

1 General Development Control Policies

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GD: Introduction

1.1 In determining an application for planning permission, the Minister for Planning and Environment is required to take into account all material considerations. The policies of the Island Plan are a primary consideration and Article 19(2) of the Planning and Building (Jersey) Law 2002 identifies that all development should be in accordance with the Island Plan unless there is sufficient justification for granting permission that is inconsistent with the Plan.

1.2 In the case of almost every planning application, there are a number of generic issues against which development proposals will be tested to see if they are acceptable. These material considerations can be outlined here as general development considerations, some of which are considered in greater detail in other policies in the Plan.

1.3 There are also a number of specific development types or issues which do not neatly fit into specific topic areas or chapters in the Plan and these are dealt with in this chapter also.

GD: Objectives and indicators

Objective GD 1

General development objectives

1. To ensure that development proposals conform to all relevant aspects of the Island Plan, unless relevant planning reasons can be put forward which indicate why the provisions of the Island Plan should be set aside;
2. To protect the health, safety and amenity of the public;
3. To protect and enhance the natural, historic and built environment;
4. To achieve more sustainable forms of development; and
5. To secure the highest standards in the design of new buildings in Jersey, with an emphasis on quality of design and construction involving encouragement to traditionally designed schemes; modern interpretations of traditional development and details; and modern architectural schemes, where new buildings should generally be designed having regard to their context, be appropriate to their surroundings from which they should draw reference in terms of building form, mass, height, materials and so on, and where they can demonstrate their relevance to Jersey.

Indicators GD 1

General development indicators

1. Number of departures from the Island Plan

GD: Policies and proposals

General development

1.4 This policy is intended to provide the criteria against which all planning applications can be considered. It provides a useful starting point for anyone considering making a planning application and will help ensure that important matters related to the assessment of development applications are rigorously, comprehensively and consistently considered.

1.5 The considerations identified in the policy are applicable to most types of planning applications, to a greater or lesser degree. They should not, however, be treated in isolation but considered within the context of the strategic policies at the front of the Plan, together with the more specific policies, where relevant, in this or other topic specific chapters, as well as any relevant supplementary planning guidance.

1.6 General development control considerations can be summarised around the following six main themes:

- **Sustainable development:** how does the proposed development contribute towards a more sustainable form and pattern of development in Jersey? Consideration of this issue might range from; an assessment of where it is located relative to the existing pattern of development in the Island, and in particular, the location of services and infrastructure; to what it is made from and how energy efficient it is;
- **Impact on the environment:** what impact does the proposed development have for the surrounding area, neighbouring land and buildings and the site itself, particularly where the location is sensitive because of the quality of the local landscape, or its heritage or wildlife value?;
- **Impact on neighbouring land and users:** how will the proposed development affect people who will use it or live and work next to it?
- **Value of the development:** there will be a need for the Minister for Planning and Environment to consider the value of the development to the Island, relative to its stated needs and objectives, and in particular, to the local economy.

- **Travel and transport:** the transport implications of new development are often based around the adequacy of car parking provision and access and egress to and from a site. The Minister will increasingly need to consider the traffic and transport implications of development as part of reducing the need to travel and encouraging more sustainable transport modes.
- **Design quality:** the design and architecture of new development is a critical consideration and, in particular, attention must be paid to new development within its local context.

Policy GD 1

General development considerations

Development proposals will not be permitted unless the following criteria are met such that the proposed development;

