

## Jersey Island Plan 2002 – Assessment of Proposed Energy from Waste Facility against all Planning Policies

## General Policies

Policy	Policy description	Commentary
G1	<p><b>Sustainable Development</b></p> <p>In accordance with the principles of sustainable development and the Island Plan objectives, all development proposals should in particular seek to:</p> <ol style="list-style-type: none"> <li>1. integrate new development with the existing built-up area;</li> <li>2. promote the vitality and viability of the town of St. Helier and the defined rural and urban settlements;</li> <li>3. re-use already developed land;</li> <li>4. support an overall pattern of land-uses that reduce the need to travel and promote increased use of public transport, cycling and walking;</li> <li>5. conserve or enhance the natural environment and cultural heritage of the Island; and</li> <li>6. minimise impacts on the Island and global environment.</li> </ol>	<p>The purpose of this facility is to provide an upgraded energy from waste facility in accordance with the Waste Strategy and to replace the existing incinerator at Bellozanne.</p> <p>Locating the facility within the built up area would reduce overall journey length in accordance with the proximity principle.</p> <p>The design and the specification for the Contractor would aim to minimise environmental impact and nuisance issues through specified mitigation and by operating the site in accordance with the Site Licence and Working Plan.</p> <p>A review of technologies has been carried out by the design team to identify the Best Practicable Environmental Option for disposal of waste on Jersey in accordance with the Waste Strategy.</p> <p>By locating the Energy from Waste facility at La Collette and selecting the preferred technology the design meets the requirement to minimise impact of the facility on the island and also globally.</p>
G2	<p><b>General Development Considerations</b></p> <p>Applicants need to demonstrate that the proposed development:</p> <ol style="list-style-type: none"> <li>1. will not unreasonably affect the character and amenity of the area;</li> <li>2. will not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;</li> <li>3. will not have an unreasonable impact on agricultural land;</li> <li>4. will not have an unreasonable impact on the landscape, ecology, archaeological remains or architectural features and includes where appropriate measures for the enhancement of such features and the landscaping of the site;</li> <li>5. incorporates satisfactory provision of amenity and public open space where appropriate;</li> <li>6. will not have an unreasonable impact on important open space or natural or built features, including trees, hedgerows, banks, walls and fosses;</li> </ol>	<p>The Environmental Impact Assessment will demonstrate compliance with General Development principles through site specific investigations. Site pollution control would be implemented via the site licencing procedure and the on site Working Plan.</p> <p>1&amp;2. A landscape assessment has been carried out. The facility is in context of the industrial area at La Collette. The facility is a significant building and would have a visual impact on the surrounding landscape; this would be mitigated by having a joint chimney with the power station and by landscape mounding and building design.</p> <p>3. No impact</p> <p>4. Landscape – see above. Ecology – no significant impact on terrestrial habitats; impact on Ramsar site would be minimal due to adherence to conditions of existing discharge consent</p> <p>5. The scheme would incorporate a footpath around the perimeter of La Collette for public use</p> <p>6. no impact (see 4)</p>

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	<ol style="list-style-type: none"> <li>7. provides a satisfactory means of access, manoeuvring space within the site and adequate space for parking;</li> <li>8. will not lead to unacceptable problems of traffic generation, safety or parking;</li> <li>9. is accessible by pedestrians, cyclists and public transport users, including those with mobility impairments;</li> <li>10. will not have an unreasonable impact on public health, safety and the environment by virtue of noise, vibration, dust, light, odour, fumes, electro-magnetic fields or effluent;</li> <li>11. is not at risk from flooding or does not increase the risk of flooding elsewhere;</li> <li>12. does not have an unreasonable impact on the safe operations of the Airport;</li> <li>13. where possible makes efficient use of construction and demolition materials to avoid generation of waste and to ensure the efficient use of resources;</li> <li>14. takes into account the need to design out crime and to facilitate personal safety and security;</li> <li>15. encourages energy efficiency through building design, materials, layout and orientation; and</li> <li>16. includes the provision of satisfactory mains drainage and other service infrastructure.</li> </ol>	<ol style="list-style-type: none"> <li>7. Access and highway infrastructure and junctions improvements are included and would be to adoptable standard</li> <li>8. Highway works would be to current design safety and access standards.</li> <li>9. Highway design would be to current design standards to enable highways to be adopted by the Highways Department of the States of Jersey</li> <li>10. An independent Health Impact Assessment (HIA) is being carried out as part of the planning process. Mitigation for impacts identified by the HIA process will be would be specified in the detailed design and Working Plan for the site and if appropriate it is anticipated would be covered by planning conditions.</li> <li>11. The scheme does not increase risk of flooding. Worst case scenarios have been assessed based on British – Irish council predictions and the scheme would not be at risk from flooding. A recent report from Defra - Flood and Coastal Defence Appraisal Guidance FCDPAG3 Economic Appraisal – Supplementary Note to operating authorities – Climate Change Impacts, (October 2006) confirms the current prediction that the Energy from Waste facility will not be at risk from coastal flooding or sea level rise during the planned lifetime of the plant</li> <li>12. No impact on airport.</li> <li>13. The contractor would be encouraged to minimise waste production during construction and to recycle waste where feasible. Surplus arisings from site excavations (estimated to be approximately 1,500m<sup>3</sup>) will be disposed of on-site in the landscaping bunds. (Approximately 30,000m<sup>3</sup> space would be available in the proposed mounding.</li> <li>14. The design would be to current building regulations and would incorporate security measures such as secure perimeter fencing, CCTV and low level lighting.</li> <li>15. Building design would be to current building standards including those for energy efficiency.</li> <li>16. This proposed facility would use the foul sewerage network served by Bellozanne. Discharge to foul sewer would be controlled by Trade Effluent Consent.</li> </ol>
G3	<p><b>Quality of Design</b></p> <p>A high standard of design that respects, conserves and contributes positively to the diversity and distinctiveness of the landscape and the built context will be sought in all developments. The Planning &amp; Environment Department will require the following matters to be taken into account as appropriate:</p>	<p>Incorporated within the Environmental Impact Statement</p> <p>A landscape assessment has been carried out as part of the Environmental Impact Statement which has been part of the engineering design process.</p> <p>Further details of the proposed design including Quality of Design and safety</p>

