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Department of the Environment

**Public Inquiry into the redevelopment of Plemont Bay Holiday Village, La Route
de Plemont, St. Ouen.**

- Statement of Case -

Planning Application Reference; P/2011/1673

INTRODUCTION

This statement is submitted by the Department of Environment in response to the Public Inquiry into planning application; reference P/2011/1673 for:

The demolition of all existing buildings and removal of hard-standings. The return of 67% of total site area (16.19 verges) to public accessible natural landscape. The replacement of the existing Manager's bungalow/Staff cottage with 2 No. four bed houses and the construction of 26 No. houses plus landscaping, footpaths and reed-bed rainwater recycling pond. The creation of a passing place on C105 at Western edge of Field 48.

The Statement has been prepared by officers of the Department and does not necessarily reflect the views of members of the Planning Applications Panel, or the Minister; none of whom have had any involvement in its preparation and none of whom have had sight of the statement prior to its release to the Public Inquiry.

The statement should be read in conjunction with the documents submitted by the Department to the Public Inquiry which, together, form the Department's full statement of case. Those documents comprised all plans, representations received, consultation responses and general correspondence from the planning application file.

The statement is set out in the following sections:

1. description of the appeal site and its surroundings
2. brief description of the proposal
3. brief outline of the relevant planning history
4. consultation responses and representations
5. policy context: national planning guidance and development plan
6. planning considerations
7. conclusions

1 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

1.1 The former Holiday Village occupies a site of some 11.75 acres (26.4 verges) on the north coast at Plemont and comprises existing buildings and hardstanding areas on the northern (headland) part of the site, together with associated outdoor recreational areas on the southern part.

1.2 The existing buildings, when in use, comprised:

- 8 two storey guest accommodation blocks;
- a large three storey 'amenity' block (former dining room, dancehall, bar, etc)
- 2 two storey staff accommodation blocks
- a manager's bungalow
- a staff cottage
- other ancillary buildings (shop, maintenance buildings) and facilities (swimming pool and two tennis courts).

1.3 The remaining, open, areas of the site are considered by the Department to have been within the curtilage associated with the built complex and benefitting from established recreational use, being ancillary and incidental to the enjoyment of the holiday village.

1.4 The complex, which has a total built floor area in the region of 103,983 sq.ft (9,660 sq.m), is in a state of dereliction.

1.5 Use of the site as a holiday village ceased in 2000, but during the peak season when it was operational, could accommodate up to 488 guests and 60 staff. The applicant states that between the years 1991 and 2000, the average daily occupancy in the holiday season was 355 persons.

1.6 The area surrounding the site is predominately rural in nature with agricultural land and open heathland.

2 BRIEF DESCRIPTION OF THE PROPOSAL

2.1 The application proposes the demolition of all structures (excepting an Occupation structure) on the site, together with the removal of all hardstanding areas.

2.2 Twenty six new and two replacement dwelling-houses would be constructed, arranged in 3 'clusters', which could be described generally as lying within the southern portion of the overall site. The dwellings follow a well detailed vernacular approach to the architecture and the form of the 3 clusters takes a cue from traditional settlement patterns found within old farming communities in the rural parishes of Jersey.

2.3 It is also proposed to revert approximately 68% or 27,000 sq.m (15 verges) of the site to naturalised landscape for nature conservation and to native grassland with reed bed surface water ponds. These elements are proposed to be donated to the public for future enjoyment. Various environmental works are also proposed, both in terms of landscape restoration and habitat / bio-diversity strengthening. The Occupation structure would also be brought into new use as a bird hide for public enjoyment.

2.4 In line with Departmental policy, the applicant has also proposed the provision of a Percentage for Art contribution.

3 BRIEF OUTLINE OF THE RELEVANT PLANNING HISTORY

Please note that the Department hereby makes comment solely on the planning application history of the site and does not wish to make comment on any Proposition lodged with the States to purchase the site as land transactions between parties are outside of matters to be considered by the planning system.

3.1 P/2011/ 0144 Demolish existing buildings. Construct 28 No. dwellings. Return two thirds of site to nature. Associated landscaping and footpaths. Footpath link from the site to the North coast cliff path.

3.2 This planning application was generated by the Department in an attempt to expedite the progression of the November 2009 application which was held in abeyance pending a question over its validity. Application reference P/2011/0144 was a duplicate of P/2009/2108. The applicant did not accept the validity of this duplicate application and the Department cancelled the application in May 2011.

3.3 P/2009/2108: In November 2009, Plemont Estates Ltd submitted a detailed application which was described, and then amended, as follows:

Demolish existing buildings. Construct 30 dwellings. Return two thirds of site to nature. Refurbish WWII Bunker with associated landscaping and footpaths.

AMENDED DESCRIPTION: Revised site boundary removing approx 5,750 sq.m from the application site, primarily along the Northern edge of the site. Reduction in numbers from 30 to 28. Minor revisions to detailed design and layout. Footpath link from the site to the North coast cliff path.

