

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-NINTH AMENDMENT (P.36/2021 AMD.(59)) – AMENDMENT

Lodged au Greffe on 14th February 2022
by the Connétable of St. Brelade

STATES GREFFE

ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-NINTH
AMENDMENT (P.36/2021 AMD.(59)) – AMENDMENT

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For paragraphs (a), (b) and (c) and substitute the following paragraphs –

- “(a) within Policy GD2 the heading “Community participation in large-scale development proposals” should be replaced with the heading “Community participation in large-scale development proposals and proposals affecting St. Brelade’s Bay”; and
- (b) within Policy GD2, immediately before the comma of the first paragraph, there should be inserted the words “and any major development within the Core Area of St. Brelade’s Bay (as identified in the St. Brelade Character Appraisal Recommendations)¹”.

CONNÉTABLE OF ST. BRÉLADE

Note: After this amendment, amendment fifty-nine would read as follows –

After the words “the draft Island Plan 2022-25” insert the words “except that within Policy GD2 –

- (a) replace the heading “Community participation in large-scale development proposals” with the heading “Community participation in large-scale development proposals and proposals affecting St. Brelade’s Bay”; and
- (b) immediately before the comma of the first paragraph, add the words “and any major development within the Core Area of St. Brelade’s Bay (as identified in the St. Brelade Character Appraisal Recommendations)²”.

After the amendment, if amended by this amendment, the main 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 within Policy GD2 –

- (a) replace the heading “Community participation in large-scale development proposals” with the heading “Community participation in large-scale development proposals and proposals affecting St. Brelade’s Bay”; and

¹ Section 2 – Improvement Plan, Page 3 St. Brelade Character Appraisal Recommendations April2021
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20St%20Brelade%20Character%20Appraisal%20baseline%20report%20WMUD.pdf>

² Section 2 – Improvement Plan, Page 3 St. Brelade Character Appraisal Recommendations April2021
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20St%20Brelade%20Character%20Appraisal%20baseline%20report%20WMUD.pdf>

(b) immediately before the comma of the first paragraph, add the words “and any major development within the Core Area of St. Brelade’s Bay (as identified in the St. Brelade Character Appraisal Recommendations)³”.

³ Section 2 – Improvement Plan, Page 3 St. Brelade Character Appraisal Recommendations April 2021
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20St%20Brelade%20Character%20Appraisal%20baseline%20report%20W.MUD.pdf>

REPORT

The original Proposition sought to improve consultation with local communities in respect of developments and installations that can affect the enjoyment of localities by members of its community.

This Proposition proposes that paragraphs (a) and (c) of the original amendment are withdrawn in response to Statement Response SR06 of the [post-consultation report](#)⁴, which the Minister has discouraged on the grounds of their operational and procedural content.

In view of the acknowledgement in the preamble to the Proposal 17 – St. Brelade’s Bay Improvement Plan of the draft Bridging Island Plan that St. Brelade’s Bay (the ‘Bay’) ‘is an important part of Jersey’s tourism offer’, this Proposition further proposes that, pending development of the improvement plan for the Bay, paragraph (b) is replaced to ‘actively involve the community in the design stages of development’ of major development proposals for the Core Area of St. Brelade’s Bay identified in the Figure 1 below, in line with the policy proposed in Policy GD2.

