STATES OF JERSEY

ISLAND PLAN 2011: APPROVAL (P.48/2011): THIRTEENTH AMENDMENT

Lodged au Greffe on 21st April 2011
by Deputy A.E. Jeune of St. Brelade

STATES GREFFE

PAGE 2 –

After the words "the revised draft Island Plan 2011" insert the words "except that –

(a) in Chapter 4: Built Environment, after paragraph 4.83 (on page 152) insert the following paragraphs and footnote, and re-number the later paragraphs and footnotes accordingly –

4.84 St. Brelade's Bay is generally regarded as one of the most beautiful natural bays in the Island. Successive development plans[(21)] have sought to retain and protect its natural beauty and character whilst recognising its role as an attractive place for tourists and islanders to visit and as a place to stay and live. However, it is important that the spirit of the 1968 proposition 'Development in St. Brelade's Bay area (P.15/1968)' and the 1989 St. Brelade's Bay Environmental Improvement Plan, continue to be addressed in this and subsequent Island Plans where they remain relevant today.

4.85 Whilst the landscape setting and important open spaces which characterise the bay are identified and protected through Island Plan policies, there is considered to be a need to review and develop a more detailed planning framework for the area, and specifically the defined Built-up Area, including those parts of the Built-up Area within the Green Backdrop and Shoreline Zones, to ensure that current and future pressure for the development and redevelopment of existing buildings in particular is sympathetic to its context and does not detract from the visual amenity of the bay and the public enjoyment of it.

(21) P.15/1968: Development in St. Brelade's Bay area; 1987 Island Plan; 1989 St. Brelade's Bay Environmental Improvement Plan; 2002 Island Plan.'

(b) after the words "to guide its future development and enhancement" in Proposal 13: Local Development Plans (page 152) add the following words '; and for St. Brelade's Bay to ensure that development is sympathetic to its context and does not detract from the visual amenity of the bay and the public enjoyment of it.'

DEPUTY A.E. JEUNE OF ST. BRELADE

REPORT

This amendment is brought with the support of the Connétable of St. Brelade and Deputies S. Power and M. Tadier of St. Brelade.

St. Brelade's Bay is arguably the premier bay in the Island for families, both for Islanders and visitors alike. Over the past 40 years there has been some sympathetic development, but currently there are concerns amongst Parishioners about the degree and mass of the recent and proposed developments in the Bay area.

There have been concerns about the degree of development in the Bay area since 1968. The first on record is the proposition brought by the Island Development Committee ("IDC") in 1968. This is recorded as in the document in Appendix 1 (attached). At this time there is no record as to the subsequent follow-up to this proposition. Conventional wisdom is that it was absorbed into the Island Plans, but this is by no means certain.

After the Great Storm in 1987, a working group was formed in order to develop a plan to improve the Bay area. This was completed in 1989 and is attached as Appendix 2. Whilst this Plan was concerned with making improvements to accommodate the large numbers of coaches which were still visiting the Bay, many of the improvements were sensible and some have, in essence, been made. For example, the St. Brelade's Bay Hotel gardens have replaced the scruffy car park and the Oyster Bar and Crab Shack have improved the old café area.

What is quite obvious is that previous Assemblies considered that the St. Brelade's Bay area was special and that there should be care and sensitivity in its development.

In fact, on 2nd November 1982 it was necessary for the IDC to bring a proposition to the Assembly in order to give planning permission for a small bungalow in the Bay. The Minutes of the Assembly state:

> ***St. Brelade's Plan: exception.***
>
> *THE STATES, adopting a Proposition of the Island Development Committee, authorised that Committee to permit the development of one bungalow in the garden of Le Houmet, Mont Sohier, St. Brelade's Bay, as shown on Drawing No. 12.131.1 as an exception to the terms of the Act of the States, dated 30th April, 1968 which granted approval to the St. Brelade's Bay Plan*.

