

STATES OF JERSEY



ISLAND PLAN 2011: REVISED DRAFT REVISION – APPROVAL (P.37/2014) – ELEVENTH AMENDMENT (P.37/2014 Amd.(11)) – AMENDMENT (P.37/2014 Amd.(11)Amd.) – AMENDMENT

Lodged au Greffe on 9th July 2014
by the Minister for Planning and Environment

STATES GREFFE

ISLAND PLAN 2011: REVISED DRAFT REVISION – APPROVAL (P.37/2014) –
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For the words “amendments to Policy NE7 (pages 88 to 102” substitute the words –

“amendments to:

Policy NE7 (1)(a) and (c);

Policy NE7 (3)(a);

at Policy NE7 (5)(b) the words “remains subservient”;

Policy NE7 (7)(a); and

Policy NE7 (10)(b)

(pages 98 to 101”

and make such consequential changes as are necessary to the preamble of the policy to reflect these deletions.

MINISTER FOR PLANNING AND ENVIRONMENT

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 P.37/2014: Island Plan 2011: revised draft revision – approval.

REPORT

The effect of this further amendment is twofold –

1. It removes the objective parameters of assessment for replacement buildings and extensions in the Green Zone.

This means that, in principle, residential and commercial redevelopment in the Green Zone could be larger than the building being replaced, and that extensions could be larger than the principal building being extended.

The key test would be the impact of the proposed development on the landscape character of the area.

2. It ensures that the revised policy for the Green Zone is consistent, in comprehensiveness and format, with the proposed changes to policy for the Coastal National Park (at Policy NE6).

It is considered that this further amendment ensures that the Coastal National Park retains the highest level of protection from damaging forms of new development, whilst providing clarity for residents and businesses about what might be permissible there.

At the same time, it ensures a level of protection for the remainder of the countryside, represented by the Green Zone, where the further revised policy retains the comprehensiveness and clarity of scope that is applied in the Coastal National Park, whilst recognising that the capacity of the landscape to accept change in the Green Zone may be greater than that in the Coastal National Park, which is made up of more sensitive landscapes.

The key test in the Green Zone will, under the terms of this further amendment, be the impact of the development upon landscape character, which is similar to the current (2011) Green Zone policy test.

For clarity and the avoidance of doubt, the outcome of this further amendment for Policy NE7: Green Zone, if adopted, is set out in the attached **Appendix**.

Financial and manpower implications

There are no financial or human resource implications arising from this further amendment.

Policy NE 7

Green Zone

The Green Zone, as designated on the Proposals Map, will be given a high level of protection from development and there will be a general presumption against all forms of development, including but not limited to:

- the development of a new dwelling (other than as a replacement under 3 and 10; the provision of new, under 4; or conversion under 9, below);
- facilitating a separate household by means of an extension, conversion or new build (other than to meet changing family circumstances under 1e below);
- the change of use of land to extend a domestic curtilage;
- redevelopment of modern agricultural building(s) involving demolition and replacement with a building(s) for another use, or their conversion to a non-employment use;
- redevelopment of glasshouse(s) involving demolition and replacement with a building(s) or conversion for another use, or their conversion to a non-employment use.

Only the following exceptions may be permissible, and only where they do not cause serious harm to landscape character:

Residential

1. the extension of a dwelling, but only where;
 - a. ~~it remains subservient to the existing building in terms of design and scale;~~
 - b. its design is appropriate relative to existing buildings and its context;
 - e. ~~having regard to its planning history, it does not disproportionately increase the size of the dwelling in terms of any of its gross floorspace, building footprint or visual impact;~~
 - d. it does not facilitate significant increased occupancy; and
 - e. in the case of an extension or the conversion of part of an existing dwelling that would lead to the creation of a separate household:
 - i. the accommodation is for an elderly relative or a relative who requires a degree of care and/or support for their health and well-being;
 - ii. the new accommodation is capable of re-integration into the principal dwelling; and
 - iii. it is designed to lifetime home standards, and
 - f. it does not seriously harm landscape character.
2. the development of an ancillary building and/or structure, but only where;
 - a. it is modest and is proportionate to other buildings on the site;

