

STATES OF JERSEY



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

Lodged au Greffe on 21st April 2011
by Deputy P.V.F. Le Claire of St. Helier

STATES GREFFE

PAGE 2 –

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

- (a) there be added to the list of sites to be zoned for Category A housing at Policy H1: Category A housing sites (on page 246):
 - ‘4. Samarès Nursery, La Grande Route de St. Clément, St. Clement (9.8 acres/22 vergées)’;
- (b) the revised draft Island Plan 2011 be further amended in such respects as may be necessary consequent upon the adoption of (a);
- (c) the Proposals Map be amended to reflect the adoption of (a).”.

DEPUTY P.V.F. LE CLAIRE OF ST. HELIER

NOTE:

The consequential amendments would include amendments to Proposal 17: Provision of homes (page 242), Table 6.3: Supply of homes 2011 – 2020 (page 238), and Table 6.4: Net housing supply 2011 – 2020 (page 239) be amended accordingly to reflect the potential additional yield of 100 to 150 Category A homes from the zoning of this site; and there may be others.

REPORT

Tuesday, 19 April 2011

I had the offer of adding many other members' names to this amendment, but as I have little time to go and see them and get their signatures I have decided not to add them.

I am grateful to Senator T.J. Le Main and Deputy J.A. Martin of St. Helier who have supported me in bringing this and who in particular I would like to thank.

No man is an island.....

John Donne (1572 – 1631).

..... Unless

.....you're the Constable of St. Clement! IP (2011 – 2020)

Extract from my report

simply because the Connétable of St. Clement has objected to the development of this site, notwithstanding the planning merits of the site, as confirmed by the independent Planning Inspectors who, together with the Department's officers, recommended this site for Category A Housing, it is clear that the Minister has upheld this undertaking for parochial interests rather than in the wider Island interest, which he is obliged to do having regard to Article 2(a) of the Planning and Building (Jersey) Law 2002. In the meantime, no other meaningful sites have been brought forward to offset the loss of the 150 units that would be lost if the Samarès Nurseries site is not rezoned.

This Submission was made to me:

Summary

The Minister for Planning and Environment has amended the Island Plan to address specific objections raised by individual Constables who claim to have a right to 'veto' certain developments proposed within their parish. I understand that this 'veto' arises because a 'written undertaking' was given to each Constable that stated only sites that had their full approval would be brought forward for rezoning. By giving this unrestricted undertaking and permitting Constables to claim a right of veto, the Minister for Planning and Environment has been forced to ignore the conclusions of his own Department and the strong recommendations of the independent Planning Inspectors. In addition, by removing Samarès Nurseries from the Island Plan, the Minister has actually been forced to substantially re-draft other sections of the Island Plan and these amendments have not be made subject to the same level of public consultation or scrutiny by the independent Inspectors.

One of the objectives of the Island Plan is to identify a future supply of affordable housing. In particular, this objective is intended to encourage younger generations to remain in the Island. This objective can only be met if the Island Plan is viewed as a plan for the Island as a whole. As a point of principle, it cannot be right and proper for vital sections of a document described as an 'Island' Plan to be determined by the Constables of particular parishes. Permitting this level of interference results instead in a 'Parish by Parish' plan where the interests of the Island as a whole are ignored in favour of local politics.

The Island Plan was produced at great expense to the taxpayer to provide a planning framework suitable for the Island as a whole. The recommendation of the independent Inspectors was clear and unequivocal: "The Inspectors disagree with the Minister's proposed modification and recommend that the Samarès Nursery site should be retained in the draft Plan".

It is irrational that the recommendations of the independent Inspectors can be ignored quite so spectacularly at the behest of a particular Constable. The 'undertaking' given by the Minister for Planning and Environment has led to particularly inappropriate and undesirable consequences. It has seemingly undermined the 'Island-wide' mandate of the Island Plan by concentrating decision-making power in the hands of individual Constables. It has also fettered the Minister's ability to discharge his duties having regard to the interests of the Island as a whole. The undertaking given by the Minister to the Constables cannot and should not bind the States. If the amended Island Plan is presented in the form proposed by the Minister, the States will have implicitly sanctioned these arrangements. Having tied his own hands, the Minister is also seeking to tie the hands of the remainder of States members.

The Island Plan presented by the Minister for Planning and the Environment should include the independent planners' recommendations and not be amended at the 11th hour.

Supply of affordable family housing

One of the key identified objectives of the Island Plan is to ensure there is an adequate supply of new homes over the next 10 years, particularly for first-time buyers. The Island Plan therefore contains detailed projections as to the number of homes and the 'housing mix' required, taking into account the acute shortage of affordable housing and, in particular, the need to build 'family' homes (i.e. 3/4 bedroom houses).

Samarès Nurseries was carefully considered by the professional civil servants employed by the Planning Department and was recommended as a site particularly suitable for development. Their recommendation was supported by the independent Planning Inspectors who led the Island Plan consultation process. The final report of the Inspectors noted that "The Inspectors conclude, with conviction, that the merits of this site are considerable. The site is well located in relation to the Built-up Area; it has good services (buses, schools, etc.); little damaging impact on the countryside, and is previously developed land which is falling into dereliction".

It is also abundantly clear from the initial draft of the Island Plan that the development of Samarès Nurseries is crucial to meeting the objective of supplying affordable homes. This is because the site will yield as many homes in isolation as all of the other proposed sites put together. There are no better or more suitable sites available and,

even if there were, these should have been proposed and considered at the consultation stage.

Resulting amendments to the Island Plan

By removing Samarès Nurseries from the Island Plan at this very late stage, the Minister for Planning and the Environment has been required to substantially re-draft other sections of plan to address the resulting shortfall in supply of housing. In particular, the Minister has proposed that the density of housing on those remaining sites should be increased and that the possibility of developing other sites owned by the States should be explored.

To be clear: these additional amendments are only proposed to provide token evidence that, in the absence of developing Samarès Nurseries, there is an alternative way to meet the objective of delivering affordable housing. The viability of the alternative proposals is open to question and neither the independent Planning Inspectors nor the public have had a proper chance to scrutinise or consult on these alternatives.

Even without detailed scrutiny, in relation to increasing build density, the Draft Island Plan Amendment Schedule concludes that the independent “Inspectors’ view of this proposal was inconclusive other than to suggest that it may make the provision of family homes more difficult”. Put another way, the viability of the Minister’s suggested alternative has not been independently tested. The suggestion that any remaining shortfall in supply be met by developing States-owned land seems political expedience at best – this was not raised as a possibility at any prior time. Again, the proposal has not been properly submitted to consultation. Who is to say that development of one or more of these existing sites would not be objected to by the Constable of a particular Parish?

Objections raised

In the Amendment Schedule to the Draft Island Plan, the Minister noted “The Minister is cognisant that there was some opposition to the rezoning of Samarès Nursery, Grande Route de la Côte, St. Clement for Category A housing and it is not generally supported by the local community on the basis of the likely future need for glasshouses; the amount of development which has already taken place in the area; transport issues; ground conditions and potential social problems and has confirmed his intent to remove it from the revised draft Island Plan.”

The independent inspectors did not concur with these objections. These are the objections raised by the Connétable of St. Clement who is willing to support the objectives of the Island Plan, but expresses a desire for the necessary housing to be built ‘somewhere else’.

Parish politics should not determine an Island-wide issue.

(or as I put it NO MAN IS AN ISLAND!)

