

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT  
BY THE CONNÉTABLE OF ST. OUEN  
QUESTION SUBMITTED ON MONDAY 7<sup>th</sup> FEBRUARY 2022  
ANSWER TO BE TABLED ON MONDAY 14<sup>th</sup> FEBRUARY 2022**

**Question**

“In light of the references in the [Jersey Coastal National Park Boundary Review January 2021](#) to the adverse impact of developments on, or near, the coastline on the Coastal National Park, will the Minister provide a list of the developments, if any, which (pursuant to planning decisions made under the 2011 Island Plan policies) are considered to have had an adverse effect on the character of the existing Coastal National Park in terms of location, design and/or scale?”

**Answer**

The draft bridging Island Plan makes it clear that the primary purpose of the proposed extension of the Coastal National Park is to afford the highest level of protection from development to the landscape and seascape character of this area. This is based on the outstanding value of that character – as assessed by the Integrated Landscape and Seascape Character Assessment – and the fact that it is sensitive to the impact of development.

It is interesting to note that the proposed extension of the CNP, as a planning policy tool to protect the island’s best landscapes and seascapes, has been supported by independent planning inspectors, who consider *‘the new boundaries to be based on sound evidence and to be appropriately drawn... backed up by a very considerable amount of field evidence’*.

In responding to the Connétable’s question, I have sought to provide some examples of development proposals, considered under the Island Plan since 2011, to demonstrate some of the development pressures and challenges, that have implications for the island’s landscape and seascape character.

The development proposals cited are drawn from a range of contexts, including built-up area; green zone; and existing Coastal National Park; and include examples of development proposals that have been both approved and refused planning permission. Their purpose is to demonstrate the type of change proposed throughout the island which has the potential to harm the landscape and seascape character of the island’s most intact and valuable coast and countryside, as identified by the Coastal National Park Boundary Review.

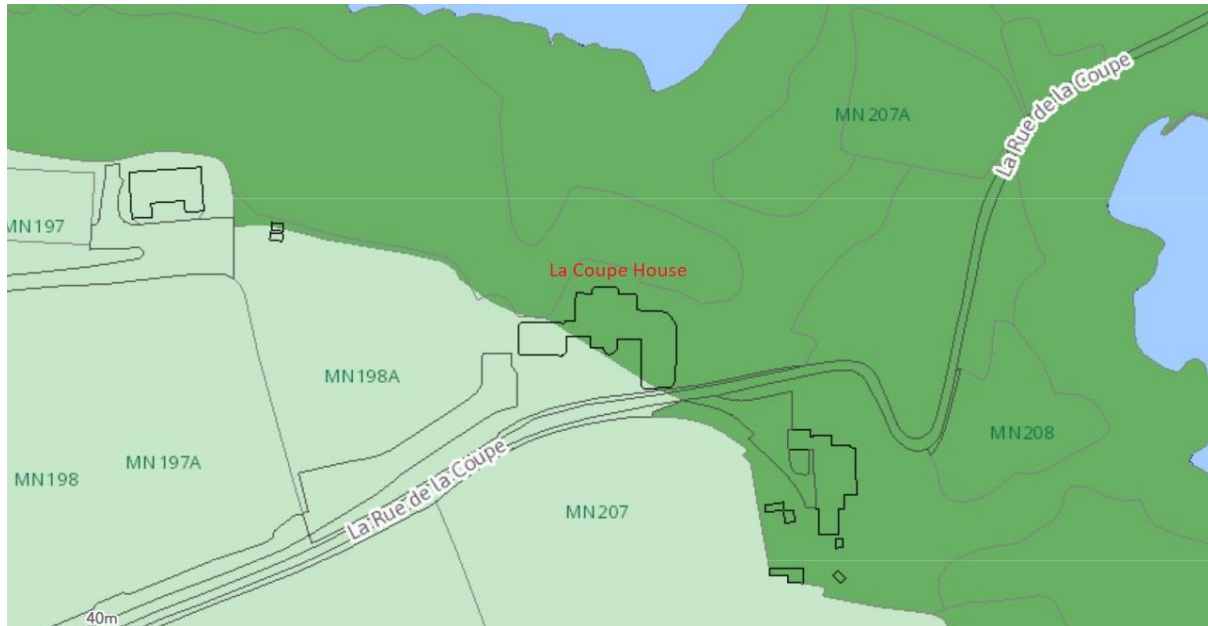
Details of these examples are set out at appendix 1.

