

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011): AMENDMENTS (P.48/2011 Amds.) – COMMENTS

**Presented to the States on 20th June 2011
by the Minister for Planning and Environment**

STATES GREFFE

COMMENTS

This document collates for convenience comments from the Minister for Planning and Environment on a large number of amendments to P.48/2011 and amendments to those amendments. Certain of the amendments lodged are subject to late amendments from the Minister himself and in some cases there are no comments listed in this document as the Minister's views are contained in the report accompanying those late amendment.

Amendment (2) – Connétable of Grouville

The Minister rejects the amendment

The site does not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside, and does not present any overriding justification of community need (which was a material factor in the release of land for the development of homes for people over-55 on the adjacent Field 184).

Any development of this site is considered detrimental to the visual amenities and character of the area leading to the further urbanisation of the edge of Grouville Common.

The draft Plan's Green Zone designation remains consistent with the 2002 Island Plan. The independent planning inspectors recommend inclusion of the site within the Built-up Area but the Minister is not bound by their recommendation.

Amendment (3) – Deputy J.B. Fox of St. Helier

The States of Jersey Police continue to express concern, represented by the proposed amendment from Deputy Fox, at the lack of specific reference to crime impact statements in the Plan, despite the changes that have already been made to the revised draft Island Plan (at SP7 and GD1), and the fact that the independent planning inspectors recommended that no change was necessary.

The Minister is, however, minded to accept the proposed amendment to further promote clarity for the States of Jersey Police and out of an abundance of caution.

Amendment (4) – Senator J.L. Perchard

The rezoning of Longueville Nurseries, New York Lane, St. Saviour for Category A housing is not generally supported by the local community on the basis of the amount of development already accommodated within the parish; local traffic problems and the extent of local opposition.

The Minister acknowledges, respects and values the advice of the independent planning inspectors. He considers that their summary of members' situation regarding the potential re-zoning of housing sites is an astute one, when they say '*members need the strength to balance, more evenly, the problems and controversy attending the development of particular pieces of land against the evidence, overwhelming in our view, that action needs to be taken now, to deal with the housing needs of the people of Jersey*'. Nonetheless, the Minister is not bound by their recommendations and does not accept their view, and those of some other States members, that the Samarès

Nursery and Longueville Nurseries sites, in particular, ought to be re-instated into the Plan now.

The Minister remains of the view that his housing strategy, as set out in the Plan, is sound and capable of delivering much-needed homes. He firmly believes that the housing need can be better and more appropriately met by:

- increasing the density of development on the remaining rezoned sites for Category A housing;
- requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3); and,
- the implementation of Policy H3: affordable housing, which requires a proportion of new housing development, subject to certain thresholds, to contribute towards the need for affordable homes.

The Minister is further assured, in light of recent commitments about the use of States-owned land for the provision of affordable homes, that his strategy is robust and can meet the clear need for homes in the early part of the Plan period. He believes that the clear timescales and targets set for the delivery of homes from States-owned land in the early part of the Plan period – proposed by the Minister, by way of amendment, in accord with the recommendation of the independent planning inspectors – will greatly assist the realisation of this objective.

Furthermore, in the event that the Plan fails to perform in this respect, the Minister considers that he has also set out, in his proposed amendment to Policy H1, a clear mechanism and course of action that will be triggered by clear and measurable performance standards, to review the Plan, and for the States to re-zone alternative development sites – including Samarès, Longueville and Le Quesne Nurseries – capable of meeting housing needs, without compromising the key strategic objectives of protecting the countryside.

Amendment (6) – Deputy R.G. Le Hérissier of St. Saviour

The Minister accepts the proposed amendment on the basis that it serves to highlight the issues already identified as requiring attention in this area.

The independent planning inspectors recommend acceptance of the amendment.

Amendment (6) Amendment – Deputy of St. Mary

The Minister accepts the amendment to the amendment on the basis that it serves to ensure that responses to issues already identified are considered from as many perspectives as possible.

The independent planning inspectors recommend acceptance of the amendment to the amendment.

Amendment (7) – Connetable of St. Martin

The Minister accepts the amendment.

The Minister considers that there is an overriding community justification to permit this release of a small parcel of land adjacent to the existing Built-up Area for St. Martin's Village, on the basis of the case presented by the Connétable.

It is also relevant to note that there is precedent for similar development in the Island, such as that at St. John.

Acceptance of the proposed amendment is endorsed by the independent Planning Inspectors who also consider there to be an exceptional case to allow this amendment.

Amendment (8) – Deputy A.E. Jeune of St. Brelade

The Minister accepts the proposed amendment.

The need for and benefit of developing a more detailed planning policy framework for St. Aubin is accepted and supported by the Minister.

The independent planning inspectors recommend acceptance of the amendment.

Amendment (9) – Senator F. du H. Le Gresley

The Minister accepts parts (a), (b) and (c) of the proposed amendment, relating to Mourier Valley, La Commune de Gouray and the site of the former Plémont Holiday Village respectively, but rejects part (d), relating to the North Coast interior agricultural land.

The Minister sets out the basis for his response to the amendment below:

(a) Mourier Valley

The definition of the Coastal National Park, in the revised draft Island Plan, is based on a number of factors. Most significant amongst them is the Countryside Character Appraisal, (CCA). This is a piece of work undertaken to assess, identify and categorise the elements that make up Jersey's varied landscapes. It is those most sensitive landscapes, where the CCA recommended that the **highest** levels of protection be provided in order to protect and sustain their character, that are embraced by the Coastal National Park.

In addition to these areas, the CNP also includes other areas of the Island that are currently protected by a strong policy regime in the current 2002 Island Plan i.e. the north east low wooded edge (identified as A3 in the CCA), which comprises the wooded coastline running from the north of Mont Orgueil to White Rock, west of Rozel, is presently designated as part of the Zone of Outstanding Character in the 2002 Island Plan.

All of the Island's valleys have been identified, in the CCA, as requiring a **high** level of protection. The North Coast and St. Martin's Valleys (D4 and D5 in the CCA) are also identified as having **no capacity** to accept any new development. On this basis they have also been included within the proposed CNP as set out in the revised draft Island Plan.

The exception to this is that only the lower, coastal extent of Mourier Valley is currently embraced by the CNP boundary. The reason for this is that the CCA

explicitly stated that *'in the upper part of Mourier Valley, the substantial residential development, with associated gardens and horse paddocks with a variety of fence and wire boundaries, interspersed with abandoned cotils, imparts a more suburban 'fringe' character.'* (p.144, CCA). It is on this basis, that the upper extent of Mourier Valley is presently excluded from inclusion in the CNP boundary.

Having considered Senator Le Gresley's proposal further, and in light of the recommendations of the independent planning inspectors (who recommend acceptance of the amendment), the Minister accepts Senator Le Gresley's proposal to reinstate the whole of the valley within the CNP. This is consistent with, and reflects the justification for the inclusion of those other valleys in their entirety (at Greve de Lecq, Bouley Bay and Egypte), which are included within D4 of the CCA.

(b) La Commune de Gouray

La Commune de Gouray is identified, in the CCA, as part of the Grouville Coastal Plain in the CCA, which includes all of the low-lying land (excluding the Built-up Area), from Gorey to around about Le Hurel Slip. It is recommended, in the CCA, that it be given **high** levels of protection.

All of this land (excluding the Built-up Area) is already defined as Green Zone in the revised draft Island Plan and is subject to the following policy presumption, under Policy NE7: *The areas designated as Green Zone on the Proposals Map will be given a high level of protection and there will be a presumption against all forms of development for whatever purpose.*

Despite the designation of all of the Grouville Coastal Plain (excluding the Built-up Area) as Green Zone, Senator Le Gresley's amendment singles out the area of the Royal Jersey and the small remnant of dune land to the north of the golf course (adjacent Longbeach car park) as worthy of additional protection for inclusion in the Coastal National Park on the basis that existing levels of protection are insufficient to protect its character.

The Minister would suggest, however, that the Green Zone policy is entirely sufficient to resist new forms of development as demonstrated by the recent refusal of development applications in this area, referred to in the proposed amendment. In addition to this the Minister wishes to highlight that the Royal Jersey is also additionally protected by Policy SCO4: Protection of Open Space, which confers a presumption against the loss of sports facilities (and other types of open space) such as golf courses.

The Senator suggests that inclusion of this area in the CNP will additionally protect the area as an important habitat for breeding birds, and specifically the Cirl bunting. As stated above, Green Zone policy will protect the area from development, but the critical issue for the habitat of the Cirl bunting is the management regime that is employed in the maintenance of the golf course. Cirl buntings feed in both short and long rough grass on the edges of golf course fairways and they breed within the stands of gorse. It is, therefore, changes to the management regime, and disturbance from golfers and walkers that are critical to the viability of the grassland habitat on Gorey Common (unfortunately, there have been no records of Cirl buntings nesting in Jersey in recent years, either at Gorey or La Moye, where previous breeding pairs have been recorded).

The Senator also suggests that designation of this area as a CNP will help protect Fort Henry. This argument is flawed. The designation of Fort Henry as a Listed building will help protect its heritage value as it will then be subject to Policy HE1: Protection of Listed buildings and places. Fort Henry is already a G1 Listed building.

The basis of the Senator's proposition is, therefore, not considered to be particularly strong given that –

1. it is inconsistent with the application of the CCA to the designation of the CNP;
2. it singles out an area that is already designated as Green Zone and also mostly protected as open space; and
3. its designation as a CNP is not material to the protection of Listed buildings within it,

This view is also adopted by the independent planning inspectors, who recommend against acceptance of this part of the amendment, on the basis that this area does not have the special qualities necessary for inclusion in the National Park. The inspectors also suggest that inclusion of this area into the CNP would likely achieve little benefit in practice and is not consistent with the purposes of the CNP.

Notwithstanding the inspectors' view and the stated basis of the Senator's proposition, the Minister considers that there still may be some merit in its designation as part of the CNP as a basis to further work with the landowners to promote good habitat management of the area, in recognition of its value as grassland of Channel Island significance. Proposal 5 sets out the Minister's intent to develop a Coastal National Park Management Plan with landowners over the Plan period. Part of the purposes of designating the NP includes the conservation and enhancement of the area's wildlife value. It is clear, evidenced by the decline of the Cirl bunting in this area, that there is the potential to enhance the quality of the grassland habitat here and that its inclusion in the CNP offer the potential to assist this objective.

This approach is consistent with the inclusion of the highly significant Ouaisné Common heathland habitat, in St. Brelade, in the CNP on the basis of its significant biodiversity value and the potential for good management to maintain and enhance this, despite the fact that it was not included in a character area defined in the CCA as warranting the highest level of protection.

On this basis, therefore, the Minister is minded to accept the amendment.

The Minister also considers it beneficial that if the boundary of the CNP is to be extended in this part of the Grouville Coastal Plain, on the basis of land use management, that further consideration be given to the further extension of the boundaries to include the ecologically rich habitat provided by Grouville Marsh. Once again, the Minister is of the view that the potential to enhance the management regime of this very important wetland, and to promote a greater understanding of its value, is entirely consistent with the purposes of the CNP.

In the event that Senator Le Gresley's amendment is accepted, the Minister will explore this further proposal, and undertake consultation on the matter, with a view to bringing it back to the States as a potential revision of the Island Plan.

NB. The Minister wishes to record that he is both a member of the Royal Jersey and a tenant of the Fief de la Reine.

(c) Former Plémont Holiday Village

This part of the proposed amendment correctly identifies that this site is the subject of development proposals. Whilst any new policy regime conferred by the approval of a new Island Plan prior to the determination of any planning application is material to any subsequent decision, it is relevant to note that the planning history applicable to the site, since its redevelopment was first mooted (back in 1998) to date, may be capable of being a relevant material consideration. It is also clear that the site has an existing authorised tourism use and that, as a consequence, there is a reasonable expectation of development upon it. In summary, therefore, any assumption that the proposed inclusion of the site in the Coastal National Park will serve to thwart any development on the site is considered to be misplaced.