1. contributes towards a more sustainable form and pattern of development in the Island in accord with the Island Plan strategic Policy SP 1 'Spatial strategy'; Policy SP 2 'Efficient use of resources'; and Policy SP 3 'Sequential approach to development'; and in particular it;
 - a. will not replace a building that is capable of being repaired or refurbished ('Demolition and replacement of buildings');
 - b. where possible makes efficient use of construction and demolition materials to avoid generation of waste and to ensure the efficient use of resources (Policy WM 1 'Waste minimisation and new development');
 - c. encourages energy efficiency through building design, materials, layout and orientation (Policy SP 2 'Efficient use of resources');
 - d. is adequately serviced and includes the provision of satisfactory mains drainage (Policy LWM 2 'Foul sewerage facilities') and other service infrastructure.
 - e. improves facilities for the storage and collection of refuse, including recyclables (in accord with WM5).
2. does not seriously harm the Island's natural and historic environment, in accord with Policy SP 4 'Protecting the natural and historic environment', and in particular;
 - a. will not have an unreasonable impact on the character of the coast and countryside (Policy NE 6 'Coastal National Park'; Policy NE 7 'Green Zone' and Policy NE 5 'Marine Zone'), biodiversity (Policy NE 1 'Conservation and enhancement of biological diversity'), archaeological remains (Policy HE 5 'Preservation of archaeological resources') or heritage assets (Policy HE 1 'Protecting Listed buildings and places')

- and includes where appropriate measures for the enhancement of such features and the landscaping of the site;
- b. will not have an unreasonable impact on important open space; natural or built features, including Policy NE 4 'Trees, woodland and boundary features'; and Proposal 3 'Wildlife corridor designation';
 - c. will not unreasonably affect the character and amenity of the area, having specific regard to the character of the coast and countryside (Coastal National Park and Green Zone) and the built environment.
3. does not seriously harm the amenities of neighbouring uses and should, in particular;
 - a. not unreasonably affect the level of privacy to buildings and land that owners and occupiers might expect to enjoy;
 - b. not unreasonably affect the level of light to buildings and land that owners and occupiers might expect to enjoy;
 - c. not adversely affect the health, safety and environment of users of buildings and land by virtue of emissions to air, land, buildings and water including light, noise, vibration, dust, odour, fumes, electro-magnetic fields, effluent or other emissions;
 - d. take into account the need to design out crime and to facilitate personal safety and security in accordance with the principles of safety by design, by way of a crime impact statement if required, as set out in supplementary planning guidance;
 - e. not affect, to any material extent, the safe operations of Jersey Airport and Jersey harbours, including both the Island's harbours and navigation marks.
 4. contributes to and/or does not detract from the maintenance and diversification of the Island's economy, in accord with Policy SP 5 'Economic growth and diversification', and in particular, will not have an unreasonable impact on agricultural land, in accord with Policy ERE 1 'Safeguarding agricultural land'.
 5. contributes, where appropriate, to reducing dependence on the car, in accord with Policy SP 6 'Reducing dependence on the car', and in particular;
 - a. is accessible by pedestrians, cyclists and public transport users, including those with mobility impairments;
 - b. will not lead to unacceptable problems of traffic generation, safety or parking;

- c. provides a satisfactory means of access, manoeuvring space within the site and adequate space for parking,
 - d. 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.
6. is of a high quality of design, in accord with Policy SP 7 'Better by design' and Policy GD 7 'Design quality', such that it maintains and enhances the character and appearance of the Island and that, where appropriate, it makes provision for hard and soft infrastructure that may be required as a result of the development.

1.7 To enable an assessment to be made as to whether the considerations listed in Policy GD1 have been fully and properly taken into account, an appropriate level and quality of information must be provided with a planning application. In certain circumstances, applicants may be required to submit more detailed information in the form of design statements, environmental impact assessments (EIA), transport assessments, archaeological evaluations, site investigations for contaminated land, travel plans, waste management plans, crime impact assessments, or relating to safety by design, noise levels and standards, a sustainability assessment of proposals for the demolition and replacement of buildings, the protection of employment land, category A housing requirements, affordable housing, housing mix, parking guidelines or other additional information, as an integral element of a planning application.

Proposal 1

Supplementary planning guidance

The Department of the Environment will issue supplementary planning guidance, to complement that which already exists, outlining when such additional information will be required and in what form and to what level of detail.

Where a masterplan or a site development brief has been produced, an applicant will also need to provide evidence that the proposed development satisfies the requirements of the brief or plan.

