

ASS-021 - Officer Assessment Sheet for General Development
(Not to be used for House Extensions, Replacement Windows or Advert Apps)

Applications No: P/2009/1246	Valid Date: 25/06/2009	Deadline Date: 24/09/2009								
Address: Chateau De La Mer Apartments, Havre des Pas, St. Helier.		<table border="1"> <tr> <td>Registered</td> <td></td> </tr> <tr> <td>SSI, or pSSI or</td> <td></td> </tr> <tr> <td>BLI</td> <td></td> </tr> <tr> <td>Not Registered</td> <td></td> </tr> </table>	Registered		SSI, or pSSI or		BLI		Not Registered	
Registered										
SSI, or pSSI or										
BLI										
Not Registered										
Description of Work: RETROSPECTIVE: Construct replacement steps to beach.										
Zones/Listed: Built-Up Area <input type="checkbox"/> Ramsar Site <input type="checkbox"/> Shoreline Zone <input type="checkbox"/> Building Of Local Interest										


Context	
Site Description and Existing use	Stairs form part of the sea wall and are located directly in front of an apartment block on the outskirts of St. Helier within the Havre des Pas/Dicq area.
Proposal and Proposed Use	The application is for the retrospective construction of replacement steps leading from the apartments over/through the sea wall and onto the beach.
Policy Considerations	<p>BE11 – Public access to and along the shoreline will be protected and enhance where possible.</p> <p>M1 - Within this zone there is a presumption against all developments except those which are essential for access to water.</p> <p>With the above policies in mind the retention of the access to the water/beach should be maintained in the interests of public access to the shoreline.</p>
Relevant Planning History	None.

Officer Analysis	
Design (Form, size, scale, siting)	Concrete steps with direct access through a small sea wall access to beach. Functional access nothing more.
Architectural Detail and use of materials	Concrete formed steps without any form of embellishment by way of ballustrading or finishes.
Impact on Neighbours	None.
Access, car parking and Highway considerations	N/A
Landscaping Issues	N/A

Other Material considerations	Required		Provided		Comments
	YES	NO	YES	NO	
Percentage For Art		X			
Contaminated Land		X			
Archaeology		X			
Waste Management		X			
Foul Sewage Disposal		X			

Other material considerations	Comments received from [REDACTED] - Marine Coastal Officer suggested an EIA may be necessary as the development occurred in a marine protected zone with access to water. An EIA screening form has confirmed that an EIA is not required (Refer to EIA/2009/1520 for further detail).
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Statutory Considerations			
Statutory advertising period expired?	JEP Date	30.06.09	Comments
	Site Notice Cert Date	9.7.09	
	Photo received/ok?	Yes	
Summary of consultations	HET – 6.7.09 – comment that “as the steps are located some 10 m away from the principal registered building they do not have an adverse impact on the setting.” “No objections”.		
	Environment – Marine Coastal Officer – 17.7.09 – Requested an EIA.		
Summary of Representations	None.		
Responses from applicants/ amendments/ Re-advertised?	N/A		

Recommendation	
Summary/ Conclusion	In view of the fact that the steps have been in existence for some time and are merely being replaced there is no reason to object to the proposal.
Recommendation	APPROVAL
Conditions	None.
Reasons	None.
Site Visited	Site known to officer
Final Drawings (Log)	A: Location Plan B: Site Layout C: Photograph 1 D: Photograph 2
Planning Officer	
Recommendation Date	25.08.09

Note: This sheet should be positioned under the DCR within the file. One set of the final drawings should be paper-clipped together in the wallet.

Environmental Impact Assessment Screening Checklist

Application Address: Chateau de la Mer Apartments, Harve des Pas, St Helier

Description of Work: RETROSPECTIVE: Construct replacement steps to beach.

Application No: P/2009/1246

Applicant: [REDACTED]

Consideration	Yes	No	Uncertain	Comments
Is the proposal prescribed development specified in Column 1 Schedule 1 of the EI Order?		X		
Is any qualifying criterion specified in Column 2 of Schedule 1 of the EI Order exceeded or met?		X		
Is the proposal a change or extension of a prescribed development that is already authorised, executed or in the process of being executed, as per Article 2(3) of the EIA Order?		X		

If you have ticked 'yes' to any of the above, an EIA is required as per the Planning and Building (Environmental Impact) (Jersey) Order 2006.

Is the project on a large scale in the local context?		X		
Is the site in or near a sensitive site (eg Ecological SSI or pSSI, Ramsar Site, Les Mielles)?	X			
Is it likely to impact on natural processes?		X		
Is there likely to be significant public reaction to the project?		X		
Is the project complex with areas of uncertainty as to impact?		X		
Are there any significant environmental concerns in the construction, operation or decommissioning phases?		X		
Does the project produce significant quantities of wastes?		X		
Is the project energy intensive?		X		
Does the project utilise novel technology?		X		
Is there a history of contamination or other environmental concerns on site?		X		
Could the environmental effects have more than a local impact?		X		
Are there environmental concerns that cannot be dealt with by planning conditions or requesting more information?		X		
Is the project covered by existing environmental legislation or in international law?		X		

If you have ticked 'yes' or 'uncertain' to any of the above, an EIA may be required if, because of factors such as the nature, size or location of the proposed development, the Minister deems that the development is likely to have a significant effect on the environment of the Island or elsewhere, as per Article 13(1)(b) of the Planning and Building (Jersey) Law 2002.

Additional Comments:

The steps adjoining the sea wall are considered an integral part of the sea wall, and thereby a part of a coastal structure to combat erosion. The reconstruction of coastal works are specifically excluded from prescribed development under 10(14) of Column 1 of Schedule 1 of the EI Order and therefore an EIA is not required.

Decision: EIA is not required.

