

# STATES OF JERSEY



## ISLAND PLAN 2002: CHANGES TO BUILT-UP AREA BOUNDARY

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Lodged au Greffe on 19th April 2005  
by the Environment and Public Services Committee

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STATES GREFFE

## PROPOSITION

### THE STATES are asked to decide whether they are of opinion –

to refer to their Act dated 11th July 2002 in which they approved the Island Plan 2002 and, *inter alia*, approved the Island Proposals Map 1/02, and

- (a) to designate the following sites within the Built-Up Area as ‘Important Open Space’ –
- (i) land to the east of Les Landes Primary School (Field 789), St. Ouen, as shown on Map No. 1, dated 31st March 2005;
  - (ii) two public amenity areas in Clos de l’Arsenal, St. Mary, as shown on Map No. 2, dated 31st March 2005;
  - (iii) four public amenity areas in Ville du Bocage, St. Peter, as shown on Map No. 3, dated 31st March 2005;
  - (iv) two amenity areas either side of the entrance to Ville de l’Eglise, Rue de l’Eglise, St. Peter as shown on Map No. 4, dated 31st March 2005;
  - (v) two amenity areas at La Grande Piece, St. Peter, as shown on Map No. 5, dated 31st March 2005;
  - (vi) Field 986, Sandybrook Residential Home, St. Peter, as shown on Map No. 6, dated 31st March 2005;
  - (vii) public amenity and children’s play area, Sion Village, Sion, St. John, as shown on Map No. 7, dated 31st March 2005;
  - (viii) Mont Nicolle School playing field (Field 245), Mont Nicolle, St. Brelade, as shown on Map No. 8, dated 31st March 2005;
  - (ix) two public amenity areas to the south of Clos d’Avoine, St. Brelade, as shown on Map No. 9, dated 31st March 2005;
  - (x) opposite Tesson Mill, at the junction of Rue du Moulin de Tesson and Vallée de St. Pierre St. Lawrence, as shown on Map No. 10, dated 31st March 2005;
  - (xi) Holy Trinity Parish Church yard and cemetery, Rue ès Picots, Trinity, as shown on Map No. 11/1, dated 15th April 2005;
  - (xii) amenity area at Les Maisons Cabot, Rue ès Picots, Trinity, as shown on Map No. 12, dated 31st March 2005;
  - (xiii) planted amenity areas to east of Howard Davis Farm, Route de la Trinité, Trinity, as shown on Map No. 13, dated 31st March 2005;
  - (xiv) two amenity areas at Le Bourg, Grande Route de La Côte, St. Clement, as shown on Map No. 14, dated 31st March 2005;
  - (xv) amenity/children’s play area, Clos de L’Abri, St. Clement, as shown on Map No. 15, dated 31st March 2005;
  - (xvi) public amenity area, Clos de Mon Sejour, Rue de la Hauteur, St. Helier, as shown on Map

No. 16, dated 31st March 2005;

- (xvii) Haute Vallée School playing fields, St. Helier, as shown on Map No. 17, dated 31st March 2005;
  - (xviii) amenity area off Jardin du Hogard, Maufant, St. Martin, as shown on Map No. 18, dated 31st March 2005;
  - (xix) Le Cimetière de la Croix, Rue à Don, Grouville, as shown on Map No. 19, dated 31st March 2005;
  - (xx) amenity area, Le Bernage Estate, Longueville Road, St. Saviour, as shown on Map No. 20, dated 31st March 2005;
- (b) to rezone from the Built-up Area to the Green Zone –
- (i) Field 108A, Rue du Pontlietaut (Pontorson Lane), St. Clement, as shown on Map No. 23, dated 31st March 2005;
  - (ii) the property known as Roches d'Ouvres and other garden areas and escarpment land, Chemin du Guet, Rozel, Trinity, as shown on Map No. 24/1, dated 13th April 2005;
- (c) to include within the Built-Up Area the following sites –
- (i) site of new Rectory, Rue des Landes, St. John, as shown on Map No. 27/1, dated 14th April 2005;
  - (ii) site of former Elmdale Hotel, Rue de la Ville Emphrie, St. Lawrence, as shown on Map No. 28, dated 31st March 2005;
  - (iii) Homefield, Grande Route de St. Jean, St. Helier, as shown on Map No. 30, dated 11th April 2005;
  - (iv) Manoir d'Aval, Rue d'Aval, St. Martin, as shown on Map No. 31, dated 11th April 2005;
  - (v) Hillside, Rue de Crocquet (High Street), St. Aubin, St. Brelade, as shown on Map No. 32, dated 11th April 2005.

ENVIRONMENT AND PUBLIC SERVICES COMMITTEE

# REPORT

## Introduction

The Planning Department has undertaken a review of the changes to the Built-up Area boundaries identified for the purposes of the Jersey Island Plan 2002, as set out on the Island Proposals Map (Drawing No. 1-02/A) and the Town Proposals Map (Drawing No. 2-02/A). This exercise was commenced in the light of propositions recently lodged by Deputies J.A. Hilton (P.33/2005) and G.C.L. Baudains (P.40/2005) calling for the rezoning of 5 areas of land in St. Brelade and St. Lawrence; and St. Clement respectively. It had always been the intention to carry out such an exercise when resources allowed.

## Background

For the purposes of the Island Plan Review, the Planning and Environment Committee of the day undertook to re-define and classify the built-up areas of the Island, and so update the built-up area boundaries shown on the 1987 Island Map. This involved *inter alia* reassessing and modifying the boundaries for the Town of St. Helier; the Urban Settlements extending west and east from the town along the coastal strips to St. Aubin and Gorey respectively; the settlement of Les Quennevais/Red Houses and the few key rural settlements whose boundaries had been identified in the 1987 Island Plan. It also involved defining the built-up areas for all the remaining key rural settlements in the Island and a number of other small rural settlements and built-up areas.

The result of this comprehensive exercise was a much more rational and defensible built-up area boundary.

The largest areas of open land within the newly defined built-up area boundary were either rezoned or otherwise safeguarded for particular uses (e.g. Category A Housing, Industry, Education, Recreation etc.), or recognised as 'important open spaces', because of their role in the character and/or quality of the built environment.

## Findings of the Built-Up Area Boundary Review

The review exercise has initially involved identifying significant areas of otherwise 'undesigned' open land in the "new" built-up area at the time the current Island Plan was approved. These areas were then assessed to determine whether or not they warranted a change in planning status, to offer a greater degree of protection from future development.

### Important open space

As a result of this review, the Committee is proposing that 29 of the sites be designated as 'Important Open Spaces' and so afforded additional protection from development: Island Plan Policy BE8 (attached at Appendix 1) aims to protect such spaces from development.

The great majority of these sites are public amenity areas within residential developments, but they also include private amenity areas, school grounds and parish cemeteries. Included among these sites is the land at Tesson Mill, St. Lawrence, which has been identified by Deputy Hilton. It is accepted that this is a sensitive site and the failure to designate it as an 'Important Open Space' is perhaps the most obvious anomaly in the Island Plan.

### Green Zone

It is also proposed to rectify 2 other clear anomalies currently within the defined 'built-up area', by rezoning them as 'Green Zone': Island Plan Policy C5 (attached at Appendix 2) aims to protect sites in this zone from development.

The areas in question are sensitive to development and not enclosed by existing development. The Committee considers that any new development on these sites is likely to harm the character and amenity of the area. One of these sites is Field 108A, Rue du Pontlietaut, St. Clement, which is identified in Deputy Baudain's proposition. The other comprises escarpment land above Rozel Bay, where any insensitive development could be especially intrusive.

## Other amendments to the built-up area

In carrying out the review, a further 5 sites have come to light, whereby there is existing built development – all dwellings – which are contiguous with the built-up area boundary, but not included within it. Clearly, it would be inappropriate, inequitable and invidious to treat planning applications for these properties in a materially different manner to similar nearby properties located within the current built-up area boundary. In the circumstances, it is proposed to alter the built-up area boundary to include these developments: Island Plan Policy G2 (attached as Appendix 3) would principally apply in respect of the further development of these sites.

## **Conclusions**

The Environment and Public Services Committee considers that there are 3 clear conclusions to be drawn from the review of the built-up area boundary changes.

1. That there are a handful of sensitive sites – including land at Tesson Mill and Rue du Pontlietaut – which, were they to be developed, would seriously harm the character and/or amenity of their surrounding areas. The Committee is of the view that, while G2 could be used to prevent development, they are deserving of a greater degree of protection and should be rezoned as either green zone, countryside zone or important open space.
2. The review has also revealed that there are a number of sites within the built-up area that should be protected because of their inherent value as important open space: bringing this proposition affords the Committee the opportunity to provide greater protection to these spaces by designating them as important open spaces.
3. Finally, the Committee believes that there are 5 sites – all dwellings – that are next to the built-up area and which the Committee considers ought to be included within it.