3.4 This application is currently held with a 'suspended' status owing to a question of site ownership and subsequent validity of the application.

3.5 PP/2009/ 0709: Outline Planning Application to demolish existing building. Construct 46 No. two bedroom and 27 No. three bedroom self catering units with associated facilities. Construct one bedroom staff accommodation. Refurbish WWII Bunker and associated landscaping and footpaths. The application was refused, against Officer recommendation, on 12/11/2009 for the following reason:-

"The Plemont Holiday Village site lies within an area of outstanding landscape and amenity value on the Island's north coast. On the Jersey Island Plan 2002 the site is located in the Green Zone, where there is a general presumption against all forms of new development for whatever purpose. Because of the sensitive site location and policy context, the Minister in this instance requires details of the siting, form and design of the proposed development in order to properly assess the environmental and visual impact of the application proposal and whether it will give rise to substantial environmental gains and a significant contribution to the character of the area, as required by Island Plan Policy C5 (Green Zone);

and an enhancement in the appearance of the site and its surroundings as required by Policy G15 (Replacement Buildings). Also to assess whether the proposal is compliant with Island Plan Policy C2 (Countryside Character) and G2 (i) and (iv) (General Development Considerations).

Because this is an 'outline' application which does not include details of siting, form and design, the application fails to demonstrate to the satisfaction of the Minister that the proposal is compliant with the aforementioned Island Plan policies”.

3.6 P/2006/1868: Proposed demolition/removal of all existing buildings and hardstanding areas, including demolition of existing manager's bungalow and staff cottage, and construction of 36 dwellings. The application was refused against Officer recommendation on 16th May 2008 for the following reasons:-

“1.The Plemont Holiday Village site lies within an area of outstanding landscape and amenity value on the Island's north coast, and forms part of a wider area of the north coast which is highly valued by Island residents and visitors for its scenic quality, remoteness and tranquility. On the Island Plan the site is located in the Green Zone. Notwithstanding that the site presently comprises an unsightly 'holiday village' complex,it is considered that the application proposal for a residential development on the site, by virtue of the scale and extent of the proposed development and number of units(36), would be inappropriate in this location and have an adverse visual impact in the landscape which would unreasonably harm the existing character, appearance and ambience of the area; also that the proposal would not result in a substantial environmental gain such as to justify an exception to the presumption against development in the Green Zone. As such the proposal would be contrary to Island Plan Policies C5 (Green Zone), C2 (Countryside Character), G2 (i) (ii) & (iv) (General Development Considerations) and G15 (Replacement Buildings).

2.The proposed residential development, by virtue of the scale/number of units, in conjunction with the remote location of the site relative to community facilities and services, is contrary to Island Plan Policy G1 (Sustainable Development) which requires, amongst other things, that development proposals should seek to integrate new development with the existing built-up area - the rationale for which is to reduce car trips and encourage sustainable modes of transport.”

3.7 PP/2001/0028: In January 2001, an application for 'Permission in Principle' was submitted by Scottish and Newcastle Plc, for the proposed change of use of the Holiday Village from tourism to residential use. In short, the applicants were seeking to establish the principle of a residential development on the site, of the same equivalent floorspace as the existing Holiday Village. The application was withdrawn by the applicant on 5th January 2004.

3.8 PP/1998/2766: In December 1998, an application for 'Permission in Principle' was submitted by Dandara Island Homes Limited to demolish the existing complex and develop 117 dwellings on the site.

3.9 Permission was refused by the former Planning and Environment Committee on 24th March 1999 on five grounds, viz: (summarised).

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

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

4 CONSULTATION RESPONSES AND REPRESENTATIONS

4.1 Responses were received from the following bodies which were consulted as part of the planning application process:

Parish of St Ouen

Highways section of Transport & Technical Services (States of Jersey)

Drainage section of Transport & Technical Services (States of Jersey)

Environmental Land Controls Section of the Department of Environment

Natural Environment Section of the Department of Environment

Environmental Protection Section of the Department of Environment

Historic Environment Team of the Department of Environment

Copies of the consultation responses have been submitted to the Public Inquiry.

4.2 In response to the usual publicity for planning applications, 49 representations were received from individuals. In addition, representations were also received from;

The Channel Islands Occupation Society

The Council for the Protection of Jersey's Heritage

La Société Jersiaise

The National Trust for Jersey

Copies of the representations have been submitted to the Public Inquiry.