We undertook research into the Island Plan 2002 in order to identify which tenets of P.15/1968 were subsumed into the Island Plan. (Appendix 2)

In the development proposals approved as part of P.15/1968 there were a number of main points –

(a) to approve the limited development of existing hotels in the area of St. Brelade's Bay;

(b) to agree that no other commercial development, with the exception of outdoor recreational facilities be permitted;

(c) to approve residential development consisting of up to eight quality dwellings to be sited approximately in the position shown on layout plan No. SBB.2.03;

(d) to agree that, apart from the dwellings recommended in paragraph (c), no other residential development be permitted in the area of the Bay, except for limited extensions to existing dwellings and the reconstruction of existing unsatisfactory dwellings to broadly the same size and to reflect the character of the neighbourhood.

The work done was as follows –

The 2002 Island Plan ("the Island Plan") as on the States website, the Final Draft of the 2002 Island Plan and the St. Brelade's Bay Plan in P.15/1968 ("the Bay Plan") were reviewed. It appeared that certain of the information on the States website differs from the Final Draft; in particular Section 8 (Housing) and Section 11 (Tourism).

In the Report, direct quotes from the Island Plan are in italics and comments and/or items of particular note are in bold; references to (a), (b), (c), and (d) are to the points listed in the paragraph above (P.15/1968).

In summary –

1. The inclusion of other Development Plans in the Island Plan would indicate that the St. Brelade's Bay Plan in P.15/1968("the Bay Plan") may have been discussed.

2. St. Brelade's Bay as an area is not defined and delimited which might be of use.

3. There is limitation of development within St. Brelade's Bay with different zones offering different degrees of protection.

4. Various Policies are referred to in the Report and should be read in their entirety.

5. With direct reference to the numbering in the Bay Plan it appears that (a), (b) and (d) are incorporated to a certain extent (see Report) but (c) is not.

At (a) in the Bay Plan, limited extension of existing hotels is agreed and at point (b) of the Bay Plan no other commercial development is agreed. I have not found reference to a complete ban of any further commercial development in the Island Plan.

Point (c) approves 8 specific sites for residential development as shown on the map attached to the Bay Plan, and again I have found no reference to these within the Island Plan.

It should also be noted that the Planning Department were unaware of P.15/1968 and very few were aware of the 1989 St. Brelade's Bay Environmental Improvement Plan when questioned. It would seem that point (1) of the conclusions may be open to question.

The recent spate of developments in the Bay suggests that there should be a coherent plan for development in the Bay rather than the current piecemeal proposals.

Preservation of historic buildings has depended on the actions of a few individuals rather than a comprehensive inventory of the Bay and identification of valuable buildings. The combination of both P.15/1968 and the 1989 Plan are effectively a well-researched Development Plan for the Bay.

The recent applications to Planning are for buildings of a scale and mass completely disproportionate to the context of the Bay and to the existing buildings. Continuation of this scale of development would be detrimental to the area and detract from the enjoyment of the Bay for Islanders and visitors alike.

It is for these reasons that we are bringing this amendment to request the Minister for Planning and Environment to include the principles of the St. Brelade's Bay Development Plan set out in P.15/1968 and the St. Brelade's Bay Environmental Improvement Plan of 1989 in the Island Plan 2011.

Financial and manpower implications

The ability for this work to be resourced from within the resources of the Department of the Environment will be reviewed by the Minister for Planning and Environment, in partnership with other key stakeholders such as the parochial authorities, during the Plan period.

ACT, DATED 5th MARCH, 1968, AND REPORT OF THE ISLAND DEVELOPMENT COMMITTEE REGARDING DEVELOPMENT PROPOSALS IN THE ST. BRELADE'S BAY AREA, TOGETHER WITH A PROPOSITION RELATIVE THERETO.

Presented to the States by Deputy M. Letto of St. Lawrence, President of the Island Development Committee.

Lodged au Greffe on 12th March, 1968.

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ISLAND DEVELOPMENT COMMITTEE.

5th March, 1968.

THE COMMITTEE, with reference to its Act No. 34 dated 7th February, 1968, received a draft report and proposition prepared by the Chief Executive Officer concerning development proposals in the St. Brelade's Bay area.