On the basis of the above, the Committee is of the view that there are no grounds for suggesting that the Island Plan is “seriously flawed”, because of the way the built-up area has been redrawn, as implied by Deputy Hilton: carrying out this review – as prompted by the propositions of Deputies Hilton and Baudains – has revealed only a handful of anomalies and has also afforded the opportunity to update the Plan and to make it more robust and rigorous as a result. The comprehensive set of criteria-based policies in the Island Plan provides a good framework for guiding and controlling the development and use of land and a sound basis for considering the merits or otherwise of planning applications within the built-up area that does not require any further amendment or revision.

**Policy BE8– Important Open Space**

There will be a presumption against the loss of important open space as designated on the Island and Town Proposals Maps.

In order to better understand the function and role of open space, the links between spaces and to identify areas of need or shortfalls in space provision, the Planning and Environment Department will initiate the preparation of an open space strategy.

### Policy C5– Green Zone

The areas designated as Green Zone on the Island Proposals Map will be given a high level of protection and there will be a general presumption against all forms of new development for whatever purpose.

The Planning and Environment Department recognises, however, that within this zone there are many buildings and established uses and that to preclude all forms of development would be unreasonable. Thus, the following types of development may be permitted but only where the scale, location and design would not detract from, or unreasonably harm the visually sensitive character and scenic quality of this zone –

1. domestic extensions and alterations;
2. limited ancillary or incidental buildings within the curtilage of a domestic dwelling;
3. conversions of existing buildings to appropriate and non-intrusive residential, community, cultural, tourism, recreational and commercial uses;
4. new development on an existing agricultural holding which is essential to the needs of agriculture and which is in accordance with Policies [C16](#) and [C17](#);
5. suitable proposals for diversification in the agriculture industry in accordance with Policy C15;
6. extensions to existing tourist accommodation in accordance with Policy TR1;
7. small-scale proposals for new or extended cultural and tourism attractions which are sensitively related to the distinctive landscape character and heritage of the area and which are in accordance with Policy TR3;
8. small-scale proposals for the development of new cultural and recreational resources which are sensitively related to the distinctive landscape character and heritage of the area and which are in accordance with Policy TR5;
9. cemeteries;
10. development that has been proven to be in the Island interest and that cannot practically be located elsewhere.

Proposals for new developments which must occur outside the built-up area will only be permitted in the Green Zone where it is demonstrated that there are no suitable alternative sites available in the Countryside Zone and wherever possible, new buildings should be sited next to existing ones or within an existing group of buildings.

In all cases, the appropriate tests as to whether a development proposal will be permitted will be its impact on the visually sensitive character of this zone and whether it accords with the principles of sustainability which underwrite the Plan.

For the avoidance of doubt –

1. large scale developments will be strongly resisted, unless they are proven to be in the Island interest;
2. there will be a presumption against the redevelopment of modern agricultural buildings;
3. there will be a presumption against the redevelopment of other commercial buildings. Exceptions

may only be permitted where it is demonstrated, to the satisfaction of the Committee, that the redevelopment would give rise to substantial environmental gains and a significant contribution to the character of the area. It is expected that such improvements would arise, in particular, from significant reductions in mass, scale and built floorspace, changes in the nature and intensity of use, careful consideration of siting and design and a restoration of landscape character;

4. there will be a presumption against the approval of extensions to commercial properties other than extensions to tourist accommodation and tourist attractions. However, limited extensions may be permitted in exceptional circumstances where the proposals are designed to improve the appearance of the properties and enhance their surroundings;
5. applications which seek to extend a dwelling to house a dependent relative will only be permitted where the Committee is satisfied that the development;
6. is for a genuine extension to the property and not for a unit of accommodation that can be independently sold or let;
7. would form a subsidiary part of the main dwelling; and
8. can be reintegrated as additional accommodation within the main dwelling when it is no longer required for its original purpose;
9. applications for the development of new dwellings will not normally be permitted unless it is demonstrated, to the satisfaction of the Committee, that the development is essential to meet agricultural needs and cannot reasonably be met within the built-up area or from the conversion/modification of an existing building.

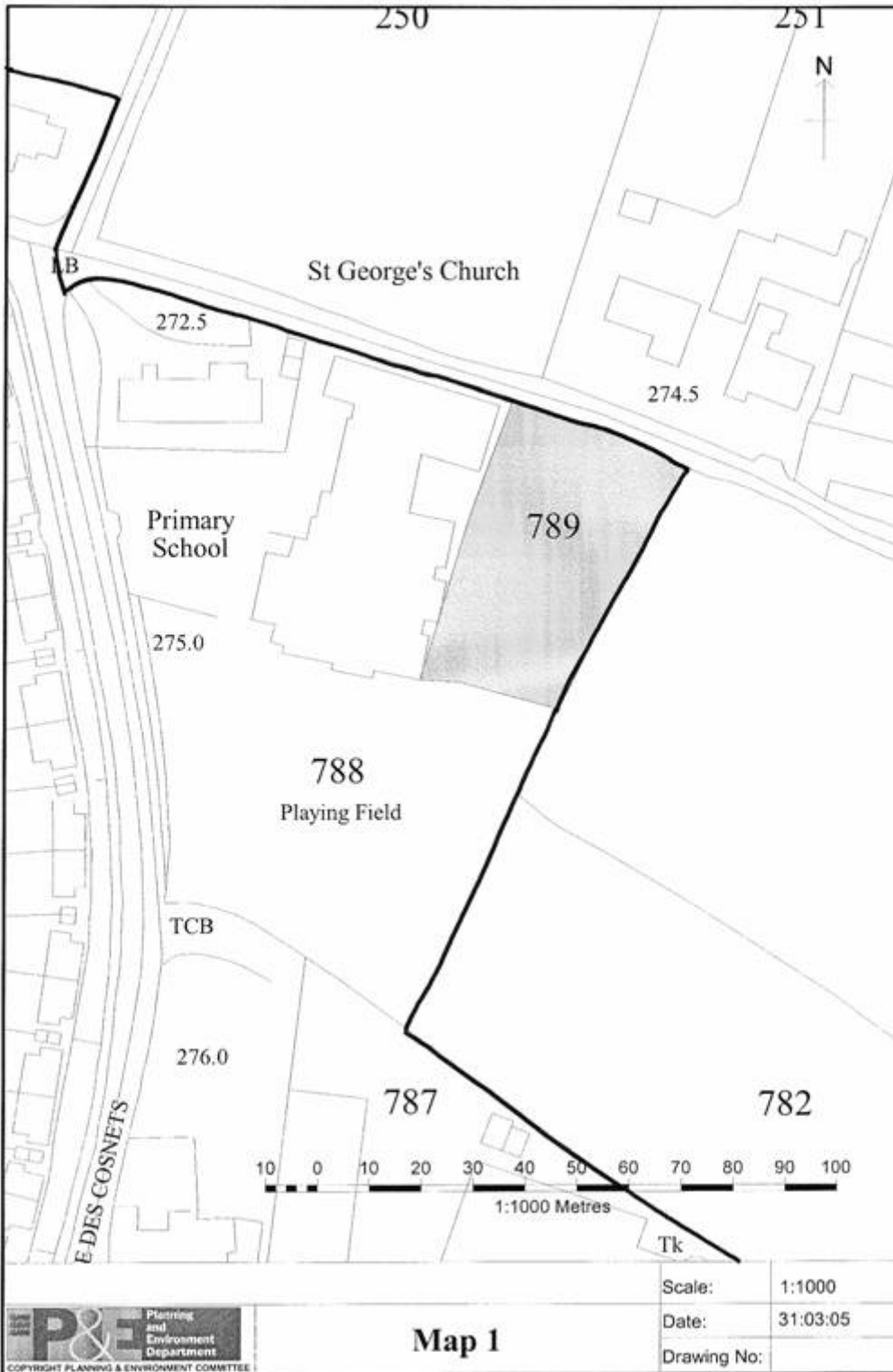


**Policy G2– General development considerations**


Applicants need to demonstrate that the proposed development –

1. will not unreasonably affect the character and amenity of the area;
2. will not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;
3. will not have an unreasonable impact on agricultural land;
4. will not have an unreasonable impact on the landscape, ecology, archaeological remains or architectural features and includes where appropriate measures for the enhancement of such features and the landscaping of the site;
5. incorporates satisfactory provision of amenity and public open space where appropriate;
6. will not have an unreasonable impact on important open space or natural or built features, including trees, hedgerows, banks, walls and fosses;
7. provides a satisfactory means of access, manoeuvring space within the site and adequate space for parking;
8. will not lead to unacceptable problems of traffic generation, safety or parking;
9. is accessible by pedestrians, cyclists and public transport users, including those with mobility impairments;
10. will not have an unreasonable impact on public health, safety and the environment by virtue of noise, vibration, dust, light, odour, fumes, electro-magnetic fields or effluent;
11. is not at risk from flooding or does not increase the risk of flooding elsewhere;
12. does not have an unreasonable impact on the safe operations of the Airport;
13. where possible makes efficient use of construction and demolition materials to avoid generation of waste and to ensure the efficient use of resources;
14. takes into account the need to design out crime and to facilitate personal safety and security;
15. encourages energy efficiency through building design, materials, layout and orientation; and
16. includes the provision of satisfactory mains drainage and other service infrastructure.

