

**Report**

**Review of planning guidance in respect of the Jersey Gas Site**

**2011 North of Town Masterplan**

**2013 Jersey Gas Site Development Brief (Rev.A)**

**28 January 2019**

**1. Context**

The 2011 North of Town Masterplan[[1]](#footnote-1) [NoTMP] and 2013 Jersey Gas Site Development Brief (Rev. A)[[2]](#footnote-2) [the Brief] remain, under the over-arching strategy of the 2011 Island Plan (Revised 2014), as the adopted planning guidance for the site.

The NoTMP presents a higher level planning framework for the wider North of Town area, aimed at facilitating the regeneration of older, under used or neglected areas of Town.

The primary function of the Brief was to build on the strong intent of the NoTMP and to *‘establish the general planning principles for the development of the site and to set out the guidelines to be adopted when preparing detailed proposals for its redevelopment[[3]](#footnote-3)’*.

In practical terms, the Brief provides more detailed planning guidance to developers but also provides the framework for the assessment and determination of any subsequent planning application for the development of the site.

**2. Purpose of report**

The key aim of this report is to identify whether the Brief, as adopted, remains appropriate as a planning guidance document or whether it requires modifying.

The review is prompted by the adoption of a Proposition[[4]](#footnote-4) by the States Assembly that required Andium Homes[[5]](#footnote-5) to deviate from the requirements of the 2011 North of Town Masterplan [NoTMP]. The Brief sits below the NoTMP in terms of hierarchy of planning guidance, hence there also exists the possibility of conflict between the requirements of the Brief and of the Proposition.

**3. The Proposition**

The Proposition required that *“…as part of the development of the Jersey Gas site for housing, Andium Homes should be requested to deliver, subject to the award of planning permission, a significant extension to Millennium Town Park, thereby providing greater amenity benefits for all Islanders, the purchase and creation of which will be without additional contribution from the taxpayer; …”.*

The Proposition suggested that the site could be developed by way of 110 new homes “*…some of which would be affordable homes…”[[6]](#footnote-6)* [emphasis placed by author].

The adoption of the Proposition served to set new parameters for the future development of the Jersey Gas site, based around the concept of an extension to Millennium Town Park and the provision of new homes, within the broader guidelines proffered by the NoTMP and adopted Development Brief.

The table below gives a simple breakdown of the expectations raised in the Proposition compared with those raised in supplementary planning guidance, provided by the NoTMP and in the Brief.

|  |  |
| --- | --- |
|  | **Adopted Guidance** |
| **NoTMP** | **Dev Brief** | **Propn** |
|  |  |  |
| **Bldg Heights (storeys)** | 5½ | 4 to 6 | n/a |
| **Hsg units** | 300 approx(expectation of 12.5% of affordable (under now abandoned Policy H3)) | Not specified(but Minister to *encourage* some affordable provision) | 110(*some* affordable) |
| **Parking:**  **Resi** | 180 | Not specified – encourage use of innovative parking solutions | 150-200total |
| **Public** | 138 | None – commuted sum in lieu  |
| **Cycles** | n/a | 1 No space for 1/2 x bed homes + 2 No spaces for 3+bed homes. Some visitor spaces req’d | n/a |
| **Town Park extn (sq.m)** | n/a | n/a | 5,460 |

**4. Extant planning guidance vs the Proposition**

**North of Town Masterplan (NoTMP)**

The site is identified in the NoTMP as being one of nine Key Intervention Sites and appropriate for a significant new residential development as part of a strategy to ‘kick-start’ the regeneration of the older, more established parts of town.

The Jersey Gas site is described as being “…*suitable for a significant new residential development should it become surplus to the Gas Company’s requirements…The Revised Masterplan proposes 24,000 sq,m of housing development (approx. 300 dwellings), enclosing public open space, with underground car parking spaces for residents and commuters…”.*

The Proposition is, therefore, at variance with the NoTMP in terms of proposed yield of housing units specifically for the Jersey Gas site. The adopted Proposition, however, explicitly acknowledged and addressed this expected shortfall (approximately 190 units) with the following statement:-

*“The acquisition of the site has also enabled Andium Homes to take a strategic and joined-up approach to regeneration in this part of town…Andium Homes already has a large housing portfolio in the area and other planned developments which will deliver an additional 600 new affordable homes in the vicinity…which make it possible to continue to deliver homes in the area, as envisaged by the North of Town Masterplan, whilst also enhancing the level of public open space in the locality by extending the Millennium Town Park”[[7]](#footnote-7).*

The States Assembly has, therefore, already given consideration to the issue of specific variance with the NoTMP and concluded, quite clearly, that its primary strategic objectives - of regeneration, provision of new homes and parking, and the enhancement / creation of public open space - will still be met within the wider context of Andium Homes’ portfolio and its long-term development programme (see Andium Homes Annual Report 2017 p.4-6: <https://andiumhomesje.azurewebsites.net/wp-content/uploads/Andium-Homes-Annual-Report-2017.pdf>) .

It is relevant to note that the NoTMP sets indicative levels of residential floorspace and approximate housing yields for the number of homes to be delivered only on some key sites in the north of town (for example, no residential development yield is specified for the Ann Street Brewery site (which has also been acquired by Andium Homes)). And it does not set an overall housing ‘target’ to be delivered in this part of St. Helier. In this sense, the NoTMP should be regarded as being both strategic and flexible; its primary purpose being to catalyse development opportunities on sites where this is possible, and to set out broad forms of development to be delivered, which includes both new residential development and public open space. It is considered that any variance of indicative housing yields, where it is specified, can be flexibly accommodated across the development of all key sites identified in the masterplan.

