

Proposed Sheltered Housing Accommodation, Field 622, St Ouen

Initial submission to the Public Inquiry

Introduction

1. A planning application was made on 22 November 2010 by Morris Architects Limited on behalf of the Parish of St Ouen for the construction of 19 no sheltered accommodation units on Field 622, St Ouen (P/2010/1717). All the drawings and supporting information appear on the Inquiry website.

Planning Process

2. On 05 October 2012, the Minister decided to deal with the application through the process of a Planning Inquiry under Article 12(1)(b) of the Planning & Building (Jersey) Law 2002. The process would enable all the various issues to be debated publicly, before a decision is made on the application. The Minister has since stated, at a meeting on 06 November 2012, that he will not therefore be lodging a formal proposition to amend the Island Plan.

Policy Background

3. The 2011 Island Plan was approved on 29 June 2011. The Plan has specific proposals and policies to assist the development of housing in the rural parishes, provided that a local need can be demonstrated.
4. Proposal 15 of the Plan ("Village Plans") and Policy H5 provide for small-scale affordable housing to support the viability and vitality of the smaller rural settlements. There is much in the 2011 Island Plan which supports and underpins the proposals of the Parish of St Ouen to create sheltered housing on Field 622.
5. It is acknowledged that the site of the application is not located within the designated Built-up Area of St Ouen. Indeed, the only undeveloped sites within the Built-up Area in St Ouen's Village are an active farm to the north of Field 622, for which the owner has an intention to develop for Category B housing under Policy H6, and two small fields, F.630 and 654, to the southeast of the application site - neither of which are of sufficient size to meet the Parish's requirements.
6. The Parish of St Ouen already has a significant and exemplary record of providing housing for 38 no elderly households. The demand within the Parish for additional housing is now such that the Parish seeks to construct a further 19 no sheltered homes.
7. The planning application provides a comprehensive design statement for sheltered housing accommodation on the eastern part of Field 622. Discussions with the Planning Department have confirmed its view that the scale and density are appropriate for this site. There may be detailed design issues that need to be addressed. However, it is considered that these can be dealt with as part of the application process.
8. There is little prospect of the only large undeveloped site in the St Ouen Built-up Area being developed for affordable rented housing (see above at 5). Field 622, in any event, is better located in relation to village amenities than the farmyard to the north.
9. Drawing no 1 is a location plan highlighting safe routes to the shops and communal facilities at the centre of St Ouen's Village. It clearly illustrates that the site is located within the physical boundaries of the village, surrounded on three sides by the designated Built-up Area. Vehicular access is attained over the first 20 metres of Rue de la Croute

