



Supplementary planning guidance

# Haut du Mont Special Development Order

[29<sup>th</sup> September 2023]

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## Appendix A

Planning and Building (Special Development – Haut du Mont) (Jersey) Order 2023

## About supplementary planning guidance

The Minister for the Environment may publish supplementary planning guidance in the form of 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<sup>1</sup>. Supplementary planning guidance is designed to operate under the Island Plan and is complementary but subordinate to it.

Supplementary planning guidance may cover a range of issues, both thematic and site specific, and provides further detail about either policies and proposals in the Island Plan, or other issues relevant to the planning process.

Where relevant, supplementary planning guidance will be taken into account as a material consideration when making planning decisions.

The current supplementary planning guidance is listed and can be viewed [online](#).

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<sup>1</sup> Article 6 of the Planning and Building (Jersey) Law

## 1. Introduction

- 1.1 The Planning and Building (Special Development – Haut du Mont) (Jersey) Order 2023 (SDO) has been made by the Minister for the Environment and grants planning permission for the demolition of specific properties at Haut du Mont, Pier Road, St. Helier (Appendix A).
- 1.2 This Order does not grant planning permission for development of the site following demolition of the relevant property and an application, under Article 9 of the Planning and Building (Jersey) Law 2002, will be required (i.e. a 'planning application') for its development.
- 1.3 Included within the Order are various definitions and specific limitations which are, in summary:
  - 1.3.1 The buildings to which this Order applies comprises a total of nine residential units within a site indicated with cross-hatching on the plan in the Schedule to the Order;
  - 1.3.2 The Order grants planning permission for demolition of those properties;
  - 1.3.3 The Order states that exceptional circumstances surrounding the incident at Haut du Mont on 10th December 2022, and the resultant loss of life and extensive damage to the property warrant the use of this Order;
  - 1.3.4 The developer permitted to carry out the demolition work is also defined by the Order as Andium Homes Ltd;
  - 1.3.5 the developer must notify the Minister of the date on or after which demolition will commence, and must ensure completion of the demolition within six weeks, subject to extension up to 12 weeks;
  - 1.3.6 The Order defines "demolition" as demolition of the relevant property and related structures within the defined site; removal of all associated building materials; and the securing of the site, in accordance with Ministerial guidelines;
  - 1.3.7 The Order set outs the conditions subject to which planning permission is granted such that;
    - 1.3.7.1 the developer must submit to the Chief Officer a detailed proposal for (i) a site waste management plan, and (ii) the securing of the site;
    - 1.3.7.2 within six months, the developer must submit to the Minister, a detailed proposal for the development of the site; and a detailed proposal regarding the development of residential units to replace demolished units.
  - 1.3.8 The Order does not exempt any relevant work from compliance with Building Bye-laws.
- 1.4 The purpose of this SPG is to provide detailed guidance to the developer with regard only to the limitations of the extent of demolition that is permitted; the means of securing the site; and the removal and disposal of demolition material from the site.
- 1.5 The Minister may issue further guidance about the provisions of the Order, as set out 1.3.7.2 (above).
- 1.6 The Chief Officer referred to in this guidance is the Chief Officer of Infrastructure and Environment.

## 2. Guidance

### Extent of demolition

- 2.1 The developer should submit a demolition plan setting out the work that will be carried out.
- 2.2 In order to inform the contents of that demolition plan, the developer shall note that:
  - 2.2.1 demolition of the buildings shall include all walls, roofs, fenestration and associated debris, that is presently above the ground floor slab level of the existing buildings; and
  - 2.2.2 other demolition shall include incidental structures that form part of one of the existing dwellings.
  - 2.2.3 Demolition shall not include removal of ground floor slabs and foundations, bitumen and paving forming parking areas and pedestrian walkways, hard landscaping treatments, and services including ground-based pipes for gas, electricity, drains, or other walls and incidental structures not covered by 2.2.1 and 2.2.2 above.