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	<ol style="list-style-type: none"> <li>1. the scale, form, massing, orientation, siting and density of the development, and inward and outward views;</li> <li>2. the relationship to existing buildings, settlement form and character, topography, landscape features and the wider landscape setting;</li> <li>3. the degree to which design details, colours, materials and finishes reflect or complement the style and traditions of local buildings;</li> <li>4. the use and maintenance of landscape to enhance new development and the degree to which this makes use of local features and an appropriate mix of materials and plant species suited to both the landscape and wildlife interests of the locality;</li> <li>5. the incorporation of existing site features into the development such as boundary walls, banks and trees;</li> <li>6. the design of safe pedestrian routes, including for those with mobility impairments, vehicle access and parking; and</li> <li>7. the incorporation of features to design out crime and to facilitate personal safety and security.</li> </ol>	<p>features are included in the Design Statement.</p>
<p>G4</p>	<p>Where a development is likely to have a significant impact on the quality and character of the physical and visual environment due to its location, scale or type of development, the Planning &amp; Environment Department will require an applicant to submit a design statement with the planning application. The design statement should provide details as to how the development responds to the need for quality design and in particular should, where appropriate, set out:</p> <ol style="list-style-type: none"> <li>1. the principles of the design, describing how the design will enhance, re-interpret and complement the character of the area;</li> <li>2. how the proposed development satisfies the requirements of any relevant development brief or planning framework;</li> <li>3. a detailed landscape and visual impact assessment;</li> <li>4. the extent to which the proposal retains or creates open space and evidence of its appropriateness in terms of the intended end users of the development; and</li> <li>5. the construction materials to be used and their origins, the energy requirements for the construction of the development and an energy forecast for the life of the building.”</li> </ol>	<p><i>A design statement may be requested to accompany planning applications at the discretion of the Planning &amp; Environment Department. Certain types of proposals will, however, always require a statement:</i></p> <ul style="list-style-type: none"> <li>• <i>any development (other than minor alterations) in the Zone of Outstanding Character;</i></li> <li>• <i>any development that directly affects a Site of Special Interest (or proposed SSI); or</i></li> <li>• <i>a building more than five storeys high.</i></li> </ul> <p>Notwithstanding the statement above (paragraph 4.15 of the Island Plan), the Planning Minister is keen to see Design Statements for most applications (December 2006). To that end, Design Statements will be required for any development comprising more than 100m<sup>2</sup> of new building (gross internal area (GIA)).”</p>

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G5	<p><b>Environmental Impact Assessments</b></p> <p>The Planning &amp; Environment Department will require that an Environmental Impact Assessment is carried out for developments of a scale, type or location that could have a significant impact on the environment.</p>	<p>An Environmental Impact Assessment has been carried out and an Environmental Impact Statement is submitted with the planning application.</p>
G6	<p><b>Transport Assessments</b></p> <p>The Planning &amp; Environment Department will require that a Transport Assessment is carried out for proposed development that is likely to have significant transport implications.</p>	<p>A Transport Assessment is included within the Environmental Impact Statement due to potential impacts of traffic movements to and from the proposed site. A Waste Strategy Traffic Impact Study has also been carried out by consultants for Transport and Technical Services (October 2006)</p>
G8	<p><b>Policy G8 – Access for All</b></p> <p>Developments to which the public has access must include adequate arrangements for safe and convenient access for all and in particular should meet the needs of those with mobility difficulties.</p>	<p>The design includes an access road to adoptable standards incorporating footpaths and cycleway. A cycleway link is also being provided to the north of the Energy from Waste facility between the access road and the existing promenade near La Collette Gardens. A coastal path and emergency evacuation route is included in the design.</p>
G9	<p><b>Designing Out Crime</b></p> <p>The Planning &amp; Environment Department will look for evidence of good design practice aimed at reducing the incidence or fear of crime in considering proposals for new development. Examples of good practice may include:</p> <ul style="list-style-type: none"> <li>• the layout of the new development to maximise natural surveillance;</li> <li>• clear definition of public and private spaces and the links between;</li> <li>• the avoidance or elimination of blind corners, alley ways and hiding places;</li> <li>• lighting in potential high risk areas, such as car parks; and</li> <li>• landscaping to enhance perimeter security.</li> </ul>	<p>The site would be surrounded by secure fencing. The layout would be in accordance with current building regulations.</p> <p>CCTV would be incorporated as part of the scheme design.</p>
G10	<p><b>Planning Obligations</b></p> <p>Where, as a direct consequence of a proposed development, additional infrastructure or amenities are required within a development site, the Planning &amp; Environment Department will negotiate the provision of appropriate facilities with the developer. Where necessary, the provision of financial contributions to</p>	<p>Off site road infrastructure is being incorporated into the design. This would be to an adoptable standard.</p> <p>The proposal includes offsite amenity provision that benefits the wider La</p>