Senator Le Gresley's amendment, however, suggests that his objective is to prevent further development beyond any that might be approved and developed as a consequence of the current proposals. The site of the former Plémont Holiday Village is identified, in the CCA, as part of the northwest headland agricultural interior land (defined as E1 in the CCA) and it is recommended that it be given high levels of protection. The site is already defined as Green Zone in the revised draft Island Plan and is subject to the following policy presumption, under Policy NE7: *The areas designated as Green Zone on the Proposals Map will be given a high level of protection and there will be a presumption against all forms of development for whatever purpose.*

The policy goes on to state that there will be a presumption against redevelopment of commercial buildings:

- *there will be a presumption against the use of commercial buildings for purposes other than for those which permission was originally granted. Exceptions to this will only be permitted where*
 - *the existing building can be re-used for an employment-related purpose in support of the agricultural industry or the rural economy, where that use would not detract from the character of the area, and, where this cannot be achieved;*
 - *their demolition and replacement with a new building(s) for another use would give rise to demonstrable environmental gains and make a positive contribution to the repair and restoration of the landscape character of the area through a reduction in their visual impact and an improvement in the design of the buildings that is more sensitive to the character of the area and local relevance. It is expected that such improvements would arise, in particular, from reductions in mass, scale, volume and the built form of buildings; a reduction in the intensity of use; more sensitive and sympathetic consideration of siting and design which ensured the local relevance of design and materials; and a restoration of landscape character*

The Minister for Planning and Environment agrees with the independent planning inspectors (when they comment on part (d) of this amendment), that the underlying

justification for the extent of the Park is not to prevent development but to foster and promote the aims of the NP. These include: conservation and enhancement of natural beauty, wildlife and cultural heritage; and promotion of opportunities for the understanding and enjoyment of the special qualities of the national park by the public.

The inspectors do not support the inclusion of the former Plémont Holiday Village in the CNP but, as set out in relation to Gorey Common (at part (b) of this amendment), the Minister is of the view that inclusion of this area in the CNP may assist in securing its long-term beneficial management in accord with the purposes of CNP designation. Proposal 5 sets out the Minister's intent to develop Coastal National Park Management Plan with landowners over the Plan period.

Whilst, therefore, the Minister for Planning and Environment would suggest that the Green Zone policy is entirely sufficient to resist new forms of development, he is not minded to resist this proposed amendment on the basis that it will involve a limited area of land and may serve to provide a basis to further work with the landowners to promote beneficial management of the area to restore parts of the coastal headland, where land is not the subject of physical redevelopment involving buildings or hard surfaces.

On this basis, the Minister is minded to accept the amendment.

(d) North Coast agricultural interior

As stated above, in response to part (a) of this amendment, the definition of the Coastal National Park, in the revised draft Island Plan, is principally based on those most sensitive landscapes, where the CCA recommended that the **highest** levels of protection be provided in order to protect and sustain their character. The CCA also identified other parts of the Island where, to protect their landscape character, **high** levels of protection (as opposed to the **highest** levels of protection) should also be provided. These areas include, amongst others, all of the agricultural interior land to the north of the cross-Island route running from St. Martin's Village, to Trinity Village, St. John's Village, St. Mary's Village and across to St. Ouen's Village and then embracing all of the St. Ouen interior agricultural land (defined as E1, E4 and E3 in the CCA). All of this land (excluding the defined Built-up Area) is already defined as Green Zone in the revised draft Island Plan and is subject to the following policy presumption, under Policy NE7: *The areas designated as Green Zone on the Proposals Map will be given a high level of protection and there will be a presumption against all forms of development for whatever purpose.*

Despite designation of this area as Green Zone, Senator Le Gresley's amendment just singles out one of these areas, as defined in the CCA (E4: North Coast interior agricultural land) as worthy of additional protection for inclusion in the Coastal National Park on the basis that existing levels of protection are insufficient to protect its character.

It is suggested that the Green Zone policy is entirely sufficient to resist new forms of development in this area. All of this area is currently designated as Green Zone in the current 2002 Island Plan, which is indicative of the fact that this policy regime has been sufficient to protect its character thus far and that its continued application will ensure its continued protection over the Plan period.

The Minister for Planning and Environment would also suggest that to single out the North Coast agricultural interior land for inclusion in the CNP alone, and not to include other land defined as agricultural interior adjacent to the north coast (i.e. the north west and north east areas of interior agricultural land defined as E1 and E3) in the CCA, is inconsistent and unjustified.

To include all of it, however, would serve to recreate the policy distinction that is made in the current 2002 Island Plan, between the Green Zone (which embraces all of the northern agricultural interior land) and the Countryside Zone (which includes all central agricultural interior land). This policy distinction has not been found to work in practice – a point recognised by the Minister, the Planning Applications Panel, the Department of the Environment and other working in the development industry – and thus to recreate it is not considered to be useful in terms of the practice of development control.

As stated above, it is considered that Green Zone policy is entirely sufficient to protect this area from development. Where development proposals are made in relation to existing buildings, the CCA will still be used as a tool to inform the decisions on these planning applications – it will be issued as SPG – which will serve to ensure that the distinct landscape character, and the features of this northern agricultural interior land, are safeguarded and, where possible, enhanced.

Rejection of this amendment is also supported by the independent planning inspectors. They consider that this working agricultural land – whilst most attractive, comprising a patchwork of small fields with numerous winding lanes and a variety of field boundaries and vernacular buildings – is already sufficiently protected by Green Zone designation. Furthermore, the inspectors, whilst supporting the arguments set out by the Minister, also state that the basis for its proposed inclusion in the CNP by the Senator – which is to prohibit further development – is flawed and inconsistent with the purposes of the CNP.

Amendment (10) – Senator J.L. Perchard

The Minister rejects this amendment

The inspector's recognise that the rural location and characteristics of this site run counter to the strategic aims of the Plan in terms of steering most development into the built up areas rather than green zone areas. In addition it's relatively remote location is not sustainable in transport terms for those working and visiting the site.

The inspectors also agreed that there has also been a significant drop in demand for light industrial use since the draft plan was originally published and the potential for further contraction in the fulfilment industry due to the uncertainty over the long term prospects of low value consignment relief. This has reduced the need to zoning new sites, over and above those identified in the plan, to meet the current demand, as evidenced.

Therefore, in light of the falling demand for space, together with the inspectors' concern about the locational and access disadvantages of the Thistlegrove site (relative to the Plan's spatial strategy), the Minister is minded to reject the proposed extension of Thistlegrove industrial estate.

The Minister also considers that the need for light industrial space can be met from other sources, including Jersey Airport and other existing industrial sites. The Minister will be providing an opportunity to enhance the floorspace of existing operations by changes to the General Development Order which will enable floorspace to be increased, by up to 5%, without the need for planning permission.

Amendment (11) – Deputy I.J. Gorst of St. Clement

The Minister accepts all parts of this amendment

This is essentially an issue of presentation and is about how parcels of land designated as part of the Green Zone, which are surrounded by the Built-up Area, are shown on the Proposals Map.

The Minister would suggest that there is no ‘right or wrong’ way of doing this: what is important is that the approach adopted is consistent and that its intent is clear.

On this basis, the Minister considers that the proposed amendment makes it clear that these land parcels are part of the Green Zone and that Green Zone policy (Policy NE7) should apply in respect of planning applications which affect this land.

The independent planning inspectors also recommend acceptance of the amendment.

Amendment (11) Amendment – Deputy P.V.F. Le Claire of St. Helier

The Minister rejects the amendment

This further amendment essentially seeks to ensure that the land proposed as a Category A housing site at Samarès Nursery, Grande Route de la Cote, St. Clement, under the auspices of the twelfth amendment lodged by Deputy Le Claire is included within the Built-up Area: both of these proposed amendments (Amd. 11 Amd, and Amd 12) are rejected by the Minister for Planning and Environment for the reasons set out in his response to Amd 12.

Amendment (12) – Deputy P.V.F. Le Claire of St. Helier

The Minister rejects the amendment.

The Minister is cognisant that there is local opposition to the rezoning of Samarès Nursery, Grande Route de la Cote, 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.

The Minister acknowledges, respects and values the advice of the independent planning inspectors. He considers that their summary of members’ situation regarding the potential re-zoning of housing sites is an astute one, when they say *‘members need the strength to balance, more evenly, the problems and controversy attending the development of particular pieces of land against the evidence, overwhelming in our view, that action needs to be taken now, to deal with the housing needs of the people of Jersey’*. Nonetheless, the Minister is not bound by their recommendations and does not accept their view, and those of some other States members, that the Samarès

Nursery and Longueville Nurseries sites, in particular, ought to be re-instated into the Plan now.

The Minister remains of the view that his housing strategy, as set out in the Plan, is sound and capable of delivering much-needed homes. He firmly believes that the housing need can be better and more appropriately met by:

- increasing the density of development on the remaining rezoned sites for Category A housing;
- requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3); and,
- the implementation of Policy H3: affordable housing, which requires a proportion of new housing development, subject to certain thresholds, to contribute towards the need for affordable homes.

The Minister is further assured, in light of recent commitments about the use of States-owned land for the provision of affordable homes, that his strategy is robust and can meet the clear need for homes in the early part of the Plan period. He believes that the clear timescales and targets set for the delivery of homes from States-owned land in the early part of the Plan period – proposed by the Minister, by way of amendment, in accord with the recommendation of the independent planning inspectors – will greatly assist the realisation of this objective.

Furthermore, in the event that the Plan fails to perform in this respect, the Minister considers that he has also set out, in his proposed amendment to Policy H1, a clear mechanism and course of action that will be triggered by clear and measurable performance standards, to review the Plan, and for the States to re-zone alternative development sites – including Samarès, Longueville and Le Quesne Nurseries – capable of meeting housing needs, without compromising the key strategic objectives of protecting the countryside.

Amendment (13) – Deputy A.E. Jeune of St. Brelade

The Minister accepts the proposed amendment.

The need for and benefit of developing a more detailed planning policy framework for St. Brelade's Bay is accepted and supported by the Minister.

The independent planning inspectors recommend acceptance of the amendment.

Amendment (14) Amendment – Deputy of St. Mary

The Minister accepts the amendment to the amendment.

The principle of assessing the desirability of the proposal should be an integral element of the feasibility study, and the further amendment is accepted by the Minister, and endorsed by the independent planning inspectors.

Amendment (15) – Minister for Education, Sport and Culture

The Minister accepts the amendment.

This amendment serves to clarify, for the avoidance of doubt, that States-owned land, and in particular the former D'Hautrée School site, will only be considered relative to its potential to provide land to meet the need for affordable homes, once deemed to be surplus to requirements.

The Minister welcomes this clarification. It accords with the revised draft Island Plan Policy SCO1: Educational facilities (page 275), which states that this site, amongst others, will be safeguarded for educational use until such time that it can be demonstrated that it is no longer needed for the purposes of education.

It is relevant to note that a review of the property presently within the administration of the Department for Education, Sport and Culture is ongoing.

The Minister has – by way of separate amendment – set clear targets and timescales for the delivery of homes on States-owned land and believes that this will assist a rigorous review of States property portfolios and determination of the use of States-owned land.

The independent planning inspectors recommend acceptance of the amendment.

Amendment (15) Amendment – Deputy K.C. Lewis of St. Saviour

The Minister rejects the amendment to the amendment

The proposed further amendment is inconsequential.

Regardless of whether the former D'Hautrée School site is explicitly referred to in the policy or not, the policy seeks to ensure that those States-owned sites that are listed, together with '*others which may emerge during the Plan period*' (i.e. and which are not listed in the policy), will all be considered for their potential to contribute towards the need for affordable homes should they be deemed to be surplus to requirements during the Plan period.

Notwithstanding the above, the Minister for ESC considers the retention of the former D'Hautrée School in the policy to be acceptable, subject to the proposed amendment of the Policy (at amd 15), which the Minister for Planning and Environment is minded to accept.

The independent planning inspectors recommend rejection of the amendment.

Amendment (16) – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister rejects this amendment.

The Minister is sympathetic to the concern that lies behind this amendment, relating to integrity and independence, and was originally considering acceptance of it, in an amended form, because its current form, as proposed, is seriously flawed.

The independent planning inspectors, however, think that the proposed amendment should not be accepted and set out a convincing argument for their recommendation, which the Minister now accepts, based on the following reasons.

The amendment is flawed because of a failure to understand the planning process and the procedures which operate within the Department of the Environment.

The inspectors advise that, all of their experience (which is considerable) suggests that in the planning process there is a need to bring together and align policy and control – not to separate them.

Development control officers should have an involvement in policy – in order to ensure that it is practical and workable. Policy officers should have an involvement in control – in order to ensure that policy is being implemented as intended and to monitor the effectiveness and practicability of their policies.

The inspectors also make the point that the Deputy provides no evidence to substantiate his concerns or to identify specific problems, despite the safeguards and separations already operated by the Department of the Environment.

