

4. Questions to Ministers Without Notice - The Minister for Planning and Environment

4.1 Deputy D.W. Mezbourian:

I understand that in the 2002 Island Plan it was indicated that a Coastal Zone Management Plan should be implemented and indeed consultation for this took place in 2005. Item 4.75 of the Strategic Plan states that it will be brought forward for consultation and debate in 2006; that what will be brought forward is the Coastal Zone Management Plan to which I have referred. I have 2 questions for the Minister; when will this plan be brought forward, and why has there been such a long delay?

Senator F.E. Cohen (The Minister for Planning and Environment):

I am grateful to the Deputy for raising this matter as this has been a long-running issue and the question is indeed timely. In 1995 the Planning and Environment Committee were charged with the responsibility to start a Coastal Zone Management strategy process to provide the starting point for more efficient management of the Island's marine resources. This was initiated in the St. Ouen's Bay planning framework and in the R.A.M.S.A.R. Designation of 2000 and 11 topic papers were produced in 2005 covering the full range of issues. These were summarised in a document entitled, *Making the most of Jersey's Coast*, and the official consultation was concluded on this document in February 2006. I am pleased to inform Members that the final version of the coastal zone management plan will be completed by the end of this month and then it will be brought to the House for debate. The reason that it has taken so long I am told is that it comprised essentially 11 different topic areas; the department is significantly under-resourced and has had to deal with the delivery of a number of major documents and I am afraid that has a time effect.

4.2 Deputy A.D. Lewis of St. John:

Mindful of the Senator's actions to exempt certain planning applications last year, which were most welcome, can he advise the House of any plans he may have to make further exemptions, thus helping alleviate the considerable backlog of applications currently being processed by his department?

Senator F.E. Cohen:

I have a new and excellent - albeit only temporary - Chief Officer and one of the key areas that we are currently looking at is whether we can significantly reduce the number of applications that need to be considered carefully by the department. For example, is it appropriate that on an ordinary house that an application should be made for a porch? So, we are looking through our applications and I hope to bring forward significant further exemptions. As far as how this affects delays is concerned, it would be worth informing Members that last week the department had an intensive exercise of going through applications that had been in the process for more than 13 weeks and determining them and we hope that that will result in the delays having been now significantly dealt with. But we are on the case and I will be bringing forward as significant exemptions in the near future.

4.2.1 The Deputy of St. John:

What does he mean by the near future, Sir? Can he give any timescales? The Minister may be interested to know that Guernsey is currently 9 months behind, so your department is doing pretty well.

Senator F.E. Cohen:

Certainly within the next 3 months I would intend to bring forward proposals to significantly reduce the number. Other jurisdictions may be longer, but we do have a problem, we are understaffed and too many applications are taking too long so the simple way of dealing with that is to look at exemptions and concentrate on the more important applications.

4.3 Deputy R.G. Le Hérissier:

Has the Minister been able to finally wrestle to the ground the issue of pre-application advice and the impact it has on the final planning decision? Is there now a clear link or break in the link between the 2 processes so that pre-application advice is not, so to speak, held in evidence against the department?

Senator F.E. Cohen:

This is rather a conundrum, because the issue of pre-application advice is a very important issue in delivering my agenda of delivering exceptional design. Quite simply, the best way of doing that is to give clear pre-application architectural advice and to follow that process through to the point of determination. It is made very clear in relation to all applications that pre-application advice is not binding on the Minister. If, in the vast majority of cases it is very clear that if pre-application advice was in one direction and Ministerial decisions were in a completely different direction, the system itself would break down because there would be a lack of confidence in pre-application advice. So providing pre-application advice follows the lines established in the Ministerial design code, then I think applicants have a right to rely on it, but it will not in any way prohibit the Minister, the Panel or the Assistant Minister from determining in another direction and that is made very clear at all times.

4.3.1 Deputy R.G. Le Hérissier:

Can the Minister indicate whether there are any cases at the moment, either underway or pending, where pre-application advice is being used as a reason for an appeal against a decision?

Senator F.E. Cohen:

I am sure there must be one or 2, but I cannot think of any specifically at the moment. If the Deputy has any in mind, obviously I cannot discuss particular appeals on the floor of the House, but I would be very happy to discuss them with him in private.

4.4 Deputy R.C. Duhamel:

What steps is the Minister taking or intending to take to plan for improved sea wall defences to give protection against any sea water inundation of low lying areas, either within the built-up area of the town or Island that might be attributable to global warming, climate change or sea level rises?

Senator F.E. Cohen:

The main remit lies not with me but with the Minister for Transport and Technical Services. All I can say is that we are factoring into our plans issues around global warming and climate change. For example, the measures in relation to the Waterfront are specifically designed factoring-in the expected sea rise heights. It will change a bit because when U.K.C.I.P. (United Kingdom Climate Impacts Programme) release their climate change data in November of this year, we will be able to more precisely define the likely changes in sea level and test the scenarios on a probabilistic basis. It may change at that point, but we are doing all we can to factor in whatever is necessary in major planning applications.

4.5 Deputy J.A. Hilton of St. Helier:

I wish to ask the Minister a question about the provision of residential car parking in St. Helier. I understand the Minister was minded to approve a development of 6 new houses, 2/3 bedroom houses, without car parking and I want to ask whether he believes that in predominantly residential areas that this would be appropriate. Is the Minister intending to change his policy with regard to car parking provision on new residential developments in St. Helier?

