

APPLICATION P/2010/1717 DEVELOPMENT OF FIELD 622, ST. OUEN

INTRODUCTORY STATEMENT IN OPPOSITION PRESENTED BY MADELEINE POOLE FOR CONSIDERATION BY INQUIRY INSPECTOR MR DAVID BUSHBY.

Sir,

This application submitted by the Parish of St.Ouen, solely derives from a legacy from the late Mrs Beryl Coulter and an approach made by a Trustee to the then Constable of St. Ouen, Mr Kenneth Vibert ¹.

It was not until 8th November 2008, that correspondence circulated by Mrs Amanda Lees-Baker² advised residents near Field 622, that the field had been highlighted by the Parish and they might be applying to re-zone Field 622 from Green Zone.

The first Ombudsman panel ever held in Jersey with reference to planning and developments declared in 1973/4 that the eastern boundaries of Field 622 and 623 were the end of the building line of St. Ouen's village and that no further development should be allowed westwards because this would constitute 'an extension into the countryside and an area classed as very sensitive due to its proximity and importance to the marsh'. This created a necessary buffer zone.

The first public meeting was not held until 6th February 2009,³ when the Constable presented the initial case for re-zoning to a selection of parishioners. Since then, one planning application has been submitted by the Parish and been rejected (27th May 2010), two propositions regarding re-zoning have been lodged 'au greffe' with the States of Jersey and withdrawn (19th April 2010, 22nd November 2010) and an Examination in Public (EiP) held, which concluded categorically that the field should not be re-zoned.

Parish representatives have been granted meetings, discussions and exchanged correspondence with the Planning Minister and the Department. All through this initial period, one of the senior officers familiar with the case was Mr Peter Thorne, who interestingly is now employed to assist the Parish of St. Ouen with this current application. It may be prudent for all to satisfy themselves that there has not been any conflict of interest at any time during this lengthy process?

At the EiP, chaired by Mr Chris Shepley, CBE BA DipTP MRTPI, representatives from the parish failed to appear, even though the Inspector was expecting representation⁴. If this question of re-zoning is and was so pressing, one must question why no representatives from the Parish deemed it sufficiently relevant to appear at the EiP.

¹ K. Vibert correspondence supporting application dated 10th May 2013

² A. Lees-Baker correspondence dated 8th Nov 2008

³ Minutes of Meeting held on 6th February 2009 with residents surrounding the area of Field 622.

⁴ Appendix 1, Programme and Participants - The (Draft) Jersey Island Plan Inspector's Report

Mr Thorne has cited the Inspector's comments following the EiP that 'Field 622 relates well to the village..... it might prove a suitable site for consideration for affordable housing'.⁵ One would respectfully suggest 'might' does not mean 'does' and therefore the inclusion of this comment in support of the application is spurious. Mr Thorne should be reminded that the Inspector rejected the re-zoning of Field 622.

During your inquiry, important issues will be raised why Field 622 should not be re-zoned from its current category of Green Zone. Please note that the group of residents bordering Field 622 are not averse to housing for the elderly of the Parish, are not against development per se, and are very appreciative of the legacy donated by Mrs Coulter. The argument they have consistently presented is that Field 622 is clearly, historically and currently, categorised as Green Zone and should remain as such. The inference in certain correspondence supporting the Parish application, casts aspersions that these residents 'do not want to share the local facilities'.⁶ This is an unworthy comment, as previously mentioned, the case is a serious matter of preserving a field designated green zone.

It is also of concern of the residents bordering Field 622, that should part of the field be re-zoned, this would lay the remainder of the field vulnerable to future exploitation and development. This point was recently raised with the present Constable of St. Ouen, who advised that the consultant employed by the Parish had categorically assured him this would not be the case. The consultant in question is Mr Thorne.

Astonishingly, at a meeting at the Planning and Environment Department on January 15th 2010, Mr Thorne met with Mr N. Poole and Mr D.P Creedon and was asked the specific question regarding the vulnerability of the remaining section of Field 622. Mr Thorne commented that if Field 622 was re-zoned the remaining sector and adjacent field (623) 'would almost certainly fall'. At the EiP, Mr Poole raised the same question with the Inspector, who in turn asked Mr Thorne if this comment was correct. Mr Thorne confirmed that this was so. Therefore one begs the question, what has changed? It would appear that the advice being given by Mr Thorne is inconsistent.

When the Parishes were requested in 2007 to identify their requirements for suitable space for development for this purpose, St.Ouen's was not cited as a Parish requiring additional space.⁷ It would appear however, that a legacy of an undetermined yet significant sum, generates a sudden and urgent need for such a category of accommodation.

When the Constable of St. Ouen held his first public meeting on this subject on the 6th February 2009, he stated that the Parish had 36 applicants on a waiting list⁸. Surprisingly

⁵ Report to Minister of Planning for Planning and Environment by Chris Shepley- The (Draft) Jersey Island Plan 2009

⁶ Written representation from Mrs Brenda Watts, St. Ouen

⁷ Minister for Planning & Environment Consultation Report 'Review of the Island Plan to rezone land for life-long retirement dwellings for the Over 55's and First Time Buyer Homes, 2007

⁸ Minutes dated 6th February 2009, page 2 para 1

Mr Thorne in his submission dated 16th April 2013⁹ claims this requirement had risen to 60 or above. Evidence will be presented concerning the random nature of the figures submitted by the applicant for housing for the elderly.

In the Parish's initial submission, they cite that Field 615 was rejected as a suitable site because construction in this field 'would create a large and unacceptable impact on the environment and the countryside'. In the minutes of the Parish Assembly held on Tuesday 17th November 2009, it states that Field 614 and 615 were rejected partly because 'to seek permission for construction in these fields meant a new encroachment into the countryside'. Is the application for Field 622 not exactly the same and therefore it's re-zoning should be rejected?

Evidence will be presented that Field 622 was earmarked within a surprisingly short time of probate.

Morris Architects and Mr Thorne suggest an 'orchestrated campaign' carried out by objectors. This will also be addressed in subsequent presentations.

Morris Architects call into question the relevance of and proximity to the marsh by the proposed development. We will demonstrate that this is absolutely incorrect. The lack of importance that the developers place upon the environmental consequences, appears inconsequential in their view. Jersey is taking great strides to be seen to be adhering to and promoting its compliance with international environmental issues. Therefore this fact should be taken far more seriously by all involved in this application.