The amendment fails to recognise that the most significant separation of duties in the planning application process is the separation of the handling of a planning application by a case officer – which includes weighing all of the material considerations, including policy, and recommending a course of action – from the determination of the application by someone else.

Many decisions are delegated to officers within the Department of the Environment, but all decisions made by an authorised officer have to be checked and countersigned by a more senior officer, who is not the case officer, as set out in the department's Scheme of Delegation.

It is a wholly inappropriate topic to be dealt with in a land use plan.

Both the Minister and the inspectors consider this issue to be a matter of management. The inclusion of matters of this kind clutters the Island Plan with unnecessary detail and that should problems emerge in this area there will be many other ways of dealing with them without disturbing the plan making process.

The Minister has already suggested that this matter is primarily one of administration and procedure, not development plan policy, and is best dealt with through a Development Control Procedure Note, which he is willing able to develop as part of the ongoing review of the Development Control process that is being carried out as part of the Planning Improvement Programme.

The Minister also considers that the amendment fails to acknowledge the professional integrity of his professional staff.

The proposed amendment fails to acknowledge that all members of the Royal Town Planning Institute (of which all authorised and senior planning officers within the Department of the Environment are) are bound by a Code of Professional Conduct which applies to all of their professional activities.

The Code dictates that every member – whether a corporate member, a student member or any other kind of RTPI member – acts with competence, honesty and integrity, and exercises independent professional judgement at all times.

Amendment (17) – Deputy P.V.F. Le Claire of St. Helier

The Minister rejects the amendment.

The Minister is of the view that the revised draft Island Plan makes provision for sufficient housing to meet the anticipated demand over the Plan period and that it is not necessary to further rezone additional land to meet this requirement.

The Minister acknowledges, respects and values the advice of the independent planning inspectors. He considers that their summary of members' situation regarding the potential re-zoning of housing sites is an astute one, when they say '*members need the strength to balance, more evenly, the problems and controversy attending the development of particular pieces of land against the evidence, overwhelming in our view, that action needs to be taken now, to deal with the housing needs of the people of Jersey*'. Nonetheless, the Minister is not bound by their recommendations and does not accept their view, and those of some other States members, that the Samarès Nursery and Longueville Nurseries sites, in particular, ought to be re-instated into the Plan now.

The Minister remains of the view that his housing strategy, as set out in the Plan, is sound and capable of delivering much-needed homes. He firmly believes that the housing need can be better and more appropriately met by:

- increasing the density of development on the remaining rezoned sites for Category A housing;
- requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3); and,
- the implementation of Policy H3: affordable housing, which requires a proportion of new housing development, subject to certain thresholds, to contribute towards the need for affordable homes.

The Minister is further assured, in light of recent commitments about the use of States-owned land for the provision of affordable homes, that his strategy is robust and can meet the clear need for homes in the early part of the Plan period. He believes that the clear timescales and targets set for the delivery of homes from States-owned land in the early part of the Plan period – proposed by the Minister, by way of amendment, in accord with the recommendation of the independent planning inspectors – will greatly assist the realisation of this objective.

Furthermore, in the event that the Plan fails to perform in this respect, the Minister considers that he has also set out, in his proposed amendment to Policy H1, a clear mechanism and course of action that will be triggered by clear and measurable performance standards, to review the Plan, and for the States to re-zone alternative development sites – including Samarès, Longueville and Le Quesne Nurseries – capable of meeting housing needs, without compromising the key strategic objectives of protecting the countryside.

Amendment (18) – Deputy P.V.F. Le Claire of St. Helier

The Minister rejects the amendment.

The proposed use of this site at F.1248, La Pouquelaye, for the provision of homes does not accord with the States Strategic Plan objective of meeting the Island's housing need without the loss of further greenfield land. As a consequence, it is also contrary to the Spatial Strategy of the revised draft Island Plan, which seeks to meet the Island's development needs predominantly from within the Built-up Area and the development of brownfield land.

The Minister is also of the view that the revised draft Island Plan makes provision for sufficient housing to meet the anticipated demand over the Plan period and that it is not necessary to further rezone additional land to meet this requirement at this time.

The Minister acknowledges, respects and values the advice of the independent planning inspectors. He considers that their summary of members' situation regarding the potential re-zoning of housing sites is an astute one, when they say '*members need the strength to balance, more evenly, the problems and controversy attending the development of particular pieces of land against the evidence, overwhelming in our view, that action needs to be taken now, to deal with the housing needs of the people of Jersey*'. Nonetheless, the Minister is not bound by their recommendations and does not accept their view, and those of some other States members, that the Samarès Nursery and Longueville Nurseries sites, in particular, ought to be re-instated into the Plan now.

The Minister remains of the view that his housing strategy, as set out in the Plan, is sound and capable of delivering much-needed homes. He firmly believes that the housing need can be better and more appropriately met by:

- increasing the density of development on the remaining rezoned sites for Category A housing;
- requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3); and,
- the implementation of Policy H3: affordable housing, which requires a proportion of new housing development, subject to certain thresholds, to contribute towards the need for affordable homes.

The Minister is further assured, in light of recent commitments about the use of States-owned land for the provision of affordable homes, that his strategy is robust and can meet the clear need for homes in the early part of the Plan period. He believes that the clear timescales and targets set for the delivery of homes from States-owned land in the early part of the Plan period – proposed by the Minister, by way of amendment, in accord with the recommendation of the independent planning inspectors – will greatly assist the realisation of this objective.

Furthermore, in the event that the Plan fails to perform in this respect, the Minister considers that he has also set out, in his proposed amendment to Policy H1, a clear mechanism and course of action that will be triggered by clear and measurable performance standards, to review the Plan, and for the States to re-zone alternative development sites – including Samarès, Longueville and Le Quesne Nurseries – capable of meeting housing needs, without compromising the key strategic objectives of protecting the countryside.

The Minister does not consider it appropriate to consider F.1248, Highview Lane, St. Helier in any such review, at this stage, on the basis that it would serve to

undermine the States Strategic Plan objective of meeting the Island's housing needs without the development of further greenfield land.

Amendment (19) – Deputy of Grouville

The Minister accepts the amendment.

The effect of the Deputy of Grouville's amendment is to highlight the potential for the development of a direct cycle route from Gorey to St. Helier and to give effect to the potential for contributions to this, through planning obligation agreements, from development across a wider area in the east of the Island.

The Minister considers that the priority ought to remain the provision of a route or routes which link centres of population with community facilities, especially schools, in the east of the Island, but supports the development of other cycle routes, both on- and off-road.

The independent planning inspectors offer their support for this proposed amendment also.

Amendment (19) Amendment – Deputy of St. Mary

The Minister accepts all parts of the amendment to the amendment.

The Minister supports this amendment, which reinforces the original amendment, by ensuring that the policy might support the development of on-road facilities, as well as off-road facilities, in the development of a cycle network, rather than just a specific route or routes.

The independent planning inspectors support all elements of the amendment to the amendment.

Amendment (20) Part 1 – Deputy of St. Mary

The Minister rejects part 1 of this amendment.

It was recognised, following consultation on the draft Plan, that Policy E1 was too prescriptive in relation to constraining the future use of tourism based employment sites and that previous attempts to protect prime- site tourist accommodation from other forms of development was not successful and had been withdrawn.

The planning inspectors endorsed this approach and acknowledged the basis for the need to exempt tourist accommodation from the provisions of Policy E1 –

“...the two exemptions now proposed by the Minister do make sense. Tourist accommodation, say a hotel, guesthouse or self catering units, is already akin to a residential use and offers little scope for a change to some other form of business activity.” (para 7.10, p. 42 Inspectors Report (Dec. 2010))

Equally, with regards to the exemption for office accommodation provided by Policy E1, it is recognised that there is a sufficient supply of office accommodation and that outworn or poor quality sites could be a positive source for urban housing regeneration, which is a key objective of the Plan.

The planning inspectors also endorsed this approach and stated in their report –

“As regards the other intended exemption, outdated and surplus offices may well offer scope for conversion (in some cases reversion) to residential use, as office based businesses seek more modern premises with cabling and open footplates.” (para 7.10, p. 42 Inspectors Report (Dec. 2010)).

For these reasons the Minister is minded to reject this part of the proposed amendment by the Deputy of St. Mary.

Amendment (20) Part 2 – Deputy of St. Mary

Whilst the Minister accepts the intent behind part 2 of this amendment, he proposes his own amendment to better deal with it.

The Minister is sympathetic to the intent behind this amendment and is concerned to ensure that all planning applications are appropriately advertised and that applications of particular significance are brought to the attention of people in the most efficient and effective way possible.

This is not, however, a matter for the Island Plan, but is something that is appropriately addressed through the Planning and Building (Application Publication) (Jersey) Order 2006.

The Minister has lodged his own amendment which sets out his intent to review the relevant legislation concerning the advertising of applications to address the concerns raised by the Deputy of St. Mary through the addition of a specific proposal in the Plan.

This Minister’s approach is supported by the independent planning inspectors as opposed to that offered by the original amendment.

Amendment (20) Part 3 – Deputy of St. Mary

The Minister accepts part 3 of this amendment.

The Minister supports the intent of the proposed amendment which accords with his own intention to publish an Annual Monitoring Report to report on the key performance of the Plan, as set out in Policy IM1: Plan, monitor, manage (page 459).

The independent planning inspectors also recommend acceptance of the amendment.

Amendment (20) Part 5 – Deputy of St. Mary

The Minister accepts parts (a) and (b) of part 5 of this amendment.

Part (a): The Minister accepts the principle that the States should consider the use of its own assets of land and property to meet identifiable social needs where it is in the best interest of the community to do so.

This approach, which underlies part of the Minister’s own proposals set out at Policy H1 in relation to the use of States-owned land in the urban area to help meet the need

for affordable homes, accepts that, in some instances, there may be greater social value in using States land to contribute towards community objectives, rather than seeking maximum value through its disposal.

This approach may have particular resonance in the Built-up Area, and especially in St. Helier, where the provision of and access to public open space may be more limited. There is clear precedent for this approach already having been adopted and applied by the States, manifest in the development of the Town Park.

It is also considered relevant to note that the Minister for Treasury and Resources has made clear that one of the objectives for the newly-established States of Jersey Development Company, which will be responsible for the future use of some States land, will be urban regeneration. It is evident, also from the example of the Town Park, that the use of States-owned land to provide public open space, is a legitimate and genuine element of and catalyst for urban regeneration;

Part (b): The Minister supports this part of the amendment also on the basis that it accords, and promotes consistency, with other objectives of the revised draft Island Plan.

Both parts of the amendment are supported by the independent planning inspectors.

Amendment (20) Part 6 – Deputy of St. Mary

The Minister rejects part 6 of this amendment.

The Minister supports the provision of allotments and Policy SCO6 provides a mechanism to do this. In so doing, however, it is incumbent upon the Minister to take into account other material considerations. One of these is the need to ensure that good agricultural land is safeguarded. This is particularly important to the maintenance of the rural economy and the appearance and character of the countryside.

On this basis, it is appropriate to ensure that the policy relating to the safeguarding of agricultural land (at ERE1) is considered by the Minister when deciding planning applications related to the provision of allotments.

It is important to note that the policy does not preclude the development of agricultural land for the purpose of providing allotments: instead, it just makes sure that any such proposal is subject to a number of tests, as follows:

- the impact on the viability of an agricultural holding;
- the nature of the proposed use;
- the visual impact; and
- the recommendations contained in the Countryside Character Appraisal.

The independent planning inspectors acknowledge that, in their view also, the current policies, as drafted, do not impose a blanket ban for allotments on agricultural land. They suggest that *'the Plan strikes the right balance between a presumption against the loss of agricultural land but with some exceptions that might, in the right circumstances, include a switch to allotments'*.

The Minister also considers it helpful for members to be aware of the view of the Jersey Farmers' Union, which was submitted in relation to Policy SCO6: allotments, as part of the consultation on the draft Island Plan, as follows:

“The Jersey Farmers' Union recognises the demand for allotments. We believe that their provision can be achieved through the use of smaller fields that are near residential areas. We also believe that fields that are or could be used by the industry should not be re-zoned for allotments.

It will be necessary to ensure that only permitted pesticides, (non commercial) are used on these sites and care must be taken to ensure that allotment holders follow the correct protocols to avoid chemicals entering water courses etc.

We would request that the Industry is consulted prior to any fields being taken out of agriculture for this purpose.” (JFU).