Demolition and replacement of buildings

1.8 The Minister for Planning and Environment aims to promote a culture of re-use of buildings rather than demolition and rebuilding. Re-using the Island's buildings will usually be more sustainable and will produce less construction waste

for landfill. Existing buildings contain embodied energy represented by the energy used to make the materials from which the building is constructed and the energy required to undertake the building of it.

1.9 Where there are existing buildings on a site proposed for development, developers should carefully examine their potential for re-use or adaptation and should seek to incorporate them into the new development where practical and possible. Proposals for demolition and for demolition and replacement will need to be properly considered and justified. Sustainability considerations that need to be applied when contemplating the re-use or the demolition and redevelopment of buildings include; the amount and types of waste for disposal to landfill; the life-time energy capital of a building and future energy conservation; and maintenance issues. The principles which underlie the most efficient and effective use of resources - including land, energy and building materials - will be an important consideration in accord with Policy SP 2 'Efficient use of resources'. The Department of the Environment will seek to develop and publish supplementary planning guidance to facilitate and assist a more rigorous and comprehensive assessment of the sustainability of development proposals with specific regard to the efficiency of resource use.

1.10 The Minister will also take into account the design qualities and contribution that existing and proposed development makes towards the character and appearance of the site and its context. The architectural and cultural heritage value of any buildings will be an important consideration and there will be a strong presumption against the demolition of Listed buildings in accord with Policy HE 1 'Protecting Listed buildings and places' and Policy HE 4 'Demolition in Conservation Areas'. Where proposed demolition affects protected species and their habitats, proposals will need to be considered in relation to Policy NE 2 'Species protection' with regard to assessment and mitigation in particular.

1.11 Where demolition of a building or structure is justified, Policy WM1 'Waste Minimisation and New Development' outlines the framework within which the disposal of significant quantities of waste material will be considered.

Policy GD 2

Demolition and replacement of buildings

The demolition of a building or part of a building will not be permitted unless the proposed development:

1. involves the demolition of a building or part of a building that it is not appropriate in sustainability terms to repair or refurbish.; and
2. makes adequate provision for the management of waste material arising from demolition in accord with policy WM1 'Waste Minimisation and New Development'; and

The demolition of a building or part of a building will also not be permitted where the proposed development:

3. would have an unacceptable impact on a Listed building or place in accord with Policy HE 1 'Protecting Listed buildings and places' and Policy HE 4 'Demolition in Conservation Areas' or protected species and their habitats, in accord with Policy NE 2 'Species protection';
4. would have an unacceptable impact on the character and amenity of the area;

The replacement of a building or part of a building will not be permitted unless the proposed development:

5. enhances the appearance of the site and its surroundings;
6. replaces a building that is not appropriate to repair or refurbish;

Density of development

1.12 Density is a measure of the number of dwellings which can be accommodated on a site or in an area. The density of existing development in an area should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development at higher densities can lead to the more efficient use of land without compromising the quality of the local environment for adjoining neighbours.

1.13 The 2002 Island Plan sought - through the rezoning of land for new housing to meet the Island's housing needs - to promote an approach to the use of new greenfield land for housing that would encourage the most efficient and wise use of this valuable resource by maximising the development yield of these sites whilst paying heed to, amongst other things, local character; the capacity of local infrastructure - such as schools, roads, sewerage systems - and amenity considerations for existing and new residents. This was based on the premise that a more efficient, dense development of one new greenfield site would likely reduce the need to build on other greenfield sites, to meet the Island's demand for homes.

1.14 This 'design-led' approach to the development of new housing has been publicly unpopular - mainly on the basis of objections from local residents that the proposed new development is 'too dense' or an 'over-development' of the site. As a result, new urban edge housing sites have not used land efficiently and have not delivered a greater yield of homes or best utilised a valuable land resource. Typically densities of only 30-35 dwellings per hectare (around 12-14 dwellings per acre) have been achieved, which equates to a level of density associated with 'typical' three-bedroom suburban housing estates.