- from Route de Vinchelez. The Proposal is linked by a safe pedestrian route directly to the shopping centre at the heart of the Parish.
10. Residents will have easy access to a doctors' surgery, post office, shops, supermarket, retail outlets, Village hall, Parish Hall, Parish park, public house, bus stop, community centre and other locations of sheltered accommodation within just a few minutes. The site is extremely well placed at the heart of the Parish community, with good, safe pedestrian and vehicular access.
11. During the Examination in Public of Draft Island Plan, the Inspectors commented as follows: "The proposed site, Field 622, relates well to the village and, in the event of the preparation of a Village Plan under Proposal 15 and Policy H5, it might prove a suitable site for consideration for affordable housing to meet local needs".
12. The identification of local housing needs arises from the waiting list for St Ouen's sheltered accommodation. The Parish has 38 no existing sheltered accommodation units, for which it has a waiting list. Currently there are 60 no applications on file from senior citizens with Parish connections requiring places within the existing or proposed new sheltered accommodation within the Parish.
13. As part of the main report to the Inquiry we will attach the Parish of St Ouen's Homes for the Elderly waiting list as Appendix 1. It comprises data provided by the Housing Department's Affordable Housing Gateway relating to "over 55's" demand for housing. The report clearly illustrates the need in the Parish.
14. There is an identified and defined local need for sheltered housing in St Ouen's Village, which is necessary to accommodate persons with Parish connections and, more importantly, to protect the vitality, viability and community spirit of St Ouen.
15. The application proposes a split in tenure of the development with 55% open market rental houses and 45% affordable rental. The proportion of open market housing provides additional funding for the costs of the development together with future long-term funding for maintenance and running costs of all the sheltered accommodation. This model has recently been adopted and approved in the Parish of St Peter on Field 633, where the former Planning Minister approved the rezoning of that field with the same percentage split. The model meets the wish of a benefactor to provide affordable homes for elderly St Ouen Parishioners. The estate of the benefactor is administered by Trustees to provide funds to meet part of the development costs of this project.
16. Following a full and comprehensive assessment of site options (see Appendix 3) the Parish submitted a planning application which has been advertised and has been issued to the key stakeholders; advertised to residents and relevant States departments. As part of this consultation the architect has had information from the Transport and Technical Services Department (TTSD) with regard to drainage and vehicular access and the proposals meet that Department's requirements. The architect has also discussed the Proposal with the Ambulance Service and the States of Jersey Police and has amended and adapted the scheme to meet their requirements.
17. Discussions have taken place regarding improvements to the junction of Rue de la Croute and Route de Vinchelez with the owners of the property immediately north of the junction and TTSD, and subject to planning permission being granted on both sites, the Parish will share the costs of the improvement.
18. There has been a full consultation with the Parishioners via Parish Assemblies held on 17 November 2009 and 23 February 2010. The agendas and minutes illustrate that the Parish and Parishioners are in support of the application.

19. It can be seen that there has been considerable consultation at Parish Assemblies and through the planning application process. The latter has generated a huge number of objections to the application, albeit that the proposal only has a limited impact on a relatively small number of adjoining properties which have access from Rue de la Croute and overlook the site. This suggests an orchestrated campaign. In the Parish's view, the impact of the proposed development is neither unreasonable, nor out of the ordinary in a village location.
20. The planning application illustrates the various unit types proposed. The Proposal has been based on the Joseph Rowntree Foundation guidelines for sheltered accommodation, which provide flexibility for the unit to have a second room which can be used as a study, a second bedroom, a visitor's bedroom or be adapted to provide additional room to the living room or first bedroom. All living space has been designed to allow for adequate circulation, as shown on the submitted drawings.
21. The Parish has undertaken an exhaustive assessment of the possible fields around and within the village centre. The assessment is shown in Appendix 2. As a result of this process it was decided by the Parish that the eastern part of Field 622 was the most favourable site - a view which was also supported by the Inspectors examining the Draft Island Plan in 2010.

Conclusions

Having had regard to Proposal 15 and taking into account Policy H5, the Parish of St Ouen clearly believes that the Proposal to provide sheltered accommodation on Field 622 for this specific use, meets nearly all of the criteria of the Policy. It fails solely on the inability to find a suitable site that is located within the formally designated Built-up Area. As the Parish has met all of the requirements of the Policy, with the exception of the Built-up Area requirement, it considers that the planning application should be approved under Article 19 (3) of the Planning & Building Law 2002.

This Initial Statement was prepared by:

Peter Thome, Chartered Town Planner and Morris Architects Limited
c/o Morris Architects Limited, 17 La Motte Street, St Helier, JE2 4SY
16 April 2013

Dear Mr. Podele, this is a copy of my letter
to Ken Vibert as a result of last night's meet.
Feel free to call
if you have any
comment.

RBar

Mr Ken Vibert M.B.E.
Connetable de St.Ouen.
St.Ouens Parish Hall

18 November 2009

Dear Mr. Vibert,

I was at the Parish Assembly last night which was, amongst other things, to discuss the re-zoning of Field 622 off Rue de la Croute. Whilst I am not currently a resident of St. Ouen, I do have an interest in the outcome as I accompanied my elderly and partially sighted father, Major Michael Bathorp, who lives, as you may know, in Rue de la Croute. Also I spent my childhood years living on Route de Plemont, so I consider myself at least a little "St. Ouenais".

