details as may be approved, and thereafter permanently retained as such.

Reason: In the interests of the delivery of energy efficient development, and to comply with policy ME1 of the Bridging Island Plan 2022.

16. Prior to the commencement of each phase of the development, details of the methods to reduce, recycle and re-use construction and demolition waste, shall be submitted to and approved in writing by the Development Control section of the I&E Department. The details shall be set out in a detailed Site Waste Management Plan which shall assess, quantify and propose a method for each material identified. It will also include any proposed temporary stockpiling, the location of disposal sites, details of waste transfer vehicle sites, frequency and timing of trips and routes to and from disposal sites. Thereafter, the Site Waste Management Plan shall be maintained as a living document and waste management shall be implemented in full accordance with it. Any variations shall be agreed to in writing by the Development Control section of the I&E Department, prior to the commencement of such work.

Reason: To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with policies GD1 and GD6 of the Bridging Island Plan 2022.

17. Prior to the commencement of the development, including any demolition work or removal of waste from the site, a scheme for the sampling of materials on the site shall be submitted to and approved in writing by the Development Control section of the I&E Department. Any demolition, excavation, or removal of waste materials from the site shall take place only in accordance with the details of the scheme that may be agreed.

Reason: In order to ensure that waste arising from the scheme is minimised and, where unavoidable, is disposed of in an environmentally considerate manner, and to comply with policy WER2 of the Bridging Island Plan 2022.

18. Where contaminated materials are discovered pursuant to condition 17, a Remediation Scheme shall be submitted to and approved in writing by the Development Control section of the I&E Department, prior to the carrying out of any further development in connection with this planning permission. Any further work in connection with the development hereby approved following the approval of a Remediation Scheme pursuant to this condition, shall be carried out solely in accordance with that Scheme.

Reason: In order to ensure that contaminated waste arising is disposed of in an environmentally considerate manner, and to comply with policy WER2 of the Bridging Island Plan 2022.

19. Prior to the first occupation of any part of the development, the mitigation measures specified at sections 6.2, 6.3, and 6.4 of the submitted Flood Risk Assessment shall be implemented in full and maintained thereafter.

Reason: To mitigate flood risk in accordance with policy WER2.

20. Prior to the commencement of development, a detailed management and maintenance plan, demonstrating how the residential accommodation, communal areas and external spaces, will be sustainably managed into the future shall be submitted to and approved in writing by the Development Control section of the I&E Department.

Reason: To ensure long term sustainable management of the housing scheme in accordance with adopted Supplementary Planning Guidance - density standards - (July 2023).

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