The Minister contends that the policy regime provided for allotments, as drafted, seeks to encourage and allow for their provision, whilst providing appropriate criteria against which they should be assessed, having regard to the views of the agricultural industry in particular. This view was supported by the independent planning inspectors, who recommended that the amendment be rejected.

The inspectors also suggested that the Deputy's assertion that allotments were 'a genuine horticultural use' was perhaps misplaced.

On the basis of the above, the Minister rejects the amendment.

Amendment (20) Part 7 – Deputy of St. Mary

The Minister accepts part 7 of this amendment.

The Minister accepts that low carbon or renewable production may not be the best or only way of off-setting the predicted carbon emissions of development, and that the proposed amendment allows for greater flexibility in the application of this policy objective.

The independent planning inspectors also support this amendment.

Amendment (21) Part 1 – Deputy of St. Mary

The Minister accepts part 1 of this amendment

The Minister, supported by the independent planning inspectors, considers it entirely appropriate for UK guidelines to be appropriately adapted to reflect the local context, provided that the resultant standards safeguard and promote the safety of all road users.

Amendment (21) Part 2 – Deputy of St. Mary

Whilst the Minister accepts the intent behind part 2 of this amendment, he proposes his own amendment to better deal with it.

The Minister for Planning and Environment is sympathetic to the intent behind the second part of the Deputy of St. Mary's amendment (Amd. 21(2)), relating to the

protection of the footpath and cycle network and its future development, but cannot accept the proposed amendment in its current form. On this basis, and having regard to the recommendations of the independent planning inspectors, the Minister is minded to propose his own amendment to address the matter and better reflect the Deputy's intent in the Plan.

The Minister has lodged his own amendment which proposes a minor amendment to Policy TT1, as recommended by the independent planning inspectors, to address the concerns raised by the Deputy of St. Mary.

The independent planning inspectors recommend rejection of the original amendment.

Amendment (21) Part 3 – Deputy of St. Mary

The Minister accepts part 3 of this amendment

The Minister supports the basis for this amendment.

It is relevant to note, however, than many works carried out within the highway by the Island's highway authorities (the Transport and Technical Services Department and the Island's parochial authorities) are deemed to be permitted development, not requiring express planning permission. Nonetheless, the independent planning inspectors think it is right for the Plan to give support for such measures, not least for any scheme that might require both on and off street measures for its achievement and the Minister is cognisant of their view.

Amendment (21) Part 4 – Deputy of St. Mary

The Minister accepts part 4 of this amendment

The use of the words 'where possible' in Policy TT5 was not intended to imply that road safety was an optional consideration in the design of road layouts but rather that, in some instances, some elements of road design for speed reduction and/or pedestrian and cyclist priority, can have adverse implications for, by way of example, ease of access for emergency services.

It is, however, considered that the proposed amendment does not compromise consideration of this issue and the Minister accepts it.

The amendment is supported by the independent planning inspectors.

Amendment (21) Part 5 – Deputy of St. Mary

Part (a): The Minister rejects part (a).

Part (a) of the amendment is unnecessary. The two criteria set out in Policy TT6 for the provision of park and ride facilities are likely to be the two key tests applied to the assessment of this type of proposal. The purpose of the policy is, therefore, to provide a degree of certainty to the sponsor of such a development such that if they satisfy these criteria, their development proposal is likely to be acceptable, relative to the requirements of this policy.

The independent planning inspectors state that case clearly: *'Part (a) is a question of terminology...The word 'may' tells potential applicants nothing. The word 'will' is therefore generally employed to give a degree of confidence to those preparing a planning application but with the proviso (in relation to Policy TT6) that their scheme needs to meet tests relating to travel and the environment.'*

Depending on the specifics of the proposal, other material considerations may apply – another Island Plan policy or issues raised in representations from neighbours, for example. The Minister is, by law, required to take account of all of these and to show that he has done so. The Island Plan is the primary consideration, but it is not the only one.

This is how the planning system works and it is for the Island Plan to provide as much clarity and certainty as it can to those who use it. The policy, as drafted, seeks to do this. The inspectors agree that it does and recommend rejection of part (a).

Part (b): Whilst the Minister accepts the intent behind part (b) of this part of the amendment, he proposes his own amendment to better deal with it.

The Minister for Planning and Environment is sympathetic to the intent behind the second part of the Deputy of St. Mary's amendment (Amd. 21(2)), relating to the evaluation of park and ride options, but cannot accept the proposed amendment in its current form. On this basis, and having regard to the recommendations of the independent planning inspectors, the Minister is minded to propose his own amendment to address the matter and better reflect the Deputy's intent in the Plan.

Amendment (23) – Deputy of St. Mary

The Minister is minded to accept this amendment on the basis that the site that is the subject of it has already been granted planning permission for the development of one dwelling and that implementation of the permission has commenced.

The permission awarded includes requirements for public car parking; a re-aligned public footpath; and a landscaping scheme, with a ten year management plan, to ensure the restoration of a natural landscape on those parts of the site that are not to be built upon.

The site is already defined as Green Zone in the revised draft Island Plan and any further development of the site would be subject to the following policy presumption, under Policy NE7: *The areas designated as Green Zone on the Proposals Map will be given a high level of protection and there will be a presumption against all forms of development for whatever purpose.*

Whilst the Minister for Planning and Environment would suggest that the Green Zone policy is entirely sufficient to resist new forms of development beyond that which has already been approved and is being implemented, he is not minded to resist this proposed amendment on the basis that it relates to a relatively small land parcel and is considered to be inconsequential given the current ongoing redevelopment of the site.

The independent planning inspectors do not support the amendment and consider the redefinition of the CNP boundary, as proposed, whilst small, to be contrived.

Amendment (24) Part 2 – Senator A. Breckon

The Minister rejects part 2 of this amendment

The concept of introducing lifelong homes for people over 55 was introduced into the 2002 Island Plan when the States approved a proposition to re-zone eight sites to meet housing needs for older people and first-time buyers (P.75/2008). This provision was made in response to evidence of need and sought to meet the States Strategic Plan objectives of increasing the provision of lifelong homes to enable a greater number of older people to remain living independently in the community, in their own homes, for as long as possible.

The report supporting the proposition made it clear that lifelong homes should not be confused with sheltered accommodation. The size and design flexibility of lifelong homes means that residents will be able to live independently for as long as possible: they are specifically designed to accommodate both ‘fit’ and ‘less able’ people, over the age of 55 in a socially supportive and stimulating environment.

It was also clear that it was a specific objective of the proposition to encourage ‘downsizing’ by people over 55 in order that they might move into accommodation that was more flexible in terms of the potential need for adaptation in the future, whilst also releasing larger family homes into the housing market.

Various data sources cited in the consultation paper report (November 2007) suggested that: 10% of people currently aged 55 and over, who own and occupy family accommodation, would consider downsizing to purpose-built retirement accommodation either in their own community or elsewhere in the Island (JASS, 2006); and, in a Scrutiny Panel survey of States tenants; of the over 55s’, 49% would move at some point and 8% would move immediately.

Whilst sympathetic to Senator Breckon’s views, the independent planning inspectors support the arguments for the retention of the current definition at age 55 and over for lifelong homes. The Minister for Housing also supports the retention of the current definition at 55 and offered strong arguments in support of the potential for the better development of social networks if people moved into this accommodation at a younger, rather than older, age.

On balance, the Minister is convinced by these arguments and is minded to reject the amendment.

Amendment (25) – Deputy I.J. Gorst of St. Clement

The Minister accepts the amendment.

The principle of seeking to ensure that land is used to best meets the needs of the community, including those related to community use, is a fundamental objective of the Plan and this policy (SCO3) can be appropriately used to identify specific requirements.

The Minister would anticipate that this potential community requirement – for a Sea Cadets headquarters building – alongside other community uses of the area such as that for the storage and launching of rowing boats, would be considered within the

context of any emergent masterplan for the area, undertaken under the auspices of Proposal 11: St. Helier Regeneration Zones.

Amendment (26) – Senator S.C. Ferguson

The Minister rejects the amendment.

Deleting all references in the Plan to climate change and carbon emissions, as part of a justification for some of the policies and proposals within it, is in contravention of the position that the States of Jersey has taken in signing the Kyoto Protocol i.e. accepting the challenge of climate change as caused by anthropogenic carbon emissions and has agreed that Jersey will limit its own carbon emissions.

The Minister for Planning and Environment is mandated (through the Strategic Plan and its international obligations through the Kyoto Protocol) with bringing forward policies that reduce the Island's carbon emissions and decarbonise the economy. The Plan sets the context for the proposed policy actions and if the document does not state its position on climate change in accordance with the States of Jersey view as stated in the Strategic Plan, then many of the policies throughout the plan appear out of context and with no key drivers.

The Department of the Environment has prepared a detailed schedule which sets out the implications of each of the Senator's proposed amendments, attached at Appendix 1.

The independent planning inspectors do not support Senator Ferguson's views and highlight Jersey's responsibility to seek both to mitigate and adapt to climate change, and acknowledge that the Strategic Plan, and the Island Plan, both set out to do this: they recommend no deletion of references to climate change in the Plan.

Amendment (27) – Deputy S.S.P.A Power of St. Brelade

The Minister strongly rejects the amendment.

The sponsor of this amendment highlights the significant challenges faced in meeting the Island's need for affordable homes but seeks to lodge an amendment that offers nothing constructive to address this most serious problem. Instead, the Deputy simply seeks to defer the matter for another day, which does little to address this most pressing of challenges.

This position as set out by the Minister is worth considering against the comments made by the inspectors in their report in which they state quite categorically;

“There is a housing crisis in Jersey. In our previous report we concluded that “we have no doubt at all that the problem of affordability in Jersey is serious and that it is getting worse”. We put it more strongly this time, using words which several parties used in evidence – and which were not seriously challenged.

There is a serious danger that States Members risk failing in their collective responsibility to deal with this crisis. There is a responsibility set out in the States Strategic Plan to provide adequate housing – but a responsibility which goes further; as Senator Le Main put it in the autumn, “I live in the real world and real people need real houses”.

Deferring the problem will do nothing to solve it and indeed will only make it worse. We recommend strongly that the Minister rejects amendment 27 and amendment 37(5)."

The Minister strongly urges the rejection of this amendment on the basis that the revised draft Island Plan sets out a clear strategy for the delivery of affordable homes in accord with the clear objectives of the States (as set out in the Strategic Plan), and in accord with the previous decision of the States for the Minister to bring forward a policy to deliver affordable homes as a proportion of new residential development.

The revised draft Island Plan also provides for the subsequent monitoring and review of its performance.

The Minister would offer the following comment on the specific points raised in the amendment:

Demand: The Minister for Planning & Environment recognises that the current demand for affordable housing is acute and sympathises with the Deputy's concerns about making sure that there is available sufficient affordable housing provision made over the Plan period.

The Deputy is concerned that the plan uses out of date data that cannot be relied upon. The Minister would suggest, however, that the data used is the most up to date and has been fully endorsed by numerous sources including, most notably, the States' Statistic Unit and the independent planning inspectors.

The overall estimate of demand was endorsed by the Inspectors of the IPR Examination in Public (EiP); Volume 1 paragraph 8.8:

"the assessment of *overall* demand was soundly based...and had been carried out to a high standard."

In addition, it was confirmed in March 2011 by the States Statistician that the assumptions made about the demand for housing are still valid.

It can, therefore, be said with some certainty, and with confirmation from a number of sources, that the evidence of demand for new housing exists at the levels identified within the revised draft Island Plan.

Supply: The approach that the Minister has adopted with the revised draft Island Plan is consistent with the States strategic objectives of protecting green field land and open spaces and has led to the preferred spatial option of using a combination of brownfield land, States-owned land that is surplus to requirements, and a new policy of providing affordable housing through windfall developments (Policy H3).

From this approach, a supply of 1000 units of affordable housing have been identified, of which approximately 400 are either already under construction, been given planning approval or are already approved by the States under previous States decisions (e.g. P.75/2008).

There are 3 proposed Category A housing sites that, if the Plan is adopted, could provide approximately 100 dwellings. This source of supply would be effectively

‘lost’ or ‘suspended’ if the Deputy’s proposition was successful, serving to undermine the potential supply of affordable housing.

The use of States-owned land was introduced by the Minister to replace some of the Category A housing sites originally identified in the consultation draft Island Plan (Sept 2009). The States has approved the disposal of a number of States-owned sites already, through the 2010 Business Plan, and up to 150 homes can be expected to be delivered through this source. This, together with the supply identified above, is seen as important in contributing towards the need for affordable homes in the first half of the Plan period, and approval of the Plan would enable these contributions to the supply of much-needed affordable housing to be delivered.