There are many in Jersey wishing to preserve the green zones and countryside. Morris Architects cite that Field 622 is located 'within the heart of the parish's village ...it is also located within the boundaries of the urban fringe'. Please view para 3 of this statement, which illustrates that Field 622 is clearly located beyond the established demarcation line of the village. Morris Architects cite that Field 622 is under the ownership of the Parish. We would respectfully suggest that the Inspector discusses this matter with the Rector of St.Ouen. Field 622 is actually owned by two separate entities with ecclesiastical connections. Morris Architects cite 'we do not believe that this field is of historic interest. The boundary walls in one section of the Field are of no importance'. We will respectfully refer the Inspector to correspondence received from Jersey Heritage, highlighting the historical characteristics of the walls bordering Field 622 '...could be medieval or earlier in date'

It is evident therefore that this planning application is fraught with inaccuracies, conflicting information and questionable motive. This does not warrant Field 622 losing its important green zone category and we hope Sir that the evidence that we will present will satisfy you in this regard.

Madeleine Poole

⁹ Proposed Sheltered Housing Accommodation, Field 622, St. Ouen. Initial Submission to the Public Inquiry. Page 2, Para 12

10th May, 2013.

To whom it may concern,

Firstly, may I apologise for the lateness in this submission.

I was first elected Connétable of the Parish of St. Ouen in April, 1994, a position which I held until November, 2009.

In 1995/6 I was approached by the then Environment Department to allow part of the Parish cemetery to grow naturally. Although I was not totally convinced of doing such a thing, I did give instructions that a small area should be left un-mowed. A couple of months later, I was approached by a lady, Mrs. Beryl Coulter, who was extremely upset at finding her late husband's grave plot unattended. She was horrified to find that the plot, which was usually so well tended, was now inaccessible in grass and weeds. Having explained the situation to the lady, I assured her that I would have her plot and the surrounding area mowed immediately. On her next visit to the office, she thanked me for having acted so promptly and told me that she would leave something to the old people of the Parish.

In 2007, following the death of Mrs. Beryl Coulter, the Parish was approached by Mr. Peter Routier, the Senior Trustee of this lady's Will to inform me that the Parish was the main benefactor of her Estate, which extended to over £1 million. At future meetings with Mr. Routier, we were informed that in fact the value of the Estate would finally be in the region of £3 million. There were a number of conditions attached which included the Parish being responsible for obtaining planning permission for any proposed scheme within a three year time limit. The Trustees of the Estate quickly realised that this condition was not achievable and applied to the Royal Court for a variation of the Will. This was obtained in 2009 and allowed the Parish the time required for this permission to be obtained.

In the mean time, the Parish's senior officials, myself and the two Procureurs du Bien Public (Public Trustees) commenced work on identifying a suitable site for the possible 20 houses which could be built with these funds. It was quickly realised that no other site other than a green field would be found. There being nothing available within the built up area of the Parish Village Development. We then looked to identify the fields closest to, and with the best access to, the shops and Parish Hall.

We first looked at the fields alongside the Farmer's Inn Public House, but found the owner to be an unwilling seller. There was also the problem of access to the Parish Hall across a very busy road junction. The next field which was considered was Field 622 which was partly in the ownership of the St. Ouen's Rectorat. Permission was obtained from the Dean and further enquiries were undertaken. A number of other fields were offered and considered before being rejected predominantly on the grounds of distance from the Parish Hall, as well as poor access, there being no pavements to the roads in the vicinity.

As happens in a small community, neighbours of Field 622 soon became aware of the Parish interest, and with this in mind, a meeting was held with all interested parties,

all the neighbours having received a written invitation. The purpose of this meeting was to ensure that all parties were aware of exactly what was going on. A further field, 695 was suggested but later rejected because again, the owners were unwilling sellers.

In November, 2009 at a well attended Parish Assembly, the decision to proceed with the seeking of rezoning Field 622 was taken by a narrow vote. The Parish then proceeded to get plans drawn up for 20 houses on this site.

The Parish officials went forward with this site and these plans in the certain knowledge that there was a need for such housing. The first development of sheltered housing in St. Ouen had been undertaken in 1976. The success of this development led to two further developments in 1984 and 1996 making a total of 39 units. The concept in the Parish is well understood and appreciated by Parishioners and following the Parish Assembly a large number of approaches in favour of developing Field 622 were made. It also resulted in a number of new applications for housing being received.

It is vital to realise that any homes built on this land would be the property of the Parish of St. Ouen and not for resale. They would be let on exactly the same basis as the existing homes and available to persons with links to St. Ouen.

Whilst I was always aware that there was strong opposition to the use of Field 622, I was also aware that this opposition was led by a small group of property owners overlooking this particular field. Many of the letters received by the Planning Department in December, 2010 were from persons from outside the Parish who had been canvassed to submit a particular opinion. I do realise that building on this particular field will change the nature of the area, but am of the opinion that the single storey development which is proposed is of far lesser impact on neighbouring properties than what might be built in the future.

The need for the type of housing proposed has been clearly identified by the Parish, the funds are available and were gifted for this particular use, the site is the most practical in terms of easy access to the facilities most important to the elderly: doctor, chemist, shops and hairdresser as well as easy access to the bus service and the hub of the Parish, the Parish Hall. Unfortunately, green field sites are the only practical sites available for this purpose in the Parish Village envelope. I would therefore ask that you look favourably on the rezoning of this particular field.

Thank you.

Ken P. Vibert.

8 November 2008

Dear Neighbour

As you may be aware, last year the Parish of St Ouen was bequeathed approximately £2 million by the late Beryl Coulter to be utilised for building sheltered housing within the Parish.

A stipulation of the will is that construction work on the development should be commenced within 3 years. At a Parish Assembly held on Tuesday 30 September 2008, a Charitable Trust was set up to manage these funds, made up of the Constable, the two Procurers, the Rector and the Deputy.

The objective is to identify a potential development site within walking distance of Checkers Xpress and then apply to have it re-zoned for housing. Although, no decision has been made as yet, the location that the Parish are most interested in is field 622 Rue de la Croute, in which they would like to build approximately 20 homes.

We feel this field would be inappropriate for the following reasons:

- Rue de la Croute is a very narrow green lane and access onto the main road opposite the cattle grid would be extremely hazardous.
- The field is one of only a few good-sized agricultural fields in the vicinity and is always used annually for potatoes in the winter, hay and grazing in the summer.
- It would be an extension into the countryside, within an environmentally sensitive location.
- It would affect the drainage down onto the marsh and be harmful to the natural character of the vicinity (Policies G2 and C5 of the Jersey Island Plan, 2002).
- This development could then lead the way for additional housing to 'fill-in' the adjacent field on Route de Marais. The whole area is already densely populated and this is one of the last fields where you will see Jersey cows grazing in St Ouen.
- The proposed footpath from the sheltered housing, through to the back of Checkers Xpress, would probably be used more by youngsters and suffer from constant litter and graffiti as is the case with the existing footpath.

