

# STATES OF JERSEY



## ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – EIGHTY-NINTH AMENDMENT (P.36/2021 AMD.(89)) – AMENDMENT

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Lodged au Greffe on 14th February 2022  
by the Deputy of St. Peter

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STATES GREFFE

ISLAND PLAN 2022-25: APPROVAL (P.36/2021) - EIGHTY-NINTH  
AMENDMENT (P.36/2021 AMD.89) – AMENDMENT

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**PAGE 2, PARAGRAPH (c) –**

In sub-paragraph b) of the substituted paragraph in Policy HE2, delete the words “where the existing frame is beyond repair”.

**DEPUTY OF ST. PETER**

**Note:** After this amendment, the amendment of the Minister would read as follows –

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

- (a) within the preamble to Policy HE1– Protecting listed buildings and places, and their settings, after paragraph 2 on page 124, there should be inserted a new section –

**“Inclusive design**

Everyone should be able to enjoy easy and exclusive access to the historic environment. Listed buildings and places may need to be modified to meet existing access needs as well as the changing needs of occupants and users. Removing barriers to access can allow many more people to use and benefit from the historic environment. If sensitively designed this need not compromise the ability of future generations to enjoy heritage and access these environments. Understanding the significance of a building is a vital first step in thinking about how much it can be changed to ensure sensitive interventions. In most cases access can be improved without compromising the special interest of the historic buildings and it is rare when nothing can be done to improve or facilitate access. By undertaking a careful process of research, consultation and creative exploration of alternative, good quality solutions are usually possible. The provision of improved access can be an important part of a sustainable approach to caring for the historic environment without compromising the significance of special places.”;

- (b) in Policy HE1 the fourth paragraph should be replaced with the following –

“Proposals that do not protect a listed building or place or its setting will not be supported unless and with regard to the comparative significance of the listed building or place, or its setting, and the impact of proposed development on that significance”;

- (c) in Policy HE2 -

- (i) for the first paragraph there should be substituted –

“Historic windows and doors in listed buildings or buildings in a conservation area which are of significance or special interest, or which

contribute to the character of the conservation area should be repaired using materials and detailing to match the existing. Proposals for the replacement of modern glazing in historic windows with double glazing will be supported where it can be accommodated:

- a) within the existing window or door joinery frames; or
  - b) within a like for like frame.”;
- (ii) in the third paragraph the words “or the character of a building in a conservation area” should be deleted.
- (iii) a new fourth paragraph should be inserted in as follows –
- “Where proposals for the replacement of windows and doors in conservation areas will affect the character and appearance of the conservation area, they will only be supported where they protect or improve that character or appearance.”
- (iv) in the first sentence of the existing paragraph four the word “more” should be deleted from before “modern windows”, the words “or buildings in a conservation area” should be removed, and the word “and” should replace “or” at the end of the second line;
- (v) a second sentence should be inserted at the end of the existing fifth paragraph as follows –
- “The use of double-glazing in replacement windows and glazing in doors will, therefore, be supported where replacements replicate the historic window and doors as far as practicable helping to meet Jersey’s commitment to energy efficiency.”
- (d) in Proposal 14 – Conservation area designation –
- (i) the second paragraph should be replaced with the following –
- “It is proposed that the first conservation area or areas to be designated should be within the historic areas of St Helier and then drawn from the following list: St Aubin, the areas around the parish churches of Grouville, St. Lawrence, St. Martin, Trinity, St. Ouen, St. Peter, and St. Clement; Gorey Village and Pier, and Rozel Harbour. Designation should follow engagement and consultation with parish authorities, local residents, businesses and other key stakeholders including heritage organisations.”
- (ii) a new paragraph should be inserted at the end of Proposal 14 as follows –
- “During the course of the Bridging Island Plan, at least four conservation areas should be designated from those listed in this Proposal.”
- (e) within the preamble to Policy HE3 – Protection or improvement of conservation areas, a new sentence should be inserted at the end of the last paragraph on page 133 -
- “This does not preclude high quality modern design of buildings or spaces within the area, rather it seeks a contextual response to fit the place.”

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 –**

- (a) **within the preamble to Policy HE1– Protecting listed buildings and places, and their settings, after paragraph 2 on page 124, there should be inserted a new section –**

**“Inclusive design**

**Everyone should be able to enjoy easy and exclusive access to the historic environment. Listed buildings and places may need to be modified to meet existing access needs as well as the changing needs of occupants and users. Removing barriers to access can allow many more people to use and benefit from the historic environment. If sensitively designed this need not compromise the ability of future generations to enjoy heritage and access these environments. Understanding the significance of a building is a vital first step in thinking about how much it can be changed to ensure sensitive interventions. In most cases access can be improved without compromising the special interest of the historic buildings and it is rare when nothing can be done to improve or facilitate access. By undertaking a careful process of research, consultation and creative exploration of alternative, good quality solutions are usually possible. The provision of improved access can be an important part of a sustainable approach to caring for the historic environment without compromising the significance of special places.”;**

- (b) **in Policy HE1 the fourth paragraph should be replaced with the following –**