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	<p>off-site infrastructure and facilities, including measures to assist public transport, cyclists or pedestrians, or to alleviate traffic impacts will be sought from the developer.</p> <p>Planning permission will be refused for proposals that do not make satisfactory provision for infrastructure or amenities that are necessary for the development.</p>	<p>Collette area includes:</p> <ul style="list-style-type: none"> <li>• off-site access road to adoptable standard with footpaths and cycletrack</li> <li>• cycleway link to La Collette Gardens</li> <li>• coastal path and emergency evacuation route</li> <li>• amenity path over landscape mounding</li> </ul>
G11	<p><b>Sites of Special Interest</b></p> <p>Sites of Special Interest will be designated for protection in recognition of the importance of their:</p> <ul style="list-style-type: none"> <li>• special zoological, ecological, botanical or geological interest; or</li> <li>• special architectural, archaeological, artistic, historical, scientific, or</li> <li>• traditional interest that attaches to a building or place.</li> </ul> <p>Written guidance will be provided and advice offered on appropriate management and maintenance practices for Sites of Special Interest.</p> <p>There will be a presumption against development that would have an adverse impact on the special character of a Site of Special Interest.</p> <p>Where a proposed or designated Site of Special Interest is at risk of damage, and an agreement with the landowner or tenant to avoid such damage cannot be made, the Planning &amp; Environment Department may use powers of acquisition to safeguard and manage the site as an alternative to its statutory powers.</p> <p>Where land is voluntarily put up for sale the Planning &amp; Environment Department may purchase proposed or designated Sites of Special Interest and manage them or enable other appropriate bodies to manage them. This will be subject to States' approval</p>	<p>Site investigations and consultations indicate that the site would not directly affect any Sites of Special Interest. The South East Coast of Jersey Ramsar Site would not be directly affected by the proposed facility. Discharge of cooling water to the sea would be within the existing discharge consent conditions.</p> <p>The Ramsar site encompasses the south and east coasts of the Channel Island of Jersey, from the port of St. Helier on the south coast to Gorey harbour on the east coast. The island is situated in the English Channel, 22.4 km west of Normandy (France) and 136 km south of Weymouth (England). Its shallow waters are relatively warm due to the influence of the Gulf Stream and surrounding oceanic conditions. These factors combine to produce a site considered to have great ecological value due to the diverse range of habitats, communities and species found in a comparatively small area.</p>
G12	<p><b>Archaeological Resources</b></p> <p>The Planning &amp; Environment Department will normally require an archaeological evaluation to be carried out for development proposals which may affect archaeological remains.</p> <p>Development which would adversely affect archaeological remains will normally only be permitted where the Planning &amp; Environment Department is</p>	<p>Consultations indicate that no sites of archaeological interest would be directly affected. The potential impact on the viewscape from Elizabeth Castle, the Territorial Army Headquarters and La Collette Tower is considered within the Environmental Impact Statement.</p>

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	<p>satisfied that the importance of the proposed development or other material considerations outweigh the value of the remains in question. In such cases, the Planning &amp; Environment Department will require adequate provision to be made for the archaeological evaluation, investigation and recording of sites by the use of planning conditions and/or by the use of agreements prior to permission being granted.</p> <p>For Sites of Special Interest, there will be a presumption in favour of the physical preservation in situ of archaeological remains and their settings.</p>	<p>The TA HQ and La Collette Tower are both listed as proposed Sites of Special Interest however neither would be directly affected by the proposed scheme.</p>
G13	<p><b>Buildings and Places of Architectural and Historic Interest</b></p> <p>There will be a presumption in favour of the preservation of the architectural and historic character and integrity of registered buildings and places. Applications for the alteration or change of use of a registered building must contain sufficient information against which the impact on the fabric and appearance of the building can be assessed.</p> <p>Permission will not normally be granted for the:</p> <ol style="list-style-type: none"> <li>1. total or partial demolition of a registered building;</li> <li>2. extension or other external alteration works which would adversely affect the architectural or historic interest, character or setting of a registered building or place;</li> <li>3. addition of external items, including satellite dishes, antennae, signs, solar panels, rooflights and PVCu or aluminium doors or windows, which would adversely affect the special interest or character of the building; and</li> <li>4. removal of natural roofing materials and render or stucco and their replacement with modern alternative materials.</li> </ol> <p>In addition, where the registered building is designated as a Site of Special Interest, permission will not be granted for alterations which would have an adverse impact on the internal structure, historic interiors and fittings.</p> <p>Permission may be granted for partial demolition, but only for the removal of inappropriate additions to the building, where their removal would not harm, or</p>	<p>Impact on the viewscape from Elizabeth Castle, the TAHQ and La Collette Tower would be mitigated by design of the facility building and landscape bunding.</p> <p>No buildings of archaeological or historic interest would be demolished. There would be no direct impact on any registered building.</p> <p>No structural alterations would be carried out on the proposed Sites of Special Interest.</p>

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	would improve the historic character and appearance of the building or its setting.	
G17	<p><b>Contaminated Land</b> Proposals for development on contaminated land will normally be permitted where:</p> <ol style="list-style-type: none"> <li>1. the developer carries out and submits a full and satisfactory investigation of the condition of the site to include, and fully identify, the nature and extent of contamination present and where it can be ascertained, the period over which contamination occurred;</li> <li>2. the developer proposes a satisfactory programme of works to treat and/or remove the contamination present in a manner that is acceptable to the relevant regulatory bodies; and</li> <li>3. the proposal is in accordance with other principles and policies of the Plan.</li> </ol>	<p>La Collette Phase 2 Reclamation was in-filled with inert fill however that does not preclude the risk of highly localised hotspots of contamination.</p> <p>A watching brief would be implemented during construction to identify contaminated fill should it occur. The Contractor would be required to inform person(s) identified by the Waste Regulation Manager and Assistant Director Environmental Protection immediately if contamination is identified or suspected.</p>
G18	<p><b>Signs and Advertisements</b> Control will continue to be exercised over the display of advertisements, signs and notice boards. Those requiring consent will only be permitted where they are well sited, suitably designed and in accordance with the relevant supplementary guidance.</p>	<p>The facility would have an external site notice board. Any off site highway infrastructure signing would be in accordance with the relevant design guidance.</p> <p>Site signage would be controlled via a planning condition</p>
G19	<p><b>Satellite Antennae</b> Applications for the installation of satellite dishes will be judged on their merits, having particular regard to:</p> <ol style="list-style-type: none"> <li>1. the nature of the building and its surroundings;</li> <li>2. the type, size and colour of the equipment in relation to its background; and</li> <li>3. whether the building is a Site of Special Interest, a Building of Local Importance or within a Conservation Area.</li> </ol>	Applications for satellite antennae would be made if required
G20	<p><b>Light Pollution</b> Lighting within all new developments and environmental improvements will be designed to minimise the effect of sky glow whilst providing adequate illumination levels.</p>	The site would be lit however this is in context of the industrial area at La Collette. The facility would be partially screened from Havre des Pas by landscape bunding / mounding.