If we can get together enough concerned residents, we plan to call a meeting with the Charitable Trust, in order to find a more suitable alternative location for the sheltered housing in terms of environmental impact, access, size and shape. Therefore, if you are interested in helping us save this field from development we would like to hear from you on any of the contact numbers above.

Finally, it is worth noting that should the funds from the will not be used for construction of sheltered housing in the Parish within three years the funds, will instead be donated to Jersey Hospice Care.

We look forward to hearing from you.

Yours faithfully

Amanda Lees-Baker

MINUTES OF A MEETING HELD ON 6th FEBRUARY, 2009 WITH
RESIDENTS OF THE AREA SURROUNDING FIELD 622

Present: Ken P Vibert, Connetable, Mr David Fleetwood Ellam and Advocate Richard John Renouf, Procureurs du Bien Public, Mrs Bernadette Palmer, Parish Secretary, Members of the St Ouën's Homes Committee and approximately 30 residents of the Rue de la Croix area.

The Connétable welcomed all to the meeting.

He then went on to explain the situation to date regarding the possibility of building Homes for the Elderly in field 622.

No decision had been made to date; this meeting was only to update residents of the area. Only a Parish Assembly could make any decisions.

The Connétable then detailed the efforts made to date in an attempt to find suitable land. The search started with the field adjacent to the Farmers Inn, but the owners were unwilling to sell, although several attempts had been made.

Next, the Parish looked at field 622. As this is a Rectorat field the Dean has the final say.

The field on the other side of Les Six Boules was considered, but it was turned down due to a lack of a pedestrian access from this area.

A field opposite Les Six Boules Farm was also considered but the owner was and remains unwilling to sell.

A field on La Route du Marais had been offered. At present this field has tunnels in it, and again, it was felt unsuitable due to its distance from the village centre and lack of pedestrian access between the Parish pump and the Parish Hall.

Fields at back of St Ouen's Motor works had been looked at but it did not border other properties and could have led to further developments around it.

When the Snow Goose site came up for sale, this too was considered together with the field alongside. There was absolutely no chance of acquiring the land adjacent to the Snow Goose and the Snow Goose site proved to be too expensive.

At present field 622 appeared to be the only viable site to hold a senior citizens development.

Over the last few months, it had been suggested that a residential home should be considered. A meeting with Maison St Brelade had been arranged for 18th February 2009. If it was decided to take this route, a different site may be considered.

Senior Citizen housing in St Ouen was not for 55 year olds, as stated by the Housing Minister, but for 65 year olds or just under.

At present, the Parish have 36 applicants on the waiting list.

The purpose of this meeting was to see what those present wanted to tell us.

Mr Robert Blackmore asked if it was mandatory that something had to be built.

Connétable replied no it could be a residential home and if we did not use the funds, they would go to Jersey Hospice Care.

Mrs Madeleine Poole asked if the money went to Hospice would the land still be used.

Connétable said no, the Planning Minister had said that if Parish identified a field for Parish need he was prepared to bring it to the States and it would be recommended that this went forward.

Major Michael Barthorpe had noted from the plan, that it was intended to use only ½ field, what would happen to the remainder.

Connétable replied that the Parish/Church owned only half the field; the remainder belonged to the Rector and Dean as Trustees.

Mrs Rosemary Blackmore asked if the Connétable was aware as to how old that field was. It was a very historic field, which dated back to 1400's

Connétable replied that all the fields in the Parish were old, not just this particular field.

Mr Nicholas Poole stated that a dilapidated cottage at beginning of Rue de la Croute had been refused planning permission due to the impact on the Marsh. Would this proposed scheme not have the same effect? What was the Connétable's feeling on the impact on Rue de la Croute regarding traffic movement?

Connétable replied that the reason the cottage was turned down was that the footprint was an increase of over 50%. He did not feel that there would be a major increase in traffic as from experience of the other Parish sheltered housing; senior citizens were not great vehicle users.

Mr Nicholas Poole asked if the Connétable had a figure.

Connétable replied no, but this was something would and should be looked at.

Mr Tom Fox. What were the implications on the field opposite Peter Hougue? If this went ahead did it mean that building would be allowed there as well?

Connétable replied that he could not comment on what would happen in the future, but it was Green Zone at present and would only be rezoned for social purpose.

Mrs Amanda Lees Baker asked if the remainder of the field would be large enough to be farmed.

Connétable replied that yes, it was originally two fields and would remain as is.

Mr Richard Renouf added that approx 4 verges would remain undeveloped.

Mr Nicholas Poole stated that on the drawing it showed access to the development but also another entrance into field from middle of housing development, why was this.

Connétable replied that he had no idea why this entrance was there, but this was only a draft plan and subject to changes.

Mr Nicholas Poole asked if a crossing could be installed at La Ville de L'Eglise and why was the entrance half way down the road and not top end of field. Having stated that no other sites had proved suitable due to exits onto roads, why did this not stop this proposed development?

Connétable replied that there was an easy answer to that and that was to make the exit a left turn only.

Mrs Madeleine Poole stated that one ways cause rat runs and this was an incredibly narrow lane as you come around the corner.

Connétable replied that the entrance to the development was a matter for discussion and might have to be a right turn only. If any danger seemed to be caused by gable end of Maison Fosse au Bois, this could become a left turn.

Mrs Madeleine Poole felt that it could still be argued, as you still could not see traffic coming.

Mrs Rosemary Blackmore asked if this meant La Rue de la Croute would be widened and would the hedges be changed.

Connétable replied that it would most definitely not be widened and no hedges removed. The Parish would be totally against this.

Mr Pierre Le Saux stated that when field 622 was first discussed, he was told it was church land and nothing could be built.

Connétable replied that it still was and nothing could be built if not for the Parish.

Mr Pierre Le Saux further stated that he thought it was under the Diocese of Winchester. Le Chemin du Passage behind the houses of the properties had a

section, which was part of someone's garden by virtue of a contract of resignation, dated 12 Nov 1971 when ownership was passed to the Rectorat.

