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## **Public Inquiry –Statement of Common Ground between:**

**Director General of Infrastructure, Housing and  
Environment**

**and**

**Government of Jersey Infrastructure, Housing and  
Environment**

Planning Application reference: P/2021/1670

Date of Inquiry: 4 to 11 April 2022

**Our Hospital Project, Overdale site, Westmount Road, St Helier**

Construct new hospital and associated buildings including mental health centre, energy centre, knowledge centre, multi storey car park, surface level parking and landscaping. Demolish existing buildings, not covered by application P/2021/1398 to include La Chapelle de St. Luc, Thorpe Cottage, Briez Izel, 1 Castle View, 5 Castle View, 1 Hillcrest, part of driveway, raised planter and strip of land at entrance to Hill Crest and Castle View, Mont Martin Cottage and two outbuildings, L'Amyerie, 1 – 3 Westmount Terrace, Berkeley Rise, Westmount House, Folly Field, part of the garden of Camden, and Jersey Bowling Club. Reconfigure and landscape Westmount Road, including People's Park, Lower Park, Westmount Gardens and Victoria Park, including changes to the playground and Petanque Courts in conjunction with associated alterations to the highway network. 3D Model available.

CLARIFICATION OF DESCRIPTION: Demolition of existing buildings includes all buildings on the existing Overdale Hospital Site, Mulcaster House (Jersey Water) and the former sub-station in Victoria Park. The application also includes the redevelopment of fields H1550, H1550A, H1551 and H1552.

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## Contents

1.0	Description of the Application Site	1
2.0	Description of Development	5
3.0	Form of Application and Environmental Impact Statement	6
4.0	Ownership and Acquisition	7
5.0	Site Selection	8
6.0	Relevant Planning History and Enabling Applications	9
7.0	The Development Plan	11
8.0	OHP Site Allocation/ Spatial Strategy	14
9.0	Pre-application Engagement	15
10.0	Summary of Need for our Hospital Project	16
11.0	Demolition	17
12.0	Heritage Assets	18
13.0	Design Guidance Documents	20
14.0	Landscape Visual Impact Assessment	21
15.0	Loss of Employment Land	23
16.0	Community Use and Open Space	24
17.0	Health and Socio-economics	25
18.0	Archaeology	26
19.0	Energy Reduction and Sustainability	27
20.0	Contaminated Land	28
21.0	Arts Strategy	29
22.0	Transport	30
23.0	Ecology and Landscape	31
24.0	Construction, Waste and Residential Amenity	32
25.0	Drainage	33
26.0	Planning Conditions and Obligations	34
27.0	Signatures	35
	Appendix 1 - Planning History	37

## 1.0 Description of the Application Site

- 1.1.1 The OHP Site is approximately 13 hectares. The principal part of the OHP Site comprises the existing Overdale Hospital on the upper part of Westmount Road, but as a whole, lies on an escarpment either side of Westmount Road, taking in part of the Jersey Water site (and buildings) in its northern part and two fields to the east. It also includes some residential properties in the vicinity, most of Westmount Road itself and adjacent land, Jersey Bowling Club ('the JBC'), part of The People's Park, Peirson Road/St Aubin's Road (and associated road junctions), Westmount Gardens, Lower Park and Victoria Park to the south and southeast. It also includes Val Andre, a wooded landscape, to the west.
- 1.1.2 The majority of the OHP Site is set within the designated St Helier 'Built-Up Area' ('the BUA') and the proposed 'Town'/'Primary Centre' as defined in the BIP.
- 1.1.3 Westmount Road currently runs through the OHP Site on an incline and 'hairpin' turn towards its middle, as it runs upward. It connects onto Tower Road to the north and Peirson Road/St. Aubin's Road to the southeast.
- 1.1.4 The offices of Jersey Water (water utility company) and two reservoirs are within the northern part of the site. A communications tower is in the north-east part of that site. South of that, but outside of the OHP Site boundary, is the Crematorium and its gardens. Immediately south of that and adjacent Westmount Road, is Thorpe Cottage, a Grade 3 Listed 19th century dwelling with a large walled garden.
- 1.1.5 In the northeast of the OHP Site is a disused Chapel named La Chapelle de St. Luc. This building is insufficient to merit listing.
- 1.1.6 To the east of Westmount Road, there are two fields (though they are known as Fields H1550/ H1550A, H1551 and H1552) previously in agricultural use, with hedgerow boundaries.
- 1.1.7 Mont Martin, a two-storey detached residential dwelling, with associated outbuildings is located within Field H1550. It is understood, from information in a withdrawn planning application (P/2020/0611), that the structural condition of this existing dwelling is poor. Between the fields are several residential properties including a Grade 4 Listed 19th century villa named Briez Izel.
- 1.1.8 The southern section of Westmount Road, parts of Peirson Road and St Aubin's Road, Westmount Gardens and Victoria Park are in the Site, along with land accommodating other residential properties and the JBC.
- 1.1.9 The JBC comprises a single storey clubhouse, grass outdoor bowling green and car parking. On its northern corner, the footpath adjacent to People's Park via a pergola and the play area is bisected by the Road, before leading steeply upward to the northern part of Westmount Road. There are also steps between the hairpin bend of the Road and People's Park, to the southwest of the JBC.