## Appendix 1

### La Coupe House, Rue de la Coupe, St Martin

Planning zone

- 2011 Island Plan: part of the site is within the CNP; part of the site is in the green zone
- Draft bridging Island Plan: proposed Coastal National Park



Extract from current Island Plan proposals map

Planning history

Part of this site currently sits in the Coastal National Park, and part sits in the green zone, representing the issue of the current narrow definition of the coastal landscape based on topographical definitions.

The redevelopment of this site dates back to 1995 with planning permission granted in 2004, to demolish the existing dwelling and construct a new significantly larger dwelling, of some 1,650 sq.m., in a very prominent and sensitive coastal location. The original redevelopment of the dwelling, to permit a much larger house; and the subsequent proliferation of other development proposals in association with the original dwelling, serves to erode landscape and seascape character.

The site, and adjacent, has continued to be subject to development proposals, of both a major and minor nature, under the 2011 Island Plan, as follows:

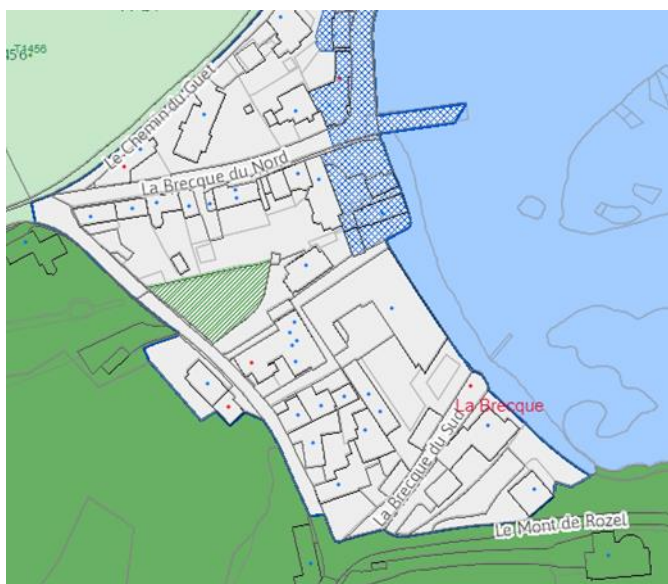
- P/2021/1228: Construct stable block to contain 2 no. stables and 2 no. store rooms to South-West corner of Field No. MN198.  
Pending
- P/2021/1061: Construct single storey enclosable rooftop pergola to centre of site.  
Refused
- P/2021/0736: Remove 1 no. first floor window and install 2 no. first floor windows. AMENDED DESCRIPTION: Install 2 no. first floor windows and enlarge 1 no. windows. Approved
- P/2020/1669: Construct ground floor extension to south elevation. Various alterations to ground floor fenestration.  
Approved

- P/2016/0796: Create new vehicular access onto La Rue de la Coupe. Construct wall to South of driveway.  
Approved
- P/2015/0762: Construct single storey extension to West elevation. Demolition of stables, removal of sand school, new landscaping including creation of a natural pond. Application re-advertised so as to include driveway parallel to approved ramped access.  
Approved
- P/2014/1061: Convert stables to staff and guest accommodation.  
Refused
- P/2013/1856: Retain existing driveway on a permanent basis and create separate section of driveway parallel to existing approved ramp.  
Withdrawn
- RP/2012/1616: La Coupe House & Field No. 198A - Create drive and service access to property with associated landscaping. Install underground LPG tank. REVISED PLANS: Relocate approved entrance to new proposed location, to include parking and turning areas.  
Approved
- P/2012/0490: Fields 197A, 198 & 198A, La Coupe House: Retain and extend temporary driveway on Southern side of fields 197A, 198 and 198A to form driveway and parking area for La Coupe House. Close approved access to South of house and landscape. REQUEST FOR RECONSIDERATION of refusal of planning permission.  
Refused
- RC/2011/1224: Vary condition 2 to allow private sewage treatment works instead of approved tight tank from permit P/2004/0877.  
Approved

