

Dear Mr. Inspector,

**P.2010/1717 – FIELD 622, LA RUE DE LA CROUTE, ST. OUEN**

I lodge this statement in relation to P.2010/1717 and very much appreciate the opportunity to present this at the forthcoming Public Inquiry.

The chronology of this matter is long and I regret having to restate some of it but it is important that the context inform your deliberations. The attached copy of States Proposition P.48/2010<sup>1</sup> dated 19th April, 2010, sets out some of the salient detail. The Constable of St. Ouen states therein that the Parish “identified Field 622 as being the only suitable field”. The reality is that part of the field has been owned by the Parish (via a Church Trust called the “Rectorat”) since the 1880’s and in all that time no attempt was ever made to try to build on it until, of course, Mrs Coulter’s money became available in 2007. Having been left several million pounds under strict conditions the Parish came under pressure to identify a site which it could develop quickly, its gaze alighting on Field 622 which had the additional benefit of being available to the Parish at nil cost. Drawing a veil over the narrow and still disputed Parish Assembly vote of 17<sup>th</sup> November 2009 (by which the Constable claimed legitimacy for the submission of Field 622 for consideration in the new draft Island Plan) the Parish Constable then lodged (either of his own volition or on the advice from the Planning Department, it has never been clear which) P.48/2010 to rezone the land, some months ahead of the draft Island Plan consultation process. The Constable explains the reason for re-zoning is so that “the senior citizens of St.Ouen [are to] “benefit from this generous bequest”, no doubt because there were patently no ‘Planning’ reasons why the Field (designated in the former and current Island Plans as Green Zone) should otherwise be considered for development.

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<sup>1</sup> States of Jersey – Island Plan 2002: Field 622, St. Ouen – Rezoning (lodged au Greffe 19<sup>th</sup> April 2010) P.48/2010

P.48/2010 was, as shown in the States Minutes, withdrawn without explanation by the Constable on 13<sup>th</sup> September 2010, less than a month before the Examination in Public (EiP) of the Draft Island Plan in relation to the site. Hansard gives no indication or explanation as to why the Proposition was withdrawn.

The EiP relating to Field 622 was conducted by Messrs. Shepley & Langton on 5<sup>th</sup> October 2010 and the attached copy of Appendix 1 to the draft Report of the Inspectors shows that the Parish Constable, Mr. Vibert, was to have attended, no doubt to argue the Parish case for re-zoning. However, unlike those objecting to the proposal, he did not attend and no reason for that absence was recorded<sup>2</sup>. The Inspectors Report was lodged with the then Planning Minister (Cohen) on 19<sup>th</sup> November 2010, coincidentally the same day as the Planning Application for Field 622 was counter-signed by the Dean of Jersey as site owner. The site was not recommended for re-zoning by the Inspectors and the draft Plan remained, in terms of Field 622, as originally recommended by the Planning Department which is Green Zone<sup>3</sup>. On 22<sup>nd</sup> November 2010, the current application was received by the Planning Department. This seems odd given the £14,670.00 non-refundable planning fees involved and the expensive architect costs incurred; perhaps the Constable and Parish Deputy felt they could persuade their fellow States Assembly members to re-zone the site as part of the debate on the draft Island Plan.

The Island Plan debate was held in June 2011 and the Proposition (P.48/2011) was subject to nearly 60 amendments but, surprisingly, not one was lodged by the Parish of St. Ouen politicians in relation to a re-zoning of Field 622 in St. Ouen. The new Island Plan was approved by the States Assembly on 29<sup>th</sup> June 2011, Field 622 remaining, as it always had been, in the Green Zone. In light of the above, you may understand why many nearby residents are at a loss to explain how an application to re-develop the field, previously given such extensive scrutiny and attention in the run-up to the Island

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<sup>2</sup> The (Draft) Jersey Island Plan Inspectors Report – Appendix 1: Programme and Participants

<sup>3</sup> EiP Inspectors Comment & Recommendations



Plan debate, can have been lodged, remained “live” and now, nearly 2 years later, be the subject of your Planning Inquiry. It had been thought that the introduction of a “Plan-Led” system would remove some of the more iniquitous characteristics of the Jersey Planning process whereby Parish political representatives previously had formal or, more often, informal access to Planning Committees of a kind not always afforded to objectors. That hope seems to have been a forlorn one if the inexorable progress of P.2010/1717 in anything to go by. One of the objectors, Mr. Lees-Baker, enquired of Mr. Coates of the Planning Department (on 3<sup>rd</sup> February 2013<sup>4</sup>) whether he would provide details of meetings the Minister(s), (Cohen and/or Duhamel), may have had with Parish officials and Mr. Coates responded<sup>5</sup> on 26<sup>th</sup> February 2013 that he had no such details but would ask the Minister’s PA to advise accordingly. These details may be pertinent to your deliberations and if, as it appears, they have not been provided to Mr. Lees-Baker, might you consider requiring the Planning Department to provide them to you instead?

It is understood that you will consider this matter on Planning grounds and I would like to draw your attention to the recent decision of the Planning Applications Panel in respect of P.2012/1571 (Fields 616 & 617, La Rue de la Croute, St. Ouen) to refuse the construction of 5 x 4 bedroom semi-detached houses on that site; copies of the relevant papers are attached<sup>6</sup>. The site is virtually opposite Field 622 on Rue de la Croute, is in the Built-Up Area and fronts onto a Primary Route Network (as opposed to an extremely narrow country lane). In light of this refusal, made at the recommendation of his Planning Officer, it would appear almost inconceivable that the Minister might then approve a re-development of the adjacent Field 622 which sits in the Green Zone. Quite why P.2010/1717 should be considered suitable in any way for approval; and to have progressed to the extent of your Public Inquiry is also not understood. There is no apparent explanation as to why this application was not rejected either at Officer level

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<sup>4</sup> Correspondence Mr. J Lees-Baker / Mr. Coates – Planning & Environment

<sup>5</sup> Correspondence Mr. A Coates (Planning & Environment – Mr. J Lees-Baker

<sup>6</sup> Report for Planning Applications Panel / Ministerial Meeting re: Application No. P/2012/1571

at a much earlier stage in the Planning process or dealt with by a similar reference to the Planning Applications Panel with a similar recommendation for refusal. It is pertinent to enquire what recommendations the Planning Officer would have made in respect of P.2010/1571 had the more usual approach been adopted, there seeming to be no indication on any of the documents set out on the Inquiry website. That we should have moved from the lodging of the application in November 2010 straight to a Public Inquiry in July 2013 seems without precedent, so far as can be determined.

I thank you for taking the time to consider this submission and its attachments.

Yours faithfully, \_\_\_\_\_

NICHOLAS M POOLE