- 1.1.10 The western part of the OHP Site (to the west of Westmount Road) comprises the wooded valley, Le Val Andre, which is also accessible from a footpath from the Westmount Road hairpin via Westmount Gardens. In addition to Briez Izel and Thorpe Cottage there are parts of four listed places within the OHP Site: People's Park (Grade 3 listed – HE1897), Westmount Gardens (including an electricity substation excluded from the listing), Lower Park (Grade 3 listed – HE1899) and Victoria Park (Grade 3 listed – HE1916). In addition, the former substation in Victoria Park is to be demolished (and is within the listed place). The toilets are currently being considered for listing on the Historic Environment Record.
- 1.1.11 Outside the OHP Site, residential properties lie to the north, along with part of the Jersey Water works and Monte a l'Abbe Cemetery (Grade 2 listed- HE 1176). Beyond that to the north- west is New Mont a l'Abbe Cemetery (its wall being Grade 3- HE1244) on Tower Road and St Helier centre to the east. Other designated heritage assets that sit adjacent to the OHP Site include 3-29 Peirson Road (19 Grade 3 and 4 listed buildings), 1-5 New Park Villas (HE1660), 1-2 Park Place (HE0736/ HE0759) Westmount Road (7 Grade 3 buildings).
- 1.1.12 People's Park is located to the south of the main area of the Proposed Development. Beyond that is the Waterfront and to the southwest is Westmount Gardens (including an electricity substation excluded from the Listing), La Route de St Aubin and Victoria Avenue.
- 1.1.13 Grade 4 Listed George V Cottage Homes are located at the western edge of Val Andre and the wider area is rather built up with residential dwellings and a mix of other uses. There are several other heritage assets in the wider urban context of the OHP Site. These are dealt with in the evidence of the Applicant's heritage specialist.
- 1.1.14 Several buildings are located within the application site, which would be demolished. These are:
- Jersey Water, Mulcaster House, Westmount Road, JE1 1DG,
  - Mont Martin Cottage and associated garage building (located in Field H1550);
  - Outbuilding 1 (located in Field H1550);
  - Outbuilding 2 (located in Field H1550);
  - Thorpe Cottage, Westmount Road, JE2 3LP;
  - Briez Izel, 2 Westmount Road, JE2 3PG;
  - L'Amyerie;
  - 1-3 Westmount Terrace and associated triple garage building;
  - Berkeley Rise (also known as Bahia-Blanca);
  - Westmount House (also known as Orphir Villa);
  - Folly Field and associated garage building (also known as Otani);
  - Overdale - Westmount Centre;
  - Overdale - Poplars Day Centre;
  - Overdale - William Knott Day Hospital;

- Overdale - Admin 1 Offices;
- Overdale - OT Store;
- Overdale – Kitchens;
- Overdale – Jessie Scott;
- Overdale – McKinstry;
- Overdale – Secker House;
- Overdale – Carpenters Workshop;
- Overdale – Substation;
- Overdale – The Lodge;
- Overdale – Porters Lodge;
- Overdale - Admin 3 Psychology;
- Overdale – Old Chapel (also known as Chapelle de St. Luc);
- Overdale – Former Laundry and Boiler House;
- Overdale - Hearing Resource Centre;
- Overdale – Admin 2 Child Development Centre;
- Overdale – Eva Wilson and Diabetic Centre;
- Overdale - Covered Walkway;
- JBC and associated bowling green, Westmount Rd;
- 1 Hillcrest;
- Camden (part of garden - the residential building is to be retained);
- 1 Castle View;
- 5 Castle View;
- Part of driveway, raised planter and strip of land at entrance to Hill Crest and Castle View; and
- Former substation in Victoria Park.

1.1.15 As identified above, within the existing Overdale healthcare site there are 22 existing buildings and structures being demolished, comprising occupied buildings utilised for medical facilities, derelict buildings, and associated storage buildings.

- 1.1.16 The Building Condition Report (June 2021), that was appended to the planning statement confirms that over 50% of the buildings within the Overdale Site are in a poor condition or derelict and are considered not suitable for reuse. The Poplars Day Centre and the William Knott Day Hospital, were partially refurbished in the early 2000s and the Westmount Centre was constructed in 2004. A further Property Condition Report (October 2021) described the condition of the remaining 16 properties to be demolished within the OHP Site. Most are of a good condition, but none are suitable for delivery of the new hospital.
- 1.1.17 The OHP Site is located approximately one kilometre from the existing General Hospital in St. Helier or about 14 minutes walking distance via Westmount Road.
- 1.1.18 A pedestrian footpath runs along the eastern side of Westmount Road from its most northern point down as far as the hairpin turn in the road at which point the footpath ends and switches to the outer western edge of the road.
- 1.1.19 There is no dedicated sustainable transport infrastructure available for cyclists utilising the roads to the existing Overdale healthcare site.
- 1.1.20 For those travelling by public transport, the number 19 bus serves Westmount Road to and from the centre of St. Helier. The vehicular access to the OHP Site is from Westmount Road. Jersey Water and the existing Overdale Hospital have vehicular access leading off Westmount Road.

**Matters Agreed**

- 1.1.21 The description of the site and the condition of the existing buildings are agreed.

