

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011): TWENTIETH AMENDMENT

Lodged au Greffe on 26th April 2011
by the Deputy of St. Mary

STATES GREFFE

1 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in Policy E1 – Protection of employment land (page 173) delete the words ‘2. the existing development is predominantly office or tourist accommodation, or;’ ”.

2 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in Policy ERE3 – Enabling or linked development (pages 210–211) after the 6 requirements insert a new paragraph as follows –

‘Applications for enabling or linked development will be publicised by the Minister in a way that ensures that the wider public are made aware of the nature of a proposal of this kind.’ ”.

3 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in the Indicators SCO1 – Social, community and open space indicators (page 271) after indicator 3 insert a new indicator as follows –

‘4 Extent to which deficiencies identified by the Open Space Strategy (see proposal 18 on page 283) are made good.’ ”.

4 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in Proposal 18 – Open Space Strategy (page 283), in the second bullet point, after the words ‘accessibility of open space’ insert the words ‘including for the mobility-impaired and the elderly when living communally’ ”.

5 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words “except that –

(a) in Proposal 18 – Open Space Strategy (page 283), after the fourth bullet point insert a new bullet point as follows –

- ‘include a review of the ability of States-owned and privately-owned land to contribute towards the need for, and quality of, open space provision, particularly in St. Helier and other parts of the Built-up Area.’

- (b) in paragraph 8.127 (page 325) for the words ‘for other forms of built development’ substitute the words ‘for other forms of development, including the provision of open space’ ”.

6 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in Policy SCO6 – Allotments (page 290) delete the words ‘2. not on land required for agriculture in accord with Policy ERE1 ‘Safeguarding agricultural land’ and make a consequential change by removing the number ‘1’ from the remaining requirement’ ”.

7 PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“except that in Policy NR7 – Renewable energy in new developments (page 364) after the second exception insert a new exception as follows –

‘or,

3. at least an equivalent impact on carbon emissions can be met by alternative means’ ”.

DEPUTY OF ST. MARY

REPORT

Amendment (1) – Policy E1 (page 173)

The purpose of this policy is to prevent the loss of land for employment use. Exceptions 1, 3 and 4 already state the reasons for which it might be considered beneficial to the Island as a whole for an employment site, of whatever type, to pass to another use.

Apart from these exceptions there is a presumption against this happening. The reason is clear. As the Island Plan says at paragraph 5.19 –

“There is particular pressure for residential development on employment land, whilst at the same time there is a shortage of sites available for new business development.”

In other words, houses pay more than any other use, so land has to be protected for employment use.

I do not see why Tourism and offices are singled out in this way, by having a special exemption. It seems foolhardy to give tourism accommodation providers an absolute discharge from any requirement to prove that their place is not viable and that it cannot be sold for its present purpose.

They just put in a Planning application, pull their hotel down and build housing. All the financial incentives pull that way, but the interest of the Island in having a tourism industry that has not shrunk below a certain size pulls the other way.

The exception seems short-sighted, and the discussion of the issue in the Inspectors' report only makes it more evident that the arguments for this exemption are not sound. I am aware that this “an old chestnut”. Nevertheless the consequences are grave, and I feel that the Assembly should express a view.

Amendment (2) – Policy ERE3 (pages 210–211)

I have not brought an amendment to bring to an end this dubious and controversial practice. However, I do believe strongly that the public should be alerted to any such proposal so that they can learn about it, and voice their view if they wish.

In this highly sensitive matter, this is, I believe, incumbent on the Minister.

Amendment (3) – Indicators SCO1 (page 271)

The Open Space Strategy is a jolly nice idea, in principle. I note from Appendix A that its timescale for completion is, along with many other SPGs, “Over Plan Period”.

This amendment assumes that this important work is done. The indicator will keep track of whether the strategy is actually having an effect, that the open space which is needed is actually coming into being on the ground.

I am particularly concerned in this amendment to see that those living in the main urban areas end up with enough in the way of parks, as promised by this Plan, and that there are good play opportunities for children in all built-up areas.