### Disposal of demolition materials

- 2.3 Conditions (part 4) of the SDO include that all arisings from the above demolition shall be disposed of in accordance with a site waste management plan (SWMP) that shall be prepared in accordance with the principles outlined at paragraphs 2.4 to 2.5.
- 2.4 These principles are framed having regard to the strategy for avoiding, as far as reasonably practicable, waste being taken away for final disposal, whether for incineration or landfill, especially having regard to the limitations imposed by the finite capacity for disposal at La Collette disposal facility
- 2.5 The site waste management plan must:
  - 2.5.1 identify the volume and type of waste materials, including whether they are hazardous or not, generated during the development process (e.g. materials from demolition and excavation works and from construction activities);
  - 2.5.2 establish opportunities for reuse, recycling, recovery and treatment of materials (i.e. promote the waste hierarchy);
  - 2.5.3 demonstrate how off-site disposal of waste will be minimised and managed; generally, assist in improving materials resource efficiency on construction sites; and
  - 2.5.4 act as a tool for monitoring the successful implementation of sustainable waste management during development projects.
- 2.6 In order to ensure compliance with the approved SWMP, the developer will be required to demonstrate how the approved SWMP is being implemented, and to update it as demolition and construction progresses if materials, not previously specified in the original SWMP, are identified.
- 2.7 All waste transactions, involving disposal, re-use, recycling or recovery of waste, must be accurately and clearly recorded, and referenced in the plan, to show evidence of compliance.

2.8 A log of all waste-related paperwork and records of actions must be made accessible to relevant officers of the Government of Jersey within 24 hours of such request.

#### Securing the site

2.9 Prior to its installation on site, the developer shall submit, for the consideration and approval of the Chief Officer, a detailed scheme for means of enclosure and other work necessary to secure the site. Such scheme shall include details of the height of any boundary treatment, its precise location, and its appearance, including materials of construction.

2.10 The means of securing the site shall be carried out solely in accordance with such details as may be agreed by the Chief Officer.

## **Appendix A**

Planning and Building (Special Development – Haut Du Mont) (Jersey) Order 2023



Jersey

# PLANNING AND BUILDING (SPECIAL DEVELOPMENT – HAUT DU MONT) (JERSEY) ORDER 2023

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Jersey

# PLANNING AND BUILDING (SPECIAL DEVELOPMENT – HAUT DU MONT) (JERSEY) ORDER 2023

*Made*

*21st September 2023*

*Coming into force*

*28th September 2023*

**THE MINISTER FOR THE ENVIRONMENT** makes this Order under Articles 8 and 124 of the [Planning and Building \(Jersey\) Law 2002](#) –

## 1 Interpretation

In this Order –

“demolition” has the meaning given in Article 3;

“developer” means Andium Homes Limited, a company registered under the [Companies \(Jersey\) Law 1991](#) on 13th May 2014 with registration number 115713;

“relevant property” means the apartment buildings on the site, containing a total of 9 residential units;

“site” means the land at Haut du Mont, Pier Road, St. Helier, indicated with cross-hatching on the plan in the Schedule.

## 2 Planning permission granted

(1) In consideration of the exceptional circumstances surrounding the incident at Haut du Mont on 10th December 2022, and the resultant loss of life and extensive damage to the relevant property, the Minister grants planning permission for demolition of the relevant property.

(2) Permission granted by paragraph (1) is subject to Articles 3 and 4.

## 3 Demolition

(1) The developer must ensure that demolition of the relevant property does not commence until notified by the Minister in writing of the date on or after which demolition may commence.

(2) The developer must ensure that demolition of the relevant property is completed no later than 6 weeks after that date.

(3) The period of 6 weeks in paragraph (2) may be extended in writing by the Minister on application by the developer to a period not exceeding 12 weeks if, after the

demolition has commenced, it becomes clear that completion within 6 weeks will not be possible due to unforeseen circumstances.

- (4) For the purposes of this Order, “demolition” of the relevant property means –
- (a) demolition of the relevant property and related structures within the site;
  - (b) removal of all associated building materials; and
  - (c) securing of the site,
- in accordance with guidelines published by the Minister for the purposes of this Order.