## 2.0 Description of Development

2.1.1 The description of the development is:

2.1.2 *Construct new hospital and associated buildings including mental health centre, energy centre, knowledge centre, multi storey car park, surface level parking and landscaping. Demolish existing buildings, not covered by application P/2021/1398 to include La Chapelle de St. Luc, Thorpe Cottage, Briez Izel, 1 Castle View, 5 Castle View, 1 Hillcrest, part of driveway, raised planter and strip of land at entrance to Hill Crest and Castle View, Mont Martin Cottage and two outbuildings, L’Amyerie, 1 – 3 Westmount Terrace, Berkeley Rise, Westmount House, Folly Field, part of the garden of Camden, and Jersey Bowling Club. Reconfigure and landscape Westmount Road, including People’s Park, Lower Park, Westmount Gardens and Victoria Park, including changes to the playground and Petanque Courts in conjunction with associated alterations to the highway network. 3D Model available.*

2.1.3 CLARIFICATION OF DESCRIPTION: Demolition of existing buildings includes all buildings on the existing Overdale Hospital Site, Mulcaster House (Jersey Water) and the former sub-station in Victoria Park. The application also includes the redevelopment of fields H1550, H1550A, H1551 and H1552.

### **Matters Agreed**

2.1.4 The description of development is agreed, and the application includes the redevelopment of the existing Overdale hospital site, including the demolition of the existing buildings and structures and those described above.

### **3.0 Form of Application and Environmental Impact Statement**

- 3.1.1 The Planning application is a full application and has sufficient information for the proposals to be considered in detail. The additional information submitted by the Applicant (refer to Core Documents list), and the Applicant's errata and additional information issued in February 2022 are considered appropriate.
- 3.1.2 The need for and scope of the EIS was agreed by IHE in their EIA Scoping response dated 11 August 2021. Specific topics from the EIS (such as Heritage Assets and Townscape and Visual Impact) are also considered separately elsewhere in this Statement of Common Ground.

#### **Matters Agreed**

- 3.1.3 The planning application has been made in full and it enables proper assessment (and EIA processes) to be considered in detail and is therefore valid.
- 3.1.4 The content of the application is agreed as being appropriate. It is agreed that the scoping of the EIS was carried out in the correct manner and the form and content of the EIS is sufficient to enable the assessment and determination of the Planning Application.
- 3.1.5 An EIS has been prepared which is consistent with the requirements of Planning and Building (Environmental Impact) (Jersey) Order 2006.



## 4.0 Ownership and Acquisition

- 4.1.1 The majority of the Application Site has been acquired by the Applicant though it is subject to three owners that did not agree to sell their land to the Applicant prior to the submission of the application. These are:
1. Mr & Mrs Woods: (Thorpe Cottage, Mont Martin and Field H1550) The Homestead, Rue De La Fontaine, St Lawrence, JE3 1GA;
  2. Ms T Vanmeeggelen: 5 Hill Crest, Westmount Road, St Helier, JE2 3LP;
  3. Connétable Crowcroft: (Parish of St Helier) Town Hall, PO Box 50, York Street, St Helier, JE4 8PA.
- 4.1.2 The landowners numbered 1, above approved of the Application being made. However, their approval was not accepted in time for the Minister Decision. However, landowners 2 and 3 were unable to certify their approval of the Application.
- 4.1.3 In accordance with Article 9 (4) of the Law, the application for planning permission was accepted for consideration as the Minister for the Environment was satisfied that the application was in the public interest.
- 4.1.4 The Planning and Building (Jersey) Law 2002 confers powers to the Public to acquire land by Compulsory Purchase (CP) to enable development, though the procedure that is followed to carry out CP is conferred by the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961.
- 4.1.5 There is no requirement for planning permission ahead of CP. In general, land required to deliver planning permission is sought by agreement before CP powers are used. The relevant propositions to the States in which CP was agreed are P.129/2020 (**CD18.4**) and P.80/2021 (**CD18.5**).
- 4.1.6 P.129/2020 confirmed authority for the Applicant (as it is on behalf of the Public) to acquire the land by negotiation, or, where that is not achieved, through CP but subject to the authorisation of funding to do so.
- 4.1.7 P.80/2021 confirmed funding but it also went further because it was made subject to a self-imposed trigger: that the land cannot be vested in the Public until planning permission for the new hospital is granted.
- 4.1.8 Though the plan of the land required for CP in P.129/2020 did not (at that time) include all the eventual land required, this was indicated in P.123/2020 and it was updated by P.80/2021 and applies to all the land within it.
- 4.1.9 The Applicant has acquired most of the application site by agreement: there should be no impediment to it using powers of CP to require any of the necessary remaining land on grant of planning permission.

### Matters Agreed

- 4.1.10 There is no impediment to the acquisition of the land required to deliver the planning application, should it be necessary.