Whilst I listened with great interest to the argument and counter-argument, which was both passionate and forceful on both sides, I feel compelled to protest that the outcome of the vote to re-zone was not altogether valid or fair.

If I may explain my reasoning.... As the Procureurs counted the vote from the front to the rear of the Hall, the majority of people lowered their hands once their vote had been counted. I was sitting with my father about 3 rows from the front on the side nearest the village green. As the votes were counted for the vote against the proposal, I turned round after they had passed us to watch the proceedings. Imagine my surprise when the officer counting the votes on my side of the hall, indicated, as he approached the penultimate row that he had lost count and that he was starting again from the back row forwards. Many people, including my father, had already lowered their hands, as in the first round of voting and were not therefore included in the re-count, because they were not aware of what had happened behind them.

Surely if a re-count had been necessary it should have been more publicly announced and started again formally from the front of the Hall? Whilst I have absolutely no doubt about the integrity of the official concerned, I felt that he was at the very least rushing due to the lateness of the hour and the fact that people were restless to get home. I cannot say how many votes were missed during this flawed count but find it hard to accept the somewhat farcical way in which it was carried out.

I would be very grateful to hear your views on this important point.

Yours sincerely,

Mr Robin Barthorp

cc Senator Cohen, Planning Minister
Major M Barthorp
Various householders on Rue de la Croute.

The Constable of St. Ouen
St. Ouen's Parish Hall.
St. Ouen's.
Jersey

22nd June 2010

DELIVERED BY HAND

Dear Constable,

MINUTES OF PARISH ASSEMBLY HELD ON NOVEMBER 17th 2009

On one occasion my wife has attended the Parish Hall to request a copy of the minutes of the Parish Assembly held on 17th November 2009, which were duly adopted and accepted, (as amended), at the following Parish Assembly held in February 2010.

On another occasion my wife has made the same request via telephone.

Each request for a copy of these minutes has been refused by the Parish Secretary on the basis that she has to refer this matter to you.

To date we have not had the courtesy of receiving a copy of the requested minutes nor any communication from you, or the Parish Secretary, explaining why the requests have been denied. It would appear therefore, that members of your Parish and electoral role are being denied access to this information, either by you or the Parish Secretary.

The purpose of this correspondence is to formally request, by return, a copy of the requested minutes, (which were formally adopted at the following Parish Assembly), or, at the very least, the courtesy an explanation as to why you are withholding them.

Yours sincerely,

NICHOLAS M BODDIE

28 September 2011

Dear Deputy Duhamel

We are writing with regard to field 622, Rue de la Croute, St Ouen and the proposed development for sheltered housing. Please find enclosed a comprehensive document that sets out the concerns of some of the residents of the area.

Following a meeting with Mr Peter Thorne of Planning and Environment on 15 January 2010 a copy of this document was provided to him, however, with the change in Minister, to yourself, we thought you would be interested to receive a copy. Unfortunately, we have never received acknowledgement that your department has considered this document.

A group of concerned residents attended the Examination in Public ('EiP') on 5 October 2010. It was notable at the time that the Constable of St Ouen, the main proponent of the project, failed to attend despite indicating that he would. We further noted the outcome of the EiP was to reject the building of sheltered homes on field 622. We also understand that the planning case officer has consistently voiced his concerns about the project and that he is minded to reject it.

We note that the St Peter's development of sheltered housing is perfectly situated on a main road. The Camerons website publishes the contract value as £2.5m for 14 homes and 1 warden's unit being built on field 633 of 2 vergees. However, the Parish of St Ouen propose a development of 19 homes and a communal building, not in a suitable location with regard to access, in a Green Zone field of approximately 9.5 vergees. The Parish plan to achieve this with only funds available at a similar amount; clearly the proposals do not make commercial or environmental sense.

We have always maintained that the Parish of St Ouen has not adequately considered alternative sites and their relative feasibilities, as set out in the attached document. Furthermore, since the preparation of the attached document, another potential site has come to our attention being an area of undeveloped land in the heart of the existing village.

