

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY THE DEPUTY OF ST. MARY
ANSWER TO BE TABLED ON TUESDAY 8th SEPTEMBER 2009**

Question

Could the Minister furnish exact details of all the conditions which were imposed upon the developers and the contractors during the process of negotiating and granting planning permission for the Castle Quays development?

Answer

The following conditions were imposed on the planning permission granted for Phase I of Castle Quays.

Standard Condition

A. If the development hereby permitted has not commenced within five years of the decision date, this permission shall cease to be valid.

Reason: The Minister for Planning and Environment reserves the right to reconsider this proposal consequent on any future change of circumstances or policy.

Condition(s):

1. Within two months of commencement of any work on site the applicant shall prepare for approval by the Minister a Construction Environment Management Plan. This plan shall make provision for action plans to respond to each issue and shall also illustrate how these plans will be implemented during the course of the construction project. This must address:

A project description to include construction methods to be used, all earthworks proposed including methods of disposal, and haul route, drainage proposals including disposal of foul and surface water, the basement construction, noise control measures to safeguard existing and proposed residential accommodation, proposed working hours, and public consultation arrangements

Site specific issues should also address:

- construction traffic management
- groundwater treatment measures
- reduction of dust and airborne pollution measures
- waste management implementation and monitoring controls
- contaminated land handling arrangements
- pollution prevention
- environmental incident management

Operational matters should also address:

- site works and compounds
- site procedures and including working hours, route links and site boundaries
- monitoring regime for noise, dust, odour and fuel storage
- reporting arrangements for this monitoring and chain of command to enforce compliance
- storage locations for equipment, oil and fuel
- traffic management during basement excavation
- staff training and briefing
- health and safety liaison arrangements

Consultation with other bodies must address:

- contact arrangements and work practices with statutory bodies notably
- Health and Safety and Health Protection
- complaints procedures

2. All work must comply with Supplementary Planning Guidance, Planning Advice Note 2 - Development of Contaminated Land (2005)

Should Methane Gas be discovered on the site the developer will be obliged to provide an appropriate means of ensuring there is not egress to any buildings on site. This will be subject to the approval of the Minister for Planning and Environment.

3. That this consent shall cease to be valid should a formal Planning Agreement under Article 25 of the Planning and Building Jersey Law 2002 not be signed within 4 months from the date of this consent.
4. Within six months of commencement of any work on site, the applicant shall prepare a Travel Plan for the approval of the Minister.
5. Within six months of commencement of any work on site the applicant shall submit a full implementation and maintenance scheme for all the soft landscaping shown on the approved plans
6. All planting and other operations comprised in the landscaping scheme approved shall be carried out and completed in the first planting season following the completion of the development. Any trees or plants planted in accordance with the approved scheme which, within a period of five years from the planting taking place; die, removed, or are seriously damaged shall be replaced in the next planting season.
7. All hard landscaping and other public realm works which are part of the approved plan shall be covered by a long-term maintenance scheme which shall require the approval of the Minister for Planning and Environment. These arrangements shall be submitted for the approval of the Minister prior to the occupation of any of the accommodation on site.
8. Detailed samples of all external finishes shall be submitted and approved by the Minister for Planning and Environment within six months of the commencement of work on site. This shall include samples of the proposed granite cladding, render, balconies, roofs and ground floor colonade finishes. In addition to those samples an agreed standard and quality of finish shall also form part of the matter to be agreed by the Minister within six months from the commencement of the development.
9. A colour scheme for the external finishes shall be submitted for and agreed by the Minister for Planning and Environment within six months of the commencement of work on site. This scheme shall address particularly the colour to be provided within the render finishes but shall also illustrate the colour and texture of the granite work, and the relationship in terms of colour between all external finishes.
10. Details of all external lighting proposed shall be submitted to the Minister for Planning and Environment within six months of the commencement of work on site. These details shall illustrate all fixtures and fittings and shall include matters relating to location and luminance.
11. The design of the residential units should achieve the following internal noise levels due to noise ingress:

Bedrooms - internal noise should not be greater than 30 dB(A)L Aeq, 8hrs (2300 - 0700hrs)

Living rooms - internal noise should not be greater than 35dB(A)L Aeq, 16hrs (0700 - 2300hrs)

Kitchens - internal noise should not be greater than 45 dB(A)L Aeq, 16hrs (0700 - 2300hrs).
12. The applicant shall ensure that prior to development, the ambient level of nitrogen dioxide at the site is

assessed. The assessment should, as a minimum, include three months data collected, using monthly nitrogen dioxide diffusion tubes analysed at an accredited analytical laboratory.

The applicant shall continue to monitor levels of nitrogen dioxide, providing monthly results to the Health Protection Services Department, during construction and for a period of eighteen months after completion of blocks A and B.

The applicant shall provide a consolidated report detailing nitrogen dioxide levels, including interpretation and conclusions, within twenty eight days of the completion of the monitoring programme outlined above. All to the satisfaction of the Minister for Planning and Environment.

13. Notwithstanding the details on the approved plans provision within the basement shall be made to permit recycling. The details of this provision to be provided within six months from the commencement of work on the site.
14. A report giving details of the proposed energy efficiency capability of the proposed buildings in conjunction with a detailed sustainability statement and implementation plan shall be submitted to the Minister for Planning and Environment within six months of the commencement of work on the site.
15. Notwithstanding the information on the approved plans the provision made for plant on the roof is not approved. The applicant must submit detailed drawings to the Minister within six months of the commencement of work on the site indicating the proposals for accommodating the plant. These proposals to be subject to the approval of the Minister.
16. Notwithstanding the information on the approved plans the northern elevation of Block B is not approved. The applicant shall provide an alternative approach to this elevation with the Minister for Planning and Environment for his approval within six months from the commencement of work on the site.

Reason(s):

1. To safeguard the amenity of the area and to ensure the proper development of the site
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3. To ensure the implications of developing this land are properly and appropriately addressed.
4. To ensure the proper development of the site.
5. To ensure the site is developed in an appropriate manner which will improve and enhance the character and appearance of the area.
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15. The present drawings illustrating the design approach are not satisfactory or appropriate.