Amendment (4) – Proposal 18 (page 283)

The elderly and the mobility-impaired find getting around difficult. What for a child or young parent is a quick walk or cycle ride to the Park or the sea is more likely to be something of a challenge for them.

By imposing this requirement on those working on this strategy, we will be insisting that the need for these vulnerable groups to have good access to open space will be specifically considered.

It is not only a matter of distance only. It is also a question of convenience and safety. Thus for example, the sea at Green Street slip is a valuable open space for those living at the Cheshire Home or Maison la Corderie (on Rope Walk).

This should be accessible by powered scooter or by wheelchair. I suggest to members that they walk this route for themselves before the debate, and imagine it being travelled by a scooter or by someone being pushed in a wheelchair.

Amendment (5)(a) – Proposal 18 (page 283)

The cornerstone of the Minister's Plan is putting at least 1,500, or up to 3,600 extra, units of accommodation into St. Helier (see Island Plan page 458). He is very vulnerable to the charge of cramming – hence the emphasis, which is absolutely right, on the quality of the public realm, and the emphasis on public open space, both its quantity and its quality.

Thus the Island Plan states (paragraph 7.53):

“The protection of open space is particularly important in the Built-up Area where competing development pressures are greatest. Indeed, its retention and enhancement is now all the more important in support of the regeneration of the Island's urban environment and the desire to promote urban living.”

Too many times I have seen new sites becoming available in the town area, e.g. Mascot Motors site in Georgetown, Sunshine Hotel site in Havre des Pas, and no thought whatsoever is given, or appears to be given, to the suitability of those sites for open space.

Are there clusters of old people living nearby? Are there families with no gardens, or very small ones? We don't know and we don't find out. There is an assumption that every last m² gets built on.

Unthinking assumptions should be challenged, and this one is no exception. This assumption is bad policy, the Plan calls for quality urban living and this is one, just one, specific measure to ensure that it happens. The Island Plan talks the talk, will it walk the walk?

Amendment (5)(b) – Paragraph 8.127 (page 325)

The text and the deleted words are below:

“8.127 The use of land for car parking, particularly in St. Helier, is not an efficient form of development and can serve to stifle the redevelopment and regeneration of urban areas. The redevelopment of private car parks for other forms of built development will be encouraged to assist with, in particular, the provision of land for homes.”

By removing the words “for other forms of built development” and replacing them with “for other forms of development, including the provision of open space”, this amendment makes clear that other forms of development are possible, for example – open space. The arguments for allowing this, and indeed for evaluating this use, are set out for paragraph (a).

Policy TT11, which follows this text immediately in the Island Plan, does not restrict the use of former parking land to other built development. This amendment ensures consistency in the Plan, and on that ground I would hope the Minister will support it.

Amendment (6) – Policy SCO6 (page 290)

The Policy correctly protects allotments from alternative uses. But requirement 2 makes securing an allotment site nearly impossible. Is the Minister suggesting that brown-field, possibly contaminated, sites be used for allotments?

Strangely, the Minister himself is proposing to rezone a large field for housing, school playing field use and for allotments (see Island Plan page 461, Appendix B, B2 H2(5) Part Field 1219, La Grande Route de Mont à l’Abbé, St. Helier).

Allotments are a genuine horticultural use. The Scrutiny Panel’s report into the Rural Economy Strategy identified succession as an issue within agriculture and if my memory serves me correctly, this finding was accepted by the Minister. Allotments serve to introduce people from all walks of life, and their children, to the joys of growing food.

Amendment (7) – Policy NR7 (page 364)

This amendment allows for the possibility that on-site low-carbon or renewable energy production may not be the most effective way to offset the target amount of at least 10% of the development’s carbon emissions.

For example, it may be more cost-effective to reduce the energy demand of the units to a comparable extent. We do not know how technology will evolve over the lifespan of the Plan, so it is wise to allow ourselves the freedom to choose the best way to achieve whatever level of carbon saving is laid down.

Financial and manpower implications

There are slight additional direct financial or manpower implications arising from part 2 of these amendments (ERE3). All parts are within the normal work of the Department.