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	<p>When considering such matters, the Planning &amp; Environment Department will not normally grant planning permission where the proposal would:</p> <ol style="list-style-type: none"> <li>1. cause harm to the occupants of nearby properties by virtue of the intensity, direction and hours of lighting;</li> <li>2. result in road safety problems from dazzle or distraction to drivers;</li> <li>3. unreasonably affect the character and amenity of the area; and</li> <li>4. not be in accordance with other principles and policies of the Plan.</li> </ol> <p>In locations where an unrestricted permission would conflict with the above criteria, planning permission may be granted restricting the hours of operation or requiring shielding to reduce light spillage.</p>	<p>There would be external lighting at the facility. This would in accordance with Design Guidance with the aim of providing a safe working environment.</p> <p>Proposed highway improvements would have street lighting which would be to an adoptable standard.</p>

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*Countryside*

Policy	Policy description	Commentary
C2	<p><b>Countryside Character</b></p> <p>The Planning &amp; Environment Department will promote the conservation, management, enhancement and restoration of the Island's countryside character. Development proposals and land management should be informed by, be sympathetic to, and wherever possible, restore the local landscape context and local character.</p>	<p>La Collette falls within the Character Area G3 St Aubins Bay however the proposed development would be in context of the industrial use of La Collette reclamation area.</p>
C3	<p><b>Biodiversity</b></p> <p>In the interests of sustaining and enhancing biodiversity, the Planning &amp; Environment Department will integrate the aims of the Biodiversity Strategy with the aims of enhancing landscape character and stewardship set out in the countryside and agricultural policies.</p>	<p>The facility would have no impact on terrestrial biodiversity. Site investigations revealed no biodiversity interest on the site.</p> <p>Drainage at the facility is designed to prevent pollution to the Ramsar site. Pollution control measures are outlined within the Environmental Impact Statement and would be specified in the Working Plan.</p> <p>Discharge of cooling water to the sea would be within the conditions of the existing discharge consent.</p>

*Built Environment*

Policy	Policy description	Commentary
BE1	<p><b>St. Helier Urban Character Appraisal</b></p> <p>The Planning &amp; Environment Department will initiate an appraisal of the urban character and townscape of the town of St. Helier as an aid to the process of preserving and enhancing its character and in guiding policy formulation and the assessment of planning applications.</p> <p><i>Proposals in the Town of St. Helier</i></p> <p>The town of St. Helier is the largest single area of the built environment, housing the greatest part of the Island's population. It embraces the main historic and civic buildings and spaces. It is overwhelmingly the most important commercial, administrative and community-services centre in the Island. As a result, the town is subject to a multitude of influences and pressures for development. A single unattractive building may pass unnoticed but, in time, many such buildings will erode what remains of St. Helier's special character. It is important that all proposals for new development within the town enhance the character and appearance of the area.</p> <p>Because the future of St. Helier is so important as a backcloth to the lives of Islanders, a strategic policy is to be established. This policy is aimed at ensuring that opportunities for re-development and new additions to the town's built fabric are looked at within a strategic, town-wide context rather than from simply a site specific viewpoint. This policy should not be viewed as introducing a 'code' against which all development will be assessed as that could stifle innovation, erode the local sense of place and introduce a standardised approach to development appraisal. Conversely, the Island Plan takes an enabling view of development within the town, whilst protecting that which is deemed important to the built integrity of the town.</p>	<p>La Collette is not within the urban townscape of St. Helier town but within the built up area as defined on the Town Proposals Map. The proposed facility is within context of the La Collette reclamation area which has industrial / commercial sites.</p>
BE2	<p><b>Proposals in the Town of St. Helier</b></p> <p>In considering development proposals in the town of St. Helier, the Planning &amp; Environment Department will take the following matters into account as appropriate:</p>	<p>La Collette is not within the urban townscape of St. Helier town but within the built up area as defined on the Town Proposals Map. The proposed facility is within context of the La Collette reclamation area which has industrial / commercial sites.</p>

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	<ol style="list-style-type: none"> <li>1. the context of the development and its contribution to built form, townscape, public realm and amenity open spaces;</li> <li>2. the protection of local historic character by limiting adverse impacts upon historic and cultural resources;</li> <li>3. the protection of open spaces and trees which make an important positive contribution to the character and quality of the town;</li> <li>4. the potential to regenerate outworn areas of the town, to remove eyesores and relocate un-neighbourly uses;</li> <li>5. the quality and character of the proposed development and the positive contribution it would make to the town;</li> <li>6. the contribution that the development would make to the vitality and viability of the town;</li> <li>7. the potential benefits of the development in terms of accessibility and sustainable movement into, through and out of the town; and</li> <li>8. other principles and policies of the Plan.</li> </ol>	<p>The design philosophy for the proposed Energy from Waste and Bulky Waste facilities are described in the planning supporting document the Design Statement. The document describes how the design will account for architectural and build quality and take into account the requirements of Policy BE3</p>
<p>BE5</p>	<p><b>Tall Buildings</b> Tall buildings, defined as those either above five storeys in height, or rising more than two storeys above their neighbours will only be permitted where the accompanying design statement fully justifies their exceptional height in urban design terms.</p> <p>In addition to needing to be in accordance with all other policies and principles of the Plan, tall buildings will be critically assessed for their:</p> <ol style="list-style-type: none"> <li>1. appropriateness to the location and context;</li> <li>2. visual impact;</li> <li>3. design quality; and</li> <li>4. contribution to the character of St. Helier.</li> </ol>	<p>The proposed Energy from Waste plant would be a tall building however it would be in context of the La Collette reclamation area particularly the existing Jersey Electricity Company power station.</p> <p>The height is estimated at 35m. The building would be partially screened by landscape bunding.</p> <p>By locating the facility adjacent to the power station it is feasible for the Energy from Waste and the power station to share the existing power station chimney. The Energy from Waste facility is a large building but the effects of its size will be mitigated through the use of landscaping including planted earth mounds in order to give the facility a “setting” and thus reduce the visual impact of the building.</p>