The Committee approved the said report and proposition, together with a layout plan number SBB.2.03, and requested the President to present them to the States.

A. D. LE BROCQ,
Greffier of the States.

REPORT.

HISTORICAL BACKGROUND.

1. Possible development in the Bay area at St. Brelade has been under consideration for a very considerable time and various proposals have been made some of which have been placed before the States. Mr. W. H. Barrett made proposals as expressed in Jersey Development Plan, Section II, Paragraph 23.1 (Page 24) for the future development of St. Brelade's Bay. These proposals were outlined in Diagram 17 which forms part of Section II of the Plan. In effect, the recommendations of the consultants were for a new road layout to be provided involving a one-way traffic system and that the back land be used for high density hotel and residential development. The consultants envisaged that some buildings would be constructed to a height of one hundred feet and elsewhere to one hundred and thirty feet and that the area between the old and new roads be given over to terraces, car parking and other tourist facilities. The then Island Development Committee in its recommendations to the States on the development proposals stated in respect of St. Brelade's Bay *inter alia* :— "The Committee does not at this stage wish to make any recommendation on St. Brelade's Bay—with the exception of Woodford. It is shown as undesignated on the zoning plan pending more detailed investigation and a later report to the States."[1] The States at that time accepted the Committee's recommendation with the exception of Woodford which was also to be shown undesignated. Accordingly, the States then approved Jersey Development Plan, Zoning Map No. 5 which shows St. Brelade's Bay as undesignated.

[1] P—16 of 1963.

2. In 1964, the then Island Development Committee considered a number of alternative development schemes for the area and finally the Committee lodged a report and proposition on 9th February, 1965[2] recommending a scheme providing for the immediate construction of a total of thirty-four dwellings on just over five acres of land with provision for a possible twenty dwellings on a further 3.1 acres of land. The scheme also provided for a possible future link to complete a new road system. The then Committee considered it to be an essential prerequisite of the development that additional car parking facilities be made available in the area and recommended that the area of land immediately to the east of Hotel l'Horizon be acquired for that purpose.

3. Subsequent to the lodging of this report a meeting was held at the St. Brelade's Parish Hall on 11th March, 1965, for the purpose of discussing the Committee's report and proposition. It was agreed at the Parish meeting firstly, that no further commercial development should be permitted in the Bay area i.e. no applications for flats, hotels etc, and secondly, that no other major development be permitted in the area but that in suitable areas limited in-filling might be allowed. In view of these and other comments, the then Committee decided that further revised plans should be prepared.

4. Accordingly, on 12th October, 1965, the then Committee lodged revised proposals for minimal development consisting of sixteen dwellings together with road and car parking improvements.[3] On 26th October, 1965, the States debated the Committee's report and proposition and decided to approve :—

(i) the designation of Area 1 in St. Brelade's Bay as shown on the plan accompanying the report and proposition for car parking purposes ;

[2] P—25 of 1965 which was withdrawn on 14th September, 1965.

[3] P—84 of 1965.

(ii) the widening of Mont Sohier in accordance with the plans prepared by the Public Works Committee.

The States rejected proposals for the construction of the sixteen dwellings.

THE EFFECT OF THE STATES DECISION.

5. The Committee took the States decision not to approve the very minimal development that had been proposed for the St. Brelade's Bay area to be one which could only be interpreted as being against any further development. Accordingly, from that time on, the Committee's policy has been only to approve minor extensions to existing properties or to secure the rebuilding of existing unsatisfactory properties with a small tolerance. Furthermore, the Committee has always had careful regard to the views expressed at the St. Brelade Parish meeting on 11th March, 1965, to the effect that major residential development schemes including the provisions of blocks of flats and commercial development should not be permitted.

THE PRESENT POSITION.

6. The Committee has in more recent times received an application for a major extension to the St. Brelade's Bay Hotel and has also been advised that applications from other hotels of a similar nature may be pending. At the same time, the Committee has taken note of a number of applications for extensions to existing dwellings and for new domestic dwelling units in the area. Accordingly, in consultation with the Tourism Committee, the Committee decided to review the overall demand for additional hotel extensions in the Bay area with a view to asking the States to reconsider its policy in relation to the extension of commercial development in the Bay area and also to investigate the possibility of constructing a small number of good quality dwellings.

