

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT
BY DEPUTY H.L. JEUNE OF ST. JOHN, ST. LAWRENCE AND TRINITY
QUESTION SUBMITTED ON MONDAY 2nd JUNE 2025
ANSWER TO BE TABLED ON MONDAY 9th JUNE 2025**

Question

“Further to [Written Question 222/2025](#), regarding the protection of trees, will the Minister –

- (a) provide detail on the reasons why the decision to protect the trees at St. Joseph’s was not made within 3 months, and how he will ensure that this expiration does not happen again in the future;
- (b) explain why the Ecological Impact Assessment (EIA) was not required to include an individual assessment of each of the trees identified in the Tree Survey of the site; and
- (c) advise whether the department will be conducting its own analysis on the trees in St. Joseph’s?”

Answer

- (a) As stated in the response to [Written Question 222/2025](#), the use of the provisional listing to protect trees at St Joseph’s was undertaken in response to an apprehended threat, as understood at that time.

Being a provisional notice, the listing was issued quickly and reactively applying a ‘blanket’ form of temporary protection covering all of the trees on the site. This was not supported by a detailed assessment of the specific nature, condition and value of each tree on the site, of which there are approximately 170.

Service of the provisional listing is considered to have removed the threat of immediate damage or loss to the trees at that time. The fact that a planning application was in train which, as a matter of course would need to be supported by an objective assessment of the nature and condition of all of the trees on the site prepared at the expense of the applicant, provided a mechanism to ensure that the relative value of all of the trees on the site could be objectively assessed in due course within the context of a planning application.

It may not, therefore, always be the case that the provisional protection of all trees will result in their consideration for retention on the List of Protected trees: this will be dependent upon the circumstances of the case and have regard to the proportionate use of powers and resources.

The operational policy being developed by the Minister for the use of listing powers, referred to in the previous response, will seek to specifically address this issue, amongst others.

- (b) As set out in the consultation response provided by the government’s Infrastructure and Environment (Land resources management team), in respect of P/2025/0155,¹ *‘the presented findings of the EcIA and further ecological surveys are accepted as sufficient to enable an evaluation of the likely biodiversity impacts of the development proposals and no further surveys are required on this site at this stage.’*

It is relevant to note, however, that the addition of trees to the List of Protected trees is currently undertaken *‘in the interest of amenity of Jersey’*, using an assessment of their visual amenity value only.

¹ [P/2025/0155](#): Construct 42 No. Over 55 Supported Housing Accommodation, comprising 38 No. 1 Bed & 4 No. 2 Bed Units with Parking, Amenity Area and Bin & Bicycle Storage. Construct Sub Station to Northwest of Site. Demolish Existing Garage. New Hard & Soft Landscaping at St. Joseph’s Care Home, St. Johns Road, St. Helier

- (c) It is the responsibility of the applicant to commission and provide an assessment of the trees on the site, in relation to the submission of a planning application, as specified by Infrastructure and Environment (Regulation).

A tree survey has been prepared and submitted in support of the application for development at St Joseph's by an established landscape architecture practice in Jersey in accord with an established industry standard (BS 5837:2012 *Trees in relation to design, demolition and construction*). This, together with an associated Arboricultural Impact Assessment (May 2025) and Tree Protection Plan (28.04.25), has been critically appraised by the Infrastructure and Environment (Regulation) Landscape officer, as set out in her published consultation responses.

The determination of the application may lead to the use of appropriate mechanisms to protect important trees on the site. This could include the use of an Arboricultural Method Statement (AMS) and Tree Protection Plan that could form part of any conditional planning permission; and/or the consideration of the addition of trees, or a group of trees, to the List of Protected trees.