## La Brecque, Le Mont de Rozel, St. Martin

Planning zone

- 2011 Island Plan: built-up area
- Draft bridging Island Plan: proposed Coastal National Park



Extract from current Island Plan proposals map

Planning history

This case involves the remodelling of a bungalow in the historic harbour of Rozel. The site lies within the built-up area, as defined in the current Island Plan, but the proposed redevelopment was considered, by the Minister for the Environment, to adversely affect the landscape context of the harbour, and planning permission was refused on appeal, contrary to the recommendations of the planning inspector.

P/2019/1138: Demolish extension and construct new extension with terrace above to North-East elevation and to South-West elevation. Raise roof to extend first floor. Convert part of existing garage to form additional habitable accommodation and construct extension to North-West elevation.

REVIEW REQUEST of the refusal of planning permission.

First party appeal dismissed against inspector recommendation. Refused.

The Minister disagreed strongly with the inspector's assessment and believed the wider context of Rozel Harbour as part of the distinctive coastal landscape should have been considered. In the absence of tighter zoning, GD1 /GD7 were used primarily as the reasons for refusal.

The Minister allowed the appeal in part in respect of the potential impact of the proposals on the reasonable amenity of neighbouring residents but dismissed the appeal, in the main, and refused to grant planning permission, reference P/2019/1138, for the following reasons: -

*1. The submitted plans fail to demonstrate the degree to which the design, materials and finishes reflect or complement the style and traditions of local buildings. Accordingly, the proposals do not attain the high standard of design required and are, therefore, contrary to policies SP7, GD1 and GD7 of the Adopted Island Plan 2011 (Revised 2014).*

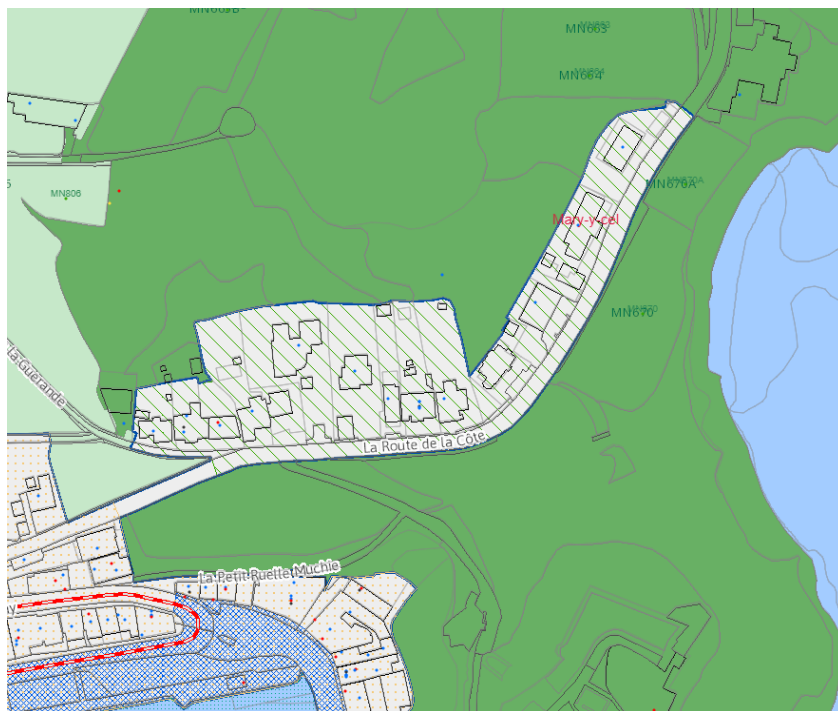
*2. The bulk and massing of the remodelled dwelling creates a flat fronted two storey dwelling, incorporating a large flat roofed expanse, which fails to respond to the strong vernacular context of this settlement and neither preserves nor enhances the setting of the Grade 1 Listed Rozel Harbour, Grade 3 Apple Cottage or Grade 3 Listed Rozel Barracks.*

*The development is thereby contrary to policies SP4, HE1, GD7 and BE6 of the Adopted Island Plan 2011 (Revised 2014).*

## Mar-y-cel, La Route de la Cote, St. Martin

### Planning zone

- 2011 Island Plan: built-up area
- Draft bridging Island Plan: proposed Coastal National Park



Extract from current Island Plan proposals map

### Planning history

P/2016/1040 - Demolish existing dwelling and construct 1 No. four bed dwelling. Alter vehicular access onto La Route de la Cote. Approved.