**“Proposals that do not protect a listed building or place or its setting will not be supported unless and with regard to the comparative significance of the listed building or place, or its setting, and the impact of proposed development on that significance”;**

- (c) **in Policy HE2 –**

- (i) **for the first paragraph there should be substituted –**

**“Historic windows and doors in listed buildings or buildings in a conservation area which are of significance or special interest, or which contribute to the character of the conservation area should be repaired using materials and detailing to match the existing. Proposals for the replacement of modern glazing in historic windows with double glazing will be supported where it can be accommodated:**

**a) within the existing window or door joinery frames; or**

**b) within a like for like frame.”;**

- (ii) **in the third paragraph the words “or the character of a building in a conservation area” should be deleted.**

(iii) a new fourth paragraph should be inserted in as follows –

“Where proposals for the replacement of windows and doors in conservation areas will affect the character and appearance of the conservation area, they will only be supported where they protect or improve that character or appearance.”

(iv) in the first sentence of the existing paragraph four the word “more” should be deleted from before “modern windows”, the words “or buildings in a conservation area” should be removed, and the word “and” should replace “or” at the end of the second line;

(v) a second sentence should be inserted at the end of the existing fifth paragraph as follows –

“The use of double-glazing in replacement windows and glazing in doors will, therefore, be supported where replacements replicate the historic window and doors as far as practicable helping to meet Jersey’s commitment to energy efficiency.”

(d) in Proposal 14 – Conservation area designation –

(i) the second paragraph should be replaced with the following –

“It is proposed that the first conservation area or areas to be designated should be within the historic areas of St Helier and then drawn from the following list: St Aubin, the areas around the parish churches of Grouville, St. Lawrence, St. Martin, Trinity, St. Ouen, St. Peter, and St. Clement; Gorey Village and Pier, and Rozel Harbour. Designation should follow engagement and consultation with parish authorities, local residents, businesses and other key stakeholders including heritage organisations.”

(ii) a new paragraph should be inserted at the end of Proposal 14 as follows –

“During the course of the Bridging Island Plan, at least four conservation areas should be designated from those listed in this Proposal.”

(e) within the preamble to Policy HE3 – Protection or improvement of conservation areas, a new sentence should be inserted at the end of the last paragraph on page 133 -

“This does not preclude high quality modern design of buildings or spaces within the area, rather it seeks a contextual response to fit the place.”

## REPORT

It is very much appreciated that the Minister is happy to accept replacement windows, but this only solves half of the problem. This amendment seeks to resolve the other half of the problem which is in relation to the frames. Replacing double-glazing into existing frames is neither recommended nor practical as can be evidenced by the quotes/comments below from individuals working within the industry. Waiting until a frame is “beyond repair” is, therefore, not a viable option.

The following came for an established joiner -

*“There is a very real risk in just swapping the vertical sliding sashes out, while leaving in the frames. Experience suggests that more often, it’s the box frames which are suffering the decay. Unless they are taken out, no DPC can be introduced to stop the dampness in the wall tracking to the vulnerable timber. Furthermore, if the new sashes become heavier due to slim-lite double-glazing units, then the lead weights in the sash need to be enlarged, which in turn means that the frames need slightly enlarging too - not much, say 25mm deeper.”*

In essence the above confirms that the windows become slightly heavier to accommodate lead counter balancing weights, and the frames need to be ever so slightly bigger to accommodate. This will put huge strain on the existing, potentially 150-year old frames which may have already been repaired many times.

The General Manager of Trinity Joiner, makes the case for the full replacement of windows and frames. WARNING, it’s complicated, but summarised afterwards -

*“To put double-glazing into existing window sashes made for 3 or 4mm glass means one of two things. Either the glass is the type with no sealant around the edge and a vacuum inside (which is 6mm thick), or it is ‘slim’ double-glazing and has a very low sightline of sealant that can be covered by the putty that used to hold the single glass in place and is 14mm thick.*

*The only source of the vacuum glass is a NSG Group factory in Japan. They own Pilkington Glass too and one orders through them. They make a range of sizes but do not make custom sizes because a mould is required. If you were building a new house and collaborated with us about the style and finished size of the windows we could provide an aperture size for you to build. Apart from the ugly button in every pane, and the eye-watering cost of this glass and shipping it, the standard sizes make a nonsense of putting it in old windows. Not only is every house different but most old Jersey houses don’t have more than 2 windows the same size!*

*That leaves ‘Slim’ double glazing with a reduced sight-line. We use slim glass made up of 4mm glass / 6mm airspace / 4mm glass. After a special coating on the inside and some expensive gas filling we meet current building regulation U-values quite comfortably. We have a glazing system that covers the 7mm sealant of the edge of the insulating glass units with a synthetic putty and sealed in this way the slim double glazing lasts a very long time.*

*When you look at a glazing bar in cross section (see Appendix A) the part of the timber that separates the glass is called the ‘feather bar’. For the integrity of the window it*

*needs to be 6mm thick, and the slim units need 1mm of clearance all round (tight I know but we have some fancy machinery here) so the thickness of the bar is 7+1+6+1+7mm, total 22mm. We steal a single mm off that and make our bars 21mm wide.*

