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 28/04/06

Michael Felton Ltd.
 LANDSCAPE ARCHITECTS

MNF/Office General/lt087

28 April 2006

Deputy GCL Baudains
 Lead Member
 Planning Process Review
 Scrutiny Office
 States Greffe
 Morier House
 St Helier
 JE1 1DD

Dear Sir

Review of Planning Process

Further to letter dated 22nd March 2006 we are replying on behalf of Michael Felton Ltd Landscape Architects. This is a private practice initially established in 1978 with extensive experience of public, commercial and private landscape design projects. A significant number of these have been undertaken for States departments. Our comments for the panel are as follows:

a) Michael Felton Ltd have been affected by the implementation of new or revised policy in the last four years by being increasingly subject to wider consultation during pre-application and planning "in principle" studies.

b) We welcome as a Company that increasing emphasis is being made on protecting the best elements of the Island external environment and ensuring that new build and refurbishment projects have a satisfactory new landscape setting. We believe that if the States are to support environmental protection greater funding needs to be given to organisations such as The Environmental Services Unit and in addition to Parks and Gardens; in particular the Arboricultural Officer and his tree section.

Grants are currently available through the Countryside Renewal Scheme to protect and enhance rural areas. We would like to see this fund extended to include the restoration of such features as roadside walls and other artefacts of a historical nature which would benefit from reinstatement, improvement or be of benefit to the public within urban and suburban areas.

c) We believe there are a number of procedural matters which could be improved for example: the requirement for external play space needs to be more carefully assessed and Officers need to evaluate prospective schemes in the light of current European legislation. Maintenance of equipment can involve daily inspections to conform with Health and Safety requirements and many private developers are not meeting the minimum requirements required. This needs addressing when Planning briefs are being compiled.

We also have concerns in connection with Garden and Private amenity space standards. The minimum requirements of 75m² for private gardens of 4 – 5 room

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family houses and in particular 50m² for Private Gardens for smaller family homes are inadequate. We appreciate in the Island that pressure on space is becoming ever more acute. It is impossible however to provide even one tree in a 50m² garden without serious impact on light and overshadowing. We would recommend that a family house requires a minimum of 100m² for rear gardens particularly if they are of a northerly aspect and the smaller family home minimum should be increased to 75m² allowing for lawn, paved areas and a reasonable degree of planting. This should afford the opportunity to plant a series of small to medium trees which will not only benefit the individual household but also the Estate and immediate locality. We have assisted in the response by The Jersey Association Of The Men Of The Trees and endorse their comments in relation to trees and soft landscaping issues.

There is also the issue of landscape conditions on Building Permits requiring "replacement of any plant losses within a five year period". It is important that checks are undertaken if the scheme is to be successful and at present Department resources are lacking in terms of not only assessing detailed landscape proposals but also ensuring that they are satisfactorily "signed off".

Currently P.S.D. Parks and Gardens have some involvement eg: The Arboricultural Officer is invited to assess some landscape schemes but in the absence of a qualified landscape architect working for the States Clients and developers are often confused or unwilling to undertake the commissioning of detailed designs and specification for both hard and soft external works. A worst case scenario is the failure to specify and agree with the Department numbers, species and sizes of plants. Often this results in disappointment for the Committee and a diluted ie watered down scheme as a result. On completion when money is tight at the end of the contract period insufficient funds are made available to produce, manage and maintain a satisfactory scheme.

We currently feel that dealing with minor works applications and any changes that may occur requiring consent during works in progress to be very protracted and costly to our Clients. Some years ago a suggestion was made that minor works applications should be turned around within a three to four week period. This rarely is the case and needs improvement. That said we believe pre-application advice is very good and although it takes time to arrange Panel and Officer visits it can save the Client professional fees and avoid unnecessary or aborted work. Our view is to consult Officers at the earliest available opportunity.

Finally we would like to add it is our view that as fees are now charged on Planning Applications these funds should remain within the Department and be ploughed back (in part) into an Environment Fund and not given directly back to the Treasury. This may enable the earlier proposed Conservation grants to be reinstated and also the Tree Council to be reformed with adequate resources to "kick start" schemes. For many years now the proposal to appoint a full time Landscape Officer / Landscape Architect has been under consideration. A qualified individual may provide "the teeth"

with the support of the Planners to ensure that only the best quality schemes are submitted, implemented and maintained.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M Felton Dip. L.A. Gles.", written over a horizontal line.

Michael Felton
Director