Reviewing Officer: [REDACTED]

Concurring Officer: [REDACTED]

Date: 12/8/09

Mr John Marshall
1 Chateau De La Mer
Havre des Pas
St Helier
JE2 4UL

Planning Application Number P/2009/1246

Planning Permit

PLANNING AND BUILDING (JERSEY) LAW 2002

IMPORTANT NOTICE

This notice gives permission under Article 19 of the Planning and Building (Jersey) Law 2002, as amended. The development stated below may also require Building consent under Article 34, for which a separate application will need to be made. If you are in any doubt as to whether building permission is required please telephone the Building Applications Team on 448407 who will be pleased to help.

The Minister for Planning & Environment, having considered your application hereby GRANTS PERMISSION TO DEVELOP LAND¹ under Article 19 of the Planning and Building (Jersey) Law 2002.

RETROSPECTIVE: Construct replacement steps to beach.

To be carried out at:

Chateau De La Mer Apartments, Havre des Pas, St. Helier.

REASON FOR APPROVAL: Permission has been granted having taken into account the relevant policies of the approved Island Plan, together with other relevant policies and all other material considerations, including the consultations and representations received.

Subject to compliance with the following conditions and approved plan(s):

Standard Condition

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

¹ CAUTION

This decision is purely permissive and in no way absolves the parties concerned from obtaining, nor does it overrule, any other permission that may be required under any other law. In addition, it does not overrule any private property rights, nor does it absolve an applicant from the need to obtain the permission of the owner of the land to which a permission relates.

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APPROVED

Planning Permit

PLANNING AND BUILDING (JERSEY) LAW 2002

Planning Application Number P/2009/1246

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

FOR YOUR INFORMATION:

The following plan(s) has/have been approved:

- A: Location Plan
- B: Site Layout
- C: Photograph 1
- D: Photograph 2

If written representations were made on this application this permission shall not have effect for a period of 28 days from the date of this notice, in order to allow for the lodging of any 'third party' appeal against the decision under Article 114 of the Law of the Planning and Building (Jersey) Law 2002.

If during this period a person appeals in accordance with Article 114 of the Law, the decision shall not have effect until either the appeal is withdrawn or is determined. When any such appeal is determined the decision shall have effect, if at all, in accordance with that determination.

25/08/2009

Sign  or Director

APPROVED

CAUTION

This decision is purely permissive and in no way absolves the parties concerned from obtaining, nor does it overrule, any other permission that may be required under any other law. In addition, it does not overrule any private property rights, nor does it absolve an applicant from the need to obtain the permission of the owner of the land to which a permission relates.

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P & E Received

COPY SENT: LAPPP/LAG
- 5 AUG 2009

Environment Department
Howard Davis Farm
La Grande Route de la Trinite
Trinity
Jersey JE3 5JP
Telephone 01534 866200
Facsimile 01534 866201
www.environment.gov.je

Planning consultation response

To: [REDACTED] From: Environment Department
tel. 441600

cc:

Subject P/2009/1246 Construct replacement Date: 17th July 2009
steps to beach

File ESU/11
ref.:

Dear [REDACTED]

Thank you for the opportunity to comment on the above application. I have now had a chance to review the proposals submitted and, based on the information provided, would like to make the following comments

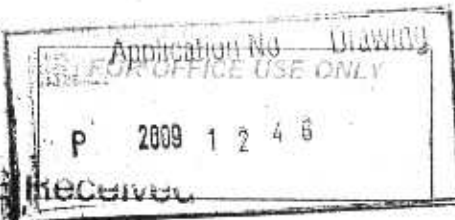
The development has occurred in the marine protected zone where there is a presumption against all developments except those which are essential for navigation, access to water, fishing and fish farming and coastal defence (Policy M1). The development is also in the Ramsar site, a site of international importance. I presume that the development will require an EIA as the development is on land covered or, in the normal course of tides, from time to time covered by sea water (Planning and Building (Environmental Impact)(Jersey) Order 2006).

Investigation will also be necessary to establish whether the development has breached the Food and Environmental Protection Act 1985 (Jersey) Order 1987.

However the development is small and replaces an existing structure. It is unlikely that the effect on the marine environment will be significant. This will no doubt be covered by the EIA.

Yours sincerely

[REDACTED]
Marine and Coastal Officer.



19 JUN 2009

P & E received

29 MAY 2009

Planning and Building (Jersey) Law, 2002
Application for Permission to Develop Land

Please read the general guidance notes on the back of this form before answering all the questions. One original and five copies of this form must be provided. Please complete using block letters. Failure to fully complete this form could result in delays.

1. If this is a revised Planning application please state previous permit number
2. Have you received any pre-application advice in relation to this project? (tick) Yes No
- If Yes, please state the name of the officer you dealt with

3. Give the full address of the land or property that is the subject of this application, including field number where relevant.

CHATEAU DE LA MER APARTMENTS
HAVER DES PAS
St. Helier

Field No

Postcode: JE2 4UN

4. What is the full name and address of the applicant? (See note 4)

JOHN MARSHALL
1 CHATEAU DE LA MER
HAVER DES PAS
St. Helier

Contact

Tel

Fax

Email

Postcode: JE2 4UN

5. What is the full name, address and daytime telephone number of the architect or agent making this application if different to the applicant?

Contact

Tel

Fax

Email

Postcode:

6. What is the full name and address of the owner?

AS ABOVE

Tel

Fax

Email

Postcode:

7. Give a clear and concise description of the proposed development, itemising any revisions to a previous application. (IMPORTANT: PLEASE READ NOTE 5)

PROSPECTIVE:
REPLACEMENT OF CONCRETE BEACH STEPS AND FENCING PROPERTY WHICH WERE DEMOLISHED
BY HIGH TIDE