This site, and a number of others along this section of La Route de la Cote that is currently defined as part of the built-up area, have been redeveloped (permission having been granted during the current plan period) to provide a series of larger, and more visually prominent, homes in what is a sensitive landscape and seascape context; and also within the setting of the grade 1 listed Mont Orgueil Castle. It is proposed to redefine this area as part of the proposed CNP extension, to provide greater policy protection to the whole of the escarpment (Mont St Nicolas), opposite the castle.

# Seymour Farm, Le Mont Mallet, St. Martin

## Planning zone

- 2011 Island Plan: green zone
- Draft bridging Island Plan: proposed Coastal National Park



Extract from current Island Plan proposals map

## Planning history

This site sits in a group of buildings in a very prominent position in the landscape, currently located in the green zone.

The planning history of this site demonstrates the evolution of what was a proposal for conversion, into one involving demolition and replacement, with subsequent proposals for other external development proposals, all of which represents a form of 'development creep' which cumulatively has the potential to adversely affect landscape character in a sensitive location.

It is proposed to redefine this area as part of the proposed CNP extension, to provide greater policy protection to such sensitive locations sitting atop escarpments where they form part of the skyline, where inappropriate development has the potential to introduce damaging elements, including lighting, as identified in the ILSCA, which has helped to inform the review of the CNP boundary.

- RP/2020/1359: REVISED PLANS to P/2018/1225 (Demolish existing buildings. Construct 1 No. five bed dwelling, swimming pool, garage, workshop and associated landscaping. Change of use from agricultural land to residential use in connection with Seymour Farm. 3D Model available): Revision to include new portico: Approved
- P/2019/1595: Install 1 No. electrical cupboard to South-West of site. Approved
- RP/2019/0173: Construct 1 No. five bed dwelling, garage, workshop and associated landscaping. Change of use from agricultural land to residential use in connection with Seymour Farm): Omit basement store. Enlarge ground floor area to North-West elevation: Approved
- P/2018/1225 - Demolish existing buildings. Construct 1 No. five bed dwelling, swimming pool, garage, workshop and associated landscaping. Change of use from agricultural land to residential use in connection with Seymour Farm. Approved.

- PA/2018/0802 - Demolish existing buildings and construct 1 No. dwelling.
- P/2018/0376 - Convert naval barrack cottages, demolish extension and construct extension to East elevation to form 1 No. three bed residential dwelling. Convert gate house to form 1 No. one bed residential dwelling. Various external alterations to both properties to include replace windows and roof. Approved.
- PA/2016/1916 - Redevelop the buildings into domestic accommodation.