Mr Richard Renouf replied that in about 1860, St Ouen had a Rector who built the Community Centre and Church, at which time he also bought up various fields around the Parish. The Rector did buy that field but did not do so in proper legal form, and did not essentially create a proper Trust at the time. This was not noticed for a century, when the former Rectory was sold. To sort the error the field was returned to the Crown, as the original sale was invalid. It was then returned to the Parish Rectorat.

Mr Pierre Le Saux then asked if Church owned the remainder of the field

Mr Richard Renouf replied that it was not owned by the Church but by the Rector and Dean in trust to provide an income for the Rector.

Mr Pierre Le Saux asked what happened to the rent received from the field.

Mr Richard Renouf replied that the Rectorat's purpose was to provide a Rectory and income for the Rector.

Mr Pierre Le Saux asked if the field were built on what would happen to the income.

Connétable said that when he met with Dean it was suggested that the Parish would acquire a piece of land of the same size and do a land swap. The Dean said no, they would look for a rental for the land, which would be negotiated. A peppercorn rent with a 99-year lease had been suggested.

Mr Pierre Le Saux asked why on the plan was there a road going into the estate but not out.

Connétable replied that vision lines would show on a detailed plan, this was only a plan for the purpose of this evenings meeting so some idea could be given as to what was intended.

Mr Pierre Le Saux asked, with regard to the bake house on Rue de la Croute if it was refused because of the size intended but also because it was a special building and also because it was in a place of special interest.

Mrs Amanda Lees Baker asked would this development not also have an impact on the Marsh.

Connétable replied that it should not, as surface water would go one way and waste other.

Mr Pierre Le Saux asked if there would be a storm water drain into Rue de la Croute

Mr David Ellam replied that he did not think so.

Mr Pierre Le Saux replied that there had been complaints regarding the bake house because of the impact on the Marsh, as water being discharged into soakaways would be spread around the site. It would destroy the nature and habitat of the Marsh. Wildlife had already changed and you no longer saw owls bats etc. Cats in hedgerows are no longer. If we allowed this green site to be built on we could say good-bye to the Marsh.

Mr David Ellam replied that farming practices were probably more responsible for the reduction of wildlife and cats

Mrs Amanda Lees Baker stated that she had spoken to Sue Hardy who had suggested a field down at La Cache de L'Eglise. Had this been considered?

Connétable replied that no it had not been considered as the walking distance was too far away for Senior Citizens.

Mrs Amanda Lees Baker asked if these were over 55 years of age.

Connétable replied no these people were all retired and it would be too far and this field had a bunker in the centre of it which would be very difficult to get rid of. Connection to mains drainage would also be a problem.

Mr Pierre Le Saux asked if the owner of 623 had decided what sort of houses he wanted on there as he was aware that the owner was trying to get an access onto Haut du Marais and Planning have refused permission. He was under the impression that he was attempting to get an entrance through the estate of 622. Also the farmer in field was on a one-year lease.

Connétable replied that the farmer had been on a one-year lease for years.

Mr Pierre Le Saux. Would he be allowed to go through field 622?

Connétable replied that no access would be granted, as it was a green zone. The last lot of fields which were de-zoned were all for Parish projects.

Mr Pierre Le Saux added that he thought that field 623 was intending to have about 30 houses.

Mr Henry Blackmore asked if the Parish had ever thought of using the Village Green, further asking how much had been left. He further added that houses looking onto Rue de la Croute facing the estate would be losing value, would the owners be getting compensation.

Connétable replied that he was not aware of any such arrangement being made anywhere else. The Connétable asked if he meant that part of the 3 million would be available for compensation, if so then he was not aware of this.

Mr Henry Blackmore replied that people would be more willing to buy a house with no other houses around.

Mrs Rosemary Blackmore said that when they bought the house they were told that no building would be put in that field, and wished to make a proposal that money went to Hospice.

Connétable replied that this was not a decision for this meeting but a Parish Assembly decision.

Mr Nicholas Poole asked if it would be an idea to have to vote to see how many at this meeting were for the scheme and how many were anti.

Mrs Una Gray replied that if it was voted no to this, there may be an estate here instead of this sheltered housing proposal, and she was totally behind the sheltered housing scheme.

Mr Nicholas Poole stated that if the feeling of the meeting was totally anti and those present would not be happy in any way he felt the Parish should look at a more sympathetic site for development.

Connétable stated that wherever the development was built in the field, it was not possible to make everyone happy, it would impact on somebody.

Mr Tom Fox asked, would the density of this be all crammed on one side of the field. He would be sympathetic to sheltered housing if single storey, which would be easier on the eye than a housing estate, if spread out a little more and less dense and pleasing to the eye. If field 623 would be a housing estate he would say no. How did people feel about this and was there any guarantee they would not be burdened with additional argument and another debate in 5 years time.

Connétable said the buildings could not extend out of 622. Could not go beyond that footprint and as far as the density this was a Planning decision not a Parish one. They may say we could not have 21 just 16.

Mr David Ellam added that the reason there were 20 homes on the plan was because the architect said we could get 20 homes for the money available. If it were a first time buyer development it would be far more packed.

Mrs Sandra Fox asked about screening with trees. Could this be made a stipulation as part of the building?

Connétable replied that the Parish would insist on a screening all the way around the homes. We could ask for screening but it would be all down to Planning.

Mrs Amanda Lees Baker asked the Connétable if he did not agree that 623 would get passed. Planning liked filling in areas and if we had filled in a quarter of the area with sheltered housing, would they not wish to fill the remainder.

Connétable said that he could only say that the Planning Minister would only go to the States for rezoning if it was Parish housing. He was not in a position to give any guarantees.

Mr Douglas Creedon asked how far were we into the 3-year cycle. And what was the next stage.

Connétable replied that we were approximately 16 months into the cycle and the next stage would be a Parish Assembly and a Parish decision. It would then have to be decided to go ahead at an Assembly and then put to Planning. If that were agreed then the Parish would apply for a re-zoning proposition. He further added that he intended to have a Parish Assembly during the last week of February or first week of March then put it to Planning.

Mrs Sandra Fox asked if the States had a final say as to how much went in there.

Connétable replied that Planning would make the decision. He thought a definite decision would need to be made and have final plans produced not later than this time next year, or it might have to go to the Royal Court of Jersey to obtain an extension to the period stipulated in the Will.

Mr Tom Fox asked if it would be the plans presented this evening that would be put forward.

Connétable replied that no as these were not plans just an indication for this evening to give those present an idea of what was intended

Mrs Leslie Ropert questioned the Connétables mention of a Residential Home. If these plans were turned down would the Parish then look into the possibilities of a Residential Home.