## 5.0 Site Selection

- 5.1.1 The States Assembly decided on the Overdale site for the new hospital via proposition P.123/2020 in November 2020. That proposition sets out the site selection process leading up to that decision (**CD18.1**). The Inspector has confirmed that in line with his Terms of Reference from the Minister (**INQ2**), his consideration of the application will only be with regard to this scheme and the Overdale site.
- 5.1.2 It is also noted that at paragraph 6.5 of the Report on the Jersey Draft Bridging Island Plan ('the BIP') (CD17.1) that the Inspector charged with that Examination in Public says of the site selection and the OHP:
- 5.1.3 *'This project is clearly of strategic importance for the island and a firm decision has been taken by the States Assembly to locate the new hospital at Overdale. It would be perverse for the DBIP to ignore that decision... the Hansard record of the States' debate on 17 November 2020 records a full and comprehensive explanation by the Deputy Chief Minister of the decision relating to the hospital. It was explained that the Hospital Political Oversight Group had set out to identify the most appropriate site. A thorough site selection process was developed and applied to a comprehensive list of possible sites.'*

### Matters Agreed

- 5.1.4 It is agreed that the matter of site selection is closed for the purposes of this application.

## 6.0 Relevant Planning History and Enabling Applications

6.1.1 There is an extensive planning history for the existing OHP Site. Of relevance to this application is the following:

- Recent planning application P/2021/1398 at the site for demolition was recommended for refusal by the Planning Committee on 3rd February 2021.
- Recent planning application P/2021/1139 was approved on 9th December 2021 for the change of use of former Les Quennevais School from educational use to Class K - medical facility;

6.1.2 The full planning history for the OHP Site, sourced from the GoJ online planning register is summarised in **Appendix 1**.

### **Enabling applications**

#### Relocation of existing Overdale Hospital Services and Patients

6.1.3 Overdale Hospital currently provides a range of services, including outpatient services. It is therefore important that these can continue to operate in the period between when the existing buildings close to allow demolition to commence, and when the new hospital facility becomes operational.

6.1.4 Prior to the demolition of those services, it was decided to re-provide the majority of the existing facilities at the former Les Quennevais School ('fLQS') until the new hospital facility is operational.

6.1.5 Thus, the re-provision of services at the fLQS is subject to a planning permission approved on 9 December 2021 (P/2021/1139) for:

6.1.6 *'Change of use of former Les Quennevais School from educational use to Class K – medical facility. Construct main entrance canopy to South elevation. Remove portacabin to South-West of site. Create parking and two access roads for the residential units located off Le Clos des Sables.'*

#### Demolition of buildings and structures at Overdale Hospital Site

6.1.7 The existing buildings and structures on the Overdale Hospital site must be removed as they are unsuitable for re-use and delivery of a new hospital. A further planning application (reference number P/2021/1398) was submitted and validated in October 2021 for:

6.1.8 *'Complete demolition and site clearance of the existing buildings and built structures on site.'*

6.1.9 This application was recommended for approval by IHE but refused at planning committee on 3 February 2022. The reasons provided by the Planning Committee for that decision was:

- The development does not contribute to the requirements of sustainability and fails the tests of Policy GD 1 (1a) of the Island Plan 2011; and
- The demolition works would adversely impact the occupiers of the retained hospital buildings by way of health and safety because of the noise, vibration, dust, and

odour generated by demolition works, contrary to the requirements of Policy GD 1 (3c) of the Island Plan 2011.

**Matters Agreed**

6.1.10 The relevant planning history and enabling applications, above, are agreed.

## 7.0 The Development Plan

- 7.1.1 Article 19 (2) of the Law states that in general planning permission shall be granted if the development proposed in the application is in accordance with the IP.
- 7.1.2 In *Therin-v-Minister for Planning and Environment* [2018] JRC098, 1st June 2018, the Royal Court considered the correct approach to Article 19(2) and, at paragraph 105, held that: *'the Island Plan needs to be looked at holistically, and I accept that approach.'*
- 7.1.3 Article 19 (3) of the law states *'planning permission may be granted where the proposed development is inconsistent with the Island Plan, if the Planning Committee is satisfied that there is sufficient justification for doing so.'*
- 7.1.4 Sufficient Justification is not defined by law and applies on a case-by-case basis but article 19 (1) says that *'All material considerations shall be taken into account in the determination of an application for planning permission'*.

### The Bridging Island Plan

- 7.1.5 A draft version shorter-term 'bridging' plan is being progressed, that is intended to inform planning decisions in the period between two longer-term plans (the current Island Plan 2011 to 2021; and a future Island Plan, anticipated by GoJ to cover the period 2025 to 2034).
- 7.1.6 The Examination in Public of the BIP, which ran during two weeks in November and December 2021, is complete and the independent Inspectors reviewing the BIP have submitted their report to the Minister for Environment.
- 7.1.7 The Minister for Environment and States Members have proposed amendments, in light of the recommendations, ahead of the States debate in March.
- 7.1.8 In the key terms of reference letter (dated 8 December 2021) from the Minister for Environment to the Planning Inspector, the Planning Application is to be considered against the policies of the BIP, which is expected to have been debated and adopted, in some form, by the States of Assembly by the time of the Inquiry.
- 7.1.9 The BIP comprises the following:
- Draft Bridging Island Plan published and Lodged au Greffe (April 2021);
  - Jersey Proposal Map A – Planning Zones;
  - Jersey Proposal Map B – Flood Risk;
  - Town Proposal Map A – Planning Zones; and
  - Town Proposal Map B – Flood Risk.
- 7.1.10 The BIP policies which are relevant to this planning application are:
- SP 1 - Responding to climate change
  - SP 2 - Spatial strategy