TOURISM'S RECOMMENDATIONS ON HOTEL EXTENSIONS TO ISLAND DEVELOPMENT COMMITTEE.

7. The Tourism Committee, after consultation with the owners of the various hotels in the Bay area, has made the following recommendations to the Island Development Committee.

St. Brelade's Bay Hotel

The Committee recommends the construction of an extension which would have the effect of increasing the size of the premises which at present accommodate 184 persons, so as to provide accommodation for approximately 304 guests and 80 staff ;

Hotel L'Horizon

The Committee recommends extensions which would have the effect of increasing the existing accommodation of 162 guests to 207 guests and at the same time of providing additional toilets and baths, also other facilities to accommodate private parties ;

Golden Sands Hotel

That Committee recommends that the premises should be developed in respect of lounge and kitchen accommodation on the sea-side of the road, but it would only support the development of staff accommodation, which was urgently needed, on the landward side of the road ;

Chateau Valeuse

The Committee recommends extension of the premises which would allow the total number of persons accommodated thereon to be increased from 47 to 53 ;

Biarritz Hotel

The Committee recommends the approval of the proprietor's proposals to extend the east wing of the premises within the next five years in order to provide a recreation room and additional staff accommodation which would extend about 30 to 40 feet southwards from the existing gable end of the east wing.

THE ISLAND DEVELOPMENT COMMITTEE'S COMMENTS ON TOURISM COMMITTEE'S RECOMMENDATIONS.

8. The Island Development Committee has considered most carefully the Tourism Committee's recommendations on hotel extensions in the Bay area and has the following comments and recommendations to make upon them as follows :—

St. Brelade's Bay Hotel

The Committee is of the opinion that the proposed development of the St. Brelade's Bay Hotel is on too large a scale bearing in mind the problems of road traffic in the area and a need to provide increased parking facilities within the site area. The Committee, therefore, recommends that the scale of development be reduced in size namely to extensions which have the effect of increasing the accommodation of guests to an overall total not exceeding 225 guests together with appropriate staff accommodation. Furthermore, the Committee would require car parking to be provided within the curtilage of the site to an approved scale of one car parking space to four persons resident or employed on site plus provision for additional car parking for patrons of the restaurant and night club trade carried on at the premises ;

Hotel l'Horizon

The Committee recommends the extension proposed ;

Golden Sands Hotel

The Committee accepts the recommendation but would point out that there is no question of any increase in guest accommodation ;

Chateau Valeuse

The Committee accepts the recommendation ;

Biarritz Hotel

The Committee accepts the recommendation.

9. The Committee, therefore, recommends to the States that they approve in general terms the limited hotel extensions recommended by the Tourism Committee but modified by the Island Development Committee as indicated in the foregoing paragraph 8. At the same time, the Committee recommends that no new hotels should be constructed in the Bay area.

MARTELLO TOWER SITE.

10. The Committee is of the opinion that, bearing in mind that this site lies between the main road and the sea front, it should not be developed with a hotel but should remain open, and possibly be used solely for recreational purposes. The Committee would recommend that this land be acquired on behalf of the public, if, and when an opportunity presents itself.

OTHER COMMERCIAL DEVELOPMENT.

11. The Committee is of the opinion that no other commercial development should be permitted in the Bay area, excepting forms of outdoor recreation some of which might be sponsored by private enterprise.

RESIDENTIAL DEVELOPMENT.

12. Whilst the Committee is opposed to recommending rezoning proposals for residential development of any specific areas of land in the Bay area, it does consider that there are suitable sites for up to

about eight individual dwellings of good quality. Accordingly, it recommends that development of this nature and quality should be permitted broadly in the positions indicated on the layout plan. So far as other residential development is concerned the Committee recommends that the existing policy of approving limited extensions to existing dwellings and the replacement of existing unsatisfactory dwellings by new ones which are broadly the same character and size should be maintained. Apart from this, the Committee is of the opinion that no further residential development should be permitted in the Bay area.

