

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-FOURTH AMENDMENT ST. BRELADE'S BAY

Lodged au Greffe on 12th July 2021
by the Connétable of St Brelade

STATES GREFFE

ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – FIFTY-FOURTH
AMENDMENT

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

- (a) a “shoreline extension zone” should be created within in the designated green backdrop zone area of St Brelade’s Bay to embrace the land immediately to the east of the shoreline zone as far as the western boundary of the adjacent Coastal National Park boundary to the east, and between Mont Sohier to the north and the mean high water mark to the south.
- (b) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones should be amended to reflect the adoption of paragraph (a);
- (c) within Policy SP2, there should be inserted the following paragraph immediately after the final paragraph –

“The optimisation of building density in St. Brelade’s Bay shall be subject to the policies applying to its shoreline extension zone.”;
- (d) within Policy SP7, after the final bullet point, there should be inserted the following new bullet point –
 - “in the case of the shoreline extension zone of St Brelade's Bay, that the development makes a positive contribution to its daytime and evening tourist economy and is unlikely to deprive it of sites for future expansion.”;
- (e) within Policy PL5, there should be inserted the following new paragraph immediately after the second paragraph –

“To protect the seascape and future public and visitor enjoyment of St Brelade’s Bay, within its shoreline extension zone:

 - the development of new homes on previously undeveloped land;
and
 - the extension of existing buildings in private residential use

will not be supported except in very limited circumstances.”;
- (f) within Policy GD5, there should be inserted the following new paragraph immediately after the final paragraph –

“In the case of the shoreline extension zone of St Brelade’s Bay, exceptions to this policy will be allowed to accommodate any improvements that:

- a. enhance any site in daytime and evening use of any premise, and
- b. improve the appearance and sense of place of its seafront,

in the context of its attractiveness as a Tourist Destination Area and of the Bay as a coastal unit. This will be subject to any guidance and recommendations in the St Brelade’s Bay Improvement Plan, once progressed.”; and

- (g) within Policy GD8, there should be inserted the following new paragraph immediately after the paragraph numbered 2 –

“3. The shoreline extension zone of St. Brelade’s Bay shall be included within its green backdrop zone and the same policies will apply to it with the following additional restrictions:

- a. the footprint, scale and mass of any replacement, redeveloped or extended building in private residential use will only be permitted to be larger than the footprint, scale and mass of the building it replaces in minor respects;
- b. new development and redevelopment and /or extension and existing development should be sensitive to its landscape context in terms of scale, design, materials and colour; and
- c. the overall benefit to the community of any proposal shall not be interpreted to mean any housing development reasonably likely to deprive the community of future public amenity land or the local tourist economy of future development land.”

CONNÉTABLE M. JACKSON OF ST. BRÉLADE

Note:

After this amendment, the 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) “a “shoreline extension zone” should be created within in the designated green backdrop zone area of St Brelade’s Bay to embrace the land immediately to the east of the shoreline zone as far as the western boundary of the adjacent Coastal National Park boundary to the east, and between Mont Sohier to the north and the mean high water mark to the south.

(b) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones should be amended to reflect the adoption of paragraph (a);

(c) within Policy SP2, there should be inserted the following paragraph immediately after the final paragraph –

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(d) within Policy SP7, after the final bullet point, there should be inserted the following new bullet point –

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- c. the overall benefit to the community of any proposal shall not be interpreted to mean any housing development reasonably likely to deprive the community of future public amenity land or the local tourist economy of future development land.”

REPORT

St Brelade's Bay is a high profile and popular scenic seaside resort that has been identified as a Tourist Destination Area in the draft Island Plan 2022-25. It also has proved popular for wealthy residents and speculative developers to construct and extend private residences.

In some cases, this has been at the expense of its scenic charm and has prejudiced the possible future use of land along its public promenade as public amenity area or premises for day and evening economy use of its local tourism industry. Land along the public promenade that acquires value for residential development usually becomes unviable to acquire for public amenity or day and evening economy use.

The report of the public engagement exercise carried out in connection with the St Brelade's Bay character appraisal that is part of the core evidence base for the draft Island Plan 2022-25 found:

1. an 'overwhelming' concern that the Bay 'should be for the local community and visitors, not an elite or exclusive residential domain for the ultra-rich as it is increasingly becoming', and;
2. a concern expressed by most of the Bay's tourist businesses that 'the tourism offer needs to be supported or tourism businesses will continue to decline'.

This was despite the States Assembly approving amendments to the current Island Plan on two occasions that sought to contain insensitive development in the Bay, particularly in its shoreline zone, which does not extend as far to the east as the public promenade.

One amendment, proposing a Local Development Plan for St Brelade's Bay, in Proposal 16 and paragraph 4.87 of the current Island Plan has not been progressed, despite independent planning officers in their Report following the 2014 review of the current Island Plan recommending it be progressed with 'urgency'. It is not certain that Proposal 17 of the draft Island Plan 2022-25, which contemplates a St Brelade's Bay Improvement Plan will be progressed either, or if it will be at a rate or have content that might anticipate further residential spread at the expense of the Bay's green infrastructure and potential increase of areas supporting future public amenities and daytime and evening economy premises.

In the meantime and, at present, the current draft Island Plan 2022-25, continues to use conflicting policies without indicating which the extent to which:

- (a) local tourist economic interest should take precedence over wealthy individual landowner's interests (at least on the Bay's seafront); and
- (b) enhancing the Bay's green backdrop with sympathetic landscaping should take precedence over increasing building density (particularly in the Bay's Shoreline Zone).

In failing to address these continuing tensions, it effectively is devolving resolution to individual planning officers and members of the Planning Committee.

Conflicting policies can allow for flexibility in planning decisions, but they also lead to confusion, along with an expensive and time-consuming process of delay, referral and

appeal that does not serve anyone. Furthermore, a lack of clear and transparent resolution supports the potential for abuse of personal authority or superior economic power (or perception of such), neither of which is conducive to good government, let alone a satisfactory planning system.

Where residential development in along the Bay's seafront is encouraged, it will be encouraged to the detriment of potential tourist economy and public amenity development and the landscape elements of the Bay that are important to public enjoyment and the Bay's local tourist economy.

This amendment is one of three proposed amendments to the current draft Island Plan 2022-25 that seeks to resolve the conflict and address at this important stage the concerns expressed in the public engagement survey.

This particular amendment seeks to identify the area of green backdrop zone along the Bay's eastern promenade immediately adjacent to its shoreline zone as a new 'shoreline extension zone' and to import further restrictions on developments in that area to restrict residential development to stall current trends so that land that has potential tourist economy and public amenity development value is better preserved for the benefit of the wider community.

Financial and manpower implications

There are no financial or manpower implications in relation to proposed refinement of the wording of the draft Bridging Plan and the proposed amendment of, and change in, designation of zones in Draft Bridging Island Proposals Map Part A

Child Rights Impact Assessment implications

These amendments have been assessed in relation to the [Bridging Island Plan CRIA](#). Improved well-being of children will arise from improved public access to, and enjoyment of, a public beach and recreation area.