- SP 3 - Placemaking
- SP 4 - Protecting and promoting island identity
- SP 5 - Protecting and improving the natural environment
- SP 6 - Sustainable Island economy
- SP 7 - Planning for community needs
- PL 1 - Development in Town
- PL 2 - Les Quennevais
- PL 5 - Countryside, coast and marine environment
- GD 1 - Managing the health and wellbeing impact of new development
- GD 2 - Community participation in large-scale development proposals
- GD 3 - Planning obligation agreements
- GD 4 - Enabling or linked development
- GD 5 - Demolition and replacement of buildings
- GD 6 - Design quality
- GD 7 - Tall buildings
- GD 8 - Green backdrop zone
- GD 9 - Skyline, views and vistas
- GD 10 - Percent for art
- NE 1 - Protection and improvement of biodiversity and geodiversity
- NE 2 - Green infrastructure and networks
- NE 3 - Landscape and seascape character
- HE 1 - Protecting listed buildings and places, and their settings
- HE 5 - Conservation of archaeological heritage
- ERE 1 - Protection of agricultural land
- ME 1 - 20% reduction in target energy rate for large-scale developments
- ME 3 - BREEAM rating for new larger scale non-residential buildings
- ME 4 - Air quality and increased emissions

- CI 2 - Healthcare facilities
- CI 3 - Our Hospital and associated sites and infrastructure
- CI 4 - Community facilities and community support infrastructure
- CI 5 - Sports, leisure and cultural facilities
- CI 6 - Provision and enhancement of open space
- CI 7 - Protected open space
- CI 8 - Space for children and play
- TT 1 - Integrated safe and inclusive travel
- TT 2 - Active travel
- TT 3 - Bus service improvement
- TT 4 - Provision of off-street parking
- WER 1 - Waste minimisation
- WER 2 - Managing flood risk
- WER 6 - Surface water drainage
- WER 7 - Foul sewerage
- UI 1 - Strategic infrastructure delivery
- UI 3 - Supply and use of water

**Matters Agreed**

- 7.1.11 The policy listed above. The scheme has not been assessed by IHE Regulation under the Adopted Island Plan 2011(Revised 2014). The Minister's Terms of Reference required the matter to be assessed under the Bridging Island Plan policy regime.

## 8.0 OHP Site Allocation/ Spatial Strategy

- 8.1.1 Policies of the BIP currently hold very significant weight in the determination of the Planning Application, thus the designated 'Our Hospital development site' is a material weighty consideration. Notwithstanding the Minister's terms of reference to the Inspector, this is because, though not yet adopted, the plan has reached an advanced stage.
- 8.1.2 The large majority of the OHP site is within the designated BUA and fields H1550, H1550A, H1551 and H1552, whilst outside the 'Town of St Helier' BUA, are entirely surrounded by the BUA and are defined as being within the 'Main Urban Settlement' settlement-type. The proposed new hospital falls largely within the existing health campus site.

### **Matters Agreed**

- 8.1.3 In pure spatial terms, the principle of a new hospital in the proposed location is accepted in the context of the strategic policy. It is agreed that the entire site is within what would be considered a sustainable location relative to the spatial strategy of the BIP.
- 8.1.4 The relocation of Jersey Water office headquarters is considered acceptable as is a planning condition to secure the relocation of the JBC.
- 8.1.5 It is agreed that enabling works including the proposed highway improvements and other infrastructure are required to support the OHP delivery.



## 9.0 Pre-application Engagement

- 9.1.1 The application has been the subject of an extensive Island-wide programme of consultation prior to its submission. The Applicant undertook pre-application discussions with IHE including with Development Control, Operations and Transport, Arboricultural, Ecology, Natural Environment and Planning Policy and Heritage Officers between July 2020 and November 2021. This included a series of pre-application meetings and presentations as described in the Statement of Community Participation. Iterations of the design have been shared with OHP Governance groups.
- 9.1.2 The Proposed Development has also been shaped by public engagement with Islanders which has enabled a significant number of them to participate at points in time, aligned to the design development programme. This has included a series of public community engagement and consultation activities throughout the duration of the pre application period running from October 2020.

### **Matters Agreed**

- 9.1.3 The pre-application engagement which has been identified above and in the Planning Application means that the application is consistent with policy GD2 of the draft BIP.

## 10.0 Summary of Need for our Hospital Project

- 10.1.1 The current estate comprises a number of buildings across a number of sites, with clinical accommodation at the current Jersey General Hospital dating generally from the 1960s but with the Granite Block dating back to 1765. This means that the current estate consists of a disparate collection of buildings developed over a long period, under differing health policies, operational practices, and construction standards. Some of the current estate is in a sufficiently poor condition that the risk of building failure is increasing each year.
- 10.1.2 There are also challenges relating to space, clinical flows, and adjacencies – the current buildings do not support modern ways of working and are not efficient for staff or patients. New-build facilities represent an opportunity to address and resolve these issues and to provide a modern, fit-for purpose health and care infrastructure capable of caring for generations of Islanders.
- 10.1.3 The need for a new hospital in Jersey remains and has increased since the need was first recognised by the States Assembly in 2012 with their adoption of P.82/2012 Health and Social Services: A New Way Forward.
- 10.1.4 The BIP reflects this through allocating the site in Policy CI3 and states that proposals for the hospital will be afforded the 'highest level of priority'.