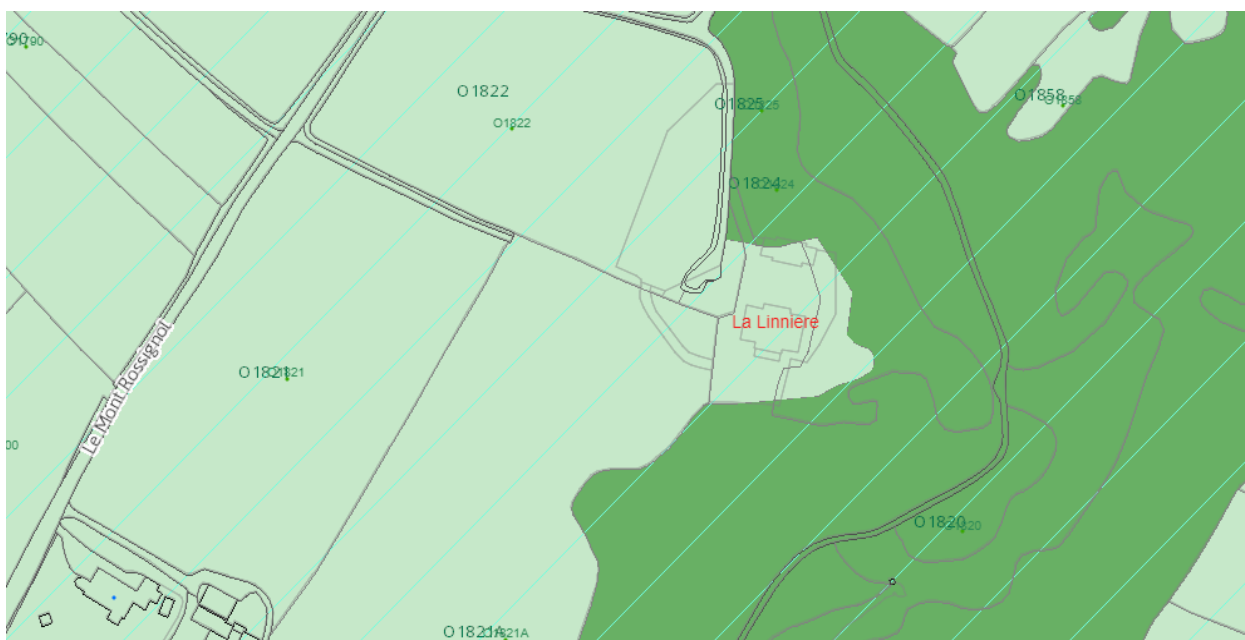


## La Linière, Le Mont Rossignol, St. Ouen

### Planning zone

- 2011 Island Plan: green zone
- Draft bridging Island Plan: proposed Coastal National Park

Extract from current Island Plan proposals map



### Planning history

This site sits atop the escarpment in a prominent position in the landscape, located in the green zone overlooking Val de la Mare Reservoir and the wooded valley below. The planning history slightly pre-dates the current 2011 Island Plan but there have been further planning applications within the life of the current plan which demonstrates an incremental approach toward development. The prominent location of the site and visual sensitivity within the surrounding landscape is part of the reason that the CNP needs to extend further into the GZ to provide greater protection.

- RP/2020/0248 - REVISED PLANS to P/2009/1710, RP/2010/1298 and RP/2019/1245 (Demolish existing dwelling and outbuilding. Construct new dwelling): Construct extension to East elevation. Create store in approved basement lightwell to East elevation. Revise landscaping to suit  
Approved
- RP/2017/0701 - REVISED PLANS to RP/2016/1384 (Construct detached garage and store. Construct extension to West of and basement below garage. Construct underground service tunnel to main house): Install 3no rooflights to North elevation, insert 2no windows at ground floor level to North elevation and install plant and timber enclosure to eastern wing of garage  
Approved
- P/2015/1483 - Extend basement to South elevation. Various external alterations including 2 No. dormers to West and East elevations  
Approved
- P/2014/0796 - Construct detached garage and store  
Approved
- P/2013/0657 - Construct garage and store. REQUEST FOR RECONSIDERATION of refusal of planning permission.

Refused

- RP/2010/1298 - Demolish existing dwelling and outbuilding. Construct new dwelling. REVISED  
PLANS: Create basement

Approved

- P/2009/1710 - Demolish existing dwelling and outbuilding. Construct new dwelling. Approved

## Zeelandia, Le Mont a la Brune, St. Peter

### Planning zone

- 2011 Island Plan: green zone
- Draft bridging Island Plan: green zone (proposed Coastal National Park to extend to the western edge of Le Mont Fondan, which adjoins the site, and may be construed to be within the setting of the CNP)



from current Island Plan proposals map

### Planning history

This site sits atop the escarpment in a prominent position in the landscape, located in the green zone. Its planning history gives evidence of 'development creep' and the suburbanisation of the countryside.