The Amendment

There is little doubt that the Samarès Nurseries site is regarded as the best Category A housing site, given its location on the edge of town; its access to public transport; it involves already developed land but which now takes the form of derelict glasshouses; has the benefit of all the mains services and, finally, because it is already bordered by the existing Built-Up Area on 2 sides. The Department's own scoring assessment "Sites put forward to the Minister: Suitability for Housing Assessment" scored the site very highly for its suitability as an H1 site, as confirmed in the Minister's Response to P.49/2010.

The one and only reason that it is not being brought forward in the Island Plan is because of an undertaking that the Minister for Planning and Environment gave to the Comité des Connétables as far back as 2007 that he would not rezone any land not supported by the Connétables. Clearly, and understandably, some of the Connétables will take a parochial view, so this undertaking will have been very comforting to them and which, in this case, the Connétable of St. Clement has subsequently exercised this effective veto. This, however, is clearly not serving the Island's best interests to provide affordable housing for young families.

Therefore, simply because the Connétable of St. Clement has objected to the development of this site, notwithstanding the planning merits of the site, as confirmed by the independent Planning Inspectors who, together with the Department's officers, recommended this site for Category A Housing, it is clear that the Minister has upheld this undertaking for parochial interests rather than in the wider Island interest, which he is obliged to do having regard to Article 2(a) of the Planning and Building (Jersey) Law 2002. In the meantime, no other meaningful sites have been brought forward to offset the loss of the 150 units that would be lost if the Samarès Nurseries site is not rezoned.

Then, ironically, on the one hand, the Minister is recommending the rezoning of a relatively small site in St. Ouen which does not tally with his own spatial strategy, when on the other he is willing to remove this largest site in the optimum location for development resulting in a shortfall of 375 affordable homes that the Plan says is required to be delivered in the first 5 years of the Plan.

It must not be underestimated that Samarès Nurseries, by itself, is able to provide 150 homes, compared to 125 provided by the other 3 sites put forward in the Island Plan, and which will be able to deliver the family homes of 3- and 4-bed houses for which the need is most urgent.

The Revised Draft Plan glibly states that this shortfall can be satisfied by relying on other States-owned sites, including the former JCG, D'Hautrée School and the Ambulance HQ. These, however, have not been investigated nor considered in this extensive consultation process and are all severely constrained for one reason or other, and which are therefore very unlikely to deliver this necessary housing in this first 5 year period of the Plan.

Therefore, as was the case in 1989 and more recently in 2008, further propositions will need to be brought to the States outside of the Island Plan process to approve sites for Category A housing and which will have to go through this lengthy consultation

process, effectively meaning another 2 years of delay, by which time many disillusioned young families will have left the Island to live elsewhere.

Moreover, the Island's Strategic Plan recognizes the importance of housing the Island's population and to encourage young families to stay in the Island to offset the impacts of an ageing society. However, by failing to deliver affordable housing for this vital section of the population to move into, this fundamental strategic aim will not be met, which will cause a seriously long-term and damaging impact on the future well-being of the Island. To conclude, it is worthwhile to reflect on the Planning Inspectors' noteworthy conclusion in respect of this site and which is as follows: "We conclude, with conviction, that those merits (in favour of the site as an H1 site) are considerable. The site is well located in relation to the Built-Up Area; it has good services (buses, schools, etc.); little damaging impact on the countryside, and is previously developed land which is falling into dereliction. All these factors taken together – especially its compatibility with the spatial strategy of the Island Plan – suggest to us that this is a good site. We disagree with the Minister's proposed modification."

This serves as a very powerful reason why the site should be included in the Island Plan as an H1 site and for which there also happens to be willing sellers, precluding the States from having to use its compulsory purchase powers which is a very lengthy and expensive process, and which it therefore has always been very reluctant to use.

Finally, Samarès Nurseries was put forward to the Good Companions Club in 2009 as a site for developing its facilities and which could easily be incorporated into a Category A housing development. The loss of an important strategic space in the form of Field 528, St. Saviour could thereby be avoided. The development of the Samarès Nurseries site would also facilitate the proposed Eastern Cycle Route which is proposed to connect the east of the Island with the town, much as the Railway Walk does for the west of the Island.

THE FUNDAMENTAL FLAW AND THE E-MAIL TRAIL

Where to begin?

How about with the fact that the Plan has been worked to only 50% of its need?

In ALL of its policies!

'Where is the evidence?' I hear you say.

How about we start by looking at the Proposition itself: P.48/2011 lodged in March 2011.

ISLAND PLAN 2011: APPROVAL

**Lodged au Greffe on 29th March 2011
by the Minister for Planning and Environment**

STATES GREFFE

P.48/2011

AT THE BOTTOM OF PAGE 8:

IT DEFINES THE CRITERIA FOR ALL OF THE POLICIES IN THE PLAN!

5.3 The States of Jersey has considered and adopted a strategy to respond to and best manage the demographic shift in the Island's population, represented by the ageing society. In doing this, it has addressed the issue of inward migration and the Island Plan responds to this key strategic direction. Specifically, in the short term, the States have adopted a policy which allows maximum inward migration at a rolling 5 year average of no more than 150 heads of household per annum (an overall increase of c.325 people per annum). This is to be reviewed and reset every 3 years. And it is this that has been used to assess and formulate all of the planning policies contained in the Island Plan, such as, for example, the level of provision that needs to be made to meet the potential housing demand over the Plan period.

From: R (name redacted)
Sent: 19 April 2011 09:22
To: Paul Le Claire
Cc: Head of statistics
Subject: RE: Sorry Rather Urgently Can you please help? / Population

Dear Paul,

Reference your email exchange with Dr XXX=Y Head of stats , I can confirm that for the purposes of the 2002 Island Plan, the former Planning and Environment Committee assumed that there would be a net immigration of 200 persons per year. According to population forecast prepared by the Statistics Unit at that time, this would result in some 3,763 additional people living in the Island by 2011, taking the population up to approx. 91,000 people (i.e. 1,500 persons short of the Stats Unit population estimate for the end of 2009).

Kind Regards,

R

-----Original Message-----

From: Head of stats
Sent: 18 April 2011 17:26
To: Paul Le Claire
Cc: Planning man
Subject: RE: Sorry Rather Urgently Can you please help? / Population

Paul (name redacted) re 2002 Island Plan

Net migration per year for the period 2001 to 2009 is on page of report at link <http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=392>

<< File: Population Update 2009.pdf >>

First Strategic Plan was for the period 2005-2010. Strategic Aim 2.1.1 in that Plan had “success indicator”: “Maximum increase in the working population of 1% per annum over the next five years”.

As far as I can recall... the 2002 Island Plan used a net inward migration figure of 200 people per year (i.e. not households) “for policy planning purposes”. May be best to check on this with (Name redacted) in Planning.

Best again (!)

Head Statistician
States of Jersey Statistics Unit

-----Original Message-----

From: Paul Le Claire
Sent: 16 April 2011 17:28
To: Head of states statistics
Subject: Sorry Rather Urgently Can you please help? / Population

Hi Head of Statistics

Can you please tell me asap

What the strategic policy maximum inward migration figure has been since 2000 or 2002 and what it said in the 2002 island plan context

And how many people a year since then have come?

In the Island Plan coming forwards it says

Specifically, in the short term, the States have adopted a policy which allows maximum inward migration at a rolling 5 year average of no more than 50 heads of household per annum (an overall increase of c.325 people per year

The net migration over the past decade is shown in Fig 2 of the below report. The annual average over the 5-year period 2005-2009 was 640 people into the Island per year.