### Matters Agreed

- 10.1.5 Notwithstanding the evidence of the Planning Authority, there is an undisputed need for a new hospital in Jersey which is accepted in **Proof of Evidence PA/1** and the proposal would result in clear and undeniable improvements to Jersey's health offer.
- 10.1.6 The extent and quantum of clinical engagement suitably informs the current design proposal so that the proposed design meets the clinical requirements of the Island.

## 11.0 Demolition

- 11.1.1 In order to facilitate delivery of the new hospital the demolition of all existing buildings on the Overdale Hospital and demolition of those buildings and structures identified within the red line of the Planning Application are required, including those which were built more recently.

### **Matters Agreed**

- 11.1.2 Demolition of the existing buildings and built structures within the existing Overdale hospital site form a part of this Planning Application. Their demolition and demolition of those other buildings and structures identified within the red line of the Planning Application is required to facilitate the new hospital.

## 12.0 Heritage Assets

12.1.1 The following Heritage Assets have been assessed as being relevant to the assessment of this Planning application and subject to individual assessment:

### Within the OHP Site:

- Thorpe Cottage (HE1662) Grade 3 listed building;
- Part of the People's Park (HE1897) Grade 3 listed place;
- Briez Izel (HE0756) Grade 4 listed building; and
- Part of Victoria Park (HE1916), Westmount Gardens and Lower Park (HE1899) Grade 3 listed places

### Outside the OHP Site:

- George V Cottage Homes Grade 4 listed building;
- Elizabeth Castle (HE1426) Grade 1 Listed building;
- Fort Regent and South Hill Battery (HE1195/HE1917) Grade 1 Listed building;
- St Aubin's Fort (BR0348) Grade 1 listed building;
- Almorah Crescent Grade 1 listed buildings and Grade 2 place;
- Victoria Crescent Grade 2 listed buildings and place;
- La Route de St Aubin 10No Grade 3 and 4 listed buildings;
- 3-29 Peirson Road 19No Grade 3 and 4 listed buildings;
- Mont a l'Abbé Cemetery (HE1176) Grade 2 listed place;
- New Mont a l'Abbé Cemetery wall (HE 1244) Grade 3 listed place;
- 1-5 New Park Villas (HE1660);
- 1-2 Park Place (HE0736/ HE0759); and
- Westmount Road (7 Grade 3 buildings).

12.1.2 There are also several other non-designated historic features of relevance, for which there is some evidential basis (e.g., the site of the former King's Gallows and the site of the former German heavy machine gun emplacement).

### Matters Agreed

12.1.3 The schedule of Heritage Assets (listed buildings and parks and gardens) named above is comprehensive but may not be exhaustive. By that, it is meant that all of the main heritage receptors relevant to the assessment and determination of the Planning Application have

been identified so far as is practical. There are other distant heritage assets from which glimpsed views may be perceived. The list of heritage assets above are agreed to be relevant for assessment.

## 13.0 Design Guidance Documents

13.1.1 The Site falls within the St Aubin's Bay Coastal Unit 11 (*noting an error in Proof of Evidence APP1 which states this as Coastal St Aubin's Bay Coastal Unit Area C2*) and in the Urban Area of the Character Assessment within the Jersey Integrated Landscape and Seascape Character Assessment May 2020 (JILSCA). It is also within Character Area 10 (Town Edges and Slopes) of the St. Helier Urban Character Appraisal: Review 2021.

### **Matters Agreed**

13.1.2 The location of the site within the aforementioned guidance documents is agreed.

## 14.0 Landscape Visual Impact Assessment

14.1.1 The EIS Chapter 10: Landscape Visual Impact Assessment considers the potential impact of the proposal on the townscape and skyline of St Helier. The assessment is informed by 17 viewpoints in locations agreed with IHE. These viewpoints are listed as follows:

- Viewpoint 1 - Westmount Road
- Viewpoint 2 - Layby 4, Victoria Avenue
- Viewpoint 3 - Elizabeth Castle
- Viewpoint 4 - West Park Kiosk
- Viewpoint 5 - Bel Royal Car Park
- Viewpoint 6 - The Boathouse Restaurant, St Aubin
- Viewpoint 7 - Highlands College
- Viewpoint 8 - Victoria College
- Viewpoint 9 - Fort Regent
- Viewpoint 10 - Freedom Tree (Radisson Hotel)
- Viewpoint 11 - La Route de Liberation
- Viewpoint 12 - Almorah Crescent
- Viewpoint 13 - Noirmont Point
- Viewpoint 14 - Surville Cemetery
- Viewpoint 15 - La Ruelle Vaucluse
- Viewpoint 16 - St Andrew's Road
- Viewpoint 17 - The Parade

14.1.2 Two of the locations (Viewpoint 7 Highlands College and Viewpoint 8 Victoria College) could not be accessed due to Covid 19 restrictions, therefore Viewpoint 1 at Westmount Road within the site, and which has views towards the two colleges, has been used to inform a judgement on the likely scale of effects on views from these locations.

### **Matters Agreed**

14.1.3 It is agreed that the site is located outside the Coastal National Park and there would be no harm to the purposes or special qualities of the Coastal National Park.