Connétable replied that he would have to go to another Assembly and discuss it with Planning

Mrs Leslie Ropert asked if the Parish would only build one or the other.

Connétable replied that there was only money for one or the other.

Mrs Rosemary Blackmore asked if the Parish would consider a Residential Home elsewhere.

Connétable replied that yes it would be a possibility.

Mr Tom Fox asked if the Parish had looked at the cost of a Residential Home.

Connétable replied that it had been considered when he first came into office and it was found not to be feasible. It would have been too costly. He became aware that since he had been in this post there came a time when residents needed more support than they could receive in their own homes. If we had a Residential Home senior citizens would consider moving to it. When

completed, the Parish would not have sufficient people to fill a Residential Home and would have to go outside the Parish. As earlier stated a meeting was planned with Maison St Brelade to discuss the possibilities of a Residential Home.

Mr Richard Renouf informed the meeting that the Parish had 39 homes for Elderly within the Parish and it was very sad when they had to move to a Home in town or elsewhere. Ideally the Parish would like to keep them in the Parish. We had a community in the Parish who wanted to stay here. The Parish was trying to take all this into account and fulfill the needs of those living in St Ouen and understand the opinions of those present. The population is living longer and we are facing more people needing to be housed. He asked those present to consider the wider aspect in that we were trying to care for Parishioners of the Parish.

Mr Nicholas Poole stated that Mr Renouf had made a case on his own in that a Residential Home was needed.

Connétable was shortly due to go to Budapest to attend a conference regarding the ageing population.

Mr Pierre Le Saux asked why did we have two bedroom options.

Connétable replied that we had couples and they sometimes would like to have someone live in to care for them.

Mr Douglas Creedon asked if there would be any merit in having a show of hands as to what people here felt.

Connétable replied that it would be interesting to find out how many felt a Residential Unit would be feasible. He therefore asked those present to vote if they would like a Residential Home. All were in favour. It was a unanimous vote.

What was on the table was this and no other decisions would be made until put to Parish Assembly.

Mr Geoff Hendry asked, if when a Parish Assembly was called, would there be more information than presented have tonight as questions could not be answered on the plans shown tonight.

Connétable replied the there would be no further information. No more detailed plans would be available until it was decided that houses would be built as plans were too costly to produce.

Mrs Amanda Lees Baker asked if the Connétable would also be asking a Parish Assembly if they were in favour of a Residential Home being built.

Connétable replied that costs would have to be looked into, as a Residential Home would have a cost to the Parish and all this needed to be looked at. He added that he would not suggest to the Parish that a Residential Home be built only to find it was a millstone around the neck of Parishioners. The Parish needs to know that a Residential Home would have more benefit than Sheltered Housing.

Mrs Madeleine Poole asked if a Residential Home would be one or two stories.

Connétable replied that he had no idea. If it were a personal question he would reply a single storey but in this case it would be the most cost effective.

Mr Pierre Le Saux asked how old you had to be to go into a Residential Home.

Connétable replied you could go in at any age, as it was a case of health issues not age.

After thanking everyone for coming, the Connétable apologised for not being in a position to answer all the questions but added that we were all getting older and one day may need one of these units ourselves.

WEEK 3			
<p>Tuesday 5 October Day 10</p>	<p>Site Specific Sessions</p>	<p>2.00 pm – O2 - Field 622, Clos De La Croute, St Ouen Connetable Kenneth Vibert Mr Lees-Baker Pierre Le Saux Mr Nick Poole Douglas Creedon</p> <p>2.30 pm- G2 - De la Mare Nurseries, Grouville Anthony Paintin (Société Jersiaise) Charles Alluto (The National Trust for Jersey) David Dutson Roy Smith Andy Townsend</p> <p>3.00 pm – 3.15 pm break</p> <p>3.15 pm – L10 -Thistle Grove, St Lawrence Connetable Deidre Mezbourian Deputy Philip Rondel Andrew Morris Anthony Farman Joe Carney (J.S. Carney & Co. Ltd)</p> <p>Group 2</p> <p>3.45 pm – G4 - Field 263A, Grouville Patrick McCarthy John Hodge Education, Sport and Culture Department</p> <p>4.05 pm – S6 - Field 745, St Saviour Tony Sullivan</p> <p>4.25pm – G6 - Netherlee, Le Chemin des Maltieres, Grouville Steven W. Harris Constable Dan Murphy</p> <p>4.45 pm - P4 – Field 287 St Peter Barry Masefield Constable John Refault</p> <p>5.05pm - H8- Field 1534, Tower Road, St Helier Nigel Weston</p>	<p>PM</p>

**Report to the Minister for Planning
and Environment**

by

Chris Shepley CBE BA DipTP MRTPI

Inspector

Alan Langton DipTP CEng MRTPI MICE MCIHT

Assistant Inspector

The (Draft) Jersey Island Plan 2009

Volume 2

EiP					
MY2	DP237 DP763	Field 502, St. Mary	Support for 'Built up Area' zoning extents. Support for 'Protected Open Space' designation.	Support is noted by the Minister	Recommendation: that the Minister does not amend the Plan.
O1	DP349	Field 616/617, St Ouen	Amend, zoning to 'Built up Area'	Minister is Minded to amend	We agree. Recommendation: that the Minister proceeds as intended.
O2	DP887 DP1082 DP1132DP1171	Field 622 Clos De La Croute, St Ouen	3 supporting, 'Green Zone' designation. Site put forward for 'Sheltered' housing	The Minister is not minded to amend the draft Plan	It is appropriate that this site is included in the Green Zone for the reasons the Minister gave. However, it relates well to the village and in the event of the preparation of a Village Plan under Proposal 14 and Policy H5, it might provide a suitable site for consideration for affordable housing to meet local needs. Recommendation: The Minister does not amend the Plan.
O3	DP780	La Rue des Grantez, BUA Extension St Ouen	Site put forward for housing & the rezoning of wider area into the 'Built up Area'.	The Minister is not minded to amend the draft Plan	This small, relatively isolated locality does not have any of the attributes of a BUA and the site which was proposed for housing is remote and contrary to the Strategic aims of the Plan. Recommendation: that the Minister does not amend the Plan.