Thanks

Paul

-----Original Message-----

From: Paul Le Claire
Sent: 28 January 2011 08:58
To: HEAD OF STATISTICS
Subject: Population

Hello Head of statistics
can you please tell me what our current population is ?

Also how does the migration policy of 500 a year exactly work and what has it been in the last 5 years?

How will this translate into the next 10 years?

Many Thanks

Paul

From: Head of Statistics Unit
Sent: 28 January 2011 10:03
To: Paul Le Claire
Subject: RE: Population

Morning Paul

The resident population at the end of 2009 was 92,500....published in June of last year....report attached below and also at link
<http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=392>

<< File: Population Update 2009.pdf >>

Our next measure will be the results of the 2011 Census (to be held on 27 March 2011)....aiming for headline results (total, age-sex distributions) around year-end 2011.

The net migration over the past decade is shown in Fig 2 of the above report. The annual average over the 5-year period 2005-2009 was 640 people into the Island per year.

Future net migration is addressed in the latest Strategic Plan 2009-2014... at
<http://www.gov.je/Government/PlanningPerformance/StrategicPlanning/Pages/StrategicPlan.aspx>

From pg 16 of this Plan:

“ - maintains inward migration within a range between 150 and 200 heads of household per annum in the long term;

- in the short term, allows maximum inward migration at a rolling five-year average of no more than 150 heads of household per annum (an overall increase of circa 325 people per annum). This would be reviewed and reset every three years (CM).”

The previous Strategic Plans (2005-2010 and 2006-2011) specified “growth in total work force at less than 1% per annum”..see for example bottom of pages 14 and 15 in 2006-2011 Plan at link:

<http://www.gov.je/Government/PlanningPerformance/StrategicPlanning/Pages/StrategicPlan.aspx>

The average annual increase in the workforce over the 5-year period from June 2005 to June 2010 was +1.1% per year.

Hope the above is helpful.
Best... Name redacted

Head Statistician
States of Jersey Statistics Unit

The Plan, it would appear, from this information provided by the Minister and the Head of Statistics, was not fit for purpose.

This was so significant I decided to check again!

I asked the questions over trying to ascertain if I was wrong from what I had seen the numbers were 50% out on ALL POLICIES!

From: Head of Statistics
Sent: 18 April 2011 17:09
To: Paul Le Claire
Subject: RE: Rather Urgent sorry 2 FW: Population

Hi Paul

Responses in red within your e-mail

Best...XXXX=Y
XXXXXXXX=Y
Head Statistician
States of Jersey Statistics Unit

-----Original Message-----

From: Paul Le Claire
Sent: 17 April 2011 13:28
To: XXXXXX=Y Head of Statistics
Subject: Rather Urgent sorry 2 FW: Population

Hello again X

From this info below can I say then that the annual average over the 5 year period was 640 people per year

(X Head of Statistics: Yes)

and that

This is much higher than the proposed 150-200?

(X Head of Statistics:

Yes. The 150-200 heads of household corresponds to about 320 to 430 people.)

Or are heads of household at $150 \cdot 200 = 650$ people?

(X Head of Statistics:

No. 640 people corresponds to about 300 households).

Kind regards

Paul

The Plan, it would appear from this information provided by the Minister and the Head of Statistics, is not fit for purpose.

And getting back to it:

Why the desperate rush all of a sudden?

It is somewhat of a disappointment that the Minister chose not to allow us a further 2 weeks to consider our amendments because, quite simply, much of what could have been considered was not.

We know that the Plan was a long time coming, in fact the Minister was working on it up until the last, finishing only in March of this year 2011.

I was denied a 2 week extension by the Minister on 31st March.

I had to wait until then, as on the previous States meeting he was away on his duties as Foreign Minister I understand, and I had to wait 2 weeks to ask the question.

But as we see here only 10 days earlier ...

-----Original Message-----

From: Len Norman

Sent: 21 March 2011 19:06

To: All States Members (including ex officio members)

Subject: Projet 131 of 2010 - Samarès Nursery Site Petition

Dear Colleague

As you know I was hoping to debate the above next week but as the Planning Minister is “still working” on the Island Plan proposition, to do so would be premature.

I therefore ask you to note that the debate will be deferred until the Island Plan proposition is lodged.

Best wishes

Len

We also know, as I will show later, the Plan was delayed by a year whilst the Minister *et al* worked on it.

The need for good information and the fact that the States policies were not being monitored began as early as 2005.

From: Freddie Cohen (External)
Sent: 18 January 2008 18:49
To: Paul Le Claire
Subject: Re: Quarterly Parish figures

Dear Paul,

I agree it is pretty feeble but they assure me it is a manual job and only (Redacted name) (Planning Director) can do it.

If you really feel the figures are essential I will press the department
Yours,

Freddie
Senator Freddie Cohen

Minister for Planning and Environment
States of Jersey

South Hill | St Helier | Jersey | JE2 4US

From: Paul Le Claire
Date: Fri, 18 Jan 2008 17:14:15 -0000
To: Freddie Cohen, All States Members (including ex officio members)
Subject: RE: Quarterly Parish figures

Hi Freddie

maybe they could just ad them to a register?

How can it be so time consuming?

Surely they are considering them in turn?

Strikes me as a little of a lot of what I have seen from the States on issues where they really don't want any information out there.

Given the need for building in the countryside and the imagine Jersey Conference I would say It is really important. So much so that the recent law changes to share transfer property transactions featured heavily in the scheme of things as the properties have reportedly been 3/5ths of all Flat transactions.

How many flats have been built God alone knows.

Do you think we can ask him?

Hope the Department can put a system in place soon as this is now 2008 3 years on from 2005 and the necessary debates and meetings due to a housing crisis are resource intensive to all

Kind Regards

Paul

From: Freddie Cohen
Sent: 18 January 2008 11:45
To: All States Members (including ex officio members)
Subject: Quarterly Parish figures

Dear Colleagues

In 2005 I made an undertaking to provide quarterly figures relating to the number of housing units approved on a Parish by Parish basis. Currently there is no easy way for my department to compile this information and it has to be done manually. This is resource intensive, diverting my officers from providing services to the public.

I therefore hope you will bear with us over the next few months whilst we work out a technical solution that enables us to provide this information in a more efficient manner. Please do let me know if this causes you any problems.

Yours

Freddie

This was further evidenced in an e-mail trail from me to the Minister this month where I asked him and his officers for details of the changes that had been made to the Plan in the interim period between the Inspectors' reports and the final draft. In the e-mail trail it was picked up by another member admitting that monitoring of the past Plan was impossible due to a lack of resources, with the Deputy responding quite honestly that we cannot all be expected to review every part of the plan ourselves.

So if the numbers are wrong and have been wrong for years, as I believe they have been, and the Department can't get it right or manage the changes with all of their resources, how can independent members do it?

Evidence is clear as to what happens when you cut too close to the bone, and should the cuts in the Department as part of the Comprehensive Spending Review have been so high in this Ministry, much more than any others?

There is clear evidence that before the cuts they had precious few staff to manage and monitor their remit as it was.

The Department under the Minister has been willing to run his Department both from a planning and an environmental perspective on precious few resources, but whilst impressing the Minister for Treasury and Resources, this has meant delay in bringing forward important policies such as an air quality strategy and an energy policy, whilst having no real understanding or handle on what is being built. Thereby failing to inform all manner of Policies from Housing to Transportation.