1.15 A more sustainable approach to the development and redevelopment of land in accord with the Strategic Policies of the Plan ('Sustainable development' and 'Efficient use of resources: energy, land and buildings') would require the application and delivery of higher densities and greater housing yields. The UK Government's [Planning Policy Statement 3 \(PPS3\): Housing](#)⁽¹⁾, sets out a national indicative minimum net dwelling density (which is calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided) of 30 dwellings per hectare as a strategic guide against which local density policies are to be developed, and below which, proposed development requires exceptional justification. Lord Roger's Urban Task Force⁽²⁾ recommended a minimum density for new residential development of 40 dwellings per hectare.

1.16 To secure more efficient and effective use and development of land in Jersey, the Minister for Planning and Environment will require the highest level of density of development on sites, whilst ensuring that the strategic objectives related to the protection of the environment (Policy SP 4 'Protecting the natural and historic environment'); design quality (Policy SP7 'Better by Design') and the impact on neighbouring uses (Policy GD1 'General Development Considerations') are considered and upheld. To do this, the development of sites that are over 0.2 hectares (0.5 acre or 1.125 vergées) for residential use will be the subject of a minimum density standard.

1.17 The Minister for Planning and Environment will develop and issue new supplementary planning guidance to inform the application of minimum density standards.

Policy GD 3

Density of development

To contribute towards a more sustainable approach to the development and redevelopment of land in accord with the Strategic Policies of the Plan (Policy SP 1 'Spatial strategy' and Policy SP2 Policy SP 2 'Efficient use of resources') the Minister for Planning and Environment will require that the highest reasonable density is achieved for all developments, commensurate with good design, adequate amenity space and parking (bearing in mind the potential for reducing the need for car ownership by the creation of car pooling schemes and other methods) and without unreasonable impact on adjoining properties.

1 [Planning Policy Statement 3 \(PPS3\): Housing](#) Department for Communities and Local Government (November 2006)

2 Urban Task Force (November 2005) Towards a Strong Urban Renaissance

Residential development proposals on sites of more than 0.2 hectares (0.5 acres or 1.125 vergées) will not be permitted unless a minimum density, in accord with supplementary planning guidance, is achieved.

Planning obligations

1.18 Well planned development can deliver great benefit to the Island by providing the homes, work places and facilities that we need, and by maintaining and supporting the local economy. Development can also, however, place a burden or cost onto the community as a result of the demands that it might generate or create as a result of its implementation. Planning obligations are a tool that is available as part of the planning system to ensure that the potential for these costs to the community as a result of new development are avoided, where it is reasonable and appropriate to do so.

1.19 Planning obligations can also be used to ensure that planning objectives are delivered where planning conditions are not considered to be either appropriate or sufficiently robust. In particular, planning obligations will be used to ensure that, where appropriate, development meets the Island's needs for different types of homes, especially affordable homes, be that social rent, shared equity or first-time buyer.

1.20 A planning obligation is a legally-binding agreement, between parties with an interest in a development site and the Minister for Planning and Environment, which may; require certain works or actions to be undertaken; impose certain constraints or restrictions on use and /or occupation; or require payments to be made in respect of the realisation of certain benefits arising as a consequence of development proposal. Their appropriate use can ensure that development proposals provide the necessary infrastructure and facilities which are required as a direct consequence of the development, or will meet or contribute towards the costs of providing such facilities in the near future, and can help to ensure that planning objectives are delivered.

1.21 Planning obligations may also be used to ensure that new development makes a contribution to the public realm by, for example, providing public art, a connection to an existing foul sewer, new pedestrian routes, new public spaces and in improving the pedestrian environment through pavement widening and tree planting, amongst other things.