Ref	Agent	Name	Org/bus.	No.	Title	Response	Suggested changes to the document:	Why you consider this to be necessary:	General Response	Detailed Officer Response	Minister's Recommendation
								exception to the presumption against development; to enable the provision of much needed Category B Housing. For instance, the site has existing development on three sides abutting the existing Built Up Area. Therefore, the notion of developing this site would seem to be reasonable as it would not have an adverse impact on the landscape character of the proposed Green Zone. As indicated in proposed policy SP1, it would also contribute to the supply of 4000 homes that are required over the Plan Period and which for various reasons detailed below, will not be able to be accommodated within the town of St Helier as predicted in the White Paper.		There are, therefore, considered to be no grounds to identify other sources of supply to meet housing needs, including the release of additional greenfield land.	
DP1168		Kevin Pilley		Map .1	Proposals Map	Neither	Key on Town Proposals Map needs amendment: should change 'Potential Pedestrian Priority Street (Proposal 17)' to 'Pedestrian Priority (Proposal 18)'	To correct an error	Amend error		Minister minded to amend error
DP1171		Mr and Mrs Lees-Baker		Map .1	Proposals Map	Objecting	Field 622, Rue de la Croute, St Ouen, should not be rezoned for sheltered housing. (Objecting)	With regard to field 622 we have set out our particular concerns in a letter already submitted to your department. Generally, sheltered housing should be considered on an Island wide basis taking into account the needs of the elderly in all Parishes as a demonstration of joined up Government thinking.	Support for zoning Field 622, St Ouen Green zone noted.	Field 622 St Ouen is zoned as Green Zone and not proposed for Category A development in the draft Island Plan.	The Minister notes the support for zoning Field 622, St Ouen Green zone
DP1183		Mr Ralph Buchholz		Map .1	Proposals Map	Neither	Remove area to the east of Mont Nicolle school and north of Vue du Vallon from built up area to green zone. See attached map.	There is a clear boundary change where the dominant landscape form changes from built up area to the east of Mont Nicolle from the northern boundary of the properties Vue du Vallon. The error in the hardcopy version of the map was not spotted until after they had been released for public consultation.			Minister minded to amend error on hardcopy version of proposal map as published on 26th September 2009
DP1184		Mr Ralph Buchholz		Map .1	Proposals Map	Neither	Include fields 236 & 237 in St. John into important open space zoning boundary.	These fields are zoned in the 2002 Island plan as H3 sites and following a review of all sites were not included in the draft plan as they were not required (in terms of numbers) and did not meet with the Minister's stated aim of protecting green field sites. It is noted however that they may come forward in the future as part of potential village plan proposals brought forward by the parish. Therefore the area should be designated important open space to extend the area, which has the same landscape value, currently zoned for this purpose to the immediate east. The error in the hardcopy version of the map was not spotted until after they had been released for public consultation.			Minister minded to amend error on hardcopy version of proposal map as published on 26th September 2009
DP141	Mr James Naish	Jim Naish	Blarritz Hotel	Map .1	Proposals Map	Objecting	Our Client, the owner of Seafeld House, Milbrook, would like the land to the east of Seafeld House rezoned out of 'Protected Open Space' as it is his garden and is entirely separate to the gardens of	The Eastern part of the Seafeld House garden should not be zoned as 'Protected Open Space' because: 1. It is not part of the Listed building 2. It cannot be seen from the public roads at	Reject	The extent of land to the east of Seafeld House that is objected to is not made explicit in the representation. It is considered,	The Minister is not minded to amend the draft Plan

PUBLIC INQUIRY
FIELD 622, LE CLOS DE LA CROUTE, ST OUEN

In February 2009 I moved from L'Etacq to a bungalow in the larger of the 'St. Ouen's Villages' behind the Parish Hall. I, therefore, felt qualified in speaking at a subsequent Parish Assembly regarding the Field 622 planning application.

I made the following comments :-

My husband and I had moved to L'Etacq in 1979. He died in 2002 and I had lived on my own until 2009 when I decided that due to an on going mobility problem it was the right time to move.

The bus service around the largest Parish in area on the Island is extremely poor and many of the now older non drivers are finding it difficult to get to the heart of things within the Parish.

It is not generally appreciated that there is no direct bus service that goes from Route de L'Etacq, straight up La Route du Marais (1 1/3 miles) to St. Ouen. The only infrequent bus services goes to Red Houses, St Brelade.

So, anyone unable to drive is COMPLETELY CUT OFF from the two bus routes serving St. Ouen to St Helier. The Parish Hall, The Community Centre, The Supermarket, Post Office, Doctors' Surgery, Pharmacy, Island Technology, Gellaires, the Hair Salon for both ladies and gentlemen, The Wine Warehouse, The Farmers Inn and now our lovely Village Green. This is so appreciated by the surrounding residents from the Homes for the Elderly which have been provided by the Parish so successfully over many decades.

The residents of Clos de la Croute and Rue de la Croute are able to use all these facilities. It is a shame that they do not want to share them. They too will grow older. The planned development of BUNGALOWS AND GARDENS etc. is so tasteful that I and sure any worries of noise and extra traffic will be unfounded.

I appreciate that the exit into La Route de Vinchelez is causing concern, but as well as widening the corner, which I understand the Parish is in consultation with the land owner about, would it not be an idea to make Rue de la Croute one way with the traffic exit being made onto La Route du Marais?

Other fields have been suggested by the residents of Clos de la Croute and Rue de la Croute but they do not provide a safe traffic location, with all the amenities of the Parish close at hand.

When I moved I down-sized and was fortunate to buy my lovely bungalow in La Ville des Marettes. I have so appreciated everything that St Ouen has to offer right on my doorstep. I sincerely hope that through the generosity of this lady her wish will be granted and that this application will be approved.

Brenda Watts.

**REVIEW OF THE ISLAND PLAN
TO REZONE LAND
FOR LIFE-LONG RETIREMENT DWELLINGS
FOR THE OVER 55s'
AND FIRST TIME BUYER HOMES**

NOVEMBER 2007

PROPOSAL

1) Amendment to Policy H1

To meet the housing needs of Jersey's aging population it is necessary to add a further housing category to Policy H1 to define 'life-long retirement homes for the over 55s'.

Accordingly, Category A1 defines life-long retirement dwellings for the over 55s' as being either home owner or social rented homes, which are designed to accommodate both fit and less able older people, in a socially supportive and stimulating environment which enables them to live independently. Occupants will be able to receive support from family nursing and home care and other agencies when required, which will assist their continued independence, allowing them to live as long as possible in their own home.