There was this exchange in the States on 23rd May 2006 –

3.10 The Connétable of St. Lawrence of the Minister for Planning and Environment regarding the total number of units of accommodation completed or subject to planning applications in 5 Parishes since 1st January 2005:

In relation to all 5 parishes of St. Brelade, St. Lawrence, St. Mary, St. Ouen and St. Peter, what is the total number of units of accommodation that have been approved, that have been completed or that are presently the subject of planning applications since 1st January 2005?

Senator F.E. Cohen (The Minister for Planning and Environment):

I regret that I am unable to provide this information today. Extracting the information from the Planning Department's computerised application monitoring system requires a unique report to be produced by a computer specialist. I have given instructions that the report be prepared, and will provide the Connétable with the information as soon as it is available. I have instructed that this work be regarded as a priority.

3.10.1 Deputy I.J. Gorst:

Is it possible to ask the Minister to provide the same report for St. Clement?

Senator F.E. Cohen:

I will do so.

3.10.2 Deputy J.A.N. Le Fondré:

[Aside] I think I am right in saying that the foreword to the Island Plan 2002 states that the Plan presents both a vision and a framework which will enable an holistic approach to planning and development. In fact the introduction states that the Plan plays a major role in the Island's strategic and local planning. How does not monitoring the level of development occurring as it is approved by the department fit in with the definition of strategic planning? How is the department able to demonstrate its competence to deal with planning matters when it fails on such a simple and strategic point in monitoring the building that is going on in the Island on a proactive basis?

Senator F.E. Cohen:

Monitoring is not just a question of monitoring the empirical numbers; it is a question of monitoring the generality of applications and balancing the applications, and I have made no secret of the fact that I am now working with the Minister for Housing in relation to a complete reassessment of the requirements for housing, where they should be located, tailoring the consents to meet those requirements. I am also reviewing carefully the H3 and H4 sites and looking at establishing a method of the Parishes delivering some of their own homes in a cost efficient manner.

3.10.3 Deputy J.A.N. Le Fondré:

Is the fact that the department has not been able to, or does not in the past monitor the overall trend of developments, it would appear, in the Island, one of the reasons that the Minister of Transport was not able to provide the traffic impacts on other developments occurring in the Island other than the H2 sites? Again, perhaps, could those numbers be provided to Transport for when they update their review?

Senator F.E. Cohen:

As far as monitoring the empirical evidence is concerned, I think I have answered that it is not the only issue that needs to be taken into account, and I will be looking very carefully at having a proper balance of development, and that will include producing some statistical figures. But, bear in mind that the Planning for Homes document in 2005 clearly looked into our requirements. We now clearly know what is required for the next 5 years and I will be balancing consents accordingly.

3.10.4 Deputy S. Power:

Can I ask the Minister, in relation to the Constable of St. Lawrence's question, that when he instructs his computer to produce the information that he has agreed, that he also includes those developments on approved areas H1, H2 sides? So, at the consultation stage and unofficially at planning application stage.

Senator F.E. Cohen:

Yes, I will do so.

3.10.5 The Deputy of St. Peter:

Will the Minister agree that the provision of this new statistic, based on the questions asked by the Constable of St. Ouen will help him make an objective assessment in what he is trying to achieve in developments out in the West?

Senator F.E. Cohen:

We most certainly will, and that is why I have instructed that this work be carried out as a top priority. I will report back as soon as I have the necessary statistical information.

3.10.6 Deputy S.C. Ferguson:

Given that the department has input into a very sophisticated mapping system, surely the planning maps should also be produced to show the effect of where the developments are going to be. This would be a useful adjunct to the bare statistics. Picture the planning maps that are available. If you have a map of the Island with all the developments on it, does the Minister not think that would help in his overall holistic review of the Island requirements?

Senator F.E. Cohen:

I think in relation to the Digimap, the Digimap is a photographic map, so I do not think it would be appropriate to include proposed schemes in a photographic map. There are already maps at the department that show proposed sites, that I look at quite regularly. But I am quite prepared to discuss this with the Deputy and to try and find out exactly what she would require, and produce such a map.

NO TIME?

So with so little time for us to study the documents in their final draft, the Minister has denied members and the public the necessary time to consider the plans.

The Minister's proposed amendments produced in a different document seem to suggest that he will be making amendments to the Plan, but nothing is concrete in this document and therefore important changes cannot be amended or even considered properly by us or the public.

Can it be that we could have done it?

No I don't believe we could have. I have spent nearly 10 hours a day since the decision to lodge the final document in amending the Plan in the way I have and I have not even had a chance to consider the rest.

It's plainly impossible, unless of course you just want to read it all and not bring any amendments, then of course, it is possible, to at least consider it.

Having considered as much as I can, I have determined the whole process and plan has been and will be, too little and too late for purpose.

The Plan sets out in the introductory proposition P.48/2011:

The following information:

2 The format of the Plan

2.1 In common with previous Plans, the new Plan contains 2 major components –

Written Statement

Section 1: sets out the strategic policy framework, which is based on key principles that guide the more detailed policies set out in Section 2 of the written statement.

Section 2: sets out the detailed policy framework, together with site-specific proposals, which will guide development over the next 10 years. This part of the Plan is divided into a series of topic-based chapters.

It goes on ...

2.2 Both parts have a 10 year timescale, from 2011 to 2020.

Perhaps we can look at the maths here?

(The debate is due to begin on 21st June 2011.)

So if we run that forward the end date is +10 years.

1 Year	June 2012
2 Years	June 2013
3 Years	June 2014
4 Years	June 2015
5 Years	June 2016
6 Years	June 2017
7 Years	June 2018
8 Years	June 2019
9 Years	June 2020

(And am I missing the maths here, isn't that the life of it? But we are only at 9 years because ...)

10 Years	June 2021
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Perhaps if these fundamental figures are out, we might wish to consider the rest of the maths?

Like for example:

Were the calculations on supply and need correct?

Highly and in fact near impossible to gauge but:

I don't think they were right and nor did the Inspectors.

Supply and Need

I mention Supply and Need, rather than Supply and demand, as demand will always be dependent on economics.

The Minister has said that the States sites will provide for the need, however, all we have to do is rack up the density of the approved sites and wait for the States sites to kick in.

I must say that is a severe test of my faith!

Actually I believe what happened is this:

1. The Plan has come forward a year too late.

(And that is much more than 2 weeks.)