- P/2020/1300 - RETROSPECTIVE: Construct shed and install fence to South of site.  
Approved
- P/2020/0897 -:RETROSPECTIVE: Install fence to southern boundary wall.  
Refused
- P/2019/0507 - Demolish existing stores and construct 2 No. garages to West of site. Approved
- RM/2015/0866 - Reserved Matter (Landscaping) for PP/2014/1794: Demolish existing dwelling. Construct 2 No. apartments and 2 No. dwellings  
Approved
- PP/2014/1794 - Demolish existing dwelling. Construct 2 No. apartments and 2 No. dwellings.  
Approved

## Gorselands, La Route de la Villaise, St. Ouen

### Planning zone

- 2011 Island Plan: green zone
- Draft bridging Island Plan: green zone (proposed Coastal National Park to extend to the southern edge of La Route de la Villaise, which adjoins the site, and may be construed to be within the setting of the CNP for future planning applications).



Extract from current Island Plan proposals map

### Planning history

This site sits atop the escarpment in a prominent position in the landscape, located in the green zone. Its planning history gives evidence of 'development creep' and the suburbanisation of the countryside, where the impact of such development on the character of the countryside may warrant greater consideration.

- P/2021/0882 - Construct double garage and bin store to North-West of site. Alter vehicular access onto La Route de la Villaise. Approved.
- P/2019/1291 - Demolish existing dwelling and construct new 1 No. five bed dwelling with associated parking, landscaping, alterations to field landscaping and roadside wall. Approved
- PA/2019/0479 - Redevelopment of site for residential purpose.
- PA/2018/1640 - Demolish existing dwelling and replace with new dwelling.

## Chateaubriand, La Rue de Guillaume et D'Anneville, St. Martin

Planning zone

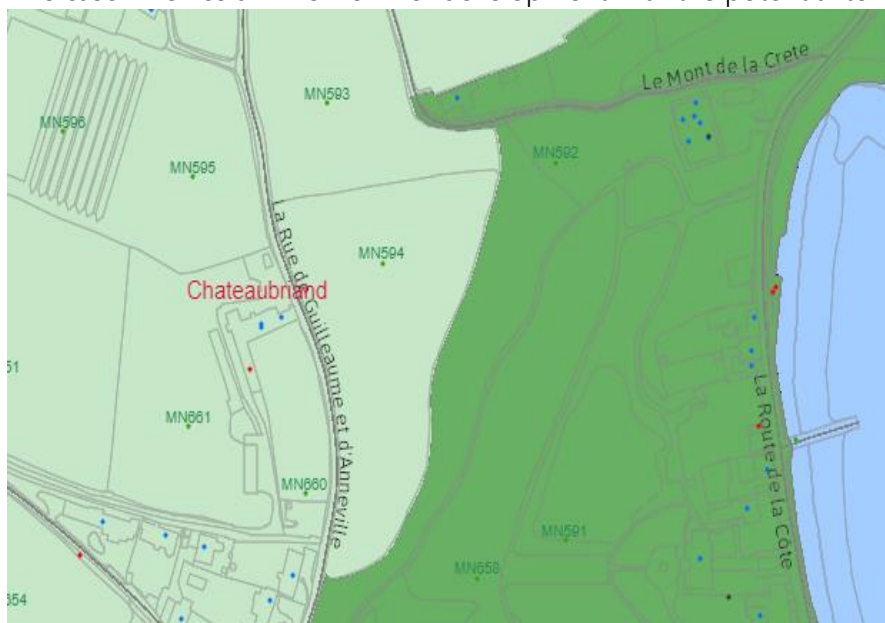
- 2011 Island Plan: green zone
- Draft bridging Island Plan: proposed Coastal National Park

Extract from current Island Plan proposals map

Planning history

P/2019/1256: Install tennis court and associated fence.

This case involves a minor form of development with the potential to harm landscape character and



represents the type of minor development which can, cumulatively, serve to erode the character of the countryside. It was not found to cause 'serious harm' to landscape character under current policy tests; and was primarily refused on siting and design grounds under the current policy regime in the green zone. It is proposed that this area is embraced by the extended Coastal National Park.