2) Policy H2 A – Sites to be rezoned for a mix of Category A and Category A1 (Life-long retirement Homes for the over 55s')

In order to meet the Island's housing need as set out in policy H1 a further 450 homes are proposed on 12 sites totalling 81¼ vergées listed as follows:

St Helier

- a. Field 1248, La Pouquelaye, St. Helier for life-long retirement social rent dwellings for the over 55s' and first-time buyers homes, on approximately 6¼ vergées of agricultural land. The site is designated as site H3 (8) in the 2002 Island Plan and is shown on Drawing Number 2007/01

St Saviour

- b. Fields 413, 415, 415A and 470, Five Oaks, St. Saviour for life-long retirement social rent dwellings for the over 55s' and shared equity family homes, with a community outreach centre, and 3 vergées of public amenity space and car parking, on approximately 12¼ vergées of agricultural land, which is designated in the 2002 Island Plan as H3 (4) and shown on Drawing Number 2007/02
- c. Field 836, St. Saviour for a mix of open market and social rent life-long retirement dwellings for the over 55s' on approximately 1¼ vergées of agricultural land and designated in the 2002 Island Plan as Countryside Zone and shown on Drawing Number 2007/03
- d. Fields 516, 516A, 517 and 518, St. Saviour for an inclusive, mixed tenure retirement village consisting of a mix of open market and social rent life-long retirement dwellings for the over 55s', a residential care and dementia home, guardian accommodation, indoor and outdoor recreational facilities, shop, surgery, car parking and amenity space, on approximately 27¼ vergées of agricultural land, which is designated in the 2002 Island Plan as Countryside Zone and shown on Drawing Number 2007/04

St Clement

- e. Field 274, St. Clement for a mix of open market and social rent life-long retirement dwellings for the over 55s', on approximately 5½ vergées of redundant horticultural land, which is designated in the 2002 Island Plan as site H4 (14) and shown on Drawing Number 2007/05

St John

- f. Field 605, St. John, for a mix of open market and social rent life-long retirement dwellings for the over 55s', on approximately 2½ vergées of agricultural land, which is designated in the 2002 Island Plan as site H4 (16) and shown on Drawing Number 2007/06
- g. Field 178, Les Landes, St. John, for a mix of open market and social rent life-long retirement dwellings for the over 55s', on approximately 2 vergées of redundant horticultural land and designated in the 2002 Island Plan as Green Zone and shown on Drawing Number 2007/07

St Mary

- h. Field 561 and 562, St. Mary for a mix of open market and social rent life-long retirement dwellings for the over 55s' and first-time buyer homes, on approximately 5½ vergées of redundant horticultural land, which is designated in the 2002 Island Plan as Countryside zone and shown on Drawing Number 2007/08

St Brelade

- i. Land north east of Maison St. Brelade for the possible extension to Maison St Brelade and life-long retirement social rent dwellings for the over 55s', on approximately 2¾ vergées of agricultural land, which is designated in the 2002 Island Plan as Countryside Zone and shown on Drawing Number 2007/09

Grouville

- j. Field 148, Rue des Maltières, Grouville for life-long retirement social rent dwellings for the over 55s' for the Gouray Charitable Trust, with car parking and retaining an area of open space adjoining Grouville Common, on approximately 4 vergées of agricultural land, which is designated in the 2002 Island Plan as Countryside Zone, and shown on Drawing Number 2007/10

Trinity

- k. Field 818 and part of 873, Trinity for life-long retirement social rent dwellings for the over 55s', on approximately 1¾ vergées of agricultural land, which is designated in the 2002 Island Plan as Countryside Zone and shown on Drawing Number 2007/11
- l. Field 578, Trinity for a mix of life-long retirement social rent dwellings for the over 55s' and first-time buyer homes on approximately 9¼ vergées of agricultural land, which is designated in the 2002 Island Plan as Green Zone and shown on Drawing Number 2007/12

5. The Housing Needs Survey identified the Island's potential housing requirements for the 5-year period, 2005 – 2009. The survey showed that 29% of the total demand for owner-occupied homes in the next 5 years was likely to be from first-time buyers. However it also found that, although there was a large surplus of one-bedroom flats, there was a potential shortfall of some 250 one and two bedroom retirement homes over this period.
6. The survey also looked at the potential release of owner occupied family homes through downsizing and found that 205 households living in two to five bedroom houses anticipate moving into one or two bedroom sheltered units. An estimated 125 family homes could be released by this move, which can potentially save at least 25 vergées of land (using a density of 5 homes per vergée).

2006 Planning for Homes (Planning Department)

7. Planning for Homes, published in November 2006, reported the outcome of the Housing Needs Survey. It noted that the Island's ageing population was likely to result in a significant increase in demand for retirement accommodation from 2010 onward and recommended that it was important to plan now for this demand, including the securing of sites, within the 5-year period to the end of 2009. This is particularly critical, as there is a typical lead-in time of at least 3 years before homes can be completed, even on the most straightforward of sites.
8. Whilst recognizing the need to release additional land to meet the requirements for retirement dwellings, the report also identified the need to release land for first-time buyers. The estimate given in the '2006 Planning for Homes' provides the most current position in respect of the Island's housing need and suggests that between 405 and 490 first time buyer homes will be required within the next 5 years (Planning for Homes 2006). Market trends, and recent house price data, suggest that the need has not diminished and some Connétables have requested the inclusion of first time buyer homes on the sites they have identified.

Discussions with the Parish Connétables

9. Further to the initial meeting with the Comité des Connétables in September 2006, the Minister and Assistant Minister for Planning and Environment met again with the Comité on 10 September 2007 to update them on the rezoning proposal and to address any outstanding points.
10. The key points arising from the meeting were:
 - Confirmation of the need for retirement homes has been provided by the Housing Department in their report entitled '**The Need for Social Rented Accommodation for The Over 55s**' and a copy is appended to the consultation report. Although the number of individuals with Parish connections is not provided, the Minister for Housing will work closely with the respective Connétable in the allocation of the dwellings.
 - The Minister supports the Connétable's view that the right mechanisms need to be in place to ensure the delivery of affordable homes, particularly with regard to developer led schemes. Planning obligations have successfully delivered affordable homes on the Island Plan H2 sites and the Minister is proposing that planning obligations are far tougher on developer led schemes.

- Confirmation has also been obtained from the eight Connétables who wish to move forward with specific sites and as mentioned earlier in this report, the Connétables of Trinity, St Mary and St Helier, have each obtained the support of their respective Parish Assemblies for the development of life-long retirement dwellings for the over 55s' and first-time buyer homes on the sites identified in this report.

