

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – SEVENTY-FOURTH AMENDMENT REPLACEMENT OF POLICY HE1

**Lodged au Greffe on 7th February 2022
by the Deputy R. Labey of St. Helier**

STATES GREFFE

ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – SEVENTY-FOURTH
AMENDMENT

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After the words “the draft Island Plan 2022-25” insert the words “except that -

- (a) the text of Policy HE1 – Protecting listed buildings and places, and their settings should be replaced by the following –

“There will be a presumption in favour of the preservation of the architectural and historic character and integrity of listed buildings and places, and their settings. Proposals which do not preserve or enhance the special or particular interest of a listed building or place and their settings will not be approved.

Permission will not be granted for:

1. the total or partial demolition of a listed building;
2. the removal of historic fabric, which might include roofing materials, elevational treatments (such as render or stucco) and their replacement with modern alternatives;
3. the addition of external items which would adversely affect the special interest or character of a listed building or place, and its setting;
4. extensions, alterations and changes which would adversely affect the architectural or historic interest or character of a listed building or place, and its setting.

In those exceptional cases where there is a loss of the historic fabric of a listed building or place, the Minister will ensure that the recording of that fabric to be lost is undertaken, as appropriate.

Applications for proposals affecting listed buildings and places which do not provide sufficient information and detail to enable the likely impact of proposals to be considered, understood and evaluated, will be refused”; and

- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a).”

DEPUTY R. LABEY OF ST HELIER

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, “except that –

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(b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a).”

REPORT

Protecting our historic buildings is a key issue for the people of Jersey. In the 2014 survey, *Heritage Counts*, 90% of respondents said it was “important to conserve Jersey’s historic buildings to pass on to future generations” and, 83% agreed that “historic buildings are an asset to the regeneration of St Helier”.

Jersey came late to listed buildings. The French recognised the importance of ‘Monuments Historiques’ in 1819 and established a Commission des Monuments Historiques in 1837. In Britain, there was the First Ancient Monuments Protection Act of 1882. The listing of buildings of special architectural or historical interest was established in the Town and Country Planning Acts of 1944 and 1947. The basis for the first listing survey was the heroic wartime lists, known as ‘Salvage Lists’. These were drawn up to determine whether a particular building should be protected from demolition if bomb damaged. It was around this time that a system of grading and specific criteria were introduced.

Though there were some tentative listings in Jersey in the 1970s, a proper system of listing was not introduced until the 1990s. Between the 1950s and the 1990s much of Jersey’s rich architectural heritage was lost to development – particularly in St. Helier. The 2002 Island Plan included the Island’s first real historic buildings policy and the words used in it were continued in the 2011 Plan (amended in 2014).

During my time as Chair of the Planning Committee I saw, at first hand, that the policy worked well. The issue of which buildings are listed, and at what grade, is dealt with by experts at Jersey Heritage – at arm’s length from the Planning Department in order to ensure independence of thought.

The policy in the existing Island Plan starts with a presumption in favour of the preservation of listed buildings and places. But, as has often been pointed out, it does not preserve those buildings in aspic. As Members will know, the Minister may allow the loss of a building in ‘exceptional cases’.

In my view, the wording proposed for Protecting listed buildings and places, and their settings (Policy HE1) in the draft Bridging Island Plan reduces the protection for our listed buildings. The presumption in favour of preservation is removed. New tests are introduced which could make it easier for developers, for instance, to argue that there is (and I quote from the proposed policy): ‘no reasonably practicable alternative means of delivering [their] proposals.’

Yet again, Jersey is behind the times. Enlightened planning authorities throughout the world, and sophisticated developers, recognise that built heritage can be at the core of new and vibrant developments. Jersey should be in step. It cannot turn the clock back to the years when, in the absence of listed buildings and a robust historic buildings policy, so much of the Island’s unique architectural heritage was lost to the wrecking ball.

Financial and manpower implications

There are no financial or manpower implications in relation to this amendment,

Child Rights Impact Assessment review

This amendment has been assessed in relation to the [Bridging Island Plan CRIA](#). It is considered that the consequences of this amendment might affect only a small number of children who live in historic buildings, and will have no negative effect on children.