- b. it is well sited and designed, relative to other buildings, the context, size, material, colour and form; and
 - c. it does not seriously harm landscape character.
3. the redevelopment of an existing dwelling and/or an existing ancillary residential building and/or structure, involving demolition and replacement, but only where the proposal would;
- a. ~~not be larger in terms of any of gross floorspace, building footprint or visual impact than the building being replaced;~~
 - b. not facilitate a significant increase in occupancy; and
 - c. give rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.
4. the development of staff and key agricultural worker accommodation, but only where the proposal would;
- a. accord with Policy H9: staff and key agricultural worker accommodation; and
 - b. not cause serious harm to the landscape character of the area.

Employment

5. the extension and/or intensification of use of existing employment buildings and land, but only where, having regard to the planning history of the site;
- a. the requirement for a coastal or countryside location can be adequately justified;
 - b. an extension ~~remains subservient,~~ is well related to the existing building in design and scale;
 - c. an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation; and
 - d. it does not cause serious harm to landscape character.
6. the development of an ancillary building and/or structure, but only where;
- a. it is modest and is proportionate to other buildings on the site;
 - b. it is well sited and designed, relative to other buildings, the context, size, material, colour and form; and
 - c. it does not cause serious harm to landscape character.
7. the redevelopment of an employment building(s), involving demolition and replacement for the same use, but only where;
- a. ~~it would be no larger in terms of any of gross floorspace, building footprint or visual impact than that being replaced;~~
 - b. an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation; and

- c. it gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.

8. the change of use of employment land and buildings (involving conversion of a building), to other employment uses, but only where:

- a. it would accord with Policy E1: Protection of employment land;
- b. the requirement for a coastal or countryside location can be adequately justified;
- c. in the case of an intensification of use, it does not create undue noise, disturbance or a significant increase in travel and trip generation; and
- d. it does not cause serious harm to landscape character.

9. the change of use of employment land and buildings (involving conversion of a building) to non-employment uses but only where:

- a. the redundancy of employment use is proven in accord with Policy E1: Protection of employment land or where the development involves office or tourism accommodation; and
- b. it gives rise to: demonstrable environmental gains, contributing to the repair and restoration of landscape character; reduced intensity of occupation and use; and improved design and appearance of the land and building(s); or
- c. it secures a viable alternative use for a traditional farm building in accord with Policy ERE4.

10. the redevelopment of an employment building(s), involving demolition and replacement for another use, but only where:

- a. the redundancy of employment use is proven in accord with Policy E1: Protection of employment land or where the development involves office or tourism accommodation; and
- ~~b. the proposal is no larger in terms of any of gross floorspace, building footprint or visual impact than the building being replaced; and~~
- c. it gives rise to: demonstrable environmental gains, contributing to the repair and restoration of landscape character; reduced intensity of occupation and use; and improved design and appearance of the land and building(s).

11. new cultural and tourism development, but only where it:

- a. is appropriate relative to existing buildings and its landscape context; and
- b. does not seriously harm landscape character.

Minor development

12. Development small in scale and incidental to the primary use of land and buildings, but only where it:

- a. is well sited and designed, having regard to the relationship with existing buildings, landscape context, size, material, colour and form; and
- b. does not cause serious harm to landscape character.

Managed open space

13. Development of managed open space, such as allotments, playing fields, other amenity green spaces and cemeteries where it does not cause serious harm to the landscape character of the area.

Strategic development

14. Where it is demonstrated to satisfy a proven Island need, relative to the proper assessment of alternative options, strategic development related to renewable energy production; extraction of minerals or other elements of significant public infrastructure, such as a new secondary school, but only where:

- a. its environmental implications are properly identified, avoided and/or mitigated as far as possible; and it accords with
- b. Policy NR 6: On-shore renewable energy proposals; or
- c. Policy MR3: New or extended mineral workings.

Green Zone