In fact if we go back to what was being said in the White Paper we can see what it said:

Consultation Island Plan Review - White Paper Draft Plan

Start 25 September 2009 23:45:00 BST

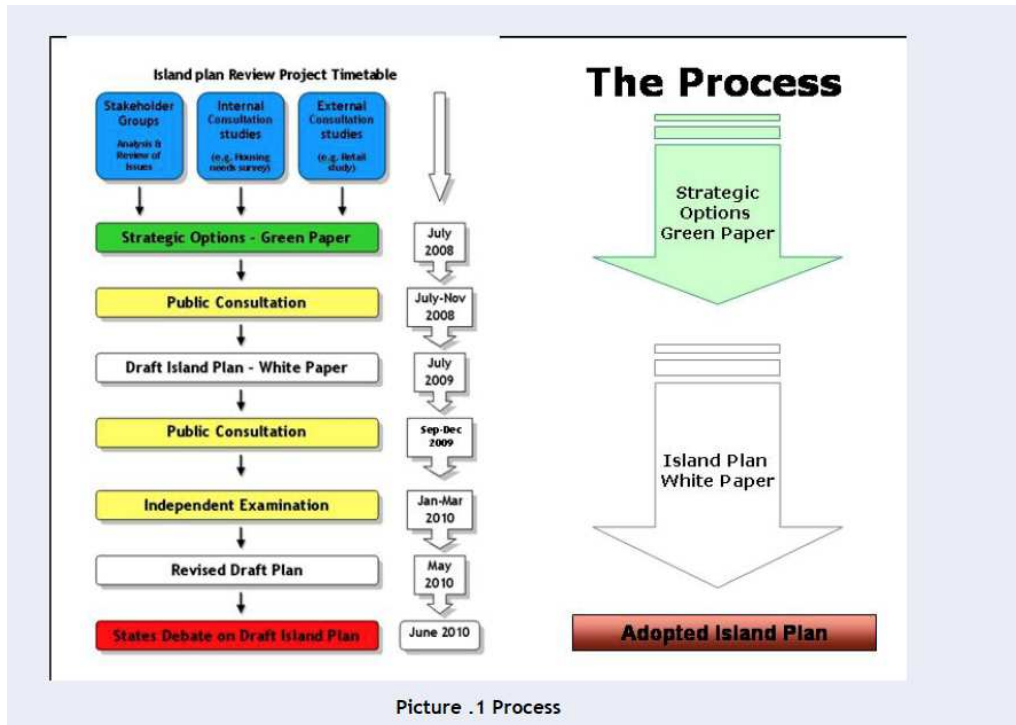
End 31 March 2010 17:00:00 BST

1 Background and Context

1.1 There is a legal requirement to review the Island Plan every ten years. The current Island Plan was approved by the States in July 2002 but the rate of change in many spheres of Island life over the last six years has necessitated an early review of the Plan. This has been identified, and afforded a high priority, by the Council of Ministers in the States Strategic Plan 2006-2011.

1.2 The new Island Plan, which will become the Island Plan 2010, will set the framework for development in Jersey to 2019. It needs to be able to respond to anticipated changes over this time period. The significant and strategic issues that will need to be addressed are summarized, as follows.

(Then we see in the flow chart the original timescale.)



2. There is a real and recognised concern that there is a growing housing CRISIS

Those are not my words, but the many considered expert opinions of the consultants we have paid to tell us.

The reason it would seem that the rush is on now to debate this Plan is because there has been no real response to the needs of the Island, which have been clearly noted in the starting blocks of this process in 2006 in the States Strategic Plan.

Meanwhile, delay has meant that house prices have escalated as a result, and the lack of housing coming onto the market has meant the States, The Council of Ministers and The Minister have all failed in adhering to their promises in the Strategic Plan. In particular to:

Adequately house the population.

At the moment the social need for housing is such that there are at least 10 families waiting on the highest priority at housing with effectively 3 families being classed as homeless.

F

Failed

The businesses that could have been employed in building have gone idle or gone bust and the number of homeless has never been greater.

Blame it all on the recession?

And why not?

Because it's not acceptable.

There have been failings and the Plan as proposed perpetuates this.

3. The Minister and his Assistants believe in the Tooth Fairy!

“The Plan is Perfect” ... Senator Freddie Cohen April 2011

It is a Plan that is badly in need of amendment, unlike the view of the Minister and his Assistant Minister for the Environment, who believes it is perfect. (Now that is, that the parts they did not like, have been changed!)

It seems to me that the Plan has been allowed to drift for so long whilst everything was on a backburner, that we need to get anything adopted post-haste or watch as the social problems overwhelm us!

It will mean even if adopted now, that it will be years before we catch up to the need and affordable homes are figments of young people's imaginations!

Why did it take so long, and why now are the conclusions being rushed out?

It could be said the Minister has found new fields to plough and this is something of a pain in the neck!

Actually, given the run-over, what was wrong with making a considered decision based upon the Census?

No..... better not add meaning to that exercise!

Let's just get it agreed, as is, put all the social issues and runaway costs under the pillow, go back to sleep and in the morning Hey Presto!

The Tooth Fairy will have been!

I have a better idea let's not rely any longer on Fairies!

What the experts say:

Extract from Inspectors' Report Volume 1:

“The H1 Sites

- 8.33 Policy H1 of the IP identifies seven sites specifically allocated for Category A housing. The background is set out in paras 6.73-6.85 of the IP, and in Appendix B draft housing briefs are set out for each of the sites. (We asked at the EiP whether participants felt that the briefs were adequate and appropriate – assuming the sites went ahead – and we conclude that they are). In total these sites would yield between 197 (at 10 dwellings per acre) and 298 (at 15/acre) dwellings – a yield of 200 is assumed in Table 6.2.
- 8.34 In a proposed modification, the Minister intends to omit three of the sites – Samarès Nurseries, Longueville Nurseries, and Cooke's Rose Farm – from the IP; at the lower density these would respectively provide 100, 10 and 13 dwellings out of the 200 total. The reason for the proposal is the agreement the Minister made that he would not pursue sites which were not supported by the Constables of the relevant Parishes.
- 8.35 The Minister indicated in his closing presentation that he intended to remove the seventh site in H1 – Field 633, St Peter's, from the IP. This site was rezoned in June 2010 for elderly persons housing and permission was granted for 14 lifelong homes (+ 1 home for a warden). In the IP this site was assumed to accommodate between 10 and 15 Category A dwellings.
- 8.36 The three sites proposed for removal clearly constitute one of the most controversial issues in the IP – perhaps the most controversial. We have considered it very carefully.
- 8.37 We deal as we have said with the question of the need for affordable housing later; but we consider that need to be substantial. Firstly, therefore, we do not accept that removing the provision of more than half of the potential sites, without replacing them, would be acceptable. We could see no dissent from this view.
- 8.38 Second, we therefore asked whether there are alternatives. The result of this was the production of the Draft Housing Polices – Update Note (Doc BT20). This was heavily criticised by participants at the EiP, and we share the concern which was expressed. A table in that paper set out, essentially, two alternatives. The first was to increase the density on the remaining four sites in H1. In one case (Field 633), which we have already mentioned, the figure had already been raised from 10 to 14. In another (Field 1219) there is a proposal of which we are aware to extend the development area of the site (by excluding an allotment proposal), and this could raise the total – if it were approved – from 20 to 42 on that site. Whether the higher densities on the remaining two sites will be acceptable remains to be seen – the Minister had, rightly in our view, taken a conservative view of their potential in preparing the IP. We are conscious of the need for family housing as part of the provision of Category A sites; while these might well be provided on several of the H1 sites, significant increases in density might make this more difficult.