#### **4 Conditions**

The conditions subject to which planning permission is granted by this Order are that the developer must –

- (a) submit to the Minister no later than 6 months after this Order comes into force a detailed proposal, including timelines, regarding the development of the site following the demolition of the relevant property;
- (b) submit to the Minister no later than 6 months after this Order comes into force a detailed proposal, including timelines, regarding the development of residential units at another location to replace units lost as a result of the demolition of the relevant property; and
- (c) submit for the approval of the Chief Officer a waste management plan for the site, including details of the methods proposed to reduce, recycle and re-use construction and demolition waste, and ensure compliance with the approved plan.

#### **5 Compliance with other enactments**

Nothing in this Order exempts the developer or any other person from compliance with Building Bye-laws or any other applicable enactment.

#### **6 Citation and commencement**

This Order may be cited as the Planning and Building (Special Development – Haut du Mont) (Jersey) Order 2023 and comes into force 7 days after it is made.

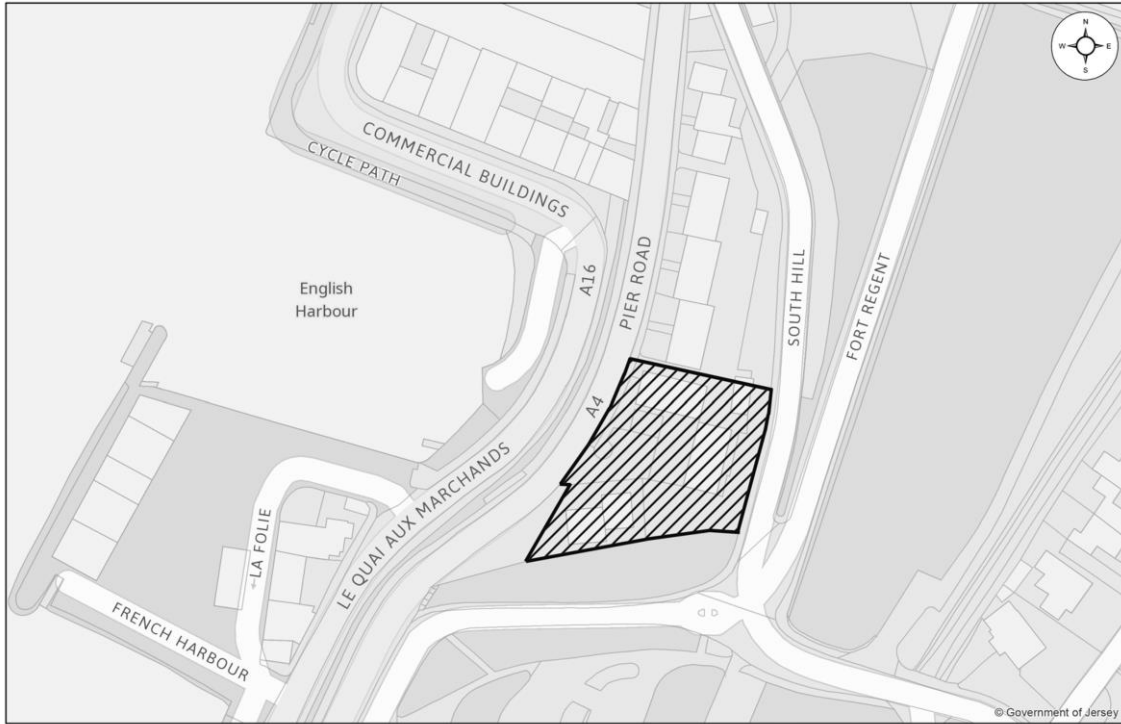
**DEPUTY J. RENOUF OF ST. BRELADE**

*Minister for the Environment*

# SCHEDULE

(Article 1)

## PLAN OF THE SITE



0 15 30 60 m

Development Control Map



Date: 22/08/2023

SCALE 1:1,000