1.22 Planning permission will normally be refused for any development that does not make adequate provision for such matters, where it is appropriate to do so. In no circumstances, however, will the Minister for Planning and Environment set aside the policies and principles in the Island Plan simply to secure a locally needed facility, service, improvement or contribution through a planning obligation. The use of planning obligations, where they help to deliver the Minister's objectives

for housing, will be in accord with policies H2 Category A Housing Sites and policy H3 Affordable Housing. Supplementary planning guidance will be updated and used to provide further information about the use and arrangements for planning obligation agreements, and shall, in particular, indicate by what point in the life of a development (in the normal course of events) planning gain should be provided, depending upon the nature of such gain. Once the supplementary guidance has been updated, the Minister will inform the States Assembly of any new proposals by way of a report. ⁽³⁾.

Policy GD 4

Planning obligations

Where, as a direct consequence of a proposed development, additional infrastructure or amenities are required, the Minister for Planning and Environment will negotiate the provision of appropriate facilities with the developer through the use of planning obligations, where it is necessary and appropriate to do so.

Where necessary, the provision of financial contributions to off-site infrastructure and facilities, including the provision of amenity space, public parking, measures to assist public transport, cyclists or pedestrians, or to alleviate traffic impacts, will be sought from the developer through the use of planning obligations, where it is necessary and appropriate to do so.

Development proposals that do not make satisfactory provision for infrastructure or amenities that are required as a direct result of the proposed development will not be permitted.

Planning obligations will also be used to help deliver the Minister's housing objectives in accord with Policy H 1 'Category A housing sites', Policy H 2 'Other Category A housing sites' and Policy H 3 'Affordable housing'.

The Minister will update and publish guidance in relation to planning gain and planning obligation agreements, and such guidance shall, in particular, indicate by what point in the life of a development (in the normal course of events) planning gain should be provided, depending upon the nature of such gain.

3 Supplementary planning guidance: Planning obligation agreements

Skyline, views and vistas

1.23 Jersey has a rich and varied landscape and townscape; its topography enables spectacular views of natural settings and buildings which are valued by local people and visitors alike and which are part of its character and identity. New development can have a significant visual impact upon the Island's important skylines, views and vistas, and it is vitally important that consideration is given to the widest visual impact of development proposals in order to protect and manage change to these important aspects of the Island's character appropriately.

1.24 New development can affect skylines, views and vistas in two ways:

- by obscuring, in part or in whole, an important view or vista;
- by detracting from the quality of a landscape or townscape setting, or the setting of a landmark building, structure or landscape feature that comprises all or part of an important skyline, vista or view.

1.25 The following perspectives are considered to be of particular importance:

- views of the countryside and coastline from within the Built-up Area, and particularly from the town centre of St Helier and along the Built-up Area of the south and east coast;
- views of the St. Helier skyline, particularly from strategic approaches to the town, on land and sea;
- views along and from the coastline and sea, particularly from the Island's enclosed beaches and bays;
- the skyline of inland escarpments and valley slopes;
- views across open countryside, particularly to and from the inland ridges of the central plateau separating the Island's main valleys;
- views into and from within conservation areas;
- the setting of listed buildings;
- views of landmark buildings.

1.26 Further guidance and specific examples of important views and vistas, and the ability of sensitive landscape features such as ridges, escarpments, headlands and valley heads to accommodate new development, are identified in the [Urban Character Appraisal](#) and the [Countryside Character Appraisal](#).

1.27 The scale or height of existing buildings and structures which detract from an important skyline, vista or view will not be accepted as a precedent for their redevelopment where there is an opportunity to repair the skyline, vista or view with more sensitively scaled development. The Minister for Planning and Environment will seek to repair important skylines, views and vistas, through the development control process and on the basis of the application of sound principles of good urban design which acknowledges and respects context, where opportunities arise.

1.28 Proposals for new tall buildings will also need to accord with Policy Policy BE 5 'Tall buildings'.

Policy GD 5

Skyline, views and vistas

The Minister for Planning and Environment will seek to protect or enhance the skyline, strategic views, important vistas, and the setting of landmark and Listed buildings and places.

Proposed development that has a seriously detrimental impact, by virtue of its siting, scale, profile or design, in terms of its affect upon or obscuring of the skyline, strategic views, important vistas, and the setting of landmark and Listed buildings and places will not be permitted.