The new affordable housing policy (H3) is seen as a longer term strategy and although this is a new mechanism for securing affordable homes in Jersey, it is a well established approach that has been used successfully in UK planning authorities. Policy H3 has been brought forward as part of the Minister’s housing strategy, in direct response to an earlier States decision. It was also fully endorsed by the inspectors at the original EiP, subject to the recommendations made by them, which have been fully adopted in the revised draft Plan. These include; reducing the affordable housing percentage yield; increasing the threshold levels; delaying the policy adoption until January 2012; and ensuring that guidance is in place.

All the policies will be fully monitored and any issues quickly identified so that policies can be adjusted as required, for example, should new evidence become available (e.g. through the Census) then changes to policies can be made.

The Minister does not, therefore, accept that the strategy and related policies for the provision of homes in the revised draft Island Plan will provide insufficient affordable housing as put forward in the Deputy’s proposed amendment. Removing the draft housing chapter and keeping the 2002 version, which has no new identified housing supply available, would have the effect of stopping all new supplies of affordable housing coming forward, and have a far greater and significantly adverse impact upon the delivery of affordable homes.

The final word on this amendment rests with the inspectors who made a number of very clear and unequivocal statements of support for the Minister’s position on this amendment and state in their latest report;

“The Minister sets out a very full and (we think) persuasive and reasoned response to the amendment.”;

“We come to a very clear conclusion following this discussion. We recommend firmly that the Minister rejects the amendment”.

Amendment (28) – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister rejects both parts of the amendment.

The effect of **part (a)** of the amendment is that the Built-up Area boundary be tightly drawn around the original rezoned site for La Providence. This is somewhat illogical and inconsistent with the definition of the BUA boundary elsewhere in the Plan as it does not reflect the decisions taken in respect of the La Providence development and

what has been built on the ground, as shown on the aerial photograph of the site (see Appendix 2).

The definition of the BUA proposed by the Minister in the revised draft Island Plan incorporates the newly constructed community building, the access road to the housing site and a car park enclosed on three sides by the community building and various houses and gardens of the La Providence development.

In approving the La Providence scheme, the Minister permitted a limited amount of development beyond the originally zoned site, including: the vehicular access to the site, a community building (to be used as a children's day nursery), areas of car parking, and parts of two domestic gardens. There were good reasons put forward for doing so. For example, the vehicular access was relocated in response to requests from local residents to maximise its distance from the existing junction of Rue de la Blanche Pierre. Similarly, there were recognised advantages to siting the community building where it is, given the wider public use envisaged.

It is, therefore, considered to be somewhat illogical to exclude these developments from the Built-up Area, given that they exist and are contiguous with the main Built-up Area on the ground.

The Minister was originally minded to accept this part of the amendment on the basis that the extent of land involved is marginal and is already developed. The independent planning inspectors recommend that he rejects it on the basis that *'it would be a wholly illogical pretence to attach this site to the adjoining Green Zone, making it subject to policies which have no relevance within the BUA'*.

On the basis of his own assessment and the recommendations of the inspectors, the Minister rejects this part of the amendment.

Part (b): The second part of this proposed amendment seeks to introduce a presumption against the alternative development of community facilities where they do not lie in the Built-up Area. Notwithstanding that the La Providence community facility is naturally part of the BUA (as dealt with above), this part of the amendment is also considered to be somewhat illogical on the following bases:

Policy SCO3: community facilities (pp 278-279), already confers a presumption against the alternative development of community facilities, where they are no longer required to meet the needs of the local community. The proposed amendment seeks to make a distinction between the value of community facilities based on their location i.e. whether within or outwith the BUA. This distinction is considered to be entirely false and unfounded in that the key test for the value of a community building ought properly to be whether it is needed by the local community, not where it is.

Secondly, the proposed amendment seeks to confer an absolute moratorium on the alternative development of this (and other) community buildings outside the BUA, even where there is no community need for them. It is evident that circumstances can change and the planning system should be sufficiently flexible to address change. Any future applications for the alternative development of community facilities (in the Built-up Area or otherwise) should, therefore, be properly considered on their individual merits having regard to the policies and objectives of the Island Plan.

The Minister rejects part (b) of the amendment as it will adversely affect all community facilities outside the BUA. The independent planning inspectors support this view: they state *'The Plan strikes the right balance both in this particular case and more generally regarding the protection of community facilities whether in the Green Zone or not.'*

Amendment (29) – Connétable of St. Peter

The Minister rejects the amendment.

The proposed use of these sites – Field 189, Le Rue de L'Eglise, St. Peter and Field 287, Saut Falluet, St. Peter – for the provision of homes does not accord with the States Strategic Plan objective of meeting the Island's housing need without the loss of further greenfield land. As a consequence, it is also contrary to the Spatial Strategy of the revised draft Island Plan, which seeks to meet the Island's development needs predominantly from within the Built-up Area and the development of brownfield land.

The Minister is also of the view that the revised draft Island Plan makes provision for sufficient housing to meet the anticipated demand over the Plan period and that it is not necessary to further rezone additional land to meet this requirement at this time.

It is also relevant to note that both of these sites have already been considered and have been rejected by independent planning inspectors as housing sites.

Amendment (30) – Senator T.J. Le Main

The Minister rejects both parts of the amendment.

There already exists a mechanism for States members to make their views known on development proposals through the existing planning application process, where members can and do submit comment directly, or appear at the Minister's or Planning Applications Panel's Public Meetings, where the most significant and controversial applications are determined.

In addition to this, where planning applications are made that represent a departure from the Island Plan or where they would have a significant effect on the interest of the whole or a substantial part of the population, the law provides a mechanism for the holding of public inquiries. This further ensures that significant development proposals are exposed to an open, robust and independent examination before they are determined.

It is also considered relevant to note that the policy regime proposed for the Coastal National Park is very strong, as is that proposed for the Green Zone, where there exists a presumption against new development for whatever purpose as a starting point.

It is the Department's view, however, that where there is an existing authorised building or use in these areas that there must be some reasonable expectation of development and/or redevelopment. The Island Plan policies recognise this and set out a whole series of policy constraints to regulate any such work.

The policy framework provided by the revised draft Plan seeks to ensure that planning permission for redevelopment is, however, far from automatic and that the impact of the redevelopment of existing buildings and uses delivers environmental gains in

accord with the objective of seeking to protect and enhance the Island's countryside and coast.

In the time available, the Department of the Environment has not been able to undertake sufficient analysis of its data to identify the average number of planning applications for residential development of three or more dwellings in the areas proposed for designation as Coastal National Park and Green Zone over a number of years in order that the implications for the business of government posed by this amendment can be considered. Notwithstanding, the principle of referring such matters to the States is not accepted, for the reasons stated above.

The independent planning inspectors support the Minister's view and recommend rejection of the amendment.

Amendment (30) – Amendment – Deputy of St. Mary

The Minister rejects both parts of this amendment to the amendment.

The Minister is minded to reject this further amendment on the basis of his response to the original amendment, which is also to reject it.

The independent planning inspectors support the Minister's view.

Amendment (31) – Deputy J.M. Maçon of St. Saviour

The Minister accepts both parts of this amendment.

The Minister recognises and sympathetic to the issues raised by Deputy Macon and will seek to develop, consult upon and adopt supplementary planning guidance related to parking standards, whilst having had regard to these issues and the context provided by the Sustainable Transport Policy (2010) approved by the States.

Amendment (32) – Deputy D.J. De Sousa of St. Helier

The Minister accepts the amendment.

The Minister supports the proposed amendment on the basis that it serves to highlight the objectives already stated in the Plan.

The independent planning inspectors also offer further support.

Amendment (33) – Deputy D.J. De Sousa of St. Helier

Whilst the Minister accepts the intent behind this amendment, he proposes his own amendment to better deal with it.

The Minister is sympathetic to the intent behind this amendment but believes that the regime of policy and guidance which the Plan seeks to provide gives a sufficiently robust set of tools to enable the height of buildings in St. Helier to be adequately controlled.

In particular, the Minister believes that the St. Helier Urban Character Appraisal, which provides explicit design guidance about the range of heights that can be

accommodated within the town without causing undue to harm to the distinct areas of character within it, can be used to better effect to inform planning decisions.

The Minister's intent to publish supplementary design guidance based on the Urban Character Appraisal is set out in the Plan, at para 4.100 (page 159). In light of Deputy De Sousa's amendment, however, the Minister believes that this intent should be made more explicit, in order to ensure that the materiality of this work as a factor in decision-making is highlighted, particularly in relation to proposals for tall buildings. On this basis, the Minister's own further amendment links decision-making on tall buildings in the town to the Urban Character Appraisal.

The Minister is also keen to avoid potential unintended consequences of Deputy De Sousa's amendment, which, in itself, could still permit tall buildings to be developed where they are sited next to existing tall buildings e.g. Cyril Le Marquand House (the Urban Character Area suggests that, in this locality, the predominant building height should be 2.5 to 3.5 storeys).

The independent planning inspectors support the approach set out by the Minister in his own amendment and recommend enhancements to the Minister's own further amendment, which he has incorporated.

Amendment (34) – Connétable of St. Mary

The Minister accepts the amendment.

The Connétable of St. Mary seeks to secure the Minister for Planning and Environment's formal view on the implications of removing the St. Mary's Village Development Plan (1994) from the Island's planning policy framework, which is set out, in the report attached at Appendix 3.

In summary, it is the Minister's general view that the Village Plan has been largely overtaken by events and is of limited value as a tool for guiding future land use decisions in the village. Most of the proposals in the Village Plan have already been implemented and the revised draft Island Plan policies would offer a more robust basis for day-to-day planning decisions.

However, despite the limitations of the Village Plan and the potential to cause some confusion, the Minister recognises the value attached to this Plan by the Parish Constable. He is, therefore, minded to accept the amendment and retain the Village Plan as part of the Island's planning policy framework.

Of course, if the parish community is of the view that the village needs a new plan, then the revised draft Island Plan (at Proposal 14) provides the opportunity for this to be done over the next 10 years. These need not be an elaborate exercise and, like other parishes, can be undertaken by the community, with limited assistance from States departments.

In this instance, the Minister has not accepted the independent planning inspectors recommendation that, in the interest of clarity, he should make clear that the St. Mary's Village development Plan is superseded by the new Island Plan.

Amendment (35) – Deputy D.J. De Sousa of St. Helier

The Minister rejects the amendment.

The Minister is required to present to the States a Plan which seeks to comprehensively meet the Island's needs over the next ten years: the provision of housing is fundamental to this, and the re-zoning of part of Field 1219 contributes towards this objective, offering the potential to provide about 42 new Category A homes.

Failure to secure the re-zoning of this field for the provision of housing would have the potential to erode part of the Minister's strategy for the provision of Category A homes, particularly in the early part of the Plan period. It is also considered to be an important site for the provision of family housing, which is more difficult to achieve in more urban settings.

Whilst the Minister acknowledges that this site is greenfield land its location within the Built-up Area renders it entirely suitable for the development of new homes in every other respect. It is also considered relevant to note that whilst not the subject of the proposed amendment, the western half of Field 1219 is safeguarded for educational use to provide additional playing facilities for Haute Vallée School: whilst the safeguarding element of this proposal would be unaffected by the amendment, realising the delivery of the playing fields may be prejudiced by the amendment.

In light of the above, it is considered that there is overriding community benefit in rezoning part of this field for the development of new homes.

It is relevant to note that no objections were received in relation to the proposed rezoning of this field for Category A housing set out in the consultation draft Island Plan (Sept 2009) and no adverse comment in relation to it was made by the independent planning inspectors in their report to the Minister (Nov. 2010).

Amendment (37) – Part 1 – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister accepts the amendment.

It is the Minister's stated intent to review the supplementary planning guidance related to planning obligation agreements (as stated in Appendix A of the Plan) and, on this basis, the Minister is minded to accept the amendment as the issues it raises will be addressed through the review.

The independent planning inspectors recommend acceptance of the amendment.

Amendment (37) – Part 2 – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister accepts parts (a), (c) and (e) of this part of the amendment.

The Minister accepts parts (a), (c) and (e) of this part of the amendment relating to the potential requirement to further increase internal space standards for residential accommodation. This will be an integral part of the review of supplementary planning guidance to which the Minister has indicated his intent to undertake, as set out in the Plan.