5 PLANNING POLICY CONTEXT

5.1 The Island Plan, 2011 (approved and adopted 29th June 2011) sets out detailed policies and objectives to guide the management of development across the Island. The majority of the site lies within the Green Zone, while a small portion sits within the Coastal National Park, both as designated on the Island Plan Proposals Map. In the context of this application, the following policies are considered to be of some relevance:

- SP1 – Spatial Strategy
- SP2 – Efficient Use of Resources
- SP3 – Sequential Approach to Development
- SP4 – Protecting the Natural & Historic Environment
- SP6 – Reducing Dependence on the Car
- SP7 – Better by Design

- GD1 – General Development Considerations
- GD2 – Demolition & Replacement of Buildings
- GD3 – Density of Development
- GD4 – Planning Obligations
- GD5 – Skyline, Views & Vistas
- GD6 – Contaminated Land
- GD7 – Design Quality
- GD8 – Percentage for Art

- NE1 – Conservation & Enhancement of Biological Diversity
- NE2 – Species Protection
- NE3 – Wildlife Corridors
- NE4 – Trees, Woodland & Boundary features
- NE6 – Coastal National Park
- NE7 – Green Zone
- NE8 – Access & Awareness

- HE1 - Protecting Listed Buildings & Places
- HE5 – Preservation of Archaeological Resources

- ERE1 – Safeguarding Agricultural Land
- ERE3 – Enabling or Linked Development

- H3 – Affordable Housing
- H4 – Housing Mix

- SCO5 – Provision & Enhancement of Open Space

- TT2 – Footpath Provision & Enhancement & Walking Routes
- TT5 – Road Safety
- TT8 – Access to Public Transport

NR7 – Renewable Energy in New Developments

WM1 – Waste Minimisation & New Development

WM5 – Recycling Centres & Waste Collection

LWM1- Liquid Waste Minimisation & New Development

LWM2 – Foul Sewerage Facilities

LWM3 – Surface Water Drainage Facilities

5.2 The following adopted documents are also of some relevance to the consideration of the planning application:

Supplementary Planning Guidance: Disposal of Foul Sewage (May 2012)

Jersey Design Guide (2008)

Parking Guidelines (PPN3 1988)

A Minimum Specification for New Housing Developments (PPN6 1994)

Countryside Character Appraisal

6 PLANNING CONSIDERATIONS

6.1 The site is primarily within the Green Zone wherein there is a strong presumption against all forms of development (Policy NE7). Moreover, Strategic Policies SP1 and SP3 would not lead to the selection of the application site as a preferred site for accommodating a net gain of 26 new dwellings. Accordingly, the Department *does* consider the planning application to represent a substantial departure from the provisions of the 2011 Island Plan.

6.2 Notwithstanding the above, the Department does consider that there are significant factors that mitigate against the Departure issue, to the degree that the Department lends its full, but conditional, support to the planning application. Moreover, given the unique circumstances behind the application, the Department does not believe that its support would lead to any form of precedent being set that would be likely to weaken the objectives of the Island Plan.

6.3 Policy NE7 cii (Green Zone) of the Island Plan presumes against the redevelopment of commercial buildings for anything other than their original purpose but the policy makes an exception where the redevelopment would give rise to demonstrable environmental gains and where it would make a positive contribution to the repair and restoration of the landscape. The Department contends that the proposals would secure the removal of an unsightly and extensive range of derelict buildings and would revert a substantial area of land back to its natural state. The proposed erection of the three clusters of dwellings is considered to be a reasonable and proportionate element of 'enabling development' (Policy ERE3), without which, the Department is mindful that the prospect of clearing the unsightly structures is very much diminished.

6.4 The proposal represents a clear and significant reduction in the building mass and floorspace area compared to the existing complex and, by splitting the development into 3 clusters, this will further serve to break up the perceived bulk of the existing structures. The new dwellings would certainly be visible on the skyline from various viewpoints but the Department does not consider that this would result in a seriously

detrimental impact upon the skyline, nor result in the loss of any strategic view or important vista.

6.5 The proposed new dwellings share a high quality of design following a rural vernacular with significant openness punctuating the 3 clusters. Although not on the same footprint as the existing structures, the 3 clusters would be 'pulled' away from the North coast cliff path, offering a greater visual buffer between the coast and the development. The Department is satisfied that this approach to the development of the site is an appropriate response to the sensitivities of the site and its surroundings.

6.6 The Department does not, necessarily, consider the Plemont Holiday Village site to be 'abandoned' in planning terms. The lengthy history of planning applications gives an indication that the applicant company has not relinquished its interest in the site nor its future.

6.7 The Environmental Impact Statement submitted with the application concludes that the resultant development would lead to a very high positive environmental impact on the area. The Department does not dispute the conclusions of the EIS.

7 CONCLUSIONS

7.1 Notwithstanding the policy presumptions against the erection of new residential development outside of the Island's principal settlements, the Department considers that this proposal will result in significant and substantial repair and restoration of landscape character and will enable the wholesale clearance of the existing Plemont Holiday Village structures which are, presently, a blight on the Island's sensitive North coast. Accordingly, the Department contends that the proposals represent a justifiable exception to those policies of the Island Plan and that they fall in with the exception permitted under Policy NE7 cii

7.2 The Department supports the proposal, subject to the imposition of conditions and subject to the applicant entering into a Planning Obligation Agreement to secure the ceding and onward maintenance / management of the reverted land and to secure compliance with the various requirements as stated within the relevant policies of the 2011 Island Plan.

7.3 The Department will forward a schedule of recommended conditions and suggested terms of a Planning Obligation Agreement prior to the Public Inquiry Meeting.