**Applications which do not comply with these principles will not normally be permitted.**





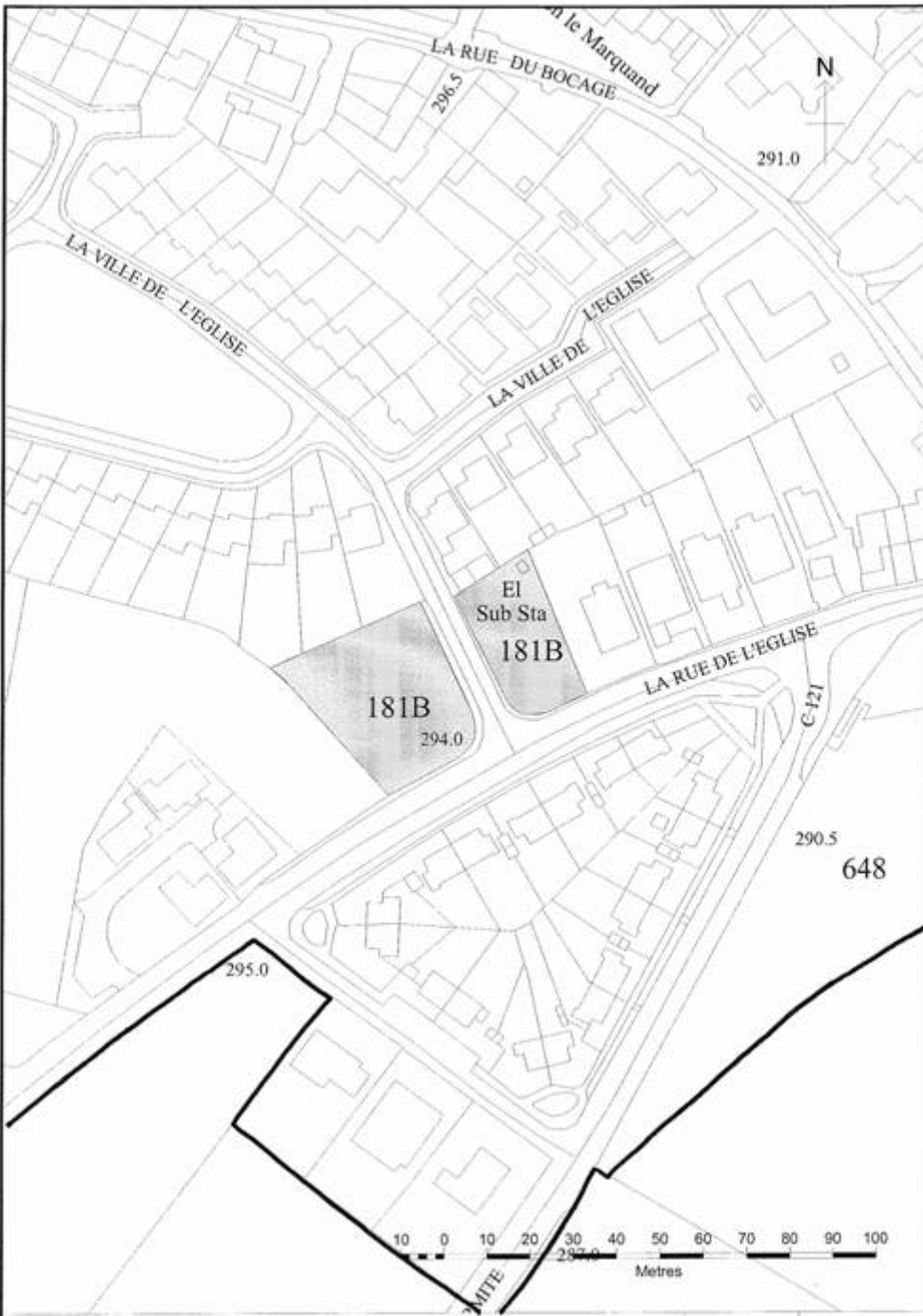
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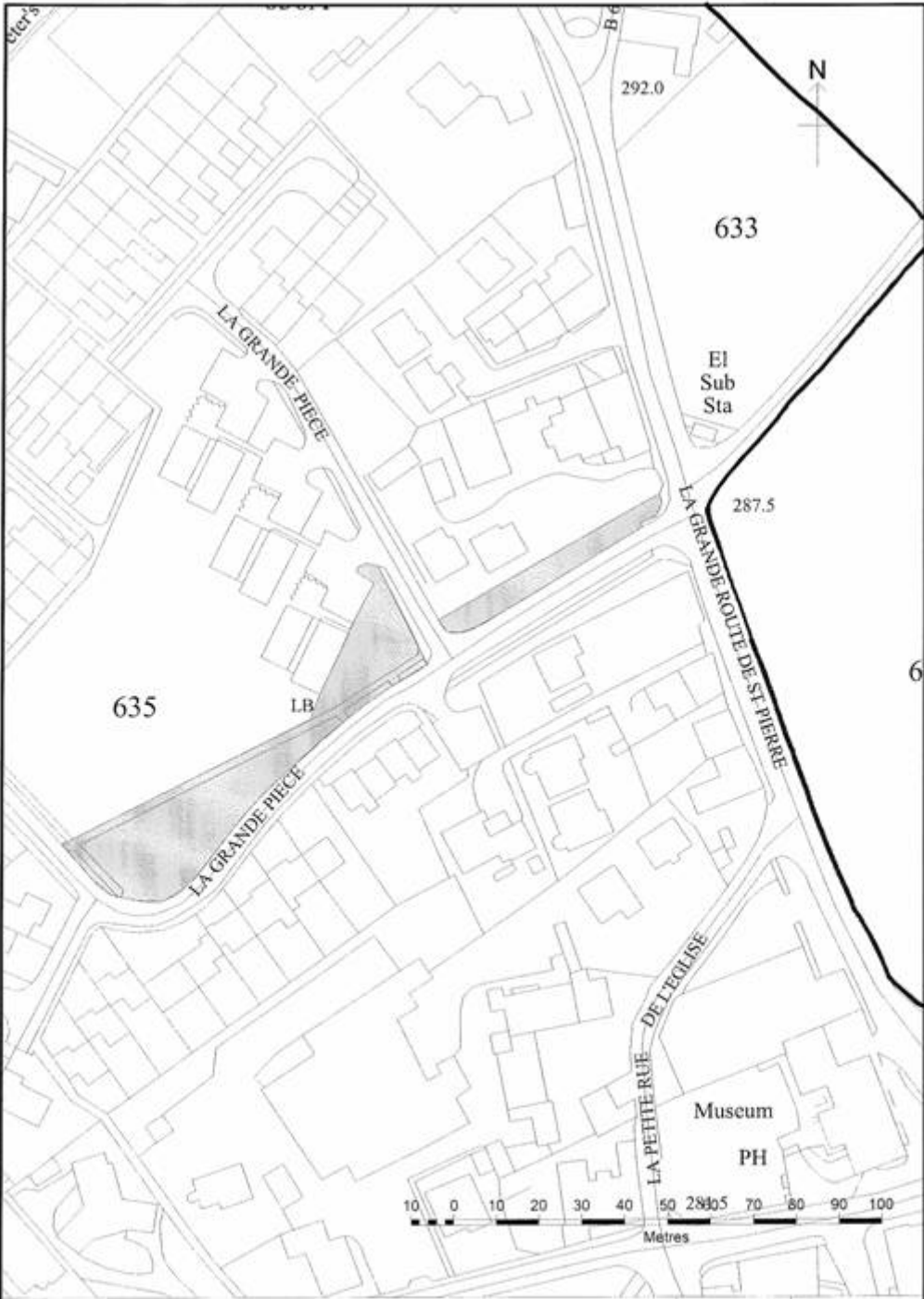
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**Map 4**