The Minister rejects parts (b), (d) and (f) of this part of the amendment.

The Minister rejects parts (b), (d) and (f) relating to improvements in internal noise and sound insulation of, and between, units of accommodation.

Whilst Deputy Le Fondré is right to be concerned about standards of sound insulation, this matter is already effectively regulated by building bye-law requirements and is not a matter for inclusion in the Island Plan or supplementary planning guidance.

Bye-law requirements relating to noise insulation, under the auspices of Part 9: resistance to the passage of sound, were first introduced in 1997 specifically to deal with problems of poor sound insulation between dwellings: these were extended and improved in 2004.

The tightening of the bye-laws in 2004, together with bye-law stipulations regarding testing of construction at completion of work, has resulted in a significant improvement in building standards and the department has no record of complaints because of poor sound insulation between dwellings.

If there is concern about current sound insulation standards not being high enough, for which there is considered to be no evidence, it is more appropriately considered through the mechanism of building bye-laws rather than the Island Plan and/or supplementary planning guidance.

The independent planning inspectors concur with the Minister's response to part 2 of Deputy Le Fondré's amendment, as set out above.

Amendment (37) – Part 3 – Deputy J.A.N. Le Fondré of St. Lawrence

Whilst the Minister accepts the principle of parts (a), (e) and (h) of the amendment, he proposes his own separate amendment to deal with them.

Parts (a), (e) and (h): The Minister accepts the principle behind parts (a), (e) and (h) of the proposed amendment, but believes that as drafted, they are flawed on the basis that they attempt to conflate the consideration of the detailed economics of the development of States-owned land with the development of a planning framework for specific areas of the town.

Whilst the Assembly may wish to involve itself in the financial details of the use and development of States-owned land, the Minister considers that the approval of area-based masterplans is not necessarily the appropriate mechanism to do this.

The purpose of these proposals is to enable the Minister to develop, through liaison with key stakeholders as well as through public consultation, a framework for the development of an area, to provide overarching direction and guidance, as well as site-specific guidance, about the development and use of land. The Minister would expect States members to be involved in this process and opportunity is afforded for them to be so.

The development of such frameworks is not just of relevance to States land – and may not even affect States-owned assets – but most significantly, provides a context against which landowners, businesses and developers can make informed investment decisions which will assist, in particular, in the regeneration of St. Helier.

The Minister considers, therefore, that any such obligation to refer the approval of masterplans to the States is only of relevance where the development of States-owned land is the key determinant and driver for the delivery of a masterplan. The Minister thus proposes a further separate amendment which seeks to reflect the intent behind the amendment, whilst also seeking to ensure that the proper planning of these areas is not unduly encumbered by detailed financial considerations relating to States land only, which ought to be duly considered through other mechanisms.

This approach, and the Minister's own amendment, is supported by the independent planning inspectors as '*efficient and sensible*' whilst reflecting the Deputy's concerns well.

The Minister rejects parts (b)-(d), (f) and (g).

Parts (b)-(d), (f) and (g): these parts of the amendment essentially seek to identify the Regeneration Zones in the Plan as 'proposed' Regeneration Zones. This is not considered to be particularly useful or substantive.

The proposal to identify these areas as RZs does not confer any particular status upon them other than to identify the potential and intent of a master planning exercise being carried out for them during the Plan period. Until a master plan is thus undertaken and adopted they will effectively exist as 'proposed' Regeneration Zones as a matter of course.

The independent planning inspectors agree with the Minister and recommend that these parts of the amendment are rejected.

Amendment (37) – Part 4 – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister rejects this part of the amendment.

The proposed amendment is not considered to be particularly helpful and does not, it is believed, add much clarity to the policy.

Whilst it is accepted that there may be some debate about what does and what does not constitute a storey, the way in which the height of a building is determined is not a determinative factor in deciding whether or not a development proposal for a tall building should be approved. The key test in the acceptability of a tall building, is its design.

The general effect of Policy BE5: Tall buildings, is not to state that buildings above or below a certain height (whether measured in storeys or metres) will be approved or refused, but to set out the key criteria against which proposals for tall buildings will be assessed.

Likewise, for development that is not defined as a tall building, under the terms of this policy (whether measured in storeys or metres) their impact will still fall to be assessed in terms of robust design policies, set out in Policy SP7 and GD7 and, if the Minister's further amendment is accepted and where relevant, the St. Helier Urban Character Appraisal (see amd 33).

It is also relevant to note that the 2002 Island Plan policy related to tall buildings (BE5), upon which the revised draft Island Plan policy is based, uses reference to

'storeys', and has not been found to be particularly problematic over the last nine years. Likewise, this draft policy has attracted little adverse comment in the Island Plan Review process to date.

On the basis of the above, the Minister rejects part 4 of the proposed amendment and is supported by the independent planning inspectors in so doing.

Amendment (37) Part 5 – Deputy J.A.N. Le Fondré of St. Lawrence

The Minister strongly rejects this part of the amendment

The sponsor of this amendment highlights the significant challenges faced in meeting the Island's need for affordable homes but seeks to lodge an amendment that offers nothing constructive to address this most serious problem. Instead, the Deputy simply seeks to defer the matter for another day, which does little to address this most pressing of challenges.

This position as set out by the Minister is worth considering against the comments made by the inspectors in their report in which they state quite categorically;

“There is a housing crisis in Jersey. In our previous report we concluded that “we have no doubt at all that the problem of affordability in Jersey is serious and that it is getting worse”. We put it more strongly this time, using words which several parties used in evidence – and which were not seriously challenged.

There is a serious danger that States Members risk failing in their collective responsibility to deal with this crisis. There is a responsibility set out in the States Strategic Plan to provide adequate housing – but a responsibility which goes further; as Senator Le Main put it in the autumn, “I live in the real world and real people need real houses”.

Deferring the problem will do nothing to solve it and indeed will only make it worse. We recommend strongly that the Minister rejects amendment 27 and amendment 37(5).”

The Minister strongly urges the rejection of this amendment on the basis that the revised draft Island Plan sets out a clear strategy for the delivery of affordable homes in accord with the clear objectives of the States (as set out in the Strategic Plan), and in accord with the previous decision of the States for the Minister to bring forward a policy to deliver affordable homes as a proportion of new residential development. The revised draft Island Plan also provides for the subsequent monitoring and review of its performance.

The proposal to suspend this policy for a later States debate will have a significant effect upon future affordable housing supply and is unnecessary, unhelpful and potentially damaging to the comprehensives of the Plan and the delivery of affordable homes.

The principles of the draft policy were put to the States Assembly in a proposition brought by the Deputy of Grouville. The States Assembly adopted the proposition, by a substantial majority (41-4), regarding the provision of affordable housing in the following terms:

“To request the Minister for Planning and Environment to bring forward a policy that requires planning applications of over a certain size to provide a percentage of their build for social need whether that be social rented, first time buyer, retirement, sheltered housing or a mix, whichever is most appropriate for the site”

In response to this specific obligation, the Minister for Planning and Environment has developed Policy H3: Affordable housing, as set out in the revised draft Island Plan. The development of the policy has been informed by specialist advice from Kelvin Macdonald to formulate the policy in the draft plan. This has been further modified following extensive public consultation, involving input from the development industry, and significant independent scrutiny and review, from the independent planning inspectors at the original EiP.

The Department of the Environment also released a draft supplementary planning guidance (SPG) document in August 2010, which outlined in more detail how the policy would operate.

The guidance is currently being updated, to fully assess and validate the viability model, and will provide greater clarity on this issue, and will employ fully worked up application examples to demonstrate how the policy will operate in practice. It will also include details relating to the management of financial contributions; on and off site provision; and the use of planning obligation agreements.

The draft Policy was amended following the recommendations of the planning inspectors, one of which was that, if approved, it will not come into effect until January 2012, which in itself provides sufficient time to finalise the details in the SPG. There is, therefore, no benefit, as well as considerable disbenefit, to the supply of affordable housing in delaying the debate on this policy as sufficient detail exists on the fundamental basis of the policy, as set out in the Plan, and where details of the operation of the policy are being progressed.

Therefore, given that; the principles of the policy are sound; that it directly responds to an earlier States’ decision; and is endorsed by the planning inspectors, the Minister considers that the Deputy’s amendment to defer consideration of this policy, as an integral part of the revised draft Island Plan, should be rejected.

The Deputy’s amendment raises specific questions and the Minister would offer the following comment:

If this is to become policy, is it a tax? Or is it a levy? The policy is not a direct tax as this approach would have the potential effect of increasing house prices, which would clearly be undesirable. This option was put forward by a number of parties during the early consultation phase of the white paper and was rejected by the Minister, a decision subsequently endorsed by the inspectors at the original EiP. The policy is, however, likely to have a longer term effect of reducing land values, which is more desirable as this can be the single most significant cost to the price of a dwelling.

Are there better ways of imposing such a charge? If it is a levy why is it imposed just on residential accommodation? Could (should?) it be imposed across all development, including commercial office blocks? What is the likely impact on the market? A wide range of options were put forward in the affordable housing report and also by consultees making comments on the white paper. All of these were considered, but it was the version in the draft plan that was selected as offering the best opportunity for

delivering affordable housing in Jersey and this approach has been endorsed by the inspectors. In addition it would be *ultra vires* to impose a planning obligation agreement to provide affordable housing on planning development schemes that do not have any residential element to them.

If monies are to be raised from this scheme, how are they to be allocated? Traditionally, the Treasury does not like ring-fencing, yet this would presumably have to be agreed in order to achieve the aims of the policy. The concept of ring-fencing monies obtained through the imposition of planning obligation agreements is already successfully deployed by the Department. There will be the need to develop a financial framework in which this policy can successfully operate and this will be set up and agreed prior to its operation. There are no significant barriers preventing this from being achieved in the timeframe envisaged.

Amendment (38) Part 1 – Connétable of St. Helier

The Minister is minded to accept the amendment but would suggest that it is superfluous and unnecessary on the basis that the term ‘adequate space for parking’ includes all type of parking, including operational parking space (which includes space for loading, unloading and manoeuvring); non-operational parking space; resident spaces; visitor spaces; and even bike parking. The definition of ‘adequacy’, relative to the provision of parking will be addressed through the development of, consultation upon and adoption of supplementary planning guidance.

This part of the amendment is not supported by the independent planning inspectors who state that ‘*By singling out just visitor and servicing parking the amendment would elevate these above other types of parking.... The Minister’s consultations on his supplementary guidance on parking standards will be the opportunity to explore whether adequate provision is being made for visitors and servicing, together of course with the other categories of provision.*’

Amendment (38) Part 2– Connétable of St. Helier

The Minister is minded to accept this amendment on the basis that it simply serves to highlight the issues that need to be considered within the context of good design for higher density development.

Policy H6: Housing development within the Built-up Area (pp260-261), and its pre-ample (specifically para 6.153) already sets out these issues within the context of new residential development. The key test, relative to the substance of the Connetable’s amendment, is ‘adequacy’, which will be assessed against standards to be provided through the development, consultation upon and adoption of supplementary planning guidance about residential design standards; density and parking, as set out in the Plan at Appendix A.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 2 Amendment – Deputy of St. Mary

The Minister is minded to accept this amendment to the amendment, from the Deputy of St. Mary, in that it serves to highlight some of the opportunities available to ensure higher density of development and more efficient use of land whilst meeting people’s travel and transport requirements.

This further amendment is supported by the independent planning inspectors.

Amendment (38) Part 3 – Connétable of St. Helier

The Minister accepts the amendment but would comment that the policy is not designed to feature an exhaustive list of potential planning obligation requirements. Supplementary planning guidance can be used to do this and the Minister sets out his intent to review the current supplementary planning guidance on planning obligation agreements, as set out at Appendix A of the Plan.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 4 – Connétable of St. Helier

Whilst the Minister accepts the intent behind part 4 of this amendment, he proposes his own amendment to better deal with it.

Whilst the Minister can accept the need to ensure awareness of and appropriate signage for new and existing transport facilities, this needs to be balanced and considered against its impact on the environment and character of an area.

There is perhaps a perception that the urban environment has a greater capacity to accept more signage, however, the Connétable of St. Helier will perhaps be more aware than most – from his work with the former Urban Renewal Sub-Committee and the St. Helier Street Life Programme to improve and enhance many of the town's streets through the removal of much of their 'visual clutter' – that the quality and character of the urban environment can be very much affected by the extent and detail of small features, such as street furniture, including bins, benches, lights and signs. On this basis, the emphasis should be on the quality of signage.