- 8.39 The other alternative was the development of school sites such as D’Hautrée or Le Mont Cantel in St Helier, which we viewed on one of our visits. It is far from clear however whether these or other school sites will be available in the timescale required – or, indeed at all. It is not clear that Education are willing to release them. Several participants questioned their availability. As we note in Chapter 9 (para 9.3) the D’Hautrée site is safeguarded for educational purposes under IP Policy SCO1. On the evidence before us we conclude that it would not be wise to rely on these sites.
- 8.40 We note also in this connection that States policy (resolution P117/2009) is that the Department for Property Services is to seek the best market price for States owned property; this would severely restrict the possibility of these sites being used for social or affordable housing. There were those at the EiP who criticised this policy, and detected an inconsistency between the States’ approach to its own land and that taken towards land owned by others which was allocated for Category A housing. It is indeed difficult to draw any other conclusion; but since we do not advocate reliance on these sites, and their availability is in question in any event, that is a matter we feel we can leave to others to debate.
- 8.41 The next question is whether there are other sites which were put to us during the EiP which might be as suitable as, or more suitable than, the three proposed omissions. We do, in Volume 2, identify a small number of sites which may have potential. As we have said, these sites have not been the subject of public consultation. And they tend to fall in the same Parishes as at least two of the omitted sites (because they comply with the spatial strategy) and are therefore likely to be subject to similar objections. The details of these sites are set out in Volume 2 but the ones with the most potential, should the need arise, are as follows (using our numbering system from Volume 2). They are broadly in order of suitability, as we assess the situation, and the last two are somewhat less suitable in our opinion than the first four, for the reasons set out in Volume 2.
- C5 Fields 252 and 253 St Clement (Le Quesne Nurseries)
 - S3a Field 530, Princes Tower Road, St Saviour.
 - S5 (part only) Fields 741/742, New York Lane, St Saviour
 - S2 Fields 341/342, Clos de la Pommeraie, Rue de Deloraine, St Saviour
 - H6 Field 1368, St Helier
 - MN7 Le Mourin Vineries
- 8.42 As we said above, we are reluctant to propose that these sites should be put forward for immediate inclusion in the IP because this would mean delay while consultation and investigation was carried out. But in the event that monitoring over the IP period as a whole suggests that further sites might be required, these are the directions in which the Minister should look.

8.43 However, the remaining question is whether the three sites themselves still offer the best opportunity, and whether we should recommend that they are retained in the IP. We realise that this would be contentious, and would require conviction on our part that it was the right thing to do, taking a holistic approach. We have already indicated in Chapter 2 that we understand the concerns of Constables, particularly in Parishes close to St Helier. We have taken into account their views about the “share” of development they have absorbed – but concluded that is a matter of geography and of strategy and not an unfair imposition. We have noted the problems of traffic (which of course are caused as much by people travelling from outwith the Parishes as from development within them). But we still believe the three sites are worthy of consideration – especially as they had been carefully selected by the Minister’s own professional advisors (see paras 6.76/77, which indicate that considerable work had gone into the selection process).

8.44 We therefore visited the sites with an open mind, and looked at them carefully. Did they comply with the strategy and were there any factors which militated against their development, given the demands? Were they as good as/better than other sites which we saw.

Samarès Nursery (site C6 in our classification)

8.45 This site scored “Good” (spatial strategy), “High” (suitability), “Good” (landscape sensitivity), and “Good” (Use) under the four criteria set out in the Minister’s “Suitability for Housing Assessment” (Doc BT18). These, in the context of all the sites in that document, are very favourable scores. We discussed the site at some length during the EiP, having received a number of forceful objections to its development from States Members representing the area and from local residents. We are aware of a petition against the development too. Constable Norman and Deputy Gorst spoke against the site at the EiP. Among the matters to which they referred were the likely future need for glasshouses; the amount of development which had taken place in the area already; transport issues; ground conditions; and potential social problems.

8.46 Mr Stein submitted a lengthy representation, and spoke at the EiP (as did Mr Vibert, the site owner) in favour of the development. Mr Stein inter alia stressed the compatibility of the site with the spatial strategy; the support from TTS; and the ability to accommodate the Eastern Good Companions Club on the site. He felt that any drainage problems could be overcome. Mr Vibert felt that the glasshouses were no longer viable.

8.47 In a written submission Mr Martin made some useful points in favour of the sites. “It is vital that islanders and politicians are encouraged to view the IP as a whole and to recognise that there is an overriding need to ensure that affordable housing is available.....suggesting that some Parishes have “suffered too much” misses the point.....the work of the authors in describing the appropriateness of each of the sites is very likely to be ignored.....this site appears particularly suitable.....”.

- 8.48 Senator Le Main had also sent us a forceful written response, and he gave an equally forceful expression of his views in favour of the site at the EiP. He referred to the shortages of affordable housing, and thought that the proposed omission of this site – which was entirely suitable for development – was “ludicrous”. The land was very much needed. He commented on the agreement the Minister had made with the Constables – but as we have said we look at this site and the others simply on their merits.
- 8.49 We conclude, with conviction, that those merits are considerable. The site is well located in relation to the BUA; it has good services (buses, schools etc); little damaging impact on the countryside, and is previously developed land which is falling into dereliction. All these factors taken together – especially its compatibility with the spatial strategy of the IP – suggest to us that this is a good site. We disagree with the Minister’s proposed modification.
- 8.62 On the sites in Policy H1 we recommend that the Samarès Nursery site and the Longueville Nurseries site should be retained in the IP as originally proposed. We have also indicated support for the possible future development of part of the land to the west of the Longueville site, subject to further investigation, should the need arise.”

Monitoring

6.70 It is vital that annual monitoring is developed and undertaken to assess the performance of the Plan relative to estimates, assumptions and stated objectives in order that the Plan might be able to respond flexibly in response to changing circumstances and new evidence, particularly with regards to the provision of housing.

6.71 The Minister for Planning and Environment will prepare and publish an Island Plan Annual Monitoring Report which will, amongst other things, assess whether the targets for the rate of housing completions from all sources are being met. Each Annual Monitoring Report will include an update of the housing trajectory, which will set out the number of homes actually completed and provide an estimate of the rate at which anticipated housing completions will come forward in the future.

6.72 The Annual Monitoring Report will inform the need to consider any review of policy or strategy related to the demand for and supply of housing based on the need to maintain a five year supply of housing land.

Meeting Housing Needs

Category A Housing

6.73 The States Strategic Plan sets out a clear objective of supporting the development of affordable housing and ensuring that affordable housing is targeted at those who need support without the further rezoning of green field land.

6.74 To achieve the delivery of this need housing, the Island Plan employs two key mechanisms: one, involving the specific designation of land for the purposes of securing the delivery of Category A homes; another, requiring a proportion of all new residential development, above a certain threshold, to provide affordable accommodation. The detail of each of these policies is set out as follows:

Category A Housing Sites

6.75 The requirement to specifically zone land for the purpose of contributing to the need for Category A homes is set out, within the context of overall housing land supply, in the preceding section 'Provision of Homes': it essentially relates to ensuring the provision of Category A homes in the first half of the Plan period and in meeting the specific needs for family homes.

6.76 The assessment of sites for this purpose has included all of those sites that have been submitted to the Planning and Environment Department, as potential development sites, during the course of Plan preparation. It has also included a review of all of those sites that have yet to developed, identified and/or safeguarded in the 2002 Island Plan as having the potential to provide land for new

homes (i.e. the remaining H3 and H4 sites). These have all been systematically evaluated to determine those that could help appropriately meet the Island's identified housing need.

6.77 The identification of sites which could help meet this requirement has been carried out in accordance within the strategic policies of the Plan, particularly Policy SP 1 'Spatial Strategy' and Policy SP 2 'Efficient Use of Resources', which support the delivery of a more sustainable pattern of development in Jersey. It has also involved an assessment of other factors, such as site constraints, site context and character, and existing land uses, to inform a planning assessment of each site, as set out and presented at Appendix B.

6.78 There are seven sites proposed for the delivery of Category A housing in the first five years of the Plan, as set out in Policy Policy H 1 'Category A Housing Sites'.