We trust that the document and the foregoing assist you to determine that this planning application is lacking in several key aspects. We note that the Constable of St Ouen has previously taken the opportunity to meet with your department. If you were to afford us the opportunity of doing the same we would be delighted to attend your offices to discuss this application further.

Yours sincerely

Jason Lees-Baker

10 October 2012

Dear Deputy Duhamel

Further to our letter dated 28 September 2011 (copy attached for ease of reference) regarding field 622, Rue de la Croute, St Ouen and the proposed development for sheltered housing. We understand that you are currently considering this proposed scheme. You may recall that in our aforementioned letter we enclosed a comprehensive document that sets out the concerns of some of the residents of the area.

We have taken the liberty of enclosing another pack for your review in case the previous copy is no longer to hand. I should be grateful if you would acknowledge receipt.

As mentioned in the letter of 28 September 2011 if you were able to afford one or two members of our group a meeting we would be delighted to discuss our concerns with you in more detail.

We look forward to hearing from you shortly.

Yours sincerely

Jason Lees-Baker



Our ref: AMM/KTV/4591
Your ref: P/2010/1717

07 January 2011

Planning & Building Services
South Hill
St Helier
JERSEY
JE2 4US

Dear Sirs

Re: Field 622, Le Clos de la Croute, St Ouen (St Ouen Sheltered Accommodation)

Thank you for your series of letters containing letters of representation.

Firstly, we would like to state that in all of our years of practice we have never had so many representations from residents who are not associated with either the locality of the development or the Parish. There are over ninety letters from people outside of the Parish which is unprecedented and leads us to some suspicion of how this has come about. Therefore, we would like to question the validity of the objections received and would ask the Planning Department to sample contact a number of the authors to ensure that there has been no abuse of the open nature of the planning system. We would be obliged for your confirmation that you will be undertaking this exercise.

Also, we note that there are a number of objections from the same household, all of which make the same point. We would therefore suggest that in cases such as this, the household should be considered as one representation. We would like to confirm that there has been some duplication in the representations and that your department should review the correspondence in order to give clarity and fairness to the number of representations being made.

This being said, we believe that there are only a small number of issues that have been common to the correspondence and we would comment as follows:

Planning Policies - Green Zone

We and the Parish are aware that this proposal lies within the countryside zone and is on an agricultural field. The purpose of the application is to commence a process for the rezoning of this site.

The important thing to consider when proposing the redevelopment of the countryside is to ensure that the land that is being chosen has been done so correctly and with due consideration. We and the Parish have been through a very long and time consuming exercise where we have considered numerous fields and locations for the proposed sheltered accommodation and have come to the conclusion that this location on field 622 is the most worthy. The reasons for this are that it is located within the heart of the Parish's village and it has good, safe and existing pedestrian links to the shops, community centre, Parish Hall, etc. It is also located within boundaries of the urban fringe and, more importantly, the site is under the ownership of the Parish which makes the scheme more viable than purchasing from third parties.

Therefore, the proposition for the rezoning of this site is felt to be correct and that the selection of this field has been through a due process.

Character of the Area

The character of the area, as can be seen from the photographs contained within our submission, is varied to say the least. It is predominantly made up of one and two storey modern day rendered houses with a small number of what could be described as more old Jersey vernacular. The proposal has been kept to one end of the field for legal reasons but it was also felt that the development would be more appropriate to be kept close to the more modern developments that have occurred in St Ouen. Therefore, we feel that the character of the area has no particular clarity or style in terms of architecture and that the proposal being put forward is highly appropriate.

Character and Design of the Proposal

We have gone to great lengths in order to ensure that a single storey development of small units has an individual design character. It is important within these schemes to create a community around a courtyard. It is felt that a light design with the use of modern materials is appropriate for housing the elderly as it brings vitality and a modern feel to living.

Noise and Disturbance

Noise and disturbance during the construction process is not a planning matter and is only a short term event. Within the Regulations of Construction the Environmental Department set down stipulations with regard to noise, dust, disturbance, fumes, etc which any future contractor will have to comply with during the construction process.

