



Anneville Lodge, Le Mont des Landes, St Martin, JERSEY, JE3 6DJ

**PLÉMONT PUBLIC INQUIRY
RESPONSE TO INSPECTOR'S PRE INQUIRY NOTE 2**

The Council thanks Mr Langton for his kind invitation to make suggestions on recommended viewpoints and lines of questions to be asked of witnesses. Our suggestions are as follows:

Site Visit

Request for Building Profiles and Boundary Marking

At the recent planning application meeting held in public for Camellia Cottage the Minister requested that before his site visit, building profiles should be erected in scaffolding so that he could make a better judgement on the visual impact of the proposed development. It is believed that it would similarly assist the Inspector when judging the visual impact of the proposed new development on the historic landscape at Plémont to have building profiles for all three groups of houses erected in scaffolding. It is realised there may not be sufficient time for this to be done before the planned site visit.

In addition, the extended access road, footpaths and boundaries of the gardens and parking areas could be indicated by stakes joined by coloured tape. In particular, the area offered by the owners for return to public ownership should be indicated using different coloured tape.

Viewpoints

Apart from viewing the site from the East from the Taylor Memorial seat at Sorel Point (GR613569) but not suggesting he makes the arduous climb down the Palaeolithic, Neanderthal habitation cave at La Cotte à La Chèvre (GR554566) from which the present holiday- camp is in clear view, it is suggested the Inspector follows:

1. The length of the C 105 road from its junction with the main B55 road to the car-parks at the West and North ends of La Route de Plémont. He should note that the application proposes to build the entire South-East cluster of houses in Field 47, which is undeveloped land in the Green Zone, contrary to Jersey Island Plan 2011, Policy NE 7. It will be noted that houses in the North West cluster extend into Field 44 which is also undeveloped land in the Green Zone.
2. The main road B55 (La Rue du Val Bachelier) from the cross-roads junction with the C105 and B56 roads West towards the Grosnez Castle car-park.

3. The cliff-path used by people walking from the car-park at Gronez Castle to Plémont Bay, and passing as close as possible to the high ground at La Hougue de Grosnez. (GR 552565).

We feel sure that the Inspector will observe that rather than there being a reduction in the visual impact of the proposed new development, when seen from the land it will be more intrusive in the landscape than the existing buildings.

Questions to Witnesses

Having now seen Statements of Case as posted on the Public Inquiry website we suggest the following lines of questions to witnesses, as follows:

To the Department of the Environment's Case Officer, Mr Alistair Coates.

The aim of this line of questions is to establish the great importance of the historic landscape at the Plémont coastal headland and the proper level of protection that should be accorded to the whole area as provided for under the present Planning and Building (Jersey) Law 2002 and established policies laid out in Jersey Island Plan 2011.

Suggested Lines of Questions:

1. Many local environmentalists believe that to permit the proposed development in this sensitive, coastal and historic landscape at Plémont will result in nothing short of an environmental disaster. It would appear that the States of Jersey Environment Department disagrees with this assessment. From the documents presented to the Inquiry it has been noted that there is no evidence from the Historic Environment Team which we believe is responsible for the listing of historic buildings and places. Was the Historic Environment Team invited to provide evidence for the Inquiry? If it was consulted, what was its recommendation? If not, why not?
2. Turning to the Planning Law itself, how important do you regard Article 2 which describes the very purposes of the law, which is to conserve, protect and improve the Island's natural beauty, natural resources and general amenities, its character and its physical and natural environments? In what way do you see the proposed development achieving each of these stated aims of the Law? (The Statement of Case presented by Mr Pierre Horsfall CBE is directly relevant to this question.)
3. Concerning Jersey Island Plan 2011 and Policy N7 for the protection of the Green Zone, could I first refer you to your Statement of Case and ask you to confirm that in quoting from Policy N7 at your paragraph 6.1 you have omitted the word 'new' before the word development? To quote from the Island Plan it is stated that

*The areas designated as Green Zone on the Proposals Map will be given a high level of protection and there will be a general presumption against all forms of **new** development for whatever purpose.*

Do you agree that your missing word ‘new’ is, in fact, the operative word? As the present derelict buildings are to be demolished and the site cleared, why do you apparently regard the building of 28 new houses, a majority of them not on the site of the present buildings but in Fields 44 and 47, as not constituting new development in the Green Zone?