PROVISION OF ROADS.

13. As previously approved by the States, the Public Works Committee has prepared and obtained approval of plans for the widening of Mont Sohier.

SUMMARY.

14. The Committee seeks the approval of the States to the policy set out in this report namely, that limited extensions to existing hotels be permitted, but that no other commercial development be permitted excepting outdoor recreational facilities. Furthermore, that some residential development not exceeding a total of eight dwellings be permitted but that the existing policy of approving limited extensions to existing dwellings by new ones of broadly the same size be maintained.

PROPOSITION.

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

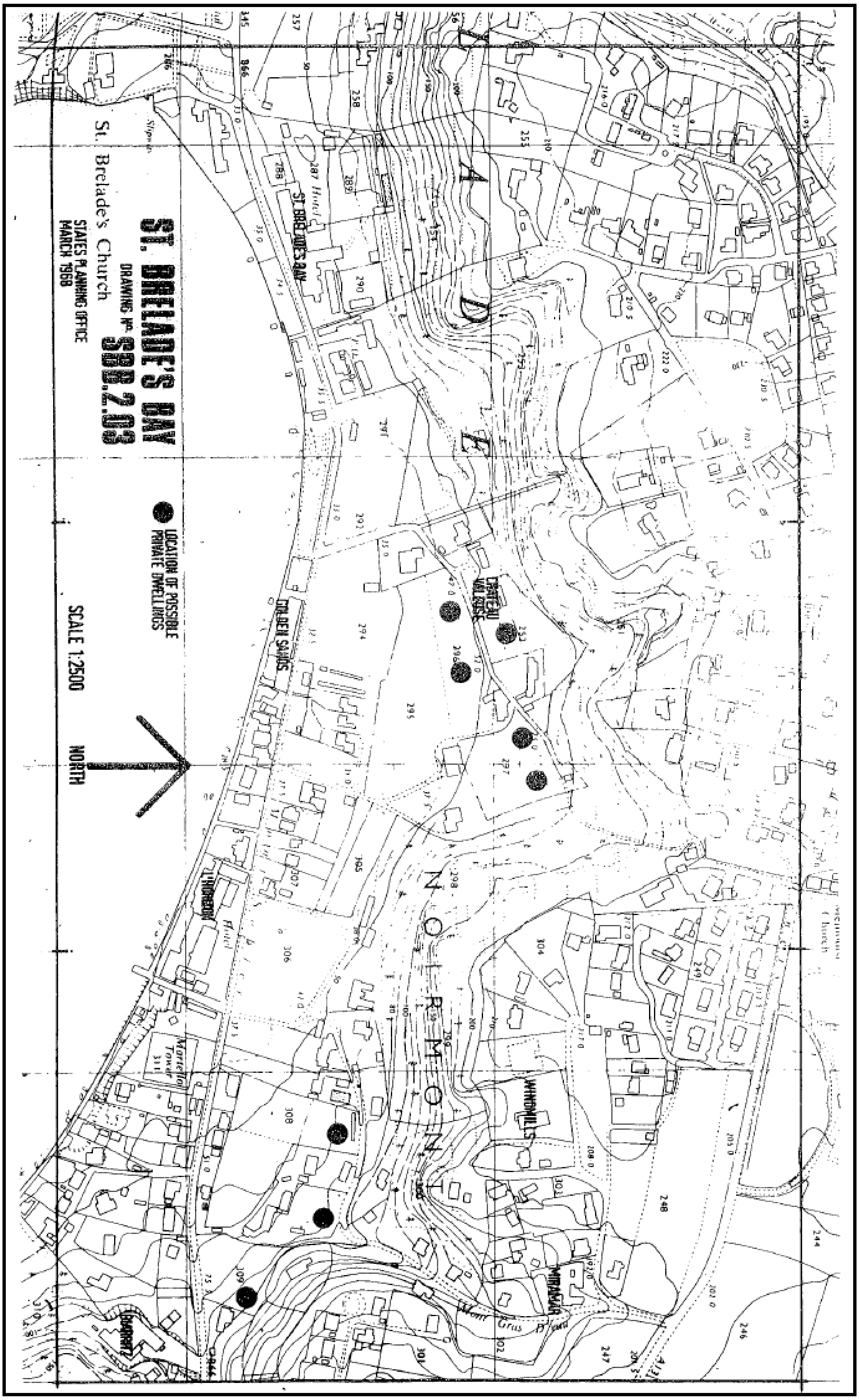
(*a*) to approve the limited development of existing hotels in the area of St. Brelade's Bay ;