With regard to noise and disturbance from the eventual built scheme, we would argue that this will be very low as these residents are not the type that would be revellers in the very nature. Also, this classification of development has a low ratio of car numbers to properties which also reduces possible disruption from vehicles.

Loss of Light

Due to the positioning and the height of the proposed buildings there will be no overshadowing to the adjoining properties.

Loss of Privacy

You will note that within the proposal it is all single storey. Also, the site falls away from most of the existing residential properties. It is an established understanding that there is no overlooking from single storey dwellings on to existing dwellings. It should be noted that there is an existing road between the proposed and the majority of the existing dwellings have high banks and vegetation. Therefore, their privacy is already compromised.

Also, Michael Felton Limited have produced a plan to provide a green screen to the boundaries.

Traffic and Road Safety

As stated above, the ratio of cars to dwellings for this type of building is low in comparison to residential. The traffic movements for this type of residence is not normally within the peak rush hours as most people are retired. This therefore tends to suggest that the traffic movement numbers will be low and out of peak times. Therefore, the impact on the existing road network will be minimal.

The vision splays that have been provided from the site are sufficient and meet Transport and Technical Services' requirements. Therefore, access and egress, if acceptable to them, should be acceptable to the Planning Department.

Car Parking

The car parking provided exceeds that required by the Planning Department. It should also be noted that a high number of disabled spaces have been provided.

Site of Historic Interest

We do not believe that this field is of historic interest. The boundary walls in one section of the field are of no importance and need to be adapted for road safety.

Drainage

We have had comments from Transport and Technical Services, dated 16 December 2010, confirming that the scheme can have a connection to the foul drainage system. Our engineer, Rothwell and Partners, believe that with the flexibility of being able to utilise the field as a whole for a future drainage system means that we will be able to overcome any surface water issues that may arise. Therefore, surface water will not be an issue.

Wildlife

The field is a commercially farmed field at this time. Therefore, there is no indigenous wildlife that live within the field. The proposed dwellings will have no more impact on the wildlife than that which would be there via agricultural usages.

The scheme is proposing an increased buffer zone around the development in terms of trees, hedgerows, etc which will propose natural habitats for the wildlife which is over and above that which exists at the moment.

Marsh Area

Although the site is located near to the marsh, it is not on the marsh or adjacent to it and therefore should have very little effect.

Once again, we would be obliged if you would ensure that the comments above have been noted and we require your clarification with regard to the sampling of the objectors to ensure that good process has been duly followed.

Yours faithfully

ANDREW MORRIS
BA (Hons) Dip Arch (Kingston) RIBA
MORRIS ARCHITECTS LIMITED

Copy+encs Parish of St Ouen

Change to time limit will not affect bequest for homes for the elderly

St Ouen plans to go ahead

By Jo Hutchison

jhutchison@jerseyeveningpost.com

THE Parish of St Ouen has been reassured that they will not lose a £3 million bequest next month because a time limit on starting a project has been lifted.

However, the parish has been urged not to 'sit on its laurels' and try its best to build 20 houses for the elderly soon, as this was the wish of a late benefactor.

When former parishioner Beryl Coulter died, she left money to the parish with a stipulation in her will that the money be used to build housing for the elderly within three years, after which time it would go to Jersey Hospice Care.

That deadline would have expired in October but the trustees of her will applied to the Royal Court to change it.

Peter Routier, one of two trustees, said: 'The reason we had to change the time limit was due to Beryl unfortunately not taking any tax advice.'