*Marine Environment*

Policy	Policy description	Commentary
M1	<p><b>Marine Protection Zone</b></p> <p>The sustainable use of the Island's marine environment will be ensured by the Marine Protection Zone extending from Mean High Water to the territorial limits, as designated on the Island and Town Proposals Maps.</p> <p>Within this zone there is a presumption against all developments except those which are essential for navigation, access to water, fishing and fish farming and coastal defence.</p> <p>Where permitted, development should not materially harm the amenities, character or ecological balance of the area because of its construction disturbance, siting, scale, form, appearance, materials, noise or emissions</p>	<p>There would be no direct loss of habitat designated as Ramsar site. The only potential impact on the Ramsar site would be water pollution risk from the construction and operation of the new facility (see Section 16: Water Resources and Drainage).</p> <p>There is a potential for impact from the discharge of cooling water from the boiler to the sea and subsequently having an impact on the Ramsar site by changing temperature gradients near to the outfall and therefore affecting the composition of species in the shoreline habitat.</p> <p>The proposed facility would have no direct thermal discharge to water. However, steam would be sent to the Jersey Electricity Company power station where it would be passed through a steam turbine and condensed. The condenser would use the existing power station sea water cooling system, which circulates water through the system to an existing consented outfall into the sea to the east of La Collette.</p> <p>As much of the power station equipment is now not used, additional load from the Energy from Waste facility cooling system would not exceed previous thermal loading from the existing power station and therefore the new facility would not have a significant impact and would operate within the conditions of the existing consent.</p>
M3	<p><b>Marine Biodiversity</b></p> <p>The Planning &amp; Environment Department will strongly support the aims and implementation of the Biodiversity Strategy in all marine areas</p>	<p>A coastal Ramsar site lies to the south and east of La Collette reclamation area. The designed drainage systems and pollution control measures are outlined within the Environmental Impact Statement and would be specified in the Working Plan for the site. See comments in C3.</p>
M6	<p><b>Marine Sites of Special Interest</b></p> <p>The Planning &amp; Environment Department will safeguard and help manage the most valuable marine environments by designating them as Sites of Special Interest.</p> <p>Development proposals affecting these environments will be considered under the provisions of Policy G11.</p> <p>Those sites of international importance for waterfowl will be notified for designation as Ramsar sites. The Planning &amp; Environment Department will consider the designation of these special areas as a Jersey Marine National Park</p>	<p>This policy refers to South East Coast Ramsar site. This policy is dealt with under the provisions of Policy G11. Also see comments on Policy M3 and C3.</p>

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	<p>to highlight their importance and the need for sustainable management.</p> <p>The Planning &amp; Environment Department will consult with other Committees, agencies and stakeholders in the course of designating Marine Sites of Special Interest.</p>	

***Housing***

No Policies relevant

***Social and Community***

No Policies relevant

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*Industry and Commerce*

Policy	Policy description	Commentary
IC7	<p><b>Provision of Industrial Land</b></p> <p>Land comprising 21 acres/47 vergéesis designated at La Collette 2 for industry, storage and warehousing.</p> <p>A development brief will be prepared for the site to ensure that development takes place in a co-ordinated manner and that proposals come forward that are satisfactory in terms of design, layout, landscaping, service infrastructure, access and parking.</p> <p>Proposals for other commercial uses, including retailing, will not normally be permitted on the site unless related and ancillary to the primary industrial, storage or warehousing use and provided they are in accordance with other principles and policies of the Plan.</p>	<p>Land comprising 21 acres/47 vergéesis designated at La Collette 2 for industry, storage and warehousing. Site footprint falls partially within Site Proposed for Industry.</p> <p>The design would be in accordance with the General Development Policies.</p>
IC9	<p><b>Proposals for New Industrial Buildings</b></p> <p>Proposals for new industrial buildings within designated sites and the boundary of the built-up area, will normally be permitted provided that the development:</p> <ol style="list-style-type: none"> <li>1. includes adequate operational space within the site for parking, manoeuvring and loading/unloading of vehicles;</li> <li>2. seeks to minimise the extent and impact of any external storage;</li> <li>3. will not have an unreasonable impact on neighbouring uses and the local environment by reason of noise, odour, pollution, visual intrusion or other amenity considerations;</li> <li>4. adopts measures which minimise any unreasonable impact on neighbours including landscape screening, sound insulation, pollution control and hours of working;</li> <li>5. will not lead to unacceptable problems of traffic generation, safety or parking;</li> <li>6. will not unreasonably affect the character and amenity of the area; and</li> <li>7. is in accordance with other principles and policies of the Plan.</li> </ol>	<p>The building would be designed (see Design Statement) and operated so as to have a minimum impact on the environment including its near neighbours. Measures will be taken to keep impacts to a minimum and especially not to cause nuisance during unsociable hours.</p> <p>The proposed facility would be designed to be in accordance with this policy. Pollution and nuisance control measures are specified in the Environmental Impact Statement and Working Plan. Traffic impact is assessed in the Environmental Impact Statement.</p> <p>A swept path analysis using Autotrack modelling software has been carried out by the design team to incorporate sufficient space into the site layout for safe vehicle manoeuvring.</p> <p>The Energy from Waste facility would have adequate parking for staff and visitors.</p> <p>Pollution and nuisance control measures are outlined in the Environmental Impact Statement and would be controlled through the Site Licence and Working</p>