Provision of first-time buyer homes

11. In discussions that have taken place with Parish Connétables, three have expressed a need to also provide homes for first-time buyers, in addition to life-long retirement homes for the over 55s'.
12. The Parishes of Trinity, St Mary and St. Helier have each confirmed the need to include homes for first-time buyers. Those Parishes have held Parish assembly meetings which approved the principle of putting forward particular sites, which are contained in this report, for consultation.
13. The need to maintain the supply of first-time buyer homes is identified in the 2006 Planning for Homes report, which identified a need for between 405 and 490 first time buyer homes over the next 5 years.

Provision of purpose built life-long retirement housing for the over 55s'

14. It is well documented that people are living longer and as a consequence, the demographic balance of the Island is changing. The development of well designed and suitably located housing for Jersey's ageing population is a key objective of the States which will enable older people to live in a socially supportive and stimulating environment for as long as possible. This section of the report sets out the evidence of need for more homes for the over 55s'.

The Island-Wide Strategy for the Ageing Society

15. In 2004, the Island-Wide Strategy for the Ageing Society (ISAS) raised the issue of the Island's increasing elderly population and identified that the number of elderly people in Jersey would begin to steadily increase over the next few decades and made it clear that this was not a temporary bulge, but rather a long-term shift in the composition of the Island's population.
16. Work undertaken for the current 'Imagine Jersey 2035' consultation suggests that by 2035, under some scenarios the ratio of employed persons to pensioners will be as low as 1.3 to 1, as shown in the diagram overleaf.

Proposed Sheltered Housing Accommodation

Field 622, St Ouen

Initial submission to the Public Inquiry

April 2013

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.

verify mins.

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

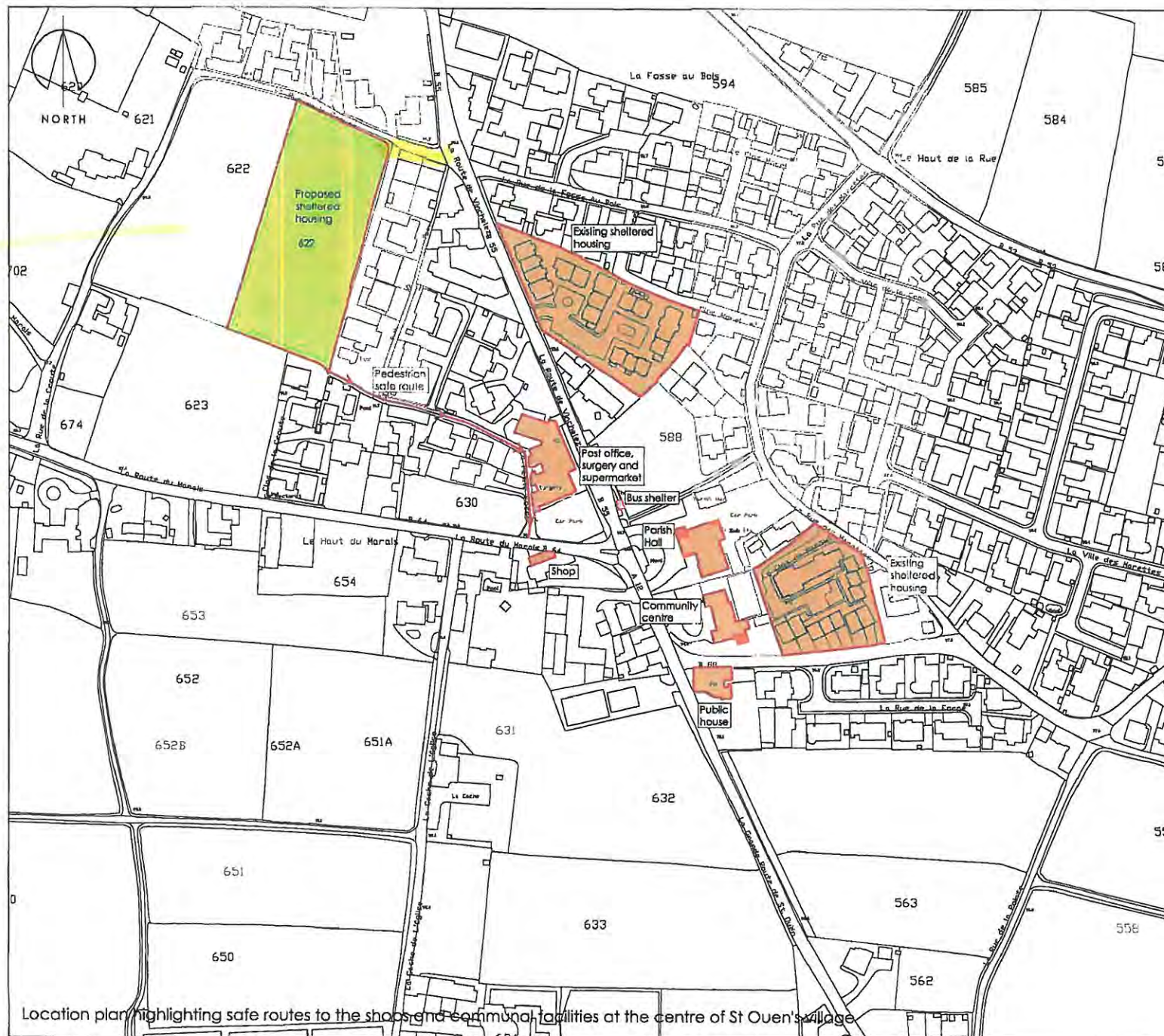
Having had regard to Proposal 15 and taking into account Policy H5, the Parish of St Ouen clearly believes that the Proposal to provide sheltered accommodation on Field 622 for this specific use, meets nearly all of the criteria of the Policy. It fails solely on the inability to find a suitable site 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 Thorne, Chartered Town Planner and Morris Architects Limited
c/o Morris Architects Limited, 17 La Motte Street, St Helier, JE2 4SY
16 April 2013

Enclosures

Drawing No 4591/27	Location plan highlighting safe routes to the shops and communal facilities at the centre of St Ouen's Village
Drawing No 4591/28	Shows the potential sites considered and evaluated by the Parish of St Ouen
Appendix 1	Data provided by the Housing Department's Affordable Housing Gateway relating to the "Over 55's" demand for housing (includes Parish of St Ouen list)
Appendix 2	Assessment of alternative sites
Appendix 3	Minutes of Parish Assembly dated 17 November 2009
Appendix 4	Minutes of Parish Assembly dated 23 February 2010



General Notes

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Revisions

Rev	Date	Description	By

Project	Field 622, Sheltered Housing La Rue de la Croute St Ouen, Jersey
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Client
Parish of St Ouen