Contaminated land

1.29 Past developments and processes can result in the contamination of land in both urban and rural areas. Examples of potentially contaminated land include industrial sites where hazardous materials have been used and former gas works where toxic substances may have built up in the land. Contamination can pose a threat to the health of future users of the site and to the surrounding environment.

1.30 Few sites are so badly contaminated that they cannot be re-used at all, but the contamination may limit the range of potential uses. The re-use of contaminated land is in line with the principle of sustainable development, because it effectively recycles the land and reduces pressure for development of greenfield sites. A balance needs to be struck, however, between the need to bring the land back into beneficial use and the risks and liabilities posed by the contamination.

1.31 The Minister for Planning and Environment will encourage the redevelopment of contaminated sites, provided that this does not pose an unacceptable risk to human health or the wider environment. Where development is proposed, the developer is responsible for ensuring that development is safe and suitable for use for the intended purpose: they are responsible for determining whether land is suitable for a particular development or can be made so by remedial action.

1.32 A potential developer will need to satisfy the Minister for Planning and Environment that a rigorous process has been followed in the assessment of the risk of contamination. They will also need to demonstrate that unacceptable risk from contamination will be successfully addressed through remediation, without

undue environmental impact, during and following the development. It is also in the developer's best interests to ensure that potential risk and liability is managed appropriately.

1.33 The Minister for Planning and Environment has issued supplementary planning guidance about the development of potentially contaminated land.⁽⁴⁾

Policy GD 6

Contaminated land

Proposals for development on contaminated land will be permitted where:

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; and
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.

Design quality

1.34 The Minister for Planning and Environment is determined to raise significantly the standard of building design in Jersey and to champion good architecture, design and sustainable development. The Minister has set out and established a series of design objectives which he will seek to achieve through the planning system, by providing a clear and comprehensive framework of policy and guidance, as well as through the regulatory and appraisal process of development control.

Achieving design quality

1.35 To ensure that the aspirations for design quality and sustainable development are transformed into the physical delivery of better buildings, spaces and places, it is proposed that the planning process will:

4 [Supplementary Planning Guidance: Advice Note 2 \(October 2005\) Development of Potentially Contaminated Land](#)

Proposal 2

Achieving design quality

To ensure that the aspirations for design quality and sustainable development are transformed into the physical delivery of better buildings, spaces and places, it is proposed that the planning process will:

- provide a clear and robust policy framework, with locally distinctive policy that provides clarity to developers about what is required;
- ensure that there is sufficient policy and guidance at a range of scales - Island Plan, master-plans, development briefs and design codes;
- demand good design quality in all schemes - using pre-application discussions, design statements and ensuring that the planning application contains sufficient detail to enable it to be assessed properly within its context;
- ensure that planning conditions and legal agreements are used, where necessary, to secure quality;
- provide access to design skills within the Department of the Environment - either in-house, through consultants, or by access to external design review processes; and
- monitor design quality

The Minister for Planning and Environment will also develop, publish and adopt a code for sustainable homes as supplementary planning guidance.

1.36 The Minister for Planning and Environment has and will publish supplementary planning guidance to expand and assist the interpretation and application of his design policy and objectives. The Jersey Design Guide ⁽⁵⁾ describes the key elements that make up the Minister for Planning and Environment's design principles and seeks to illustrate local exemplars. Area-based design guidance, for the town of St Helier, is to be published, based on the St Helier Character Appraisal ⁽⁶⁾. This study was undertaken under the auspices of the 2002 Island Plan to better understand the value, significance and form of the townscape of St Helier. The Countryside Character Appraisal ⁽⁷⁾, performs a similar purpose for understanding the landscape qualities of Jersey's coast and countryside.

1.37 The Minister has, and will continue to publish supplementary planning guidance to inform the development and regeneration of specific areas and sites - in the form of masterplans and development briefs - to ensure, amongst other things, that high design quality is achieved. The Esplanade Quarter masterplan,

5 Jersey Design Guide (October 2008)

6 St Helier Character Appraisal (2005) Willie Miller Urban Design

7 Countryside Character Appraisal (1999) Land Use Consultants

for example, will be supplemented by a set of design codes for this new quarter of the town. Other sites within the Built-up Area - regeneration zones and strategic development sites - will be the subject of master-plans, and design and development briefs.