*There is such a thing as Very Low Sightline slim units with a 5mm sightline and against my better judgement (as an old sealed unit manufacturer myself) we gave in to pressure and glazed two jobs with them. In the years since we have been back to both houses countless times to change units for new ones, and even some of the new ones have broken down too. I am aware that Planning Authorities on the Mainland have banned their use.*

*The putty fillet that seals the unit in place covers 8mm as above but also needs to be a certain depth for there to be enough strength and sealant to do the job, and to look 'right'. If an old window had sashes that are 38 or 44mm thick then by making a window with thicker glass we must deepen the rebate, put less putty, or thicken the sash. We have to find another 10 or 11mm so our sashes become 52mm, and the boxes in which they slide have to accommodate 2 of these sashes so become a little thicker too, i.e. 162mm as opposed to about 146mm in the old days.*

*To fit new boxes into granite we chip off the old external cement fillets, pull the old window out from the outside, push the new one back up to the plaster line left by the old one, and make new cement fillets that are of necessity 16mm closer to the outside face of the wall. To fit in a rendered wall we remove some of the render around the reveal before removing the old window in the same way and re-rendering with whatever render the house was built with. I would challenge anyone to stand in the garden of a house we have done and tell me it doesn't look right. That 16mm is impossible to notice, and anyway the inset of original windows varies widely.*

*Georgian box sash windows in Jersey are now extremely old and have been repaired many times. Each time the amount that must be cut out increases so there's often not much left of the original box. Victorian ones weren't made of the same quality timber i.e. not the pitch pine that my Great-great-great-great-grandfather used to ship across from Newfoundland, so have passed their intended life span several times over already. Without chiselling off the cement fillets or render to remove the window one has to dig out what one can to effect repairs but there's always something left in there to speed up the rot in the new scarfed timber.*

*There's no discernible difference between how boxes were made then and how we make them now. Yes we need twice as much to counterbalance the weight of the sashes because we have double the glass, but by using lead instead of iron the boxes don't need to be any bigger to accommodate the weights.*

*Our new windows aren't cheap, as you know. They are quite an investment in a house for the owner but because of the Accoya timber we use and the refined design to accommodate and protect the double-glazing they will outlast the person who buys them, and probably their children too. We have many many customers who are willing to pay for these products for all the right reasons and I sympathise with them when they run into problems with Planning.*

*They (and us) don't need to be dictated to about preserving the building heritage of our beautiful Island, we're on it already. My solution? Certify the local joinery firms after they present drawings and an example of a heritage window to supply that design*

*without the need for a Planning Application. Something like a little local FENSA scheme (but please not that one) where a local manufacturer is licensed to do the right thing. We're all on the same side you know!*

The comments are summarised as follows –

- 1. Timber windows which are over 100 years old, cannot be made to last for ever, no matter what you do to them. Timber eventually decays, especially when it is subject to modern day internal temperatures. It is inevitable that an historic window eventually requires full replacement.*
- 2. Even by using modern day technological advances in glass manufacturing, existing windows cannot be up-graded by merely swapping out the historic glass for double glazed units double glazed units. Where this is attempted, the glass unit still fails over time.*
- 3. Replacement window frames will inevitably have to slightly change the appearance of the glazing bars. This is not deemed to be a significant change.*
- 4. A refurbished window unit will require more frequent maintenance to compensate for its age and the lack of durability of its timber. With each repair, less of the window frame will remain, till such a point this the unit has to be condemned and full replacement be considered.*
- 5. There are reputable local joinery firms who are more than able to offer equivalent double glazed replacement window systems. Through an accredited registration process, it might be possible to avoid the rigour and expense of a formal planning application process, which is burdensome and expensive to run for all parties. Accreditation could be subject to annual review to ensure standards are maintained.*
- 6. The repair of an historic window in situ is expensive, and ultimately results in a compromised aesthetic solution, with visible scarf joints in the timber sections.*
- 7. Surely the listing details of could seek to preserve the very few exemplar windows which exist. But the shift should be to appropriate replacement by accredited joinery firms.*

A senior architect stated that –

*“It's hard defending policies to homeowners, when the logic to the policy just isn't there at the moment.”*

## **Summary**

With the progress made in this field of work, and the absolute desire to reduce our carbon use, it makes no sense to NOT allow the total replacement of existing sash windows with new highly efficient double-glazed windows and accompanying frames which will make absolutely no aesthetic change.



Whilst the use of double-glazing and ‘modern’ frame sin historic buildings may be controversial, as the pictures below will evidence, there is no discernible visual impact when they are correctly fitted. To illustrate the point can Members determine which window below is double-glazed and has a ‘modern frame’, and which has not? It is anticipated that Members will be unable to distinguish between the two!



### **Financial and manpower implications**

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

### **Child Rights Impact Assessment implications**

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.

Many sash windows are merely 2 ft off the ground so a small child could easily climb up and get very close to and touch the window. The old heritage glass is extremely fragile and brittle, and if broken the shards are very sharp. I would suggest making the replacement of these windows, to prevent harm to children, should be encouraged and made as easy as possible.

APPENDIX A



