

## Assistant Minister for the Environment

**Schedule of conditions:** South Hill Offices, South Hill, St. Helier

**Planning permission:** P/2022/1619

### **Subject to the signing of a Planning Obligation Agreement to ensure:**

1. That a minimum of 25% of the new residential units forming part of the development (equating to a minimum of 35 no. units) shall be classed as 'Affordable Housing'.
2. A direct developer contribution of £187,650 (£1,350 per residential unit, plus £18 per sqm of commercial floorspace) to be paid to IHE-Transport, to improve the provision of off-road walking routes.
3. The developer is to undertake a programme of road improvement works to Parish-owned roads within the immediate vicinity of the site (works to include inter alia, road resurfacing, public realm improvements, footpaths, hard & soft landscape: lighting, etc..., and are to be to the value of approx. £201,686).
4. Direct provision of seven electric 'car club' vehicles for the use of residents (to the value of approx. £125,000), to be made available for the use of new residents, prior to the first occupation of the development.
5. Prior to the first occupation of the development, a mechanism to ensure the following shall be provided to, and agreed in writing by, the Development Control Section of Regulation: that the new car parking spaces being provided as part of the development, shall not be sold or otherwise occupied by non-residents of the site.
6. An area of land along the South Hill roadside boundary (where a new public footpath is to be established) be ceded to the Parish of St Helier, following completion of the development, and prior to its first occupation (the precise extent of the area to be ceded shall be determined in due course by all parties acting reasonably)

### **the Assistant Minister for the Environment hereby grants planning permission reference P/2022/1619 with the imposition of the following conditions:**

A. The development shall commence within three years of the decision date.

**Reason:** The development will need to be reconsidered in the light of any material change in circumstances.

B. The development shall be carried out entirely in accordance with the approved plans and documents.

**Reason:** To ensure that the development is carried out as approved.

1. No part of the development hereby approved shall be occupied until the levels of potential contaminants in the ground have been investigated, any risks to human health, or the wider environment, assessed and mitigation measures proposed, in a remediation strategy, have been submitted to and approved in writing by the Chief Officer. The approved remediation strategy shall be implemented in full, in accordance with the requirements of Supplementary Planning Guidance Planning Advice Note 2 - Development of Potentially Contaminated Land, as amended. Any changes to the strategy require the express written consent of the Chief Officer prior to the work being carried out.

**Reason:** To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with Policy GD1 of the Adopted Bridging Island Plan 2022.

2. Following the commencement of development during the demolition and construction phases, should any contamination, not previously identified be found, the Chief Officer must be informed immediately. No further development shall be carried out (unless otherwise agreed in writing with the Chief Officer) until the levels of potential contaminants in the ground have been investigated and any risks to human health and wellbeing have been assessed and mitigated, in accordance with the requirements of Supplementary Planning Guidance Planning Advice Note 2 - Development of Potentially Contaminated Land as amended.

**Reason:** To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with Policy GD1 of the Adopted Bridging Island Plan 2022.

3. No part of the development shall be occupied, until a ground contamination completion report and contaminated land completion certificate demonstrating completion of the contamination mitigation works (where applicable) and the effectiveness of any required remediation set out in the approved scheme, is submitted to and approved in writing by the Chief Officer. Where required by the Chief Officer the completion report shall also include a plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action and for the reporting of this to the Chief Officer.

**Reason:** To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with Policy GD1 of the Adopted Bridging Island Plan 2022.

4. No part of the development hereby permitted shall be begun until a Demolition/Construction Environmental Management Plan has been submitted to and approved in writing by the Chief Officer. The Demolition/Construction Environmental Management Plan shall be thereafter implemented in full until the completion of the development and any variations agreed in writing by the Chief Officer prior to such work commencing. The Plan shall secure an implementation programme of mitigation measures to minimise the adverse effects of the proposal on the environment, and shall include but not be limited to:

- A. A demonstration of compliance with best practice in controlling, monitoring, recording and reporting on any emissions to the environment (such as noise and vibration, air, land and water pollution);
- B. Details of a publicised complaints procedure, including office hours and out-of-hours contact numbers;
- C. Details of any proposed crushing/ sorting of waste material on site;
- D. Specified hours of working.

**Reason:** To ensure the development does not have an adverse impact on public health or the wider environment, in accordance with Policies GD1 and ME3 of the Adopted Bridging Island Plan 2022.

5. Any plant or machinery hereby approved shall be installed, maintained and operated to such specification that noise generated from these units shall be at least 5dBA below background noise levels when measured, in accordance with BS4142:2014, from within the curtilage of any nearby property.

**Reason:** In the interests of the amenities of residents, as required by Policy GD1 of the Bridging Island Plan 2022.

6. Prior to first occupation the actions identified in the approved Species Protection Plan shall be completed in accordance with the specification set out therein. Any variations shall be agreed in writing with the Chief Officer prior to the commencement of such work.