Tax advice

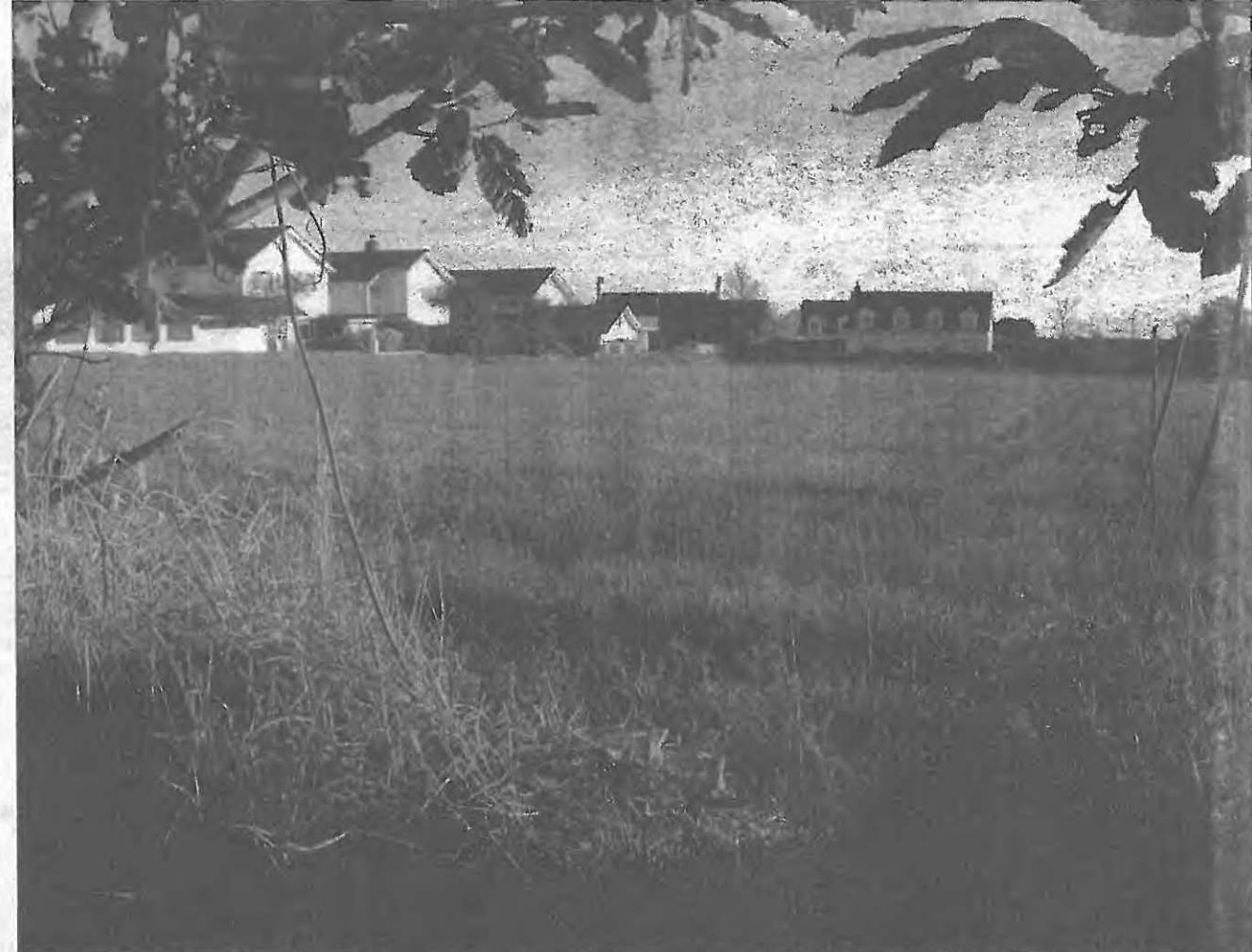
'We had to pay £600,000 inheritance tax to the UK and in order to get that tax back we had to achieve a charitable status.'

'This meant we had to remove any time constraints on the will.'

The application to the Charities Commission in the



Constable Ken Vibert



Field 622 in Rue de la Croute has been earmarked for 20 houses

proposition against development.

Mr Vibert said that he re-

alised he would have to reword the proposition, as the original map identified the

whole field for building, whereas it should have only shown part of the field.

The Constable said that he did not know when he would lodge the new proposition.