4. Having read the many letters of representation against this application some of which drew attention to the recommendations of the Countryside Character Appraisal Report 1999, which identified this coastal area as deserving of the highest possible level of protection from all forms of development, why have you chosen to discount these recommendations?
5. How has it been assessed that the proposed large-scale, suburbanising development will bring environmental improvement in this historic landscape and that it will not have an adverse ecological impact on the proposed development area which includes Fields 44 and 47, and which, apart from a small area inside the adjacent Coastal National Park, is entirely within the Green Zone?
6. How will shifting the development from the top of the headland onto undeveloped land in the Green Zone reduce the visual impact of the development, especially when viewed from the most easily accessible footpaths, lanes and roads leading up to and passing by the site?
7. In its previous reports it appears that the Planning Department regards the whole site as ‘not greenfield’ and therefore, by inference all of it is regarded as ‘brownfield’. Is this correct? If so why? Would not the definition used in the UK in Annex B to Planning Policy Statement 3 (PPS 3) be more appropriate? This Planning Policy Statement states that ‘brownfield land’ excludes

Land in built up areas such as private residential gardens, parks ,recreation grounds and allotments, which although it may feature paths, pavilions and other buildings, has not been previously developed.

This Planning Policy Statement concludes by stating:

There is no presumption that land that is previously developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.

In particular, could it be explained why undeveloped parts of Fields 44 and 47 should be classed as ‘brownfield’, when most of this land is clearly undeveloped, as acknowledged in the Environmental Impact Assessment (Inquiry Document CM Paragraph 8.7) which states:

The new buildings are grouped in three “clusters”. These comprise a “west cluster” containing 11 houses in the middle south of the site (generally over the

footprint of the existing Staff bungalow, Brelade and Corbiere guest blocks and the north-western corner of Field 44 formerly comprising a small crazy golf course), a “south-east cluster” containing 16 houses in the bottom south-eastern corner of the site adjacent to the junction of the site’s access lane with La Route de Plémont (over the majority of Field 47 which is undeveloped and was formerly used for recreational purposes), and a “north-east cluster” containing 3 substantial houses on the far eastern side of the site (generally over the footprint of the existing Managers bungalow, part of the Main Amenity block and the southern part of both staff blocks, with their gardens extending across most of the existing tarmac eastern car park).

Why is this land, within the site and identified in the Environmental Impact Assessment as being undeveloped and used previously for recreational purposes regarded by the Planning Department as ‘brownfield’ land? Why is it also considered by the Department that in spite of its remoteness and the sensitive landscape location (See Brownfield land described on page 35 of the IP) the ‘brownfield’ area where the derelict holiday-camp buildings now stand is itself suitable for some form of redevelopment?

8. Could you please explain why building a new 28 building housing estate in this sensitive area will bring about the repair and restoration of its landscape character, give rise to demonstrable environmental gains, bring about a reduction in visual impact attributes that you claim “*fall in with the exception permitted under policy NE7 cii*” (Statement of Case, Paragraph 7.1).
9. It appears that ‘Planning gain’ is used as part of the justification for giving approval for this planning application, what is the Department’s perception of the ‘planning gain’ to be achieved by this proposed development, and who will benefit most?
9. Would you agree that as a Civil Servant it is your responsibility to plan for the implementation of the present planning law and States’ policies effective under the Law, and where you recommend a significant inconsistency with the established law and policy contained in the Island Plan, (which you admit to being the case in your Statement of Case (Last sentence, paragraph 6.1), you must provide the Minister with a very strong justification for doing so. Could you now give the Inquiry your full justification for recommending to the Minister that he should give his approval for this new, large-scale housing development in this particularly sensitive part of the designated Green Zone?

To the Applicant

1. In your Green Plan for Plémont published in 2009 the first option stated as being open to the owner was:

Owner refurbishes existing buildings and restarts operations as a holiday destination. They have the resources to undertake this and the rooms meet current space requirements.

Does this still reflect the owner's present position?

2. The second option was identified as:

States of Jersey acquire site for it's reasonable value. Whether this is by compulsory purchase (CP) or by negotiation the cost will be substantial and in the event of CP could take years to settle and substantial legal costs.(sic)

Is the owner still willing to sell the site?

3. In view of the Inspector's prior notice of a question (CD6.6) into the analysis of land use, the Council would welcome an exact measurement of the land covered by the new development. It was a contention of the Council that comparative figures between the present buildings and the 28 new houses which seemed to be based on buildings floor-space did not permit a meaningful comparison. The actual area covered by the new development including the individual curtilage of each house, parking areas, the extension of the access road, new footpaths and the area of 'managed grassland' between the clusters of buildings can all be regarded as newly developed land. What is this area?

Yours sincerely

John Mesch,
For Chairman