1.38 The Minister will also seek to ensure that design skills are embedded in the planning process to ensure the rigorous and consistent assessment and critique of development proposals in order to enhance design quality. The Department of the Environment has established the post of Architect and Advisor to the Minister and is to set up an architectural commission to ensure that the appropriate resources and skills are available within and to the planning system to help deliver high quality design outcomes.

1.39 Design statements will be required to assess the design quality of proposed development and supplementary planning guidance ⁽⁸⁾ has been issued to inform this. They are intended to be as much a facilitating mechanism to promote design quality as a controlling mechanism. The design statement should cover all aspects of design and not simply the appearance of a building, structure or space and provide the Minister with a coherent and clear justification as to the intent and evolution of the proposed design of development and its relationship to context. In the wider interests of sustainability, the design statement should normally include a "statement of sustainability" which shall have regard to the nature and origin of construction materials, the energy inputs required for construction and the lifetime energy requirements of the development.

Design quality

1.40 At its best, planning can deliver well-designed development in the right place and at the right time, but poor planning can leave a legacy of failed buildings and spaces. The Minister for Planning and Environment has given priority to the objective of promoting better design and is determined to raise significantly the standard of building design in the Island as an essential part of creating sustainable development through the planning process, in accord with Policy SP 2 'Efficient use of resources' and Policy SP 7 'Better by design'.

1.41 The value of well-designed places and spaces is well understood: functional, visually attractive, safe, accessible and inclusive places and spaces attract residents, visitors and investment, and planning plays a critical role in securing quality in the design of places and spaces.

1.42 This policy establishes the criteria within which the quality of design will be judged. The distinctive local character of the area is important, but good design need not necessarily replicate local traditions. Good design will respect, re-interpret and be in harmony with the local context.

8 [Supplementary planning guidance: advice note 4: Design Statements \(December 2006\)](#)

Policy GD 7

Design quality

A high quality 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, in accord with the principles of good urban design, as set out in policy SP7 'Better by design.'

Where the design of proposed development does not adequately address and appropriately respond to the following criteria, it will not be permitted:

1. the scale, form, massing, orientation, siting and density of the development, and inward and outward views;
2. the relationship to existing buildings, settlement form and character, topography, landscape features and the wider landscape setting;
3. the degree to which design details, colours, materials and finishes reflect or complement the style and traditions of local buildings;
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;
5. the incorporation of existing site features into the development such as boundary walls, banks and trees;
6. the design of safe pedestrian routes, including for those with mobility impairments, vehicle access and parking; and
7. the incorporation of features to design out crime and to facilitate personal safety and security, in accord with the principles of safety by design, by way of a crime impact statement if required, as set out in supplementary planning guidance.

Percentage for art

1.43 Percentage for Art is a mechanism to encourage developers to allocate a proportion of the costs of any new building, or refurbishment, towards the provision of art in the public domain. The scheme aims to benefit the Island by integrating art and craftsmanship of the highest quality into our built environment and it is intended that it will develop a legacy of public art, and artistic expression, to be enjoyed and appreciated by Islanders and visitors alike.

1.44 A Percentage for Art policy was first introduced by the States of Jersey as part of the 2002 Island Plan and is further supported by the States Cultural Strategy, adopted in 2005. Developers are encouraged to fund, commission and deliver their own Percentage for Art project in order to enrich their development or its immediate surroundings.

1.45 The Minister for Planning and Environment has published supplementary planning guidance on Percentage for Art to help establish where and when public art might be most valuable, the level at which contributions might be made, together with practical advice about how to engage an artist. ⁽⁹⁾

Policy GD 8

Percentage for art

The Minister for Planning and Environment will encourage the contribution of a percentage of design and development costs to the provision of public art. Agreements will be sought where it is considered that:

- both the scale and location of a new development are appropriate for the inclusion of public art; and
- the provision of public art would enhance the public's enjoyment of the building, development or space.