Senator F.E. Cohen:

There is a simple question here. Do we design our town for people or for the motor vehicle? In relation to the application in Brighton Road, this area comprises mainly 19th century rather attractive houses. The section between the school and the 19th century listed house presented an opportunity to complete the streetscape in the vernacular style, providing 6 new 2-bedroom houses. I felt that in that particular case, an exception should be granted and the applicant should be allowed to build what from the plans appear to be 6 exceptionally well designed vernacular houses. I do not propose to make this a general exception, however I would point out that other jurisdictions do seem to manage with significantly less car parking per new dwelling than we do in Jersey. As an example, Deputy Duhamel, the Constable of St. Helier and I recently, as you know, visited Malmö. There it was very interesting to find out that in the new waterfront development they rely on 0.7 car parking spaces per dwelling - that is not per bedroom - and they seem to manage. Quite simply, if we are going to encourage new residential units in the town, we are simply not going to be able to provide individual car parking spaces on site for every single dwelling. It is a conundrum, but I am afraid that there will not be any formal change of policy at the present time.

4.5.1 Deputy J.A. Hilton:

These are 2 and 3 bedroom family homes and I think it is unreasonable to expect families in St. Helier to manage without a car. My only suggestion to the Minister is - I do not particularly want to discuss this, but I think it is very important - if he lopped off one of the houses on this plan, he could get access to parking from the other end of the development, which would not affect the pedestrian usage of Brighton Lane, which was what I believe the suggestion was.

Senator F.E. Cohen:

I am advised that in fact lopping one house off the end, as the Deputy has put it, would only provide 2 car parking spaces. I am afraid the Deputy and I are going to have to differ on this. I do not believe that town dwellers require, in every case, on-site car parking. This is not the norm in many cities around Europe and if we are to encourage town dwelling, we are going to have to encourage less reliance on the motor vehicle. That is all about having an integrated transport policy that works. It is about sending out the right messages, and I think generally we will see a shift over time - admittedly it is a long time - against everyone having a motor car. It simply will not be the norm in decades to come.

4.6 The Connétable of St. Helier:

Perhaps the Minister could encourage the Minister of T.T.S. to bring forward the residents' parking scheme for on-street parking. I would like to ask the Minister if he is aware that the timetable for the Hopkins... or the sinking of the road has slipped. We were due to hear the transport proposals yesterday. Would he update the States on when he hopes to unveil his scheme for the burying of La Route de la Liberation and whether he still thinks it is a good idea in light of this morning's storms?

Senator F.E. Cohen:

I will deal with the last point first. The current master plan relies on the highest standards of architecture, landscaping and engineering. One of the tasks being undertaken by this world-leading group of professionals is of course ensuring that the proposed basement and roads do not flood. The proposals include Seacant Piling the whole area and members need not worry. Anyone who has used the car park under Lake Geneva and elsewhere will know that engineering solutions required have already been successfully implemented elsewhere. In relation to the first part of his question, the delay on T.T.S's presentation of the transport solution is relatively short. I understand that within the next few days that will be completed and will then be presented to Scrutiny as soon as they are able to fit us in. The delay is very minor indeed.

4.7 Deputy P.V.F. Le Claire:

Not to steal the Minister for Transport and Technical Services' thunder from his statement he is about to make, I would like to take this opportunity to inquire of the Minister for Planning and Environment in regard to the measures that are going to be taken - that will be announced in his statement - to place big bags filled with sand and aggregate in front of the wall that has been damaged overnight from the floods, which will accumulate several hundred of these bags in the very near future for the next few months. Will the Minister have oversight as to how those bags are placed and filled, regarding the fact, as he is well aware, that the surrounding sand should not be a source for the filling of these bags as it contains the natural environment?

Senator F.E. Cohen:

I am not really sure of the answer to the question. I do not think that the Planning Department or the Environment Department will have much control over the temporary use of sandbags, but I will certainly seek the advice of the Director of Environment and Director of Planning and revert to the Deputy later in the day.

4.8 Deputy I.J. Gorst:

Will the Minister admit that in answer to a written question this morning, he has given developers a green light on H4 site indicative yields? Will he give a categorical undertaking that these numbers may not be used by developers as an indication as to what is acceptable to his department if or when applications are submitted?

Senator F.E. Cohen:

Yes, Sir.

Deputy I.J. Gorst:

Was that yes, he admits, or yes, he will give a categorical undertaking?

Senator F.E. Cohen:

The latter. I admit nothing, Sir,

4.9 Deputy J.B. Fox:

In answer to questions today from the Constable of St. John, there is a series of explanations as to the future H3 and H4 sites. I find it incredible the H3 sites - which appear to be first in line - are the Greenfield sites predominantly; and the H4 sites - which are the urban areas and account for approximately 355 dwellings - are the commercial sites which appear to be done afterwards. All except for the H3 site, which is a Channel Television site, and Field 1248, which originally on the Island Plan was part of the Channel Television site, would be for first-time buyers and social rented housing, but which now are being excluded ...

The Bailiff:

Sorry to interrupt, but we are going to run out of time and you will not get an answer.

Deputy J.B. Fox:

Sorry. Why is the Channel Television site being excluded from the H3, from where it originally was, especially when you look at the H4?

Senator F.E. Cohen:

To be very brief, all I can say is that all the sites are being rolled-up into the Island Plan Review and of course any decision in relation to rezoning is a matter for this House to consider.

The Bailiff:

That concludes the second question period.