**Reason:** In the interests of protected species, as required by Policy NE1 of the Bridging Island Plan 2022.

7. Prior to the commencement of the development, details of the methods to reduce, recycle and reuse construction and demolition waste, shall be submitted to and approved in writing by the Chief Officer. The details shall be set out in a Site Waste Management Plan ('SWMP') which shall assess, quantify and propose a method for each material identified. Thereafter, the SWMP shall be maintained as a living document and waste management shall be implemented in full accordance with its terms. Any variations shall be agreed in writing with the Chief Officer prior to the commencement of such work.

**Reason:** To ensure that waste construction and demolition materials are minimised wherever possible, and where they do arise, that they are reused and recycled, in accordance with Policy WER1 of the Bridging Island Plan 2022.

8. No works below current ground levels shall take place on the site, until a programme of archaeological oversight has been submitted to, and agreed in writing by, the Chief Officer.

**Reason:** To ensure that potential archaeological resources within the site are protected, in accordance with Policy HE5 of the Bridging Island Plan 2022.

9. Prior to their first use on site, samples of all new materials to be used as part of the works to the Listed Building, shall be submitted to, and approved in writing by, the Chief Officer. Thereafter, the approved materials shall be implemented in full and retained as such.

**Reason:** To ensure that special regard is paid to the interests of protecting the architectural and historical interest, character and integrity of the Listed Building in accordance with Policies SP4 and HE1 of the Bridging Island Plan 2022.

10. For the avoidance of doubt, the Listed Building within the site (once adapted), shall be retained as a community facility for the use of the residents of the development as a whole.

**Reason:** To accord with the provisions of Policy CI4 of the Bridging Island Plan 2022.

11. No part of the development hereby approved shall be occupied until all hard and soft landscape works have been carried out in full. Following completion, the areas of landscaping shall thereafter be maintained as such for the lifetime of the development.

**Reason:** To ensure the benefits of the landscape scheme are not delayed, in the interests of the amenities of the area and to ensure a high quality of design in accordance with Policies SP3, GD6, NE2, and CI6 of the Bridging Island Plan 2022.

12. Prior to the first occupation of the development, a long-term management plan for the landscaping and planting within the site (including details relating to the repair and replacement of landscape elements where necessary), shall be submitted to, and agreed in writing by, the Chief Officer.

**Reason:** To safeguard the character and appearance of the area, in accordance with Policies SP5, NE1, NE2 and NE3 of the Bridging Island Plan 2022.

13. Prior to the first occupation of the development, the new / remodelled children's playground, including the new public toilets, must be fully operational and available for public use.

**Reason:** To ensure that the benefits of the new children's playground are not delayed, under the provisions of Policy CI8 of the Bridging Island Plan 2022.

14. The Percentage for Art contribution agreed as part of this permission shall be installed prior to the first occupation of the development.

**Reason:** To accord with the provisions of Policy GD10 of the Bridging Island Plan 2022.

15. Prior to the commencement of the development, a final detailed design for the new public toilet facilities within the park, must be submitted to, and agreed in writing by the Chief Officer.

**Reason:** In the interests of the amenities of the general public, under the provisions of Policy CI4 of the Bridging Island Plan 2022.

16. Prior to the first occupation of the development, a Travel Plan shall be submitted to, and agreed in writing by, the Development Control Section of Regulation. The Travel Plan will be required to demonstrate how the new development has responded to the sustainable transport principles of the Island Plan, and how it will promote and encourage more sustainable travel.

**Reason:** To accord with the provisions of Policy TT1 of the Bridging island Plan 2022.

17. The new pedestrian crossings and all other footpaths within the site, shall be constructed, and be made fully operational and available for public use, prior to the first occupation of the development.

**Reason:** To ensure that the public benefits of the new pedestrian crossings and other footpaths are not delayed, under the provisions of Policies TT1 and TT2 of the Bridging Island Plan 2022.

18. The new car and bicycle parking / storage facilities (complete with full electric vehicle charging infrastructure) shall be installed, and made available for the use of new residents, prior to the first occupation of the development.

**Reason:** To ensure that the new car and bicycle parking / storage facilities are installed and made available for the use of new residents without delay, under the provisions of Policies TT2 and TT4 of the Bridging Island Plan 2022.

19. Prior to the commencement of the development, a water conservation statement must be submitted to, and agreed in writing by, the Development Control Section of Regulation.

**Reason:** To accord with the requirements of Policy UI3 of the Bridging Island Plan 2022.

20. Prior to the commencement of development, details shall be submitted to, and agreed in writing by, the Development Control Section of Regulation, which demonstrate that the development hereby approved will exceed Building Byelaw requirements, in terms of energy efficient homes by 20%. Thereafter, the agreed details shall be implemented in full, and retained as such.

**Reason:** To accord with Policy ME1 of the Bridging Island Plan 2022.

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