

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011): FIFTH AMENDMENT (P.48/2011 Amd.(5)) – AMENDMENT

**Lodged au Greffe on 16th June 2011
by the Minister for Planning and Environment**

STATES GREFFE

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In sub-paragraph 3, after the words “can be identified” insert the following words –

“and where the rezoning of land for this purpose is approved by the States as a draft revision of the Island Plan”.

MINISTER FOR PLANNING AND ENVIRONMENT

NOTE:

This amendment has been lodged by the Minister for Planning and Environment for less than 6 weeks before the start of the debate in accordance with the provisions of Article 4A of the Planning and Building (Jersey) Law 2002. Paragraphs 4A (2), (3) and (4) are in the following terms –

4A Procedure for and following lodging of draft Island Plan

- “(2) An amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 6 weeks.
- (4) Paragraph (2) or (3) does not apply to an amendment lodged by the Minister if the States agree that the amendment may be debated forthwith or on a day or at a time approved by the States.”

In accordance with the provisions of paragraph (4) the Minister for Planning and Environment will seek the agreement of the States to debate this amendment during the debate on the ‘Island Plan 2011: approval’ (P.48/2011).

REPORT

The Minister for Planning and Environment accepts the amendment, subject to further amendment. The Minister's further amendment is supported by the independent planning inspectors.

The Minister is sympathetic to the Island's need for healthcare facilities and is minded to accept the proposed amendment which seeks to provide an exception for such facilities to be provided outside the Built-up Area and, therefore, in the countryside, where it can be demonstrated that no other suitable urban sites exist.

There is the potential for healthcare facilities to be both significant in scale and extent; they may comprise one or more buildings of a large size, and their impact could be great. The Minister considers therefore, that any such proposals, which could potentially result in the loss of greenfield land and an erosion of the Island's countryside, requires the full approval of the States Assembly as a revision of the Island Plan. Failure to do so otherwise could lead to the approval of a policy which would allow the 'de facto' rezoning of land without the prior consideration of the States.

On this basis, therefore, the Minister's acceptance of the amendment is based on his own further amendment to it, which requires any such proposals are referred to the States as a draft revision to the Island Plan.

Such an approach is consistent with that adopted by the Minister elsewhere in the Plan, for example, where Village Plans (prepared under the auspices of Proposal 14 (pp.153-154)) contain specific proposals outwith the defined Built-up Area boundary.

Financial and manpower implications

There are no additional financial or manpower implications arising from this amendment to the fifth amendment.