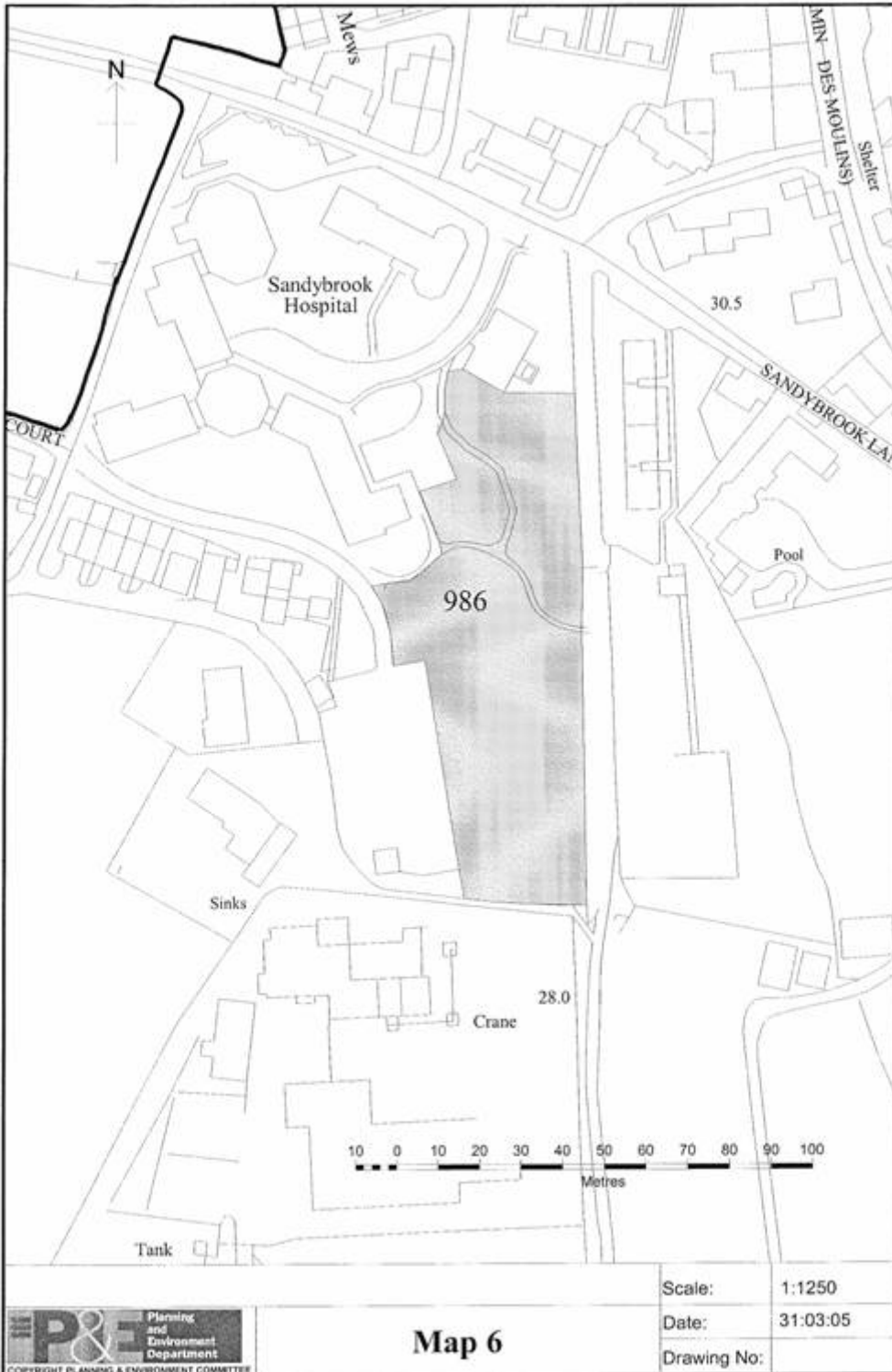
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**Map 5**