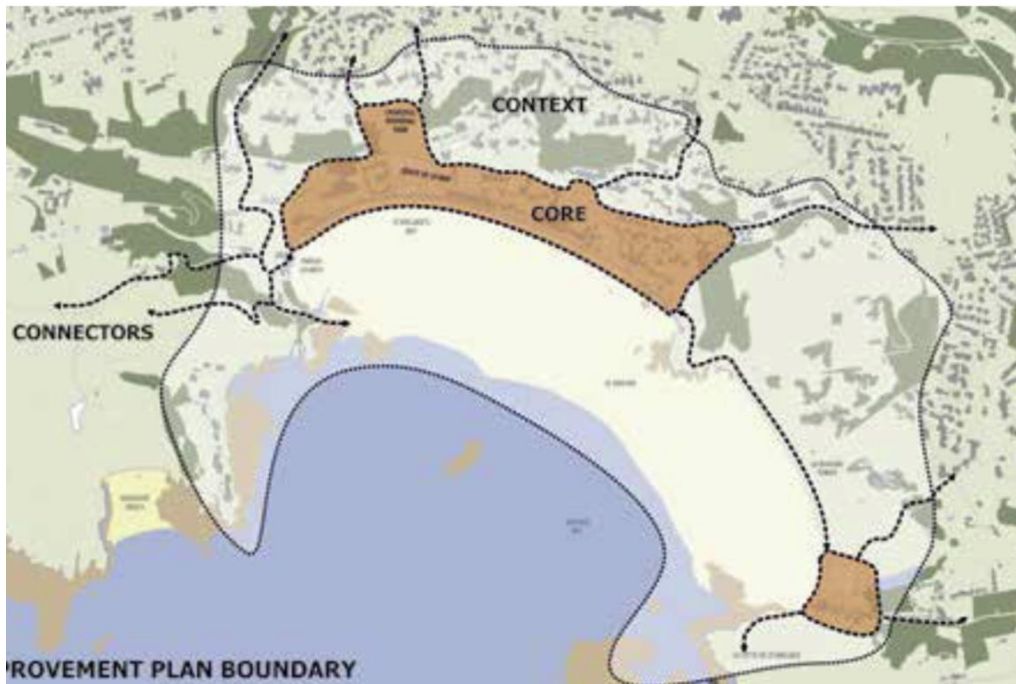


Figure 1– Core Area of St. Brelade’s Bay⁵

This is being proposed as a temporary measure pending the development of the proposed improvement plan for the Bay that would support and complement the

⁴ Page 11, part 3, Draft Bridging Island Plan: Post-consultation Report
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20Draft%20Bridging%20Island%20Plan%20-%20Post-consultation%20report%20-%20part%203.pdf>

⁵ Section 2 – Improvement Plan, Page 3 St. Brelade Character Appraisal Recommendations April 2021
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20St%20Brelade%20Character%20Appraisal%20baseline%20report%20WMUD.pdf>

Minister for the Environment’s [proposed amendment](#)⁶ to Policy GD9 of the draft Bridging Plan, which seeks to protect or enhance strategic views, ‘pending the development of the improvement plan for the bay’ ‘which would provide ‘more detail...in due course as resources allow’.⁷

The [St Brelade Character Appraisal](#) has identified a deterioration in the Bay’s appearance, saying

“the ratio of built to unbuilt is delicately balanced at present, and this is an important consideration if the valued rugged coastal character of the Bay is to be retained. Consequently, protecting open spaces, wooden areas and parks and private gardens, as well as promoting more planting common natural boundary treatments and less intrusive outdoor lighting will be an essential part of retaining the natural character of the Bay. The more that manmade features replace or conceal the natural features of the Bay, the less distinct, remote and unique the Bay will feel”⁸.

It is proposed that, in view of the size of the Bay and its strategic importance, and the intention of involving community in the development of its improvement plan, that Policy GD2 be amended in the manner proposed, to involve the community on a case-by-case basis in major developments as a temporary measure pending development of the improvement plan.

GD2, as amended by this Proposition would read –

“Policy GD2 – Community participation in large-scale development proposals and proposals affecting St. Brelade’s Bay

Large-scale development proposals for 10 or more homes or of 400 sqm floor space and over and any major development within the Core Area of the St. Brelade’s Bay as identified in the St. Brelade Character Appraisal, must be subject to consultation with the community, prior to a planning application being made.

A community participation statement should be submitted as part of the proposal providing evidence of:

- the consultation that was undertaken, including who was consulted, on what, when and how the consultation was carried out; and
- how any feedback received from the consultation was taken into account in the formulation of proposals.”

Financial and manpower implications

There are no financial or manpower implications in relation to the proposed amendments.

⁶ P.36/2021 Amd. (87) [https://statesassembly.gov.je/assemblypropositions/2021/p.36-2021%20amd.\(87\).pdf](https://statesassembly.gov.je/assemblypropositions/2021/p.36-2021%20amd.(87).pdf)

⁷ Page 193, Statement Response 51, Bridging Island Plan: Post-consultation report <https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20Draft%20Bridging%20Island%20Plan%20-%20Post-consultation%20report%20-%20part%203.pdf>

⁸ St. Brelade Character Appraisal baseline report, December 2020 <https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20St%20Brelade%20Character%20Appraisal%20baseline%20report%20WMUD.pdf>

Child Rights Impact Assessment implications

These amendments have been assessed in relation to the [Bridging Island Plan CRIA](#). Improved well-being of children will arise from improved public enjoyment of a public beach and recreation area.