(*b*) to agree that no other commercial development, with the exception of outdoor recreational facilities, be permitted ;

(*c*) to approve residential development consisting of up to eight good quality dwellings to be sited approximately in the position shown on layout plan No. SBB.2.03 ;

(*d*) to agree that, apart from the dwellings recommended in paragraph (*c*), no other residential development be permitted in the area of the Bay, except for limited extensions to existing dwellings and the reconstruction of existing unsatisfactory dwellings to broadly the same size and to reflect the character of the neighbourhood.

ISLAND DEVELOPMENT COMMITTEE.


ST. BRELADE'S BAY
DRAWING No. SBB.2.03
St. Brelade's Church
STATES PLANNING OFFICE
MARCH 1968
LOCATION OF POSSIBLE PRIVATE DWELLINGS
SCALE 1:2500
NORTH
NOIRMONT
GOLDEN SANDS
CHATEAU VALEUSE
WINDMILLS

APPENDIX 2

REPORT ON ST. BRELADE'S BAY

Conclusions:

1. The inclusion of other Development Plans in the Island Plan would indicate that the St. Brelade's Bay Plan in P.15/1968 ("the Bay Plan") could have been discussed.

2. St. Brelade's Bay as an area is not defined and delimited which might be of use.

3. There is limitation of development within St. Brelade's Bay with different zones offering different degrees of protection.

4. Various Policies are referred to in the Report and should be read in their entirety.

5. With direct reference to the numbering in the Bay Plan it appears that (a), (b) and (d) are incorporated to a certain extent (see Report) but (c) is not.

6. At (a) in the Bay Plan limited extension of existing hotels is agreed and at point (b) of the Bay Plan no other commercial development is agreed. I have not found reference to a complete ban of any further commercial development in the Island Plan.

7. Point (c) approves 8 specific sites for residential development as shown on the map attached to the Bay Plan, and again I have found no reference to these within the Island Plan.

Methodology

To compile the Report I reviewed the 2002 Island Plan ("the Island Plan") as on the States website, the Final Draft of the 2002 Island Plan and the St. Brelade's Bay Plan ("the Bay Plan"). It appears that certain of the information on the States website differs to the Final Draft, in particular Section 8 (Housing) and Section 11 (Tourism). In addition, the Proposal Map found on the website shows a Coastal National Park which is not on the draft Proposal Map.

In the Report, direct quotes from the Island Plan are in italics and my comments and/or items of particular note are in bold.

1. The 1968 St. Brelade's Bay Plan P.15/1968 ("the Bay Plan")

I can find no mention of the actual Bay Plan in the 2002 Island Plan ("the Island Plan"). Whether the Bay Plan was forgotten/ignored or discussed at all is, therefore, uncertain, but within the Island Plan there is reference to other development plans that were discussed and/or adopted. There is also reference to guidance notes referred to in Appendix 2.

Sections supporting the inclusion of any existing plans –

3.2 – outlines the broad aims of the Island Plan and at bullet point 4 states that one of the aims "*is to ensure land-use planning is approached in a positive, corporate manner, by translating the strategic aims and objectives of the States of jersey (as found in the Strategic Policy reviews, the States' Environmental Charter, international commitments and other relevant documents) into a Plan…*";

4.5 – refers to publishing Guidance Notes and refers to those in the Appendix;

5.51 – St. Ouen's Bay Framework adopted;

6.51 – approval given to St. Mary's and St. Martin's Plans Ref. Policy B7;

7.31 – St. Ouen's Bay Framework taken into account;

8.125 – reference to Planning Policy Advice Notes; and

9.14 – mention of St. Martin's Village Conservation and Development Plan.