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**Map 6**

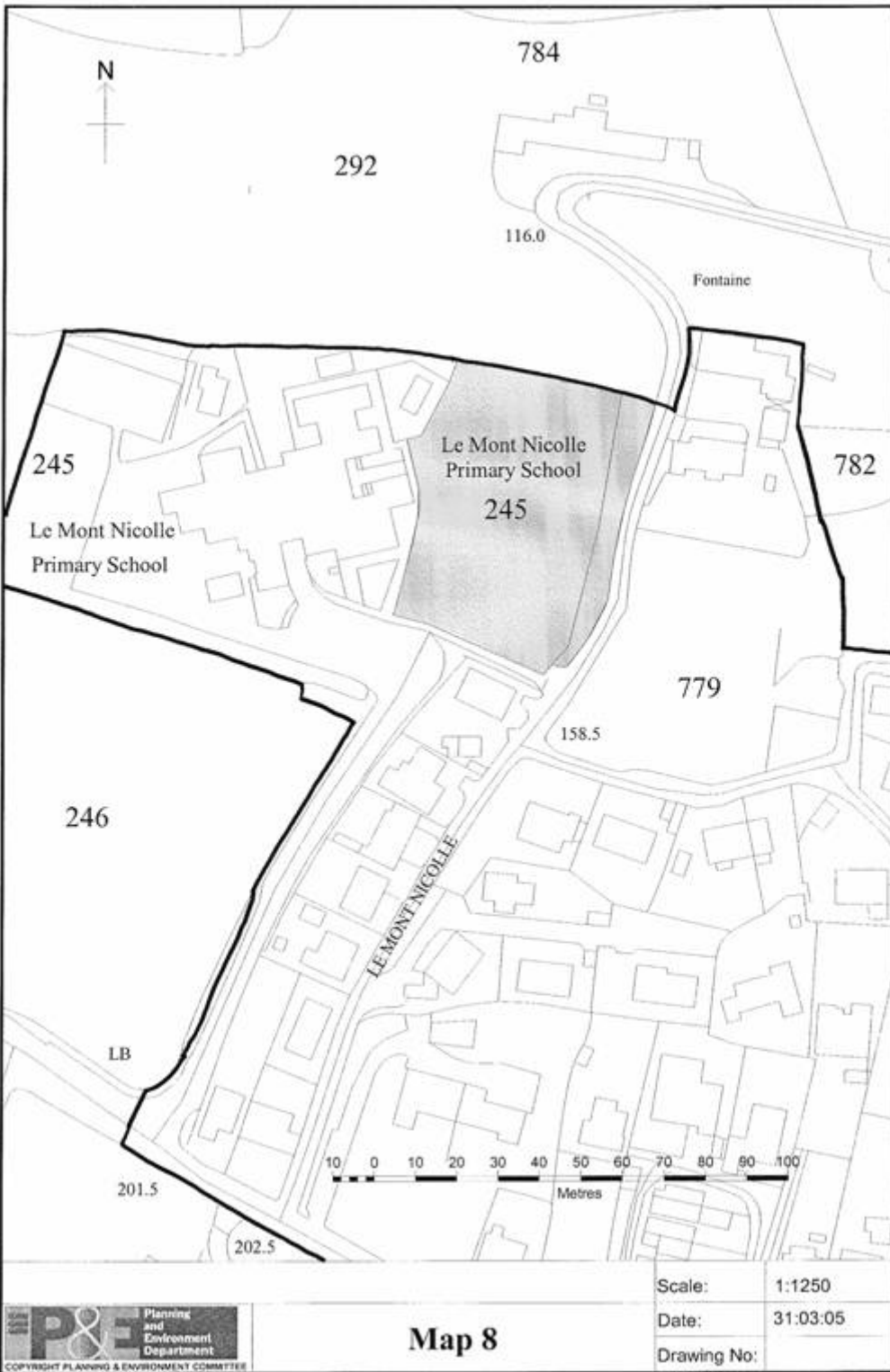



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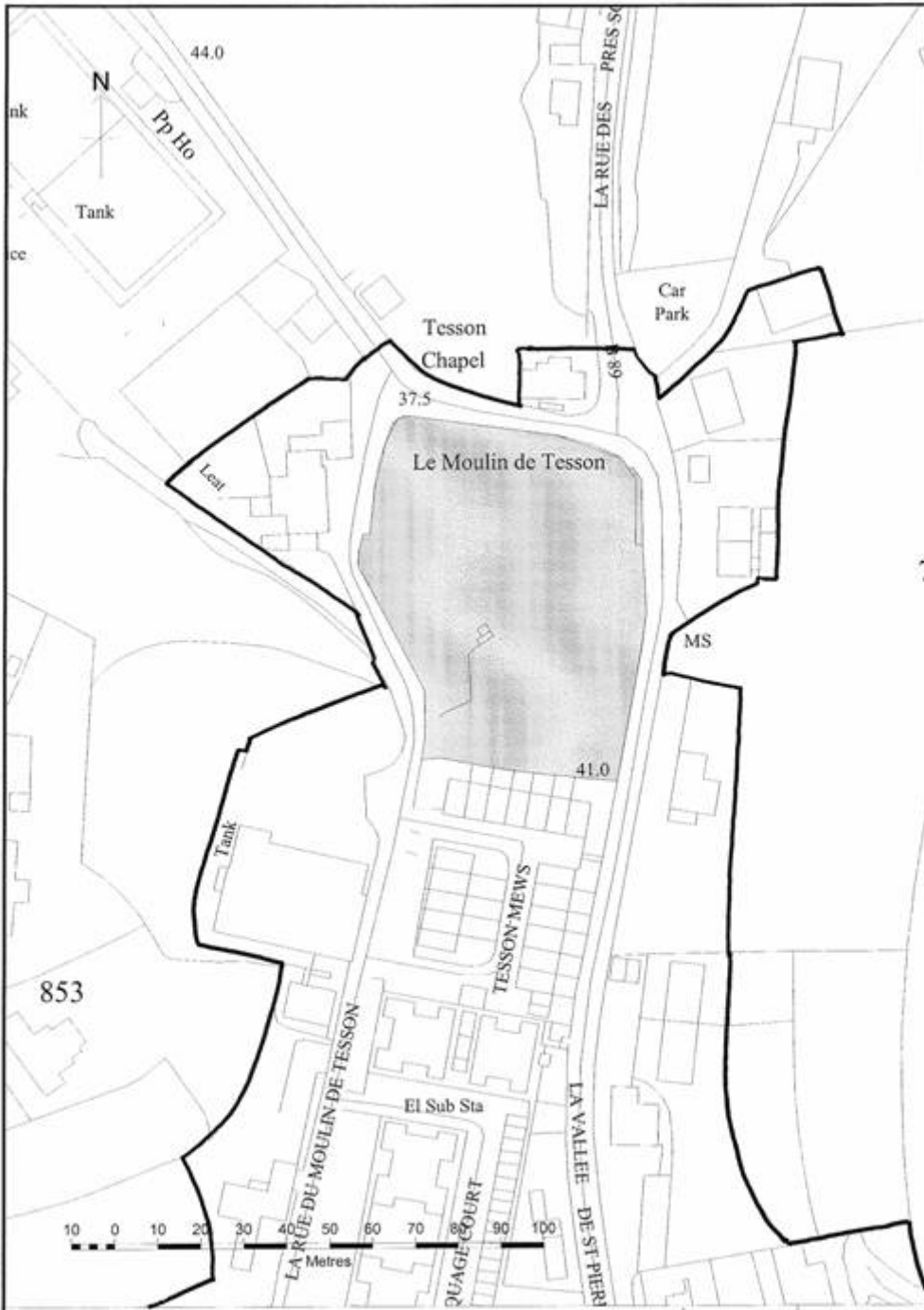
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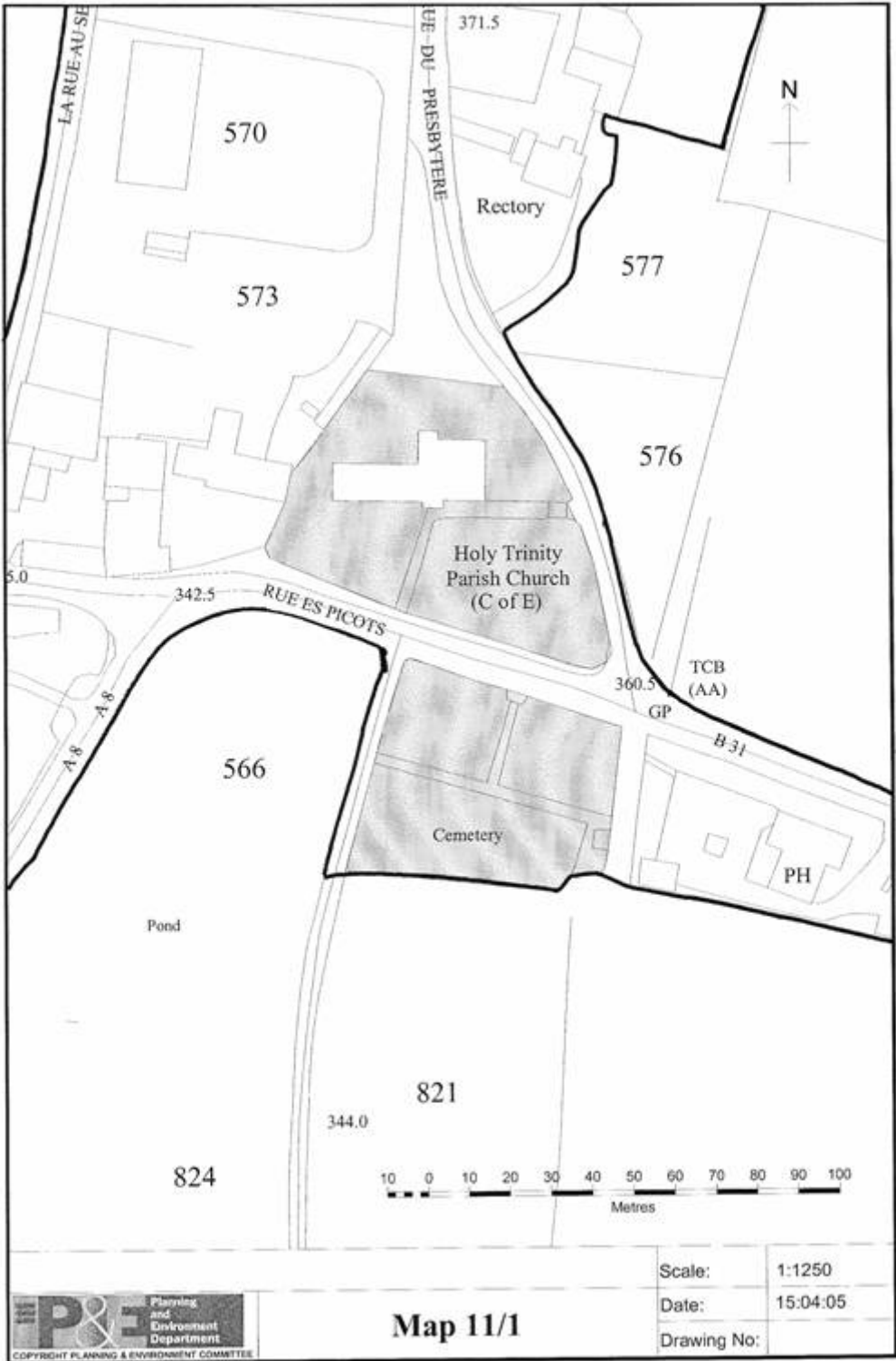