- 14.1.4 It is agreed that there would be no significant effects on the Interior Agricultural Plateau Landscape Character Type to the north of the site.
- 14.1.5 The methodology employed in the Townscape and Visual Impact Assessment is robust and sufficient to enable the assessment and determination of the Planning application. The 15 accessible viewpoints, plus the assessment of Highlands College and Victoria College from Viewpoint 1 at Westmount Road, included within the Landscape Visual Impact Assessment are sufficient to adequately assess the potential townscape and visual impacts of the proposal.
- 14.1.6 It is agreed that the following viewpoints are not harmed and would not experience significant effects by the proposed development:
- Viewpoint 12 - Almorah Crescent
  - Viewpoint 14 - Surville Cemetery
  - Viewpoint 17 - The Parade
- 14.1.7 It is agreed that the 4.5km radius study area (from the development) used in EIS Chapter 10: Landscape Visual Impact Assessment is appropriate in order to enable the identification of significant landscape and visual effects.



## 15.0 Loss of Employment Land

- 15.1.1 The current office accommodation of Jersey Water will be vacated and redeveloped as part of the Proposed Development though the existing service reservoirs adjacent to the office building will remain. The relocation of Jersey Water office headquarters is recognised in the preamble to the BIP Policy CI3.
- 15.1.2 There is no policy within the BIP that resists the loss of office floorspace. Notwithstanding this, corporate service team's staff have relocated to an office in New Street in St. Helier and the operations teams and stores will move to a new building at Millbrook. The latest date that staff will vacate the site is the end of 2022.

### **Matters Agreed**

- 15.1.3 The application of BIP policies SP6 and EO1 and interpretation of the information contained in the Protection of Employment Land Supplementary Planning Guidance: advice note June 2012 ('PoEL SPG') means that there are no policies resisting the loss of office accommodation. The loss of Jersey Water offices from the site is acceptable.

## 16.0 Community Use and Open Space

- 16.1.1 The Planning Application will result in the demolition of the JBC to facilitate the re-alignment of Westmount Road. Its relocation is recognised in the preamble to BIP policy CI3.
- 16.1.2 A small part of the northern edge of the children's playground would be affected by the new Westmount Road. It will be resurfaced, and the existing equipment moved within the playground.
- 16.1.3 There will be a significant increase in the amount of and enhancement to the public realm.

### **Matters Agreed**

- 16.1.4 The relocation of JBC would need to be secured via a 'Grampian' style condition.
- 16.1.5 Changes to protected open space and the playground in Victoria and People's Park will be beneficial overall and consistent with policies of the BIP.

## **17.0 Health and Socio-economics**

- 17.1.1 The new hospital scheme meets an unequivocal health need for the Island and the salutogenic design of the scheme is supported and BIP Policy CI2 directs new health care facilities to the designated 'Our Hospital development site'.
- 17.1.2 No assessment is made of the removing the current hospital from the Parade and Gloucester Street area of town.

### **Matters Agreed**

- 17.1.3 Health benefits of the new hospital, in combination with its use and the associated landscape would be a very significant benefit to Islanders and accord with the purposes of plan because health and health care provision is encouraged.

## 18.0 Archaeology

- 18.1.1 At the time of submission of the Planning Application it was considered that there was potential for archaeological remains within the OHP Site, specifically, in the southern (H1551) and northern (H1550 and H1550A) fields; the latter being scheduled by Jersey Heritage as an Area of Archaeological Potential (AAP).
- 18.1.2 Three Written Schemes of Investigation were prepared to inform the Planning Application. These were for an archaeological watching brief on geotechnical works (May 2021), a Geophysical Survey (July 2021) and an archaeological trial trench evaluation within fields (H1550) and (H1551) (September 2021).
- 18.1.3 A report (SUMO August 2021) on the results of a Geophysical Survey of the two fields did not identify any anomalies of definite archaeological interest, despite the potential for prehistoric remains or features associated with a possible Neolithic megalithic monument in the northern field. A linear anomaly and adjoining sub-circular trends could be indicative of a ditch and connecting ring-ditches, though such an interpretation is tentative. Amorphous and linear bands associated with natural magnetic variations dominate the data across the site.
- 18.1.4 An Archaeological Watching Brief on Geotechnical Test Pits and Archaeological Evaluation Report (Pre-Construct Archaeology November 2021) detailed the results of the archaeological watching brief during the excavation of 13 geotechnical test pits from June to July 2021 and the excavation of twenty evaluation trenches in October and November 2021.
- 18.1.5 A number of features were found during the watching brief and evaluation. These included a semi-complete deliberately buried Bronze Age vessel and a curvilinear ditch. The latter contained two prehistoric pottery shards which may also be Bronze Age.
- 18.1.6 The evaluation and watching brief did not reveal any evidence of the lost Neolithic megalithic monument, such as substantial worked or placed stones.

### **Matters Agreed**

- 18.1.7 It is agreed that further archaeological mitigation is carried out as a condition of planning permission.

## 19.0 Energy Reduction and Sustainability

19.1.1 The Planning Application is supported by a Sustainability Report and BREEAM Report confirming the Applicant's commitment to achieving BREEAM 'Very Good'; and a commitment to agreement of an operational energy target.