2. St. Brelade's Bay ("the Bay")

The Bay Plan does not define exactly what constitutes St. Brelade's Bay in terms of planning. **Clarification of this might be useful.**

The Final Draft of the 2002 Island's Proposal Map and the Map which is on the States website ("website Map") appear to differ, in that the latter has a Coastal Management Zone. The Bay is categorised in the 2002 Plan as follows –

(a) An Urban Settlement;

(b) Countryside Character and Planning Zones comprising –
  (i) A Zone of Outstanding Character;
  (ii) A Green Zone;
  (iii) Countryside Zone;

(c) A Backdrop Green Zone;

(d) A Tourist Destination Area;

(e) Area with Important Open Space; and

(f) Coastal Management Zone (from website Map).

The above Zones/Areas each provide a certain degree of protection and/or control in terms of development in the Bay area to which they apply.

3. Urban Development (under Section 3)

3.2.1 – 3.22 discuss urban settlements classing St. Brelade's Bay as such.

3.2.2 states (in terms of future development) that "*St Aubin, St Brelade's Bay and Gorey are limited in their capacity because of their historic character and coastal setting"*.

Potentially inferring limited development but not restricting it as in the Bay Plan at (c) to 8 specific sites.

4. Countryside Character Areas and Planning Zones (under Section 5)

Table 5.2 in the 2002 Plan identifies the Countryside Character Areas and Planning Zones.

> St. Brelade's Bay is in the Zone of Outstanding Character as a bay with inter-tidal flats and reefs;
>
> St. Brelade's Valleys are in the Green Zone as Enclosed Valleys; and
>
> South-West Headland (St. Brelade) is in the Countryside Zone as Interior Agricultural Land.
>
> Reference is made to a report "Jersey Island Plan Review: Countryside Character Appraisal 1998 and the levels of protection in the appraisal have been translated into the above three planning zones. (See 5.34)

5. Zone of Outstanding Character ("the OC Zone")

The highest level of protection is given to the OC Zone in Policy C4 – Zone of Outstanding Character and *"all proposals will be subject to rigorous examination of their environmental implications …"* and *"will require an Environmental Impact Assessment to be carried out for any development likely to have a significant effect on the environment."*

Various other points under C4 include –

(i) proposal for redevelopment of existing residential properties in this zone will only be permitted where they are within **the same or lesser footprint** of the existing dwelling where any such proposal makes a positive contribution to the character of the area and where it is in accordance with other principles and policies of the Plan;

(ii) a presumption against the redevelopment of existing non-residential buildings for residential and other use in this zone with mention of exceptions, etc. and the provisos thereof;

(iii) extensions to existing buildings not normally permitted and other developments strongly resisted unless they are proven to be in the Island interest. **(See (d) of Plan though *"strongly resisted"* not same as no development.)**

Reference is made to the OC Zone in Policy C12 – Tourism and Recreation Support Facilities in the Countryside states that "*There is a presumption against the provision of tourism and recreation support facilities in the Zone except for minor improvements to enhance public enjoyment of the coast and countryside."*

6. Green Zone

Policy C5 – Green Zone deals with developments in this zone and states, inter alia, *"proposals for new development which must occur outside the built up area will only be permitted in the Green Zone where it is demonstrated that there are no suitable alternative sites available in the Countryside Zone …"* An Environmental Impact Assessment may be required.

7. Countryside Zone

Policy C6 – Countryside Zone states that "*The area outside the Zone of Outstanding Character, the Green Zone and the built up area is designated the Countryside Zone. This zone will be given a high level of protection and there will be a general presumption against all forms of new development for whatever purpose."* It goes on to say, however, that *"the Planning and Environment Committee recognise that within this zone there are many buildings and established uses and that to preclude any development would be unreasonable."* Then follows a list of types allowed and/or criteria and provisos allowing extensions, etc.