Policy	Policy description	Commentary
		<p>Plan.</p> <p>Traffic related issued are covered under Transport Policies.</p>
IC10	<p><b>Relocation of Bad Neighbour Uses</b></p> <p>The Planning &amp; Environment Department will encourage the relocation of industrial, storage and distribution activities which are considered to be unneighbourly in their present location, to suitable sites within the designated industrial sites, defined built-up area, or to redundant agricultural buildings, where it would lead to overall environmental benefits and would be in accordance with Policy IC9.</p> <p>The relocation of industries will be particularly encouraged where this would release land within the town of St. Helier for housing, open space, tourism or other community uses.</p>	<p>A Health Impact Assessment will be carried out as part of the planning process in order to consider community effects.</p> <p>The existing facility at Bellozanne is currently not meeting environmental air quality standards and traffic congestion is causing a nuisance to local residents. Relocating the facility to La Collette with the highway improvements would lead to benefit to the Bellozanne area.</p>

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*Tourism and Recreation*

Policy	Policy description	Commentary
TR6	<p><b>Land for Recreation</b></p> <p>The following areas are identified on the Island and Town Proposals Maps for recreation purposes:</p> <ol style="list-style-type: none"> <li>1. Field 388, St. Martin;</li> <li>2. The Town Park;</li> <li>3. The linear Mont de la Ville Park;</li> <li>4. La Collette 2;</li> <li>5. The Weighbridge; and</li> <li>6. Goose Green Marsh, St. Lawrence.</li> </ol> <p>There will be a presumption against development that would prevent the future use of these sites for recreational purposes.</p>	<p>Article 19(1) of the Planning and Building (Jersey) Law 2002 requires the Minister for Planning and Environment in determining applications to take into account all material considerations. Article 19(2) states the "In general the Minister shall grant planning permission if the proposed development is in accordance with the Island Plan" in this case the Island Plan 2002. However Article 19(3) is clear that the Minister may grant permission that is inconsistent with the Plan if he feels there is enough justification to do so.</p> <p>The site of the proposed Energy from Waste is in the main on land identified within the Island Plan as Land for Recreation. This proposal is addressed at Policy TR6 of the Plan which identifies the site as being part of a larger area that had the potential to provide new recreation facilities. In particular through the approved planning framework for La Collette 2 this larger area was seen as providing the opportunity for a major landscaped feature and public open space along with access to water at all states of the tide and facilities for small leisure craft.</p> <p>Whilst the development as proposed does not fundamentally negate these objectives it does have some impact. However the siting of the proposed plant has been investigated and debated by the States Assembly in their consideration of the Island's Waste Management Strategy. The conclusion of that debate was to promote the EfW plant on the site as applied for. This in itself is a significant material consideration that justifies departing from the Island Plan to the extent as proposed with the application. Added to this, the proposal will not so significantly intrude into the area identified for Recreation as to totally prejudice the opportunity for a landscape feature, public open space and access to the water. Indeed the scheme as submitted clearly allows for public access to the wider area of land identified as providing potential for recreation as well as including landscaping features.</p>



*Travel and Transport*

Policy	Policy description	Commentary
TT1	<p><b>Strategic Travel Policy</b></p> <p>The Planning &amp; Environment Department will support the other Committees and relevant agencies in developing programmes to help achieve:</p> <ul style="list-style-type: none"> <li>• a reduction in the need to travel through a land-use strategy and development policies that influence the location of development relative to transport provision;</li> <li>• the development of alternatives to the private car to ensure a more energy efficient and environmentally sustainable movement strategy, including the promotion of greater public awareness of the implications of travel;</li> <li>• improvements to, and maintenance of, the existing highway infrastructure to improve safety and accessibility for all road users including pedestrians and cyclists;</li> <li>• improvements to environmental conditions through measures to address the adverse problems of road traffic; and</li> <li>• development of proposals that minimise the need to travel and give priority to access by walking, cycling and public transport</li> </ul>	<p>A transport assessment is included as part of the Environmental Impact Statement. Junction improvements would be required and form part of the transport assessment.</p> <p>Operation of the plant does not require sufficient staff to influence the need for public transport in the area but the matter would be considered again in the future as the general need in the La Collette area increases with future development proposals within the reclamation area as a whole.</p> <p>Infrastructure improvements included in the design include access road to adoptable standard i.e. including footpath and cycleway, a cycleway linking the access road to La Collette Gardens and a coastal path extension to the existing promenade also at La Collette Gardens.</p> <p>All these measures are included to encourage use by pedestrians and cyclists and reduce reliance on the motor car.</p>
TT4	<p><b>Protection of the Footpath and Cycle Network</b></p> <p>Development that unreasonably affects an existing footpath or cycle route will not normally be approved. If the proposal is deemed to be in the public interest then an acceptable alternative provision will be required to maintain the integrity of the route</p>	<p>Existing footpath or cycle routes would not be adversely be affected by the proposed facility. See TT10.</p>
TT5	<p><b>Primary Route Traffic Studies</b></p> <p>The Planning &amp; Environment Department will support traffic studies being undertaken to consider improvements to the Primary Route Network at the following locations:</p> <ol style="list-style-type: none"> <li>1. the Ring Road on the south eastern side of St. Helier;</li> <li>2. the junction of Commercial Buildings and the A17; and</li> <li>3. the junction of La Route de la Haule and Beaumont Hill.</li> </ol> <p>The Planning &amp; Environment Department will also support a traffic study being</p>	<p>A traffic modelling study has been carried out for the cumulative effects of the various elements of the Waste Strategy.</p> <p>A Traffic Assessment has been carried out for the scheme proposals and confirms that there will be little impact on the road network as a result of the proposals. There will be impacts at the existing junction with La Route de Veulle but the junction will be remodelled as part of the scheme. The emergency access road to the fuel consortium companies will also be remodelled. The junction of</p>