### **Matters Agreed**

19.1.2 The Planning Application is consistent with BIP policies ME 1 and ME 3 with regard to energy and sustainability.

## 20.0 Contaminated Land

20.1.1 A Geotechnical Desk Study accompanies the Planning Application which confirms that potential contamination would be capable of being remediated. The EIS concludes that the magnitude and significance of contamination impacts, following mitigation, are such that they will either be neutral or slight adverse, therefore no significant residual effects would remain.

### **Matters Agreed**

20.1.2 The **Proof of Evidence PA/5** requires further ground investigations to be undertaken at the site to assess the potential for contamination during the demolition and prior to construction and suggests this is secured by conditions.

20.1.3 Subject to those conditions, the Proposed Development is consistent with BIP policy GD 1 (2), and other material consideration Supplementary Planning Guidance 'Development of Contaminated land' August 2017, in this regard.

## **21.0 Arts Strategy**

- 21.1.1 The outline Public Art Statement which accompanies the Planning Application sets out the overarching aims, visions and strategy for art in relation to the OHP Project.
- 21.1.2 The strategy will be updated, finalised, and delivered through a planning condition or obligation as agreed between both parties.

### **Matters Agreed**

- 21.1.3 The Proposed Development is consistent with BIP policy GD 10.

## 22.0 Transport

22.1.1 Transport is not considered within this Statement of Common Ground. A separate Statement of Common Ground will be prepared between IHE-Transport and the Applicant.

### **Matters Agreed**

22.1.2 Subject to conditions and/ or planning obligations required by IHE Transport, the scheme is considered to be consistent with planning policy.



## 23.0 Ecology and Landscape

### Ecology

- 23.1.1 A significant number of ecology surveys have been undertaken since summer 2020 to establish the baseline conditions on the site. These are sufficient to assess the ecological effects of the proposed development and to inform planning conditions
- 23.1.2 The proposed impact on species and habitats and the retention of important trees on site can be mitigated by condition. A Species Protection Plan and Landscape Environmental Management Plan can be secured via condition to describe mitigation, enhancement and compensation and list and define where, how and within what time scales this will happen.

### Matters Agreed

- 23.1.3 The Proposed Development is consistent with Policies NE1 and NE2. The Biodiversity Net Gain of the development is at 31% for important habitat areas and 48% for new hedgerows and linear features.

### Landscape

- 23.1.4 The Planning Application proposes extensive new tree planting on all sides of the proposed development and a high quality landscape scheme which harnesses the importance of views over St. Helier, the bay towards Elizabeth Castle and views of Val Andre.

### Matters Agreed

- 23.1.5 The landscape is comprehensive and extensive and tree planting to the south and east will mitigate views to the hospital as the trees mature as stated in **Proof of Evidence PA/6**.

## 24.0 Construction, Waste and Residential Amenity

- 24.1.1 The environmental health and residential amenity matters which require mitigation to reduce impact on those living nearby the OHP Site during the construction of the new hospital include construction noise and vibration, frequency of deliveries, noise and light spill from new hospital, potential contamination (including asbestos).
- 24.1.2 The current status of the La Collette site waste facility is changing: though there is limited land at the site to accommodate waste, new recycling and processing facilities are being completed to facilitate increased washing of inert soils for re-use. Waste arisings that are received at La Collette will be processed and restoration material created for use elsewhere in the Island; the remainder of waste materials would go to other permitted private waste operators on Island, as for other developers.
- 24.1.3 The proposed Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP), the performance of which would be monitored as the scheme progressed, are sufficient to appropriately manage construction and waste impacts.

### **Matters Agreed**

- 24.1.1 These matters can be resolved by way of planning conditions as stated in **Proof of Evidence PA/5**.

## 25.0 Drainage

- 25.1.1 The Planning Application indicates that there is no detrimental impact to the sewerage network from the proposed new hospital.
- 25.1.2 In terms of surface water, the Proposed Development is dependent on wider planned upgrades to the surface water network. The upgrade will be publicly funded both by the OHP project and the government capital programme.

### **Matters Agreed**

- 25.1.3 The proposals outlined in the OHP Planning Application with regard to the disposal of foul sewage are accepted.
- 25.1.4 The proposals for the discharge of surface water from the main hospital site are accepted on account of the provision of a public surface water sewer and outfall to St. Aubin's Bay, subject to a separate Planning Application, if required.
- 25.1.5 This matter can be resolved through the imposition of planning conditions or agreements.

## **26.0 Planning Conditions and Obligations**

26.1.1 The Applicant and IHE have not yet agreed the full list of planning conditions or planning obligations.

### **Matters Agreed**

26.1.2 A separate conditions list will be prepared and in so far as is possible, agreed in draft between IHE and the Applicant ahead of the Inquiry.

## 27.0 Signatures

**Temple** on behalf of the Applicant

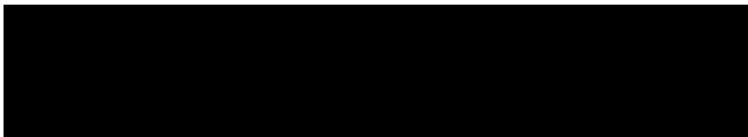
Signature:



Print Name: Mark Furlonger Date: 16th March 2022

**Chris Jones** on behalf of Infrastructure, Housing and Environment (IHE)

Signature:



Print Name: Chris Jones Date: 16th March 2022



## Appendix 1 - Planning History