Most significant to the consideration of this amendment, however, is the fact that it is not a matter for Island Plan policy. This is because official signage associated with the transport network is exempt from planning control. This is governed by and set out in the Planning and Building (Display of Advertisements) (Jersey) Order 2006.

Notwithstanding, the Minister for Planning and Environment would expect that his department would work closely with the highway authorities, as it has done in the past, to deliver new transport infrastructure that people are aware of; is safe to use; and which minimises its impact on the environment.

The Minister has, therefore, put forward a further amendment which takes into account the above comment whilst seeking to embody the intent of the original amendment.

The Minister's further amendment is supported by the independent planning inspectors.

Amendment (38) Part 5 – Connétable of St. Helier

The Minister is minded to accept the amendment but would suggest that it is superfluous and unnecessary on the basis that the term 'facilities that encourage and enhance access to the coast and the countryside' in Policy NE8, and expanded upon in

the pre-ambule at para 2.95, embraces the *provision of off-road walking and cycling routes* referred to in the amendment.

This part of the amendment is not supported by the independent planning inspectors who state that ‘Singling out off-road rights of way would distort the wide scope of the policy.’

Amendment (38) Part 6 – Connétable of St. Helier

Whilst the Minister accepts the intent behind part 6 of this amendment, he proposes his own amendment to better deal with it.

The Minister is sympathetic to the intent of the proposed amendment. The substance of it is not, however, a matter of Island Plan policy but is regulated through the Planning and Building (Fees) (Jersey) Order 2008, which is revised annually by the Minister for Planning and Environment and tabled before the States.

On this basis, it is considered more appropriate to add a new proposal to the Plan to reflect this intent, rather than to append it to a policy. The Minister has lodged his own amendment to do this.

The Minister’s amendment sets out his intent to review and amend the Planning and Building (Fees) (Jersey) Order 2008 to ensure that planning applications in respect of listed buildings or places will be exempt from planning fees to the extent that such fees would not have been payable were the building or place not listed to address the concerns raised by the Connétable of St. Helier, through the addition of a specific proposal in the Plan.

This Minister’s approach is supported by the independent planning inspectors as opposed to that offered by the original amendment.

Amendment (38) Part 6 Amendment (Deputy of St. Mary)

Whilst the Minister accepts the intent behind this amendment part 6 of this amendment, he proposes his own amendment to better deal with the original amendment, and incorporates the amendment to the amendment within it.

Amendment (38) Part 7 – Connétable of St. Helier

The Minister supports the principle of the development of a Country Park to promote greater and improved access to the countryside for the residents of the town and is willing to explore the matter further.

The Minister is cognisant of the reservations expressed by the independent planning inspectors in relation to this proposal – related to the inappropriateness of this agricultural landscape for a Country Park and the potential unintended consequence of its designation becoming akin to a ‘green belt’ – but the Minister remains of the opinion that this is a proposal that is worthy of inclusion as it is, at this stage, just an exploratory proposal which will be reviewed over the Plan period.

Amendment (38) Part 8 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 9 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

It is relevant to note, however, that support for the provision of off-street parking for shoppers and visitors will need to be made within the context of Policy TT10.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 10 – Connétable of St. Helier

This area has been, and is likely to continue to be, the subject of change as a result of several factors, including the development of the St. Helier Waterfront and structural change to the Island's tourism industry. On this basis, the Minister accepts that further work is required to provide a more detailed planning framework for the management of change and regeneration of the area and that the definition of a further Regeneration Zone for St. Helier's eastern gateway, as set out in the amendment, would enable this.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 12 – Connétable of St. Helier

The Minister supports the proposed amendment which reflects and is consistent with the principles adopted and applied in the implementation of the St. Helier Street Life Programme. This has served to enhance and improve many of the town's streets, where the provision of benches and street trees have been integral and important features of their success.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 13 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

It is relevant to note, however, that support for the provision of off-street parking for shoppers will need to be made within the context of Policy TT10.

It is also relevant to note that the refurbishment or extension of existing retail premises outside of the Core retail Area needs to accord with other retail policies in the Plan otherwise it could lead to the development of large-out-of-town retail developments, with potentially damaging effects for the town of St. Helier.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 14 – Connétable of St. Helier

The Minister is minded to accept the amendment but would suggest that it is superfluous on the basis that the requirement to have regard to the impact on neighbouring uses is an integral element of Policy GD1 (specifically GD1(3) and, with regard to implications of hot-food takeaways GD1(3)(c)).

This part of the amendment is not supported by the independent planning inspectors who state that *'identifying just one regard to be taken into account might weaken the focus on other important material considerations.'*

Amendment (38) Part 15 – Connétable of St. Helier

The Minister is minded to accept the amendment but does so on the basis of the qualification set out in relation to Part 4 of the amendment, which is dealt with by way of a new amendment from the Minister.

The independent planning inspectors endorse this approach.

Amendment (38) Part 16– Connétable of St. Helier

The Minister is only too willing to support the Parish of St. Helier's proposals to provide footpaths on Tower Road and La Pouquelaye and thus supports this amendment.

It is relevant to note that no comment from the Parish of St. Helier was received, relative to this proposal, in relation to the consultation draft Island Plan (September 2009).

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 17 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 18 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 19 – Connétable of St. Helier

Whilst the Minister accepts the intent behind part 19 of this amendment, he proposes his own amendment to better deal with it.

The Minister is sympathetic to the intent of the proposed amendment, which seeks to increase the level of short-stay off-street public parking – of benefit to visitors to the town, be they shoppers or tourist. As drafted, however, the Minister considers that parts a), b) and c) of the proposed amendment would have damaging consequences for the objectives of both the revised draft Island Plan and the Sustainable Transport Policy (2010) and are undeliverable through the planning system.

More car parking – the Connétable’s amendment simply seeks to increase the overall level of supply of parking. Not only would this undermine the objective of seeking to use urban land more efficiently and effectively e.g. to provide homes, it will also encourage rather than discourage more car use, contrary to the objectives of the Sustainable Transport Policy (2010), approved by the States.

Undeliverable – the amendment, as drafted, cannot be properly regulated through the planning system, which is designed to control the development of land and not the management of it. Thus, whilst the planning system – including the Island Plan – can be used to regulate the supply of car parking, it is very difficult to regulate and enforce who uses a car parking space through the planning system.

In the case of public off-street car parking spaces, this is a matter more appropriately dealt with and managed by the car park operator – through the use of duration of stay (e.g. long and short-stay) and pricing mechanisms – a role currently undertaken by the Minister for Transport and Technical Service’s department.

On the basis of the above, the Minister for Planning and Environment is required to reject the form of the Connétable’s amendment, but proposes his own further amendment which seeks to support the intent of the original amendment, whilst also seeking to accord with the Sustainable Transport Policy (2010) in a way that is relevant, and not beyond the appropriate remit, of the planning system.

The independent planning inspectors agree with the Minister that the amendment, as drafted in its current form, should not be accepted and would have damaging consequences as well as being ‘*well nigh impossible for planning control to deliver*’. The inspectors do support, however, the Minister’s proposed amendment.

Amendment (38) Part 20 – Connétable of St. Helier

The Minister supports the proposed amendment on the basis that it accords with and supports other objectives of the revised draft Island Plan and the Sustainable Transport Policy (2010).

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 22 – Connétable of St. Helier

The Minister regards consultation with key stakeholders and the public in general as an important part of the development of new guidance of this kind, and is happy to accept the amendment.

This part of the amendment is supported by the independent planning inspectors.

Amendment (38) Part 23 – Connétable of St. Helier

The Minister accepts part 23 of this amendment.

The Minister is willing to accept this amendment and to work with key stakeholders to ensure that considerations of health and safety are proportionate to the extent of risk.

With regard to the motivation of this amendment – related to the desire to secure some public access to land at La Colette – acceptance of this amendment may require subsequent of the Plan at page 286, last bullet point, which refers to the use of land at La Collette 2. The Minister has proposed a separate amendment to effect this.

APPENDIX 1

**AMENDMENT (26) – CLIMATE CHANGE
Detailed comments of the Department of the Environment**

Page	Para/ Policy	Amendment proposed	Effect of amendment as considered by the Department of the Environment
30	2.2	Delete the words ‘and carbon neutral’	Removing these words removes a key driver for the policies proposed throughout the plan.
30 – 31	2.7 – 2.9	Delete paragraphs 2.7 to 2.9	Deleting this paragraph is in contravention of the position that the States of Jersey has taken in signing the Kyoto Protocol i.e. accepting the challenge of climate change as caused by anthropogenic carbon emissions and has agreed that Jersey will limit its own carbon emissions. Paragraphs 2.7-2.9 set the context for the proposed policy actions throughout the plan. If the document does not state its position on climate change in accordance with the States of Jersey view as stated in the Strategic Plan, then many of the policies throughout the plan appear out of context and with no key drivers.
31	2.11	For the words ‘and reducing, and adapting to, the impacts of climate change have’ substitute the word ‘has’	No material effect on the plan – this amendment could be accepted
31	2.12	Delete the words ‘with likely increased vulnerability to the effects of climate change’.	Mirroring the comment against the second suggestion above, removing these words denies a key driver for the policies proposed.
31 – 32	2.14	In the first bullet point delete the words ‘whilst seeking to minimising vulnerability to the effects of climate change’ In the third bullet point for the words ‘renewable and low carbon’ substitute the word ‘efficient’	First & third bullet point – Removing these words removes the context and explanation of key drivers for the policies proposed within the plan. However, the word ‘efficient; could be inserted alongside ‘renewable and low carbon’

38	2.36	For the words ‘renewable or low carbon’ substitute the word ‘efficient’	<p>The word ‘efficient’; could be inserted alongside ‘renewable and low carbon’. To remove the words ‘renewable or low carbon’ (as quoted from the Energy Policy Green Paper) removes recognition of the aims of the energy policy (under development) which are mandated in the Strategic Plan 2011-2014 as follows –</p> <p>‘Introduce an integrated energy policy to secure an affordable and sustainable energy supply to met the changing world energy challenges and underpin economic and social prosperity including assessing whether the Island’s natural; resources could be a future sustainable source of energy’ and also</p> <p>‘Work towards a low carbon economy’</p> <p>‘Renewable and low carbon’ cannot be substituted with the word ‘efficient’ since the meaning is changed. The policy proposes moving to low carbon or renewable energy because Jersey is a signatory to the Kyoto Protocol and has committed to reducing its carbon emissions which can only be achieved only a long term shift to renewable energy and/or low carbon energy</p>
38	2.38	<p>Delete the words ‘, and in response to the challenge of climate change’</p> <p>Delete the words ‘a reduction in emissions and the development and use of decentralised and renewable or low carbon energy’</p>	<p>Deleting ‘in response to the challenge of climate change’ – No material effect on the plan – this amendment could be accepted</p> <p>Deleting ‘a reduction in emissions and the developmentlow carbon energy’ removes recognition of the aims of the energy policy (under development) which are mandated in the Strategic Plan 2011-2014 as follows –</p> <p>‘Introduce an integrated energy policy to secure an affordable and sustainable energy supply to met the changing world energy challenges and underpin economic and social prosperity including assessing whether the Island’s natural resources could be a future sustainable source of energy’</p>

			and also ‘Work towards a low carbon economy’ The Department is mandated with bringing forward policies that reduce carbon emissions and decarbonise the economy and many of these are presented here in the Island Plan. To remove these words, removes the context for these policies
39	Policy SP2	In 2. for the words ‘renewable or low carbon’ substitute the word ‘efficient’ Delete paragraph 3. of the Policy	‘Renewable and low carbon’ cannot be substituted with the word ‘efficient’ since the meaning is changed. The policy proposes moving to low carbon or renewable energy because Jersey is a signatory to the Kyoto Protocol and has committed to reducing its carbon emissions which can only be achieved only a long term shift to renewable energy and/or low carbon energy. Deleting para 3 removes a key driver for Policy SP 2.
75	2.18	In the third bullet point delete the words ‘relative to considerations of climate change and raised sea levels’	Removing this para materially affects the plan. The Department accepts current conventional scientific opinion that the global climate is changing and in the long term coastal defences will need to account for raised sea levels.
76	2.19	Delete paragraph 2.19	Removing this para materially affects the plan. The Department accepts current conventional scientific opinion that the global climate is changing and consequent changing species distribution. Removing this para removes context for Objective NE1.
270	7.3	Delete the words ‘and help combat the effects of climate change’	No material effect on the plan – this amendment could be accepted
350	9.21	Delete the words ‘(i.e. greenhouse gas emissions contribute to climate change)’	Deleting these words is in contravention of the position that the States of Jersey has taken in signing the Kyoto Protocol i.e. accepting the challenge of climate change as caused by anthropogenic carbon emissions and has agreed that Jersey will limit its own carbon emissions
355 –	9.39	In the first bullet point delete the	1 st bullet – Deleting these words is in