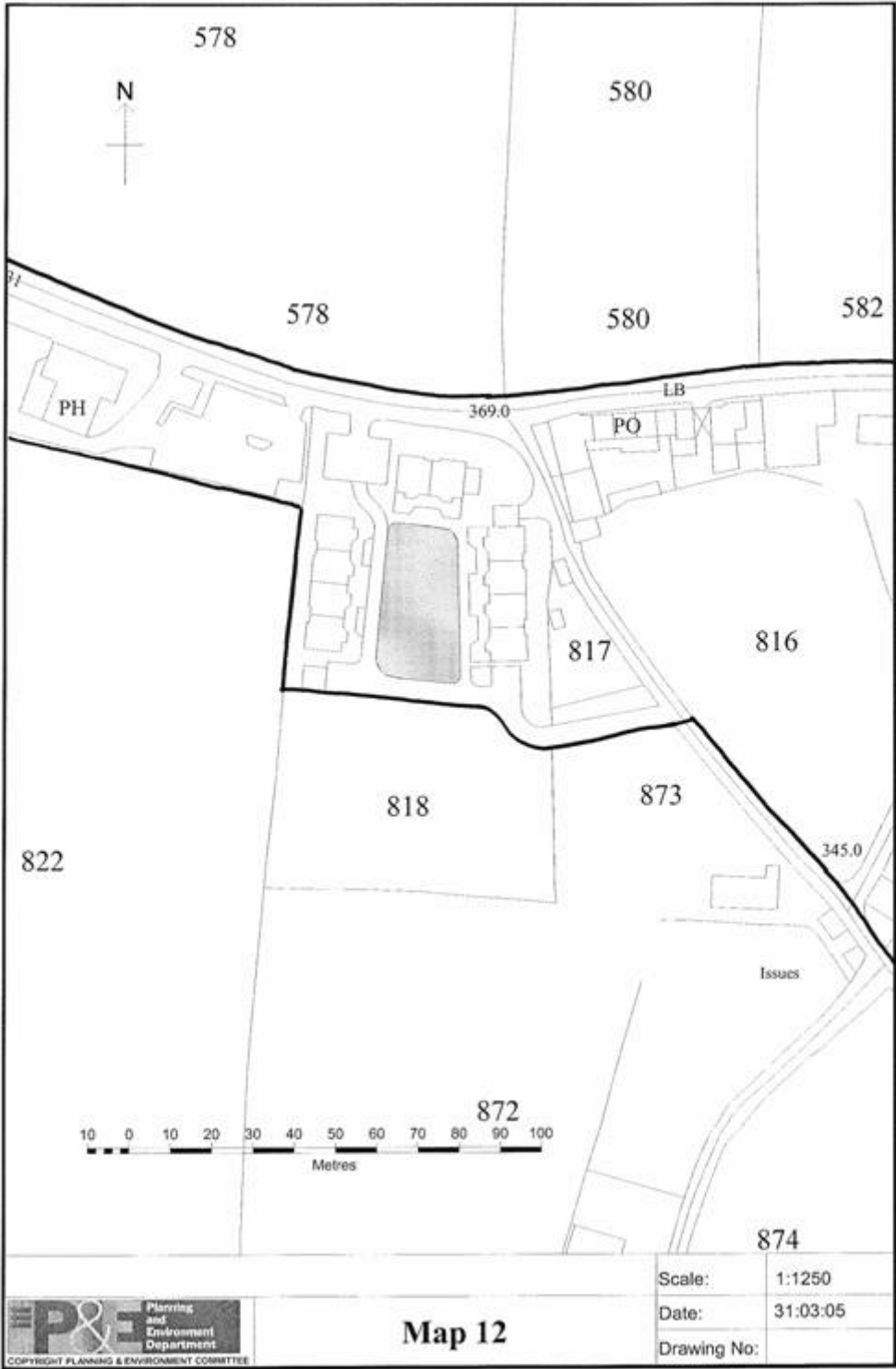



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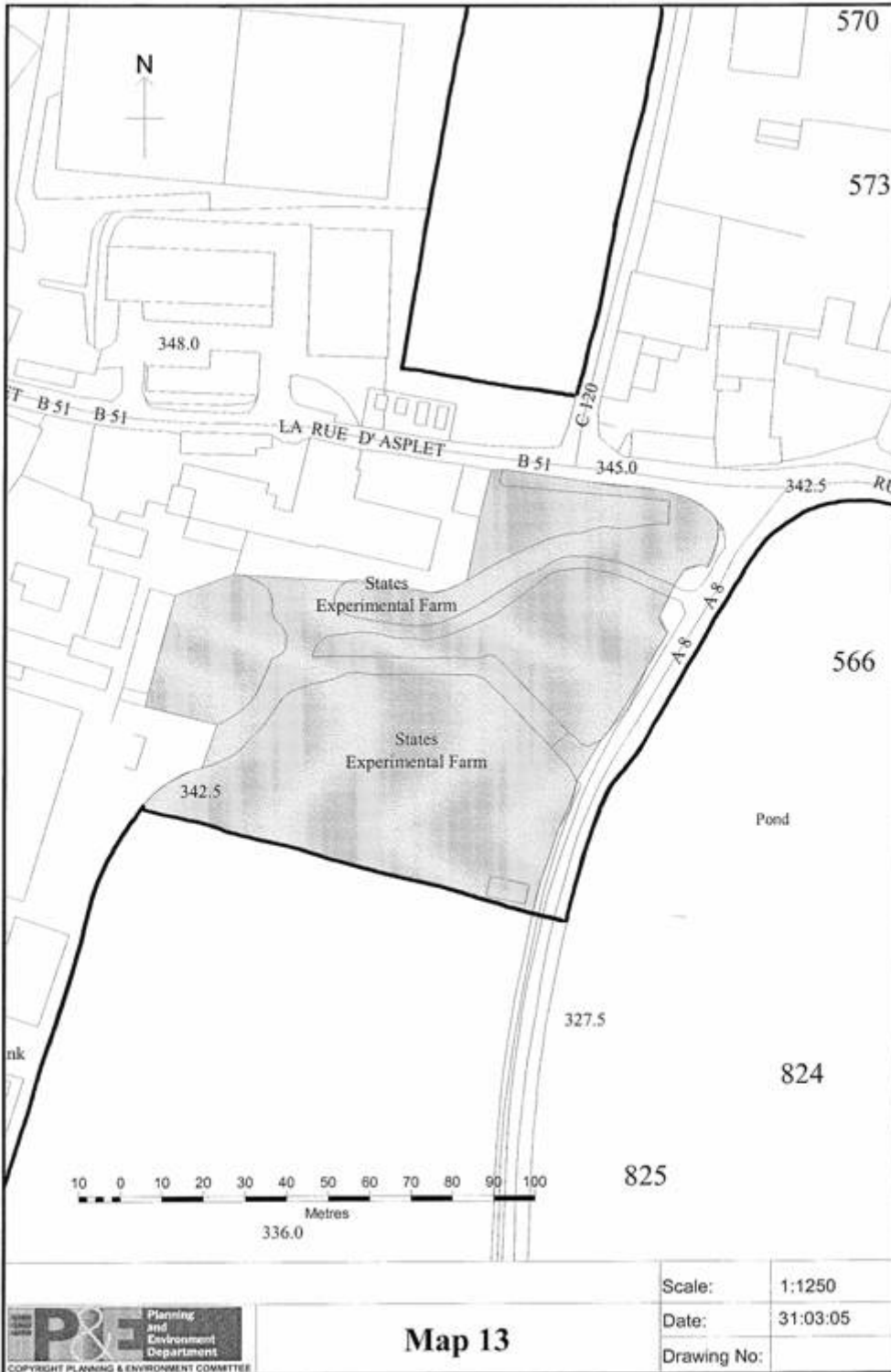
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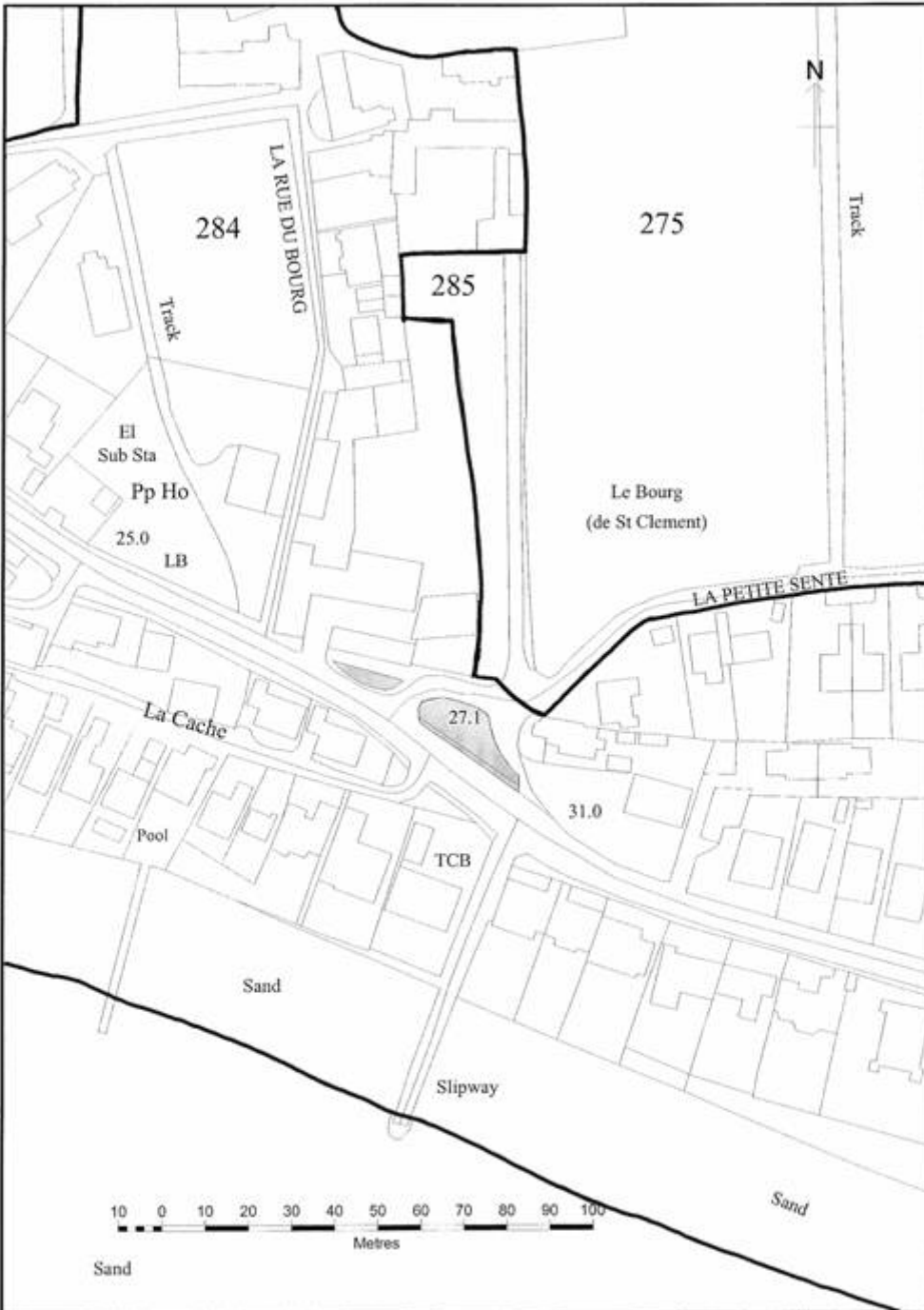
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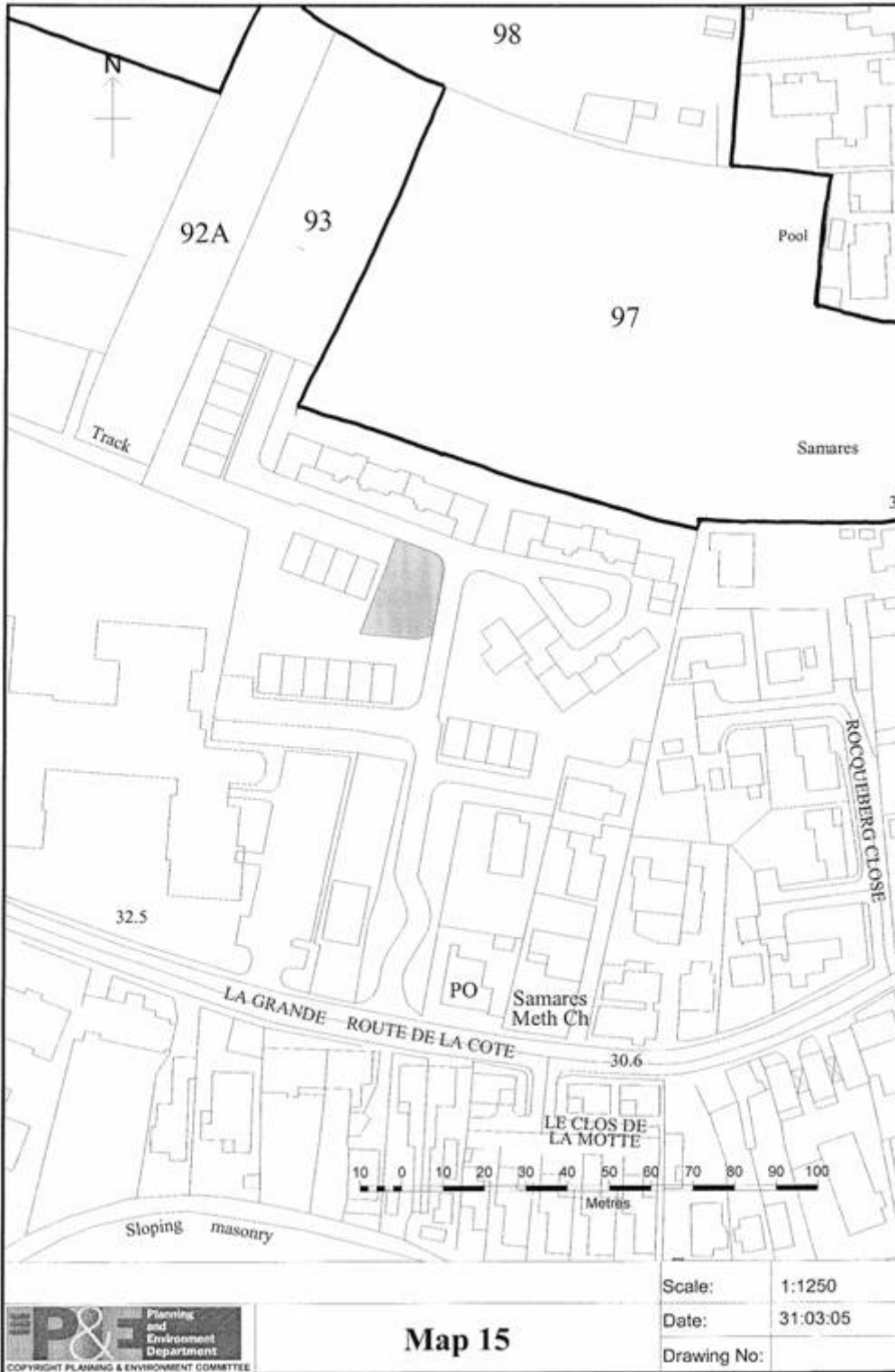