Part (d) of the Bay Plan allows for limited extensions to existing dwellings and reconstruction of existing unsatisfactory dwellings to broadly the same size and to reflect the character of the neighbourhood" but does not permit any other dwellings apart from the 8 in part (c) of the Bay Plan.

8. Green Backdrop Zone (Section 6)

The Green Backdrop Zone is defined in 6.65/6.66 and Policy BE-10 the Green Backdrop Zone and includes part of St. Brelade's Bay. Its aim is to ensure that any proposed development within this zone conserves the landscape backdrop to urban areas through careful siting, the design, retention of existing trees and the use of appropriate planting. **It is acknowledged at 6.66 that greater resolve in its application is needed than has been applied in the past.**

The Bay Plan at (c) approved residential development of up to 8 dwellings as sited on layout plan No. SBB.2.03. Not clear what the basis of the siting of these sites was without further information but the Zones at 5, 6, 7 & 8 all have some limitations on development.

9. Shoreline Zone (Section 6)

Defined in 6.67/6.68 and Policy BE-11 Shoreline Zone and includes part of St. Brelade's Bay. Within this zone, inter alia, there is a presumption against new buildings or extensions to existing buildings where such development will fill gaps or obstruct public views to the foreshore or the sea.

10. Tourist Destination Area (Section 11)

11.25 defines St. Brelade's Bay as a Tourist Destination Area – precise boundaries to be defined by the Tourist Committee. **Presumably these have been defined somewhere – the Proposals Map not particularly helpful showing just a large star somewhere in St. Brelade's Bay.**

Policy TR1 – Development of New Tourist Accommodation states –

> "*In the Countryside Zone and the Green Zone, extensions to existing tourist accommodation or the conversion of existing buildings will normally be permitted where the proposed development satisfies the above criteria"* (i.e. within TR1) and "*there is a presumption against new and the extension of existing accommodation in the Zone of Outstanding Character."*

The Plan at (a) approved the limited development of existing hotels in the area of St. Brelade's Bay; and

The Plan at (d) inter alia "…permitted limited extensions of the existing dwellings and the reconstruction of existing unsatisfactory dwellings to broadly the same size and to reflect the character of the neighbourhood".

Policy TR2 – Tourist Destination Areas states at bullet point 4 that –

> "*there is a presumption against the change of use of a property from tourist accommodation or a tourism support property to a non-tourist related use provided the existing use remains viable"* **(Zanzibar?)**

Furthermore, proposals for new tourist accommodation and support facilities will normally be permitted in a Tourist Destination Area with certain provisos under TR2 (see below).

Policy TR3 – New or Extended Tourism and Cultural Attractions discusses that these are normally permitted in the Countryside and Green Zone within the criteria in TR3 and with certain provisos. There is, however, a presumption against such development in the OC Zone.

The Bay Plan at (a) approved limited development of existing hotels in the area of St. Brelade's Bay.

TR5 – Development of Recreation Resources states that –

> "*there is a presumption against the development of recreational resources in the Zone of Outstanding Character except for minor improvements to enhance*

public enjoyment of the coast and the countryside." But *"Proposals for the development of recreation resources will normally be permitted"* provided the criteria in TR5 is followed.

The Plan at (b) stated that "no other commercial development, with the exception of outdoor recreational facilities, be permitted."

11. Area with Important Open Space (Section 6)

An area within St. Brelade's Bay is shown on as an Important Open Space. These fall under Policy BE8 which states –

"that there will be a presumption against the loss of important open spaces as designated on the Island and Town Proposals Map."

12. Coastal Zone Management (Section 7)

Mentioned at 7.21–7.22 and Policy M2 Coastal Zone Management Strategy and shown on the website Map. **I am not clear to what extent this has been adopted and/or addressed but a Coastal Management Park is shown on the website Map.**

13. General Policies (Section 4)

G15 – Replacement Buildings and G5 – Environmental Impact Assessments.

Dated 19th December 2010