356		<p>words ‘and carbon dioxide emissions’ and the words ‘and help to deliver targets for reducing carbon emissions’</p> <p>In the second bullet point delete the words ‘and carbon dioxide emissions’</p> <p>In the fourth bullet point for the words ‘carbon dioxide emissions can be reduced and overall security of supply increased’ substitute the words ‘overall security of supply can be increased’</p> <p>In the fifth bullet point for the words ‘The Island has good on and off-shore wind energy and within its territorial waters’ substitute the words ‘Within the Island’s territorial waters’</p>	<p>contravention of the position that the States of Jersey has taken in signing the Kyoto Protocol i.e. accepting the challenge of climate change as caused by anthropogenic carbon emissions and has agreed that Jersey will limit its own carbon emissions</p> <p>2nd bullet – it is a fact that careful land use planning that reduces the need for travel beings about a reduction in carbon emissions. No need to delete and sense of paragraph is lost.</p> <p>4th Bullet – it is a fact that on site ‘district’ scale renewable technologies reduce carbon emissions. No need to delete and sense of paragraph is lost. The words ‘overall security of supply can be increased’ COULD be added to the paragraph though.</p> <p>5th Bullet – It is a fact that the island has good renewable energy resources. No need to delete and sense / impact of paragraph is lost. The Strategic Plan 2010-2014 mandates the Department with assessing whether the Island’s natural resources could be a future sustainable source of energy’</p>
357	9.40	Delete paragraph 9.40	<p>Deleting this paragraph is in contravention of the position that the States of Jersey has taken in signing the Kyoto Protocol i.e. accepting the challenge of climate change as caused by anthropogenic carbon emissions and has agreed that Jersey will limit its own carbon emissions. The reference to EU reduction targets is there because Jersey is most likely expected to be reducing its emissions in line with EU targets (as we are signatories through the UK). Removing this paragraph removes context for a move towards utility scale renewable energy and removes sense especially since it is not proposed that para 9.41 is retained.</p>
358	9.46	<p>For paragraph 9.46 substitute the following paragraph –</p> <p>‘9.46 At the moment wind generation is intermittent and inefficient as well as being</p>	<p>The suggested words for insertion do not accurately reflect the Department’s / States of Jersey’s position in respect of renewable energy. To add these words in diminishes what the</p>

		uneconomic without significant government grants. The Department will reserve its judgement on such projects until the economic and environmental case is fully proven.’	Department is mandated to achieve and changes the sense of paragraph 9.45 and 9.47. The department is not proposing doing anything in respect of renewable energy until full feasibility (Including the economic and environmental case) has been proven
361	9.50	For paragraph 9.50 substitute the following paragraph – ‘9.50 As stated, at the moment wind generation is intermittent and inefficient as well as being uneconomic without significant government grants. The Department will reserve its judgement on such projects until the economic and environmental case is fully proven.’	Same as comment in respect of para 9.46
361	9.51	Delete paragraph 9.51	This is a statement of fact. No need to delete and remove significant information and context from the plan.
363	9.56	Delete the words ‘and the energy burnt in heating systems is responsible for a major part of the Island’s carbon dioxide (CO2)emissions’	This is a statement of fact and to remove it removes the context for the policies proposed.
363	9.57	Delete the words ‘, and in response to the challenge of climate change and the goals of the emerging Energy Policy,’	To remove these words key drivers for the policy context are omitted.
363	9.58	Delete the words ‘and to make good use of opportunities for decentralised and renewable or low carbon energy.’	The Department is mandated (through the Strategic Plan and its international obligations through the Kyoto Protocol) with bringing forward policies that reduce the Island’s carbon emissions and decarbonise the economy and many of these are presented here in the Island Plan. In addition it the Department is mandated (SP objective 10) with ‘Adopting internationally agreed carbon-emission standards for all new buildings’. This will only be achieved by making use of opportunities for decentralised and renewable or low carbon energy. To remove these words,

			removes the context for the policies presented in this chapter of the Plan
363	9.59 – 9.60	Delete paragraphs 9.59 and 9.60	See above – same comment as for amendment para 9.58
364	9.61	Delete the words ‘, reducing CO2 emissions’ Delete the words ‘...(i.e. to reduce the extent and cost of renewable technology required to meet the 10% CO2 emissions target)’	See above – same comment as for amendment para 9.58
364	9.62	For the words ‘renewable and low carbon energy’ substitute the word ‘new’	See above – same comment as for amendment para 9.58
364	9.63	Delete the words ‘and carbon emissions’ Delete the words ‘low carbon and’	See above – same comment as for amendment para 9.58
364	Policy NR7	Delete the words ‘low carbon or’ on both occasions where they appear	See above – same comment as for amendment para 9.58

LA PROVIDENCE – Aerial photo (Amendment 28)



ST. MARY'S VILLAGE PLAN – REPORT (Amendment 34)

It is acknowledged that the St. Mary's Village Plan was prepared in full consultation with parish residents and that the planning policies and proposals set out in the Plan provided a sound framework for protecting and enhancing the character of the village. The Plan played a role in providing for limited and controlled small-scale development in and around the village, whilst helping to prevent unnecessary and obtrusive development.

However, the approved Village Plan is now some 17 years old and is not considered to be a suitable or reliable guide to the future, given that:

- most of its key proposals have been implemented;
- there are now grounds for changing the boundaries of built-up area of the village from that identified in the Village Plan;
- the draft Island Plan addresses many of the planning issues that are dealt with in the Village Plan; and
- the Village Plan may no longer reflect the views, attitudes and expectations of the local community.

Proposals implemented

Key proposals which have already been implemented include:

- The two sites designated in the Village Plan for Category A housing purposes at Les Buis (Field 420) and at Field 492, which were completed between 1999 and 2001.
- The proposal for a public open space on Field 482 to the north of the primary school playing field.
- The proposal for a community centre adjacent to the Parish Hall.
- Two of the three identified potential infill sites.

Changes to the Built-up area boundary

It is now considered appropriate to significantly change the built up area boundary from that included in the Village Plan (as shown on the draft Island Plan Proposals Map), primarily to reflect changes that have occurred on the ground since the adoption of the Plan, including:

- The zoning of the former glasshouse site on Fields 561 and 562 for social rented and open market Lifelong Homes, which are currently under construction. This was one of eight sites approved by the States in July 2008 for Category A housing (Projet 75/2008) and remains zoned for the purpose in the draft Island Plan (Policy H2). The development will provide a significant addition of over 30 new homes to the village and will serve to enclose a large area of open agricultural land which is also outside the former village development limits (Fields 563 and 564). As a consequence it is now proposed to include all this land in the village envelope.
- The car park developed in the north-eastern corner of Field 564 along Rue de la Rosiere for the Bethlehem Methodist Chapel.

- The draft Island Plan also proposes a tightening of the village development limits in other locations, which should afford greater protection of some former built-up area sites under the proposed Green Zone policy, including:
- Field 495 which was identified in the Village Plan as a housing infill site;
- land to the south and west of La Fontaine including fields 503 and 505 and La Saulsee; and
- La Croix and the land immediately to the south.

Revised draft Island Plan

The planning issues set out in the Village Plan which are addressed by the draft Island Plan policies include:

Important Open Space: All the key areas of important open space identified in the Village Plan will remain protected under draft Policy SCO4 ‘Protected Open Space’ (as will the area of open agricultural land between the development at Fields 561 and 562 and the Methodist Chapel).

Conservation Area: The Village Plan indicates the potential boundary of a Conservation Area which incorporates the largely unspoilt historic nucleus of the settlement around St. Mary’s Church. The Village Plan policies looks to protect the buildings and features in this area which contribute to its character and to promote sympathetic development and environmental enhancement. To a large extent, the objectives behind these conservation area policies will be addressed in the draft Island Plan by Proposal 7 (which sets out the Minister’s intention to identify and designate conservation areas throughout the Island) and, more immediately, through a whole raft of detailed criteria-based strategic planning policies, including:

- Policy SP4 ‘Protecting the Natural and Historic Environment’;
- Policy SP7 ‘Better Design’;
- Policy GD1 ‘General Development Considerations’;
- Policy GD2 ‘Demolition and Replacement of Buildings’;
- Policy GD7 ‘Design Quality’;
- Policy NE4 ‘Trees, Woodland and Boundary Features’;
- Policy HE1 ‘Protecting Listed Buildings and Places’;
- Policy HE2 ‘Protection of Historic Windows and Doors’;
- Policy HE3 ‘Preservation or Enhancement of Conservation Areas’;
- Policy HE4 ‘Demolition in Conservation Areas’;
- Policy ERE1 ‘Safeguarding Agricultural Land’;

In her report, the Connétable is seeking reassurances from the Minister on the designation of a Conservation Area at St. Mary and the involvement of the Parish and Parishioners in the process.

Conservation Areas are to be introduced in Jersey as set out in the emerging Island Plan. Any designation will follow a process of identification, assessment, consultation and formal designation. It is envisaged this will encompass a number of settlements during the life of the Plan which are likely to include rural settlements. Settlement centres such as St. Mary’s will be assessed for future Conservation Area status.

A Conservation Area is defined in the emerging Plan as an area of historic interest and character that should be conserved or enhanced for future generations. The assessment of such areas will be carried out in a systematic way responding to a set of criteria to be published in a forthcoming supplementary planning guidance. Each area will be assessed on its own merits. Following the technical assessment there will be a process of consultation and engagement with the local Parish and community to assess the acceptance of the proposed designation in the locality.

The centre of St. Mary's has a strongly identifiable character and appearance which has historic significance and is worthy of conservation. At its heart is the ancient Parish Church, its Churchyard, the associated Rectory set in its own extensive grounds and a number of rural vernacular buildings surrounding the Church. The unifying element of granite walls gives a strong sense of enclosure which is softened by a number of significant and mature trees. These are particularly important in providing the rural appearance to the settlement and the setting to the Church. Finally glimpse views to the open countryside provide a rural character and setting to the core that would be desirable to conserve.

A full assessment of the merits of St. Mary's village will need to be carried out within the life of the Plan to assess the desirability of full Conservation Area designation. This will follow the Plan's Proposal 7 which ensures the long term protection of historic character.

Buildings of Architectural or Historic Importance

The Village Plan policy of protecting these from unnecessary demolition and insensitive or inappropriate alteration or extension is covered in the draft Island Plan by policies HE1 'Protecting Listed Buildings and Places' and HE2 'Protection of Historic Windows and Doors'.

The identification and designation of heritage buildings and places will be comprehensively undertaken in St. Mary, as well as the rest of the Island, as part of the ongoing Historic Environment Review.

Infill Housing Developments

Draft Island Plan Policy H5 supports the provision of small-scale affordable housing/Category A homes within the existing built-up area of rural settlements such as St. Mary.

Local community views

Over the last 17 years or so since the adoption of the Village Plan, there have been many changes in circumstances (e.g. demographic, physical, economic and social changes) and it is quite conceivable that the Village Plan will no longer reflect views, attitudes and expectations of the people who currently live in the village, or the local parish community.

However, it remains open to the Parish of St. Mary to consider undertaking a new Village Plan or study to help inform future planning decisions, where it is considered appropriate. The preparation of such a Plan will provide a convenient opportunity for the local public to participate in the planning of their village and community and to address the problems and issues that affect them now.

Proposal 14 of the draft Island Plan makes provision for Village Plans or studies to be produced and adopted for rural parish centres. These plans must be undertaken by the relevant parochial authorities in full consultation with their local communities and key stakeholders where there is a justifiable requirement. The justification might, for

example, include a requirement to address identified local housing needs and in so doing support the vitality and viability of the community. In the case of St. Mary, the preparation of a new Village Plan might perhaps also provide the opportunity to usefully look again at drawing up policies for outstanding issues which have yet to be fully resolved (e.g. traffic management, improved pedestrian facilities, church parking and certain improvements to the existing environment).

Any new village planning exercise can build on the survey work which was undertaken for the original village plan and set out in the original consultation report.