6.79 The potential housing yield for each site, as set out in the draft Appendix B 'Draft Housing Development Briefs', are only an indication of the scale of potential housing yield. The theoretical yields set out in the studies have been estimated and are based on a range of site densities and an average split of housing types according to the overall requirements for different sizes of dwellings identified in the Housing Needs Survey. The theoretical yield of homes from all of these sites is therefore estimated to be in a range of a minimum of 197 (10 dwellings per acre) to a maximum of 298 (15 dwellings per acre).

6.80 To optimise the use and development of land, in accord with Policy SP 2 'Efficient Use of Resources' and Policy GD 3 'Density of Development', these sites should be developed at their optimum densities, which would provide up to 300 new homes. Achieving the optimum density of development on rezoned sites has, however, proved difficult to achieve in the past and, for the purposes of estimating the supply of homes from these sites, a conservative yield of 200 homes is used. Appendix B 'Draft Housing Development Briefs' provide details of the potential range of densities achievable on each of these sites.

6.81 It is important to recognise, however, that unless higher density development yields are generally realised on all development sites and land is developed at more land-efficient densities than have previously been achieved, in accord with Policy SP 2 'Efficient Use of Resources', it will not be possible to meet all the identified needs for housing without zoning additional housing sites, which would inevitably result in the further loss of green-field land.

6.82 The actual number, tenure, size and type of homes on each site will be determined through the planning process, involving the preparation of a housing development brief for each site, to be approved by the Minister for Planning & Environment prior to the determination of a planning application. The development

briefs will guide the delivery of homes on these sites and will be adopted, as supplementary planning guidance, by the Minister for Planning and Environment. The development brief, for each site, will address the following issues:

- appropriate mix of types, tenures and sizes of homes;
- the provision, as appropriate, of specially designed homes to suit specific requirements of the elderly;
- design matters including density, form, landscape works, and materials;
- relationship between the proposed development and neighbouring uses and the local character of the surrounding area;
- access by car, cycle and pedestrians and links to bus routes within and in the vicinity of the site;
- provision of car parking;
- provision of service infrastructure;
- requirements for amenity space and public open space; and
- the need for social, community, education and health facilities within the site and implications for off-site facilities.

6.83 The States Strategic Plan sets out a clear objective of supporting the development of affordable housing and ensuring that affordable housing is targeted at those who need support, which includes those members of the community who wish to rent accommodation or purchase their own home. The 2002 Island Plan successfully established the principle of delivering Category A homes for social rent and /or Jersey Homebuy housing⁰ and homes for first-time buyers and lifelong homes, for people over 55, in the respective proportions of 45% and 55% of the total number of dwellings provided respectively on land specifically allocated for Category A housing. The new Island Plan will seek to continue to deliver and meet housing need by adopting this approach of seeking to secure housing tenures which reflect housing needs on rezoned sites, although the proportionate split of housing tenures is changed to reflect current evidence of need.

6.84 Current needs, as evidenced by the Housing Needs Survey 2007, require the delivery of homes in the Jersey Homebuy and first-time buyer tenures based on a proportional split of 75% (Jersey Homebuy) : 25% (first-time buyer). This has informed the parameters for the application of Policy H 1 'Category A Housing Sites' in so far as it relates to the different types of housing tenure to be delivered by this policy. The requirement for homes for social rent will be kept under review

Jersey Homebuy is a scheme which addresses the need of those with incomes too great to be eligible for social rented housing, but who are unable to afford to buy the cheapest first time buyer home even with the assistance of a loan. It enables first time buyers who fall within this range to buy first time buyer properties without paying the full first time buyer price. The scheme includes arrangements for the repayment of the balance of the purchase price to a not-for-profit housing body over time. It is allocated through the Affordable Housing Gateway based on a financial means test

during the Plan period and the proportion of tenure types required to meet changing housing needs can be addressed through the delivery of Policy H 3 'Affordable Housing'.

6.85 It is envisaged that even on rezoned sites, Category A housing will continue to be delivered by the private or charitable sectors. In the event that zoned sites are not brought forward for development, for whatever reason, there may be a need to effect their acquisition by the States to realise the provision of homes to help meet demand. Where absolutely necessary, compulsory purchase powers may be invoked to achieve this.

Policy H 1

Category A Housing Sites

To contribute to the requirement for Category A housing in the early part of the Plan period, those sites listed below and shown on the Island Proposals Map, comprising a total of approximately 20 acres (45 vergées) of land, will be zoned for Category A housing:

1. [De La Mare Nurseries, la Rue a Don, Grouville](#) (2.5 acres/5.5 vergées);
2. [Cooke's Rose Farm, Field 114, Le Passage, Carrefour Selous, St. Lawrence](#) (1.3 acres/3 vergées);
3. [Samares Nursery, Grande Route de St Clement, St Clement](#), (9.8 acres/22 vergées);
4. [Longueville Nurseries, New York Lane, St Saviour](#) (2.1 Acres/4.75 vergées);
5. [Part Field 1219, Grande Route de Mont a l'Abbe, St. Helier](#). (2 Acres/4.5 vergées);
6. [Glasshouse site, Field 785, Rue des Cosnets, St Ouen](#) (1.5 Acres/3.5 vergées);
7. [Field 633, La Verte Rue, St Peter](#) (approximately 0.95 acres/2 vergées).

These sites are zoned specifically for the development of Category A housing in the respective proportions of 75% (Jersey Homebuy) : 25% (first-time buyer): planning permission for other forms of development will not be approved. This percentage shall be rounded up in favour of Jersey Homebuy if the figure for housing thus arrived at contains a proportion of one unit.

These sites will be developed for the purposes of Category A housing through agreement with developers and land owners via planning obligations and planning conditions or, where necessary, will be acquired by the States on behalf of the public, if needs be by compulsory purchase, in order to ensure that requirements for Category A homes can be met in a timely manner.

B.3 H2(3) Samares Nursery, La Grande Route de St Clement, St Clement

Site	Samares Nursery, La Grande Route de St Clement, St Clement
Exiting Use/s	Redundant horticultural site previously used for tomato production
Suitable Use/s	Category A housing, proposed Eastern cycle route, open space
Approximate Site Area	<p>The site is 9.8 acres (22 vergées) consisting of:</p> <ul style="list-style-type: none"> • An area of commercial glass of 5 acres approx; • A reservoir of 0.86 acre approx; • Ancillary buildings, tanks and hard standing areas <p>Area Available For Housing:</p> <ul style="list-style-type: none"> • Development: Total site = 9.8 acres (22 vergées), • Developable area = 8.8 acres (19.8 vergées), with a village green (10% of site approx) = 1 acre (2.25 vergées)
Estimated Housing Yield	Based on the gross site area of 9.8 acres, the site is capable of being developed for between 100 no dwellings (10 dwellings per acre) to 150 no dwellings (15 dwellings per acre).

Table B.7 Site Details

Location Plan



Map B.3 Samares Nursery, La Grande Route de St Clement, St Clement

The site can also be viewed on the [Proposals Map](#)⁰

Availability For Housing

This site is proposed to be rezoned specifically for the development of Category A housing in the respective proportions of 75% (Jersey Homebuy); 25% (first-time buyer); planning permission for other forms of development will not be approved.

This percentage shall be rounded up in favour of Jersey Homebuy if the figure for housing thus arrived at contains a proportion of one unit.

These sites will be developed for the purposes of Category A housing through agreement with developers and land owners via planning obligations and planning conditions or, where necessary, will be acquired by the States on behalf of the public, if needs be by compulsory purchase, in order to ensure that requirements for Category A homes can be met in a timely manner.