**Jersey Gas Site Development Brief (The Brief)**

The Development Brief builds on the NoTMP’s framework approach and encourages the provision of new, affordable homes for purchase and of mixed tenure to respond to requirements, by size and type of home, of the Island’s need.

Some key aims of the development brief, of relevance to the Proposition, are that any development here should:

* provide a predominantly residential development that contributes to the provision of affordable homes;
* contribute towards the enhancement of the public realm in the immediate locality and also the North of Town area;

It is considered that the concept of development set out in the Proposition would serve to deliver against these key aims. In this respect it is relevant to note that, given the withdrawal, in 2014, of Island Plan Policy H3, which would have required a proportion of all housing development to be affordable, the acquisition and development of this site by Andium Homes, as a wholly States-owned affordable housing provider, will ensure that some affordable homes are now provided on this site.

Importantly, with regard to housing yields, the brief explicitly acknowledges that the guidance provided by the NoTMP is ‘purely indicative’ and that the housing yield for the site should be properly derived through the design process.

***Development potential and density***

*The density of the new development must emerge from a design led solution and be the highest consistent with maintaining reasonable standards of design, space about buildings and privacy, appropriate to the type of accommodation provided and the general surroundings.*

*The North of Town Masterplan … gave an indication of a possible quantum of development of 24,000 sq.m. However, this figure is purely indicative and the Minister must be satisfied that an appropriate density should properly emerge out of the design process, which must seek to accommodate the planning constraints, other factors and key principles of development set out here.* [emphasis added]

Clearly, this qualification provided by the brief was conceived to deal with any variation of yield derived from the residential development of the whole site, rather than its partial development for this use, but still serves to recognise that the guidance provided by the masterplan is not prescriptive.

With regard to the provision of open space, the Development Brief states that *“The development should make provision for amenity space within the boundaries of the site some of which may contribute to the public realm and be genuinely publicly accessible: the potential to provide public routes through the site should be explored”.*

The Proposition and the Brief are in accord on the issue of public realm provision which the Proposition requires to be an extension to Millennium Town Park.

The Brief then offers relatively flexible and non-prescriptive guidance based on sound planning principles, none of which would serve to compromise the intent of the Proposition.

With regard to design, the brief requires any development on the Jersey Gas site to provide an important visual conclusion to the eastern boundary of the Millennium Town Park.

*The development must provide an important visual focal point to the east side of the new town park which must be of architectural excellence. It must also have the potential of interfacing with the new park.*

This principle would not, however, be eroded by any extension of the park on part of the Jersey Gas Site, as set out in the Proposition, and would remain a relevant design consideration.

**5. Other material considerations**

At the time of the drafting of this report, there is no evidence to suggest that there are any major development schemes or traffic / infrastructure projects either approved or ‘in the pipeline’ that may impact upon the redevelopment of the Jersey Gas site as envisaged by the extant planning guidance or the requirements of the Proposition.

Whilst not prejudicial to either the existing supplementary planning guidance or the development to the Jersey Gas site, it is relevant to note that consideration is being given to the potential introduction of traffic management changes in the locality - specifically, making Bath Street one-way northbound – to enhance road safety for vulnerable road users; to provide cycling infrastructure; and to deliver public realm improvements (see p.15 <https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/St%20Helier%20Report%20v4%20appendices%20removed.pdf>). A traffic study[[8]](#footnote-8) has shown that such a scheme would be feasible and is, currently, placed as one of the Tranche-2 schemes within the study’s programme of works This scheme would require consultation before being developed as a formal proposal that might be reflected in any revised planning guidance.

**6.** **Is change to the extant guidance required?**

On the basis of the above, it is considered that the 2013 Jersey Gas Site Development Brief remains relevant as a framework to guide the future regeneration and development of the site.

Similarly, it is also considered that the broad intent of the North of Town Masterplan, as a strategy to catalyse the regeneration of the older parts of town, is also still relevant, and that the framework provided by the masterplan provides sufficient flexibility to facilitate the delivery of homes and public open space across sites in this part of St. Helier.

However, in order to ensure that current planning guidance reflects the resolution of the States in a clear and unambiguous way, it is considered reasonable to incorporate the detailed requirements of the Proposition into an amendment to the Development Brief. As the Masterplan remains a high-level framework document, it is not considered necessary to amend the content of the Masterplan.

**7. Legal and resource implications**

There are no significant legal or resource implications in respect of the proposed amendment of the SPG. .

**8. Recommendation**

**That the Minister notes the findings of the report and supports the amendment to the Jersey Gas Site Development Brief, subject to the outcomes of a public consultation exercise, and reaffirms the maintenance of the current supplementary planning guidance as adopted, in relation to the 2011 North of Town Masterplan.**

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1. P.73.2011: Revised North of Town Masterplan; adopted by the States on 30 June 2011 [↑](#footnote-ref-1)
2. MD-PE-2013-0106: 25/09/2013 [↑](#footnote-ref-2)
3. Introduction to the Development Brief [↑](#footnote-ref-3)
4. States Proposition P.114/2017; adopted 17/01/2018 [↑](#footnote-ref-4)
5. Andium Homes Ltd is a wholly States owned but independent company. [↑](#footnote-ref-5)
6. Page 3 of the Proposition, final para. [↑](#footnote-ref-6)
7. Page 4 of Proposition P.114/2017 [↑](#footnote-ref-7)
8. Future St Helier Traffic Management Schemes Appraisal: September 2016 [↑](#footnote-ref-8)