Signs and advertisements

1.46 The display of advertisements is controlled under the Planning and Building (Display of Advertisements) (Jersey) Order 2006. This requires that a formal application be made to the Department of the Environment for certain types of advertising display. Many signs do not require express consent.

1.47 The Minister for Planning and Environment recognises the need for advertising by the business community to promote business, communicate information and provide directions. By their nature, advertisements are designed to attract attention and whilst this is recognised as being both reasonable and desirable, it must be balanced with the need to protect, and in some cases improve, the appearance of the Island.

1.48 Within the Built-up Area, advertisements can have a considerable impact on the character of a space or a building and, depending upon the quality and the type of sign or advertising used, can contribute positively or negatively to the street scene. The most common forms of advertisement are those that are found

9 [Supplementary Planning Guidance: advice note 3 - Percentage for Art](#)

on shops or other commercial buildings, usually advertising the range of goods or services available. Wherever possible, new or replacement advertisements should be incorporated into the existing shop front or building fabric and be sympathetic in terms of size, scale, form, materials and degree of illumination, where relevant, to the building, site and area.

1.49 Similar considerations will apply to the provision and display of free-standing signs, in addition to which there may be a need to consider their implications for public safety, where they may cause danger to road users, or for pedestrian movement, where they are to be sited within the public realm. Some free-standing signs and banners of a temporary nature advertising certain types of local event do not need permission provided that they comply with the criteria set out in the Planning and Building (Display of Advertisements) (Jersey) Order 2006.

1.50 In the countryside, the location and illumination of signs needs careful consideration to prevent the incremental 'urbanisation' of the character of rural Jersey. In particular, the proliferation of advance directional signage can be problematic. The Department of the Environment will continue, in partnership with the Economic Development Department and Transport and Technical Services Department, to operate the Tourist Sign Scheme, to ensure that tourist attractions and sites are appropriately signed. This provides express consent for the display of signs which conform to a standard specification, the location and number of which is agreed with the Environment and Transport and Technical Services Departments, where the tourist attraction or site is formally recognised by the Economic Development Department.

1.51 Outside of the Tourist Sign Scheme, the provision of advance directional signage for other commercial establishments, such as hotels and restaurants, will not normally be acceptable. Exceptions to this presumption will require particular justification: factors such the location of the establishment and proposed signs relative to the Island's primary route network and its ability to provide its customers with advance directions, through booking information or maps, will be material considerations.

1.52 The display of most other signs and advertisements will normally be acceptable provided that they do not detract from the appearance of the premises themselves or from the immediate environment, especially in residential and Conservation Areas and provided there is no adverse effect on public safety. Public safety refers to the safety of any person using the highway, or the likelihood of signs obscuring any road traffic sign or navigational equipment.

1.53 Official signage displayed in relation to transport infrastructure, including pedestrian and cycle routes and facilities, is generally classed as a form of approved advertisement which does not require permission. Where new pedestrian and cycle transport infrastructure is provided, whether it is on-road; off-road; urban; or rural, the Minister for Planning and Environment would expect to work closely with the highway authorities to ensure that the need for the public awareness and

promotion of new facilities; the safety of all road users; and the quality and impact of signage on the character of the area, were taken into account, in accord with the spirit of this policy.

Policy GD 9

Signs and advertisements

Proposals for the display of signs and advertisements will be permitted where:

1. their siting, size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the site or building on which they are to be displayed, and the surrounding areas, particularly with regard to the character of Listed buildings and places or Conservation Areas; and
2. there is no adverse effect on public safety.

The display of advance directional signage will not be permitted unless:

3. the signage is in accordance with the Tourist Sign Scheme;
4. the provision of a limited number of advance directional signs is justified relative to the location of the establishment to the Island's primary route network and the extent to which customers can be provided with other forms of advance direction.