Policy	Policy description	Commentary
	undertaken to consider: <ol style="list-style-type: none"> <li>1. new road construction to facilitate the flow of traffic and improve access at Mount Bingham.</li> </ol>	Mount Bingham with The Quay has been modelled and shown to be in capacity until 2015. Traffic benefits have been identified in the Bellozanne area as a result of relocating the existing Energy from Waste facility to La Collette. The increases in traffic at Mount Bingham and Havre des Pas as a result of the proposal are negligible.
TT29	<b>Parking for the Disabled</b>	A parking space will be provided for use by the disabled.
TT10	<b>Cycle Network</b>  The Planning & Environment Department will support the continuing development of a cycle network to encourage cycling as a recreational pursuit and as a main mode of travel.	An existing cycle path runs along side the Jersey Electric Company power station. A cycle lane is being incorporated within the adoptable highway infrastructure improvements associated with the proposed Energy from Waste plant. The footpath around the coastal footpath is part of the landscaping / recreation proposals and would include a cycle lane.
TT19	<b>Accessibility Audits</b>  An accessibility audit will be required as part of a planning application for all new highway, traffic management, junction improvement, pedestrian improvement and car park projects to ensure the needs of all including the mobility impaired are considered in the design. Proposals which do not meet the above requirements will not normally be permitted.	Junction improvements and new highway layout are included as part of the planning application. Infrastructure improvements would be to adoptable standards and in line with current guidance for the mobility impaired.  An accessibility audit will be carried out at the detailed design stage if required by the planning authority.
TT21	<b>Reducing Traffic Pollution</b>  The Planning & Environment Department will support proposals to reduce all forms of traffic pollution. Support will also be given to alternatively fuelled vehicles and the facilities to serve them, subject to other principles and policies of the Plan.	See comments for TT1. The potential impact of traffic generated by the facility and its impact is assessed in the Environmental Impact Statement.  The Environmental Impact Assessment has confirmed that the proposals do not in themselves generate sufficient additional traffic to cause a traffic related pollution problem. However, it is recognised that there may be a need to consider further local traffic effects such as impacts on air quality of the Tunnel or at other locations during the design stage.
TT26	<b>Parking Standards</b> The parking standards are based on areas as defined by a map that doesn't show any of La Collette 2, however, the worst case scenario would be 1 space per managerial staff with 1 space for every 2 other members of staff plus 10% visitor parking	For a staff of 30 with an assumed 4 managers and 26 other staff the requirement would be for 18 parking spaces – the proposal is for 24 parking spaces
TT30	Payments in lieu of car parking	Not applicable if TT26 met

Policy	Policy description	Commentary
TT36	<p><b>St. Helier Waterfront, Harbour and La Collette Related Traffic</b></p> <p>A traffic assessment study will be undertaken for the port generated traffic, the existing industry within the port and adjacent areas and the potential traffic likely to be generated by planned developments at the St. Helier Waterfront and La Collette 2, to identify a range of options for safely accommodating the anticipated vehicle flows.</p>	<p>Not within the Jersey Harbour Operational Area. A traffic assessment has been carried out for the proposed waste facilities arising out of the Waste Strategy including the use of La Collette.</p>

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*Natural Resources and Utilities*

<b>Policy</b>	<b>Policy description</b>	<b>Commentary</b>
NR1	<p><b>Protection of Water Resources</b></p> <p>Development that would have an unacceptable impact on the aquatic environment, including surface water and groundwater quality and quantity will not normally be permitted.</p> <p>If a development proposal is within the Water Pollution Safeguard Area, the Jersey New Waterworks Company will be consulted prior to determining the planning application, to ensure the public water supply is not put at risk from pollution.</p>	<p>This includes coastal waters surrounding La Collette. Engineered drainage systems and pollution control measures are incorporated into the design of the facility. These are outlined in the Environmental Impact Statement and would be specified in the Working Plan.</p> <p>The site for the proposed Energy from Waste facility is not within a Water Pollution Safeguard area or an aquifer used for water abstraction.</p>
NR2	<p><b>Foul Sewerage Facilities</b></p> <p>New development proposals that rely on septic tanks, soakaways or private sewage treatment plants as a means of waste disposal will not normally be permitted.</p>	<p>This proposed facility would use the foul sewerage network served by Bellozanne. Discharge to foul sewer would be controlled by Trade Effluent Consent.</p>
NR3	<p><b>Water Conservation</b></p>	<p>Development proposals will be encouraged to incorporate water conservation and management measures to conserve the Island's water resources.</p> <p>The feasibility of using clean roof water from the Energy from Waste facility for wash-down and other purposes will be considered during the detailed design stage.</p>
NR5	<p><b>Energy Efficiency</b></p> <p>The Planning &amp; Environment Department will encourage the saving of energy and the use of alternative and renewable sources through the energy efficient siting, construction and design of new development.</p> <p>In considering planning applications, the Planning &amp; Environment Department will encourage where appropriate:</p> <ol style="list-style-type: none"> <li>1. the use of heat recycling, solar energy and passive solar gain;</li> </ol>	<p>The Energy from Waste building would not be heated, although some heating may be required in the control room.</p> <p>The use of Energy efficient lighting will be considered at detailed design stage.</p>