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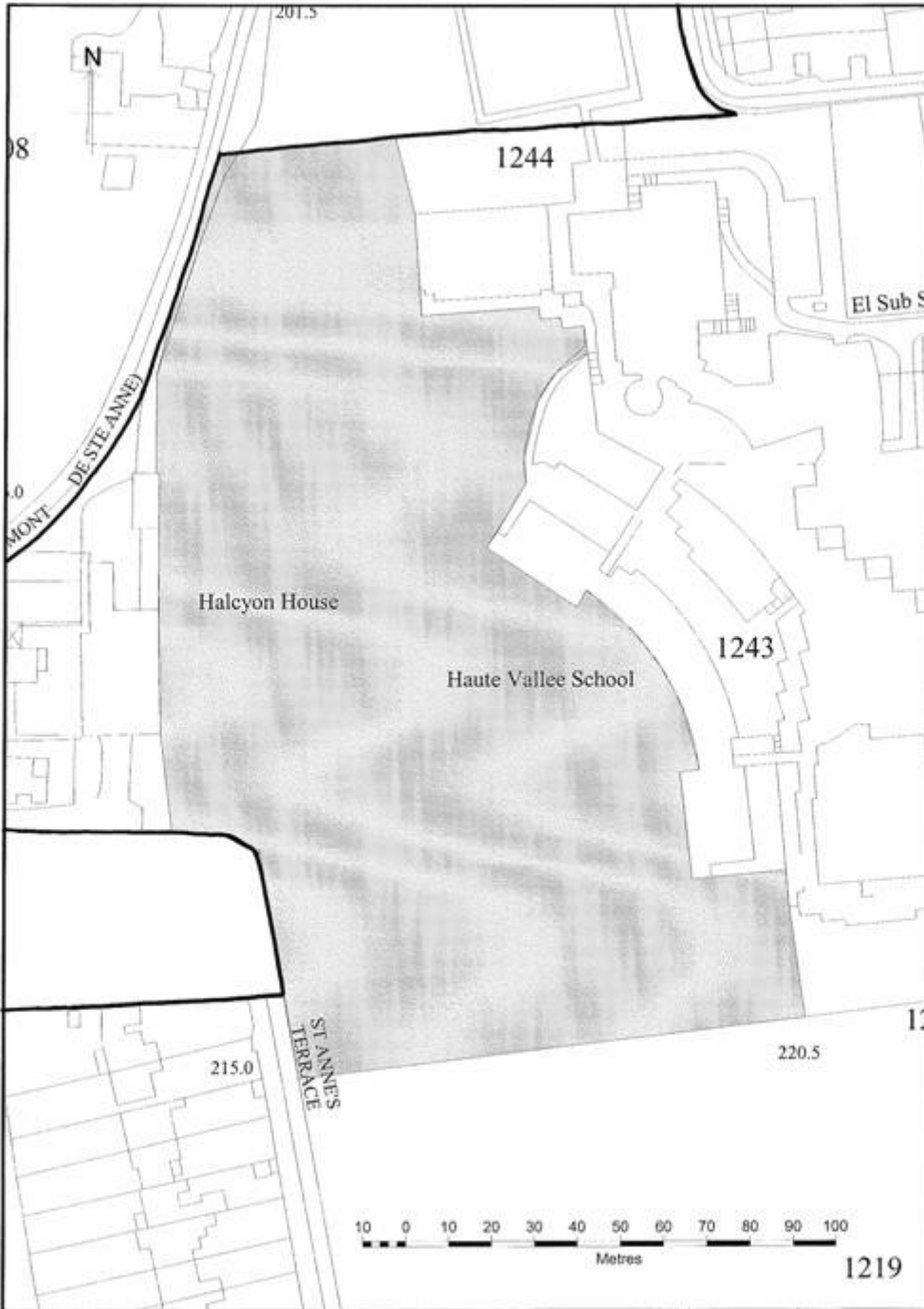