First party appeal dismissed. Refused

Comments from inspector's report:

*Criterion b) requires the proposal to be 'well sited and designed, relative to other buildings, the context, size, material, colour and form'. Whilst the design of the development is, in isolation, inoffensive and neat, the siting and context raise tensions with the policy approach to development in the Green Zone. This part of Policy NE 7 does not use the word 'curtilage', but it is reasonable to assume that a development within a curtilage is more likely to be deemed 'well sited' than one that sits outside. In my view, the development would not be well sited in relation to the 'other buildings' or to its 'context'.*

*The house and farm buildings form a very distinct and defined zone and Field MN661 to the west and north-west is quite different in character, being open and undeveloped. Irrespective of its lack of use for agricultural purposes, the field nonetheless forms part of the open countryside and contributes to its landscape character. The development of the court, being notably separated and distant from the residential building, would appear as an intrusion into the openness and undeveloped character of the field.*

*Whilst in time the beech hedging would ameliorate some of its visual presence, it would nonetheless introduce a man-made development of a large artificial surface and fencing that would denude, and*

*have a suburbanising effect on, a currently undeveloped part of the Green Zone. I assess that criterion b) is not satisfied.*

*Criterion c) requires that the development does not 'seriously harm landscape character'. The proposal would cause some harm to the landscape character, but this would be localised and limited in scale. In essence, a rectangle of open field would be replaced with a synthetic surface enclosed by fencing, thereby lessening the contribution it makes to the surrounding rural landscape. I assess that, whilst there would be some harm to the landscape character, it would be limited and would not pass the 'serious' threshold. I consider that criterion c) is therefore satisfied.*

*The refusal reason also objects to the proposal under Policy ERE 1, which presumes against the permanent loss of good agricultural land. Although Policy ERE 1 has some overlap with Policy NE 7, given the circumstances in this case, I regard the primary objective of Policy ERE 1 to be of limited relevance in this case. This is because the land is not currently in agricultural use and there is no obligation on the owners to use it for that purpose. The greater policy tension in this case is the conflict with the Green Zone Policy NE 7, which has a much wider objective than simply protecting agricultural land and extends to supporting the spatial strategy and protecting the quality and distinctiveness of the countryside and its landscape character.*





## La Fontaine, La Route de la Pulente, St. Brelade

Planning zone

- 2011 Island Plan: Coastal National Park
- Draft bridging Island Plan: proposed Coastal National Park



Extract from current Island Plan proposals map

Planning history

This case involves the redevelopment of existing relatively modest structures within the existing Coastal National Park. The proposal was resisted, on appeal, but serves to demonstrate the nature of development proposals around the coast; their potential impact on landscape character; and the need for and effectiveness of CNP policy as a material consideration in areas of high landscape sensitivity.

P/2018/1569: Demolish existing site structures. Construct 2 No. three bed units of tourist accommodation and 1 No. four bed dwelling with associated parking and landscaping. Alter vehicular access onto La Route de la Pulente. 3D model available. AMENDED PLANS: Reduce scale of both new buildings. Alter vehicular access.

First party appeal dismissed. Refused

Comments from inspector's report

*In this specific regard, there is no doubt in my mind that the proposed development is in direct conflict with land use planning policy requirements in respect of the Coastal National Park.*

*The proposal would not only result in a new dwelling that would be larger in respect of gross floorspace, thus failing to comply with Policy NE6, but in addition, the proposed dwelling would have a larger building footprint and due to being considerably taller than the building it is proposed to replace, it would also have a greater visual impact.*

*I am also of the view that the presence of very large-glazed windows and doors connecting to a balcony at first floor level would add to the visual impact of the proposed dwelling, not least during the evening when it would be expected for these windows – which would serve the main living area of the dwelling – may be lit up.*

*I note earlier in this Report that the existing buildings, whilst not attractive, are modest in scale and do not draw attention to themselves. The proposed dwelling would have a significantly greater visual impact than the building it would replace.*



*Island Plan Policy NE6 sets an extremely high hurdle for new development. This is entirely purposeful – simply, the Coastal National Park is afforded the highest level of protection from development. Taking all of the above into account, I find that the proposal would fail to comprise a form of sustainable development, having regard to the provisions of the Island Plan, including those set out in Policy NE6 (Coastal National Park).*