Policy	Policy description	Commentary
	<ol style="list-style-type: none"> <li>2. the use of materials with reduced energy inputs and low maintenance needs; and</li> <li>3. layouts that reduce wind chill and maximise the efficient use of natural light.</li> </ol>	
NR13	<p><b>Safety Zones for Hazardous Installations</b></p> <p>In considering development proposals within the following safety zones associated with hazardous installations, as designated on the Island and Town Proposals Maps, the Planning &amp; Environment Department will consult with the Health and Safety Inspector, to determine the appropriateness of the development:</p> <ol style="list-style-type: none"> <li>1. La Collette Fuel Farm;</li> <li>2. Les Ruettes, St. John;</li> <li>3. Crabbé Explosive Storage Magazines, St. Mary; and</li> <li>4. Airport Gas Storage.</li> </ol> <p>In all cases, the health and safety of the public will be the overriding consideration. Developments that would conflict with the requirements of health and safety will not be permitted.</p>	<p>The site falls within the Safety Zone for Hazardous Installation for the La Collette fuel farm (consortium made up Jersey Gas, Shell, Total and Esso Mobil).</p> <p>A workshop was convened on 5<sup>th</sup> September 2006 to consider the safety risks associated with the proposed Energy from Waste facility at La Collette.</p> <p>Attendees included representatives of:</p> <ul style="list-style-type: none"> <li>• Fuel Supplies (CI) Ltd;</li> <li>• Jersey Electricity Co Ltd;</li> <li>• Jersey Gas Co Ltd;</li> <li>• Petroleum Distributors (Jersey) Ltd;</li> <li>• Total Jersey Ltd; and</li> <li>• Waterfront Enterprise Board Ltd.</li> </ul> <p>Workshop attendees included States of Jersey representatives from:</p> <ul style="list-style-type: none"> <li>• Transport &amp; Technical Services Department – the project proponent;</li> <li>• Emergency Planning Officer;</li> <li>• Fire and Rescue Service;</li> <li>• Jersey Harbours;</li> <li>• Jersey Property Holdings;</li> <li>• Public Health Department; and</li> <li>• Planning Department.</li> </ul> <p>As the Health &amp; Safety Inspectorate are the principal regulator for the gas facility, it was determined that they would not attend the workshop.</p> <p>The workshop considered both the risks that the Energy from Waste facility might introduce to the external environment and neighbouring operations, together with risks that these operations might pose to the facility and its</p>

Policy	Policy description	Commentary
		occupants.  Following the workshop, consultations have been held with the Health & Safety Inspectorate to discuss the issues raised and the proposals.

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*Waste Management*

<b>Policy</b>	<b>Policy description</b>	<b>Commentary</b>
WM1	<p><b>Waste Minimisation and Recycling</b></p> <p>The Planning &amp; Environment Department is intent on reducing the production of waste and, in considering proposals for new development, will seek to minimise levels of waste production and to increase the recycling, re-use and recovery of resources.</p> <p>The Committee will normally only permit development where measures to recycle, re-use and recover as much as possible of the generated waste materials are employed.</p>	<p>This facility arises out of the Solid Waste Strategy (2005) – Changing the way we look at waste. This facility is an energy recovery facility from waste and therefore is in compliance with the policy.</p>
WM2	<p><b>Construction and Demolition Wastes Plan</b></p> <p>Any development proposals involving the demolition of major structures or removal of significant quantities of waste material during construction shall identify the means by which the waste material shall be re-used, recycled or disposed of either within or off the site.</p> <p>The Planning &amp; Environment Department will require a Waste Management Plan to be submitted with all planning applications giving rise to significant quantities of construction and demolition waste. The measures contained in the Waste Management Plan shall be approved by the Committee and may be secured by planning obligations. Where such plans are not acceptable, permission will not normally be granted.</p>	<p>No buildings would be demolished in order to construct this facility. There would be some inert waste from excavations for foundations which either would be reused on site or deposited in the La Collette Phase reclamation area.</p> <p>This development would not generate a significant amount of waste and would not therefore require a Waste Management Plan as specified by the policy.</p> <p>Excavations for the site foundations would create approximately 1,500m<sup>3</sup> of arisings which will be used to create the mounds needed for the site landscaping. Currently there is a deficit of approximately 30,000m<sup>3</sup> which will be required from importing into the site.</p>
WM3	<p><b>New and Expanded Waste Management Facilities</b></p> <p>Proposals for new waste management facilities and expansion of existing facilities will normally be permitted provided that the proposed development:</p> <ol style="list-style-type: none"> <li>will not have an unreasonable impact on neighbouring uses and the local environment by reason of noise, vibration, odour, leachates, water or gas emissions, including any effects on quality or quantity of water supply and drainage;</li> </ol>	<p>This proposed new waste management facility is submitted for planning approval and is accompanied by a full Environmental Impact Statement in accordance with policy G5.</p> <p>Potential impact from pollution and nuisance is assessed within the Environmental Impact Statement and the design incorporates measures to mitigate these.</p>

Policy	Policy description	Commentary
	<p>2. will not have an unacceptable visual impact;</p> <p>3. has satisfactory access in relation to the highway network, both during the working life of the facility and subsequent restoration, without detriment to local amenity;</p> <p>4. there is an agreed programme of site management for the duration of the life of the facility;</p> <p>5. is in accordance with other principles and policies of the Plan.</p> <p><b>Proposals which do not satisfy these criteria will not normally be permitted.</b></p> <p>The Planning &amp; Environment Department will require an Environmental Impact Assessment to be carried out for any development likely to have a significant effect on the environment in accordance with Policy G5.</p>	<p>Access proposals and highway infrastructure works form part of the planning application and would be to adoptable standards.</p> <p>Design measures and Operational management practices would be specified within the Site Working Plan in accordance with the site Licence Conditions.</p>
WM4	<p><b>Safeguarded Waste Site</b></p> <p>A site for a new 'Energy from Waste' Plant is safeguarded in Bellozanne Valley, as shown on the Island Proposals Map, subject to a satisfactory Environmental Impact Assessment.</p> <p><b>Proposals for other uses on this site will not normally be permitted.</b></p>	<p>This refers to Bellozanne as a safeguarded site for redevelopment of the incinerator however the site selected by the Council of Ministers for the Energy from Waste plant is now at La Collette.</p>
WM6	<p><b>Restoration of Land Reclamation and Landfill Sites</b></p> <p>Restoration and reuse of land reclamation and landfill sites will be a condition of development permission. Restoration of landfill or land reclamation sites will be required to commence at the earliest opportunity and where possible, proposals for restoration should demonstrate a positive enhancement of both the site and the landscape character of the area.</p> <p>The Planning &amp; Environment Department will seek to enter into planning obligations with the operator to secure necessary restoration and landscaping works.</p>	<p>This facility is not a new land reclamation or landfill site.</p> <p>The proposed facility would include proposed landscaping plans for the La Collette area particularly the existing ash mound which lies to northeast of proposed facility.</p>