Accordingly, based on the gross site area of 9.8 acres, the site is capable of being developed for between 100 no dwellings (10 dwellings per acre) to 150 no dwellings (15 dwellings per acre).

The following table shows the type and size of property that first-time buyers would like to purchase during the next five year period. It also shows the ratio of first-time buyer and Jersey Homebuy dwellings and the dwelling mix required on each site.

CATEGORY	HOUSE TYPE	%
First Time Buyer (25% of total site)	1 Bed Flat	10%
	2 Bed Flat	20%
	2 Bed House	20%
	3 Bed House	40%
	4 Bed House	10%
Jersey Homebuy (75% of total site)	1 Bed Flat	10%
	2 Bed Flat	20%
	2 Bed House	20%
	3 Bed House	40%
	4 Bed House	10%

Table B.8 Housing Mix Requirements

Planning History

- Original glasshouses construct post war.
- 1997 approval was granted for large glasshouse complex for tomato production.
- Complex has been redundant since 2002 and an enforcement notice was served on the owner in 2006 to remove the glass and make the site safe, which was complied with.

Planning Remarks

The site was identified in the 2002 Island Plan, under policy H4 as a site to be 'Safeguarded for Future Category A Housing need'.

The site was identified in the Strategic Housing Land Availability Assessment as being suitable for Category A housing.

Spatial Strategy

The site is on the Eastern side of the Le Squez Estate and has little visual impact on the wider surrounding countryside, and with good design and landscaping can be reasonably integrated into the built-up area of St Clement.

Suitability

- **Accessibility** - The site has good accessibility to facilities and amenities in the Le Squez area with good access to public transport. The site also offers the opportunity of providing a key part of a new Eastern cycle route, which would link through Le Squez Estate and on through FB Fields.
- **Constraints and implementation** - The principle physical constraint on this site could be archaeology. In addition the site is key to the provision of the Eastern cycle route.
- **Surrounding Development** - The height of the surrounding development is predominantly two storey and the densities of adjacent existing development are approximately 65 - 70 habitable rooms per acre (13 to 14 dwellings per acre).
- **Environmental Improvement** - The development of the site offers the opportunity of removing a large area of redundant glasshouse structures and achieving environment improvements through the creation of the new Eastern Cycle route which would provide both a safe route to school for children living on the new development and also an Island wide benefit.
- **Constraints** - The site is near the site of La Dame Blanche and anecdotal evidence suggests that the site may possibly have important archaeology from the Neolithic and Bronze Age period and further investigation is required.

Landscape Sensitivity

Countryside Character Appraisal - Minimising Environmental Impacts - The site is located in area B2 of the Countryside Character Appraisal which states that there is some capacity to accept new development, provide this is carefully located and linked with appropriate environmental enhancement measures.

Existing Land Use

Existing Land Use - The proposal makes use of land that is now redundant to the horticulture industry.

Response from Consultees and Other Findings

CONSULTEES	COMMENTS
Agricultural Status	No objection
This redundant, derelict nursery was identified as a possible Cat A, H4 site in 2004, in part due to the close proximity to the built up area. The Agriculture and Fisheries Committee at the time did not object to the development of the site	

CONSULTEES	COMMENTS
	<p>because it would be unviable to return the land to agricultural use as there is a relatively large area of hard standing which would make reinstating the land to agricultural use well nigh impossible.</p> <p>In 2007 an enforcement notice was served requiring the owner to remove the glass panes due to the dangerous state of the nursery and only the frame work is left making the site even less likely to be used for agricultural purposes in the current economic climate as the site would need to be cleared of the warped frames which would be prohibitive.</p>
Ecological Status	None known
	None identified, however further site investigation will be required as part of any Environmental Impact Assessment.
Environmental Health Conditions	Mitigation required
	<p>Health Protection Policy Guidance 1 - Guidelines on Noise Control for Construction Sites.</p> <ol style="list-style-type: none"> 1. If access is off La Grande Route de St Clement, the noise environment for a significant number of existing residents will deteriorate. It is recommended that a noise impact assessment is completed prior to determining this site for reclassification. 2. The existing oil tanks and historic use presents the risk of contaminated land. A contaminated land assessment for this site is necessary prior to development. 3. This site was subject to previous consultation and previous comments remain extant.
Traffic And Vehicular Access	Site supported by TTS
	This site was supported by the department in 2005 and continues to be.
Public Transport	Good access to frequent service
	The No 18 bus route provides a frequent public transport service for both commuters and shoppers.
Educational Facilities - Primary	Capacity in Samares Primary School
	Samares Primary School has sufficient capacity to cope with the potential number of children generated from this site and is located within a safe walking distance of 300m from the site.

CONSULTEES	COMMENTS
Educational Facilities - Secondary	Capacity in Le Rocquier School
<p>The site is within the secondary school catchment of Le Rocquier which is predicted to have sufficient capacity to cope with the potential number of children generated from this site once the development is occupied. The creation of the Eastern cycle track will provide a safe cycling and walking route to school of approximately 1 km.</p>	
Other Community Facilities	Good access
<ul style="list-style-type: none"> The site is located within easy walking distance to existing community facilities and amenities. Food shopping is currently available at Marks and Spencer supermarket is located within a safe walking distance of 500m. Le Squez Youth Club is located within a safe walking distance of 300m. The Eastern Good Companion Club is located within a safe walking distance of 350m. The site is located within walking distance of a number of recreational facilities, such as golf club, squash courts, tennis courts, cricket, football and the beach. The No 18 bus route provides a frequent public transport service for both commuters and shoppers. 	
Mains Water Supplies	Yes
<p>Jersey Water has confirmed that the site is relatively close to water mains infrastructure, which is capable of supplying the size of development identified for this site.</p>	
Foul Drainage	Yes
<p>The under-capacity of the existing Public foul sewers in Rue du Maupertuis, and the known difficulty in upgrading them to accept flows from this development means that foul flows from this site will need to pump direct to the Public pumping station in Rue de Maupertuis. It is understood that drainage rights across the recently completed Field 40 development to the South have already been agreed for this purpose.</p> <p>Given the number of units being considered, the on-site pumping station will need to be Public and therefore constructed to TTS specification and by an approved contractor.</p>	
Surface Water Drainage	Yes

CONSULTEES	COMMENTS
	<p>There are no Public surface water sewers readily available and there is some doubt whether soakaways will work on this site although investigations should be carried out to confirm this.</p> <p>If surface water cannot be disposed of on site then an off-site sewer would be required to connect the site to the existing surface water sewers in Rue du Maupertuis. It is understood that drainage rights across the recently completed Field 40 development to the South have already been agreed for this purpose.</p> <p>However, a possible upgrade of the existing sewers in Rue de Maupertuis may be required as well as an upgrade to the surface water pumping station at Samares Marsh. In addition, on-site attenuation is also likely to be required to restrict the discharge rate from the site.</p> <p>A topographical survey will be required to confirm is a gravity connection can be made to Rue du Maupertuis. If it cannot then pumping will be required. If this proves to be the case, there will be restrictions on the pump rate and the pumping station will need to be Public and therefore constructed to TTS specification and by an approved contractor.</p>
Electricity	Yes
	The Jersey Electricity Company has confirmed that two substations would be required to serve the development.
Other Services	
	Other services - telecoms and gas may also be investigated by the developer.

Table B.9 Consultee Summary

Financial and manpower implications

There are no financial or manpower implications for the States arising from this amendment.