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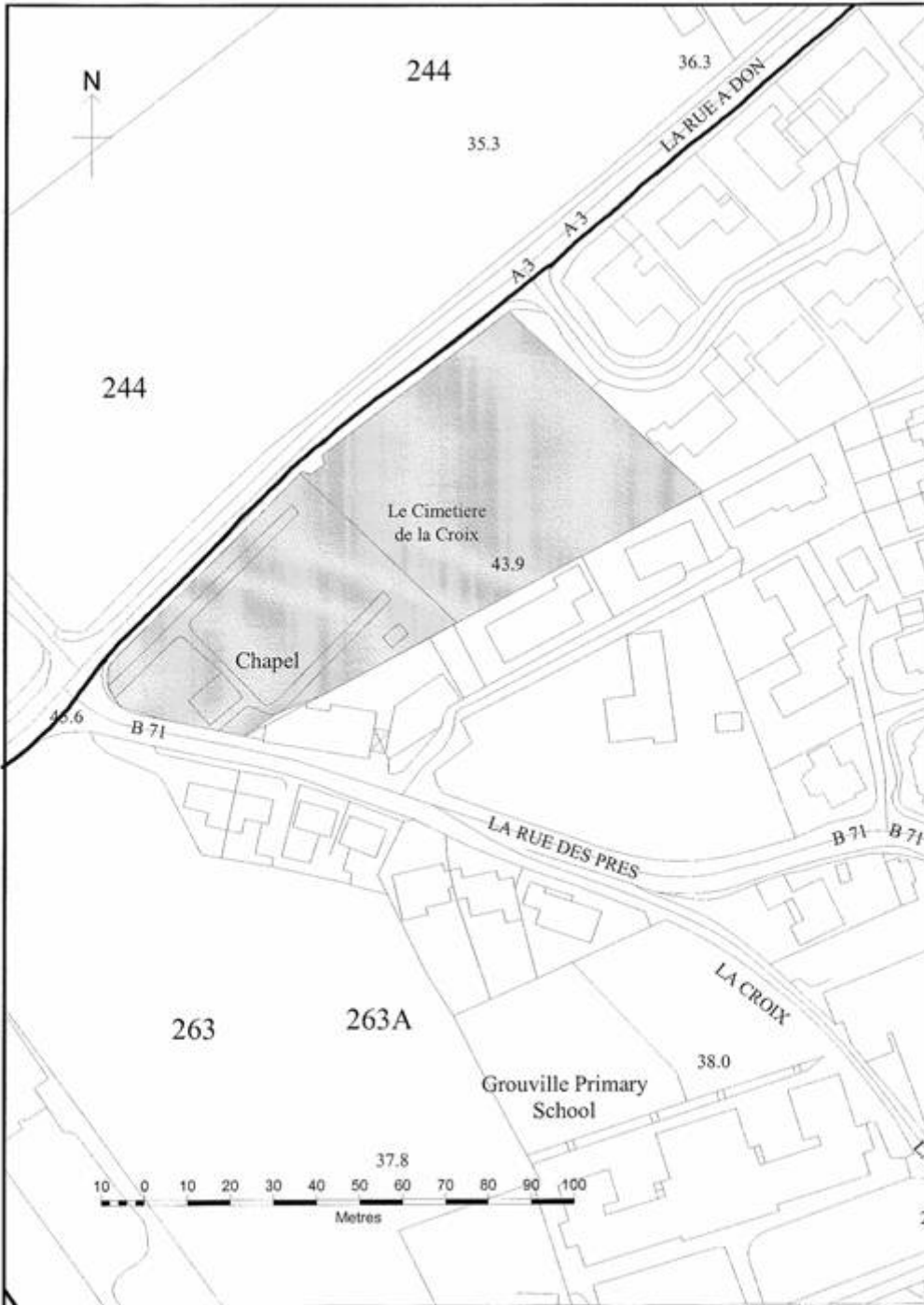
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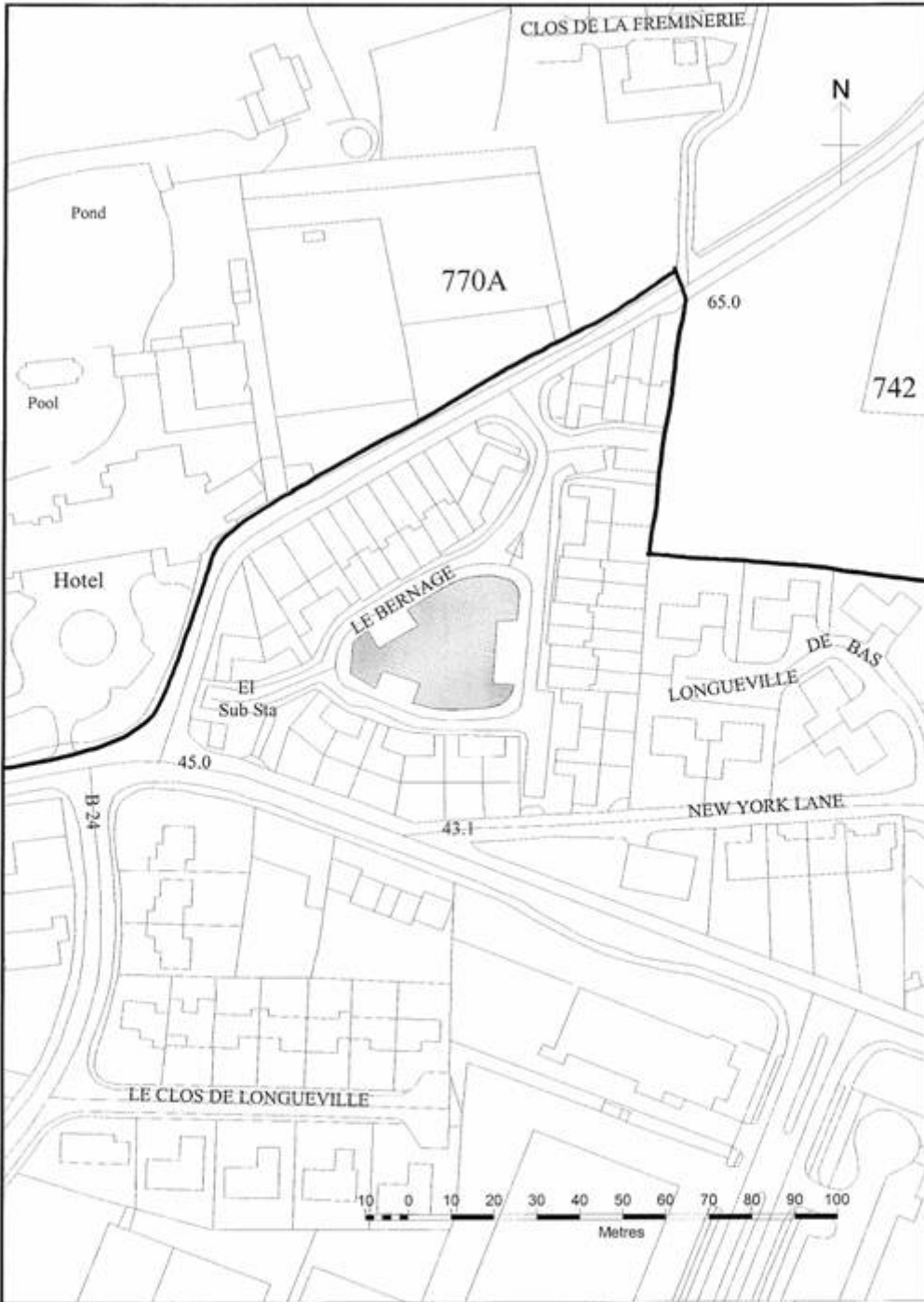
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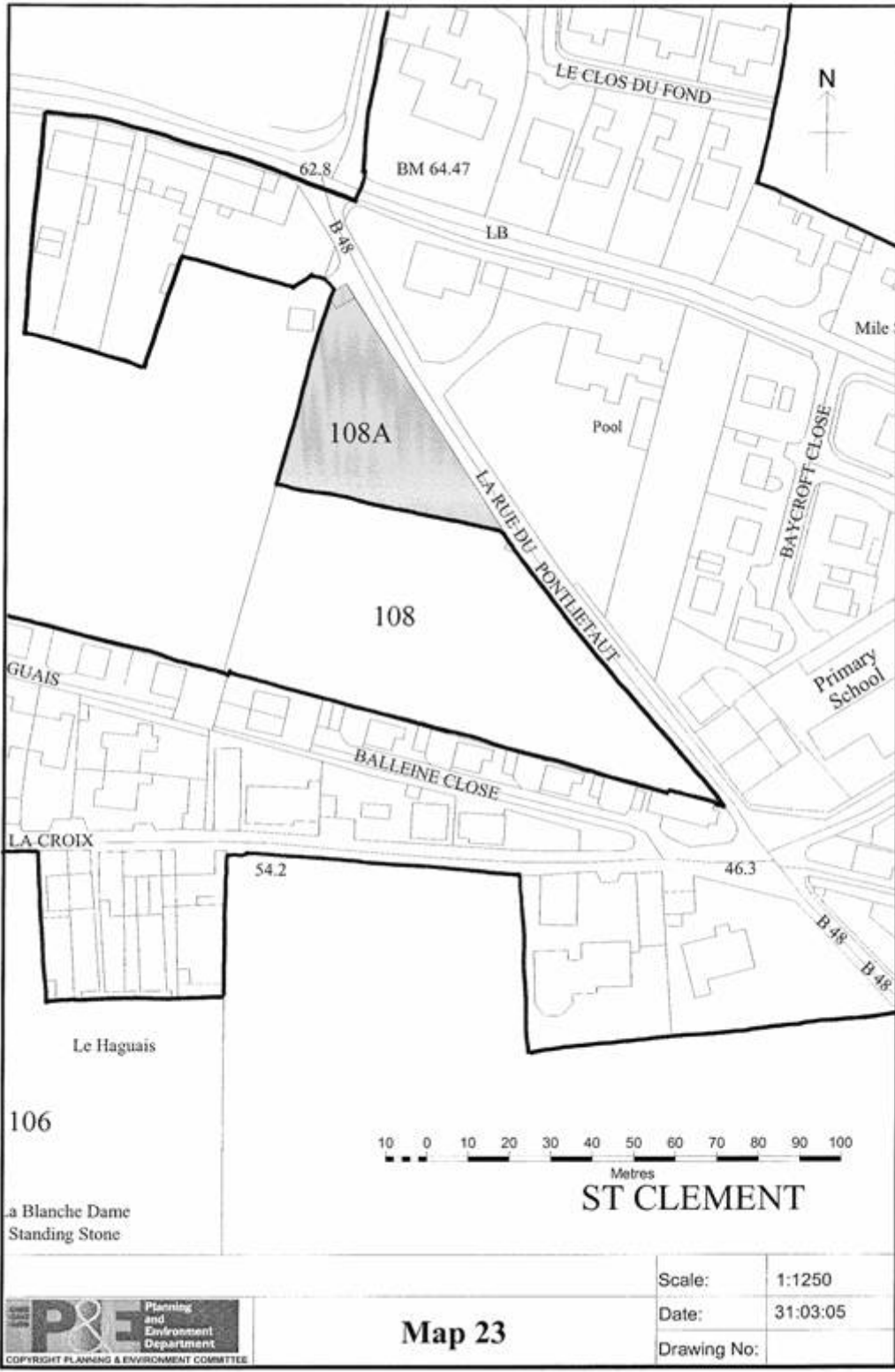
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