

# STATES OF JERSEY



## **PLÉMONT HEADLAND, ST. OUEN: PRESERVATION FOR THE PUBLIC ENJOYMENT (P.112/2006) – COMMENTS**

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**Presented to the States on 9th October 2006  
by the Minister for Planning and Environment**

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**STATES GREFFE**

## COMMENTS

### 1. INTRODUCTION

Before States Members debate the above proposition lodged by the Connétable of St. Ouen, I consider it important to impart general information to acquaint Members with the recent planning background on the Plémont Holiday Village site. I would also like to make some comments on the matter.

### 2. RECENT PLANNING BACKGROUND

#### 2.1 **December 1998 Application**

In December 1998, an application was submitted by Dandara Island Homes Limited (at the time a prospective purchaser of the site) to demolish the Plémont Holiday Village and develop 117 dwellings on the site.

Permission was refused by the former Planning and Environment Committee in March 1999 on five grounds, which (summarised) concerned –

- (i) Unacceptable scale of development in Green Zone.
- (ii) Inadequacy of surrounding roads, and opinion that the required improvements to serve this scale of residential development would adversely affect the character and appearance of area.
- (iii) Residential development of this scale and nature would detract from the existing character, appearance and tranquillity of this area of the north coast.
- (iv) Loss of a prime tourism site.
- (v) Residential development of this scale, without adequate nearby community facilities, would be contrary to the Island Plan strategic objectives relating to sustainable development and directing development to existing built-up areas where infrastructure and amenities already exist.

An appeal to the Royal Court was lodged against this decision, but was subsequently dropped.

#### 2.2 **Change of Use Application**

In January 2001, a further application was submitted by the owners, Scottish & Newcastle plc., for the proposed ‘change of use’ of the Holiday Village from tourism to residential use. In short, the applicants were seeking to establish the principle of a residential development on the site, of the same equivalent floorspace as the existing Holiday Village. The Committee advised the applicants that the application could not be determined on this basis without further requested information and details, primarily relating to the proposed number and type of residential units being applied for.

The requested details, in conjunction with other requested information, were not forthcoming, and the applicants subsequently sought to address the fundamental issue of the Committee’s opposition to a residential development on the basis of the ‘loss’ of the existing tourism use – as referred to in the fourth ground for refusal of the preceding application.

#### 2.3 **Advice of Planning and Environment Committee (June 2002)**

In June 2002, following the submission of a tourism viability report prepared on behalf of the owners (and following an assessment of that report by independent consultants), and also following the withdrawal of the tourism “prime sites” policy, the Committee conceded that it could not sustain refusal of permission

specifically on grounds relating to loss of a prime tourism site.

On this basis the Committee decided, at its meeting on 20th June 2002, to issue advice that it would be willing to consider some limited form of residential development on the site subject to –

- (i) it being satisfactorily demonstrated that the proposed development would have no adverse ecological impact on the surrounding area;
- (ii) demonstration of a significant environmental gain, which should include clearance of large parts of the existing building complex and its return to a natural state.

The Committee further advised that it would not support –

- (i) any major residential development in this location;
- (ii) a residential development of the same floorspace area that existed;
- (iii) any form of housing ‘estate’ style development in this location.

This advice was issued without prejudice to consideration of any further application submitted under the Island Planning Law, which would need to go through the normal consultation and advertisement process.

#### 2.4 **Submission of Recent Application**

The current application, submitted on 1st September 2006 by ‘Plémont Estates Limited’ following a change in ownership, is for the proposed demolition of the existing buildings and the development of 36 dwellings on the site.

### 3. PLANNING COMMENTS

I would now like to make some comments on the Plémont issue.

- (i) Aside from the Connétable’s proposition which is aimed at preserving the site as open space, there appears to be a misconception in some quarters that, from a planning viewpoint, permission could and should be refused for any form of new building development on this site. However, the position under the Planning Law is not quite as simple as that.

This site is not a virgin site but comprises a large building complex of some 103,000 sq.f floorspace. Although the buildings are in a deteriorating condition, the site has the benefit of an existing authorised use under the Planning Law for tourism purposes; the site also includes two existing dwelling units.

Thus, for example, if the owner wished to refurbish the buildings and reactivate the holiday camp use, permission would not be required under the Planning Law. Likewise, if the owner or any other prospective purchaser decided to submit an application to redevelop the site for a new tourism complex, they would have a reasonable expectation that they could obtain permission to redevelop the site, subject to demonstration of significant visual improvement.

- (ii) Any application to redevelop the site for residential purposes is of course a different matter since it involves an entirely different use, albeit that the existence of a large building complex remains a material consideration in the determination of an application. It is within this context that the former Committee rejected the previous application for 117 dwellings and subsequently advised that it would not support any ‘major’ residential development in this area nor indeed a residential development comprising of anything like the same amount of floorspace, and in so doing, the Committee also advised that, subject to certain provisos, it would consider some ‘limited’ residential development on the basis of securing clearance of the existing buildings and a

significant environmental gain. This advice was issued under the former Island Plan policies and followed the withdrawal of the prime tourism sites policy.

The situation remains that, within the context of the existing site circumstances and planning policies, and subject to the proviso of satisfactory demonstration of there being no adverse ecological impact, permission could not reasonably be refused for **any** residential development on the site. The issue then is one of quantum and what is considered appropriate on the site in the context of the various planning constraints and the achievement of environmental gain.

- (iii) If it is the wish of the States, in the long-term interests of the Island, to secure the clearance of the existing buildings and the restoration of this sensitive coastal site to **open space**, then there are only two possible courses of action to achieve this – and that is either to enter into negotiations with the owner to acquire the site or alternatively to enter into negotiations with the owner regarding a land swap. The latter course of action is a more difficult and complicated matter to resolve.

Aside from any such decision, the current application for 36 dwellings will need to be considered and determined on its planning merits, taking into account the relevant Island Plan policies and other material considerations, together with the submitted Environmental Impact Assessment and all comments and representations received. The consideration and determination of the application is, of course, an entirely separate matter to that of any deliberations regarding possible acquisition of the site by the State. For the avoidance of doubt, any decision to enter into such negotiations with the landowner cannot and will not influence the determination of the application submitted under the Planning Law.

- (iv) In his proposition, the Connétable has asked the States to consider requesting me to ‘defer determination of any application relating to the redevelopment of this site pending States’ consideration of the Council of Ministers’ recommendation’.

Members will appreciate that I have a duty to determine all applications within reasonable timescales, and unless the applicant is to agree to put the application on hold pending the outcome of such deliberations, I cannot unduly delay determination of the application. I consider it important that any decision by the States on whether or not to enter into negotiations with the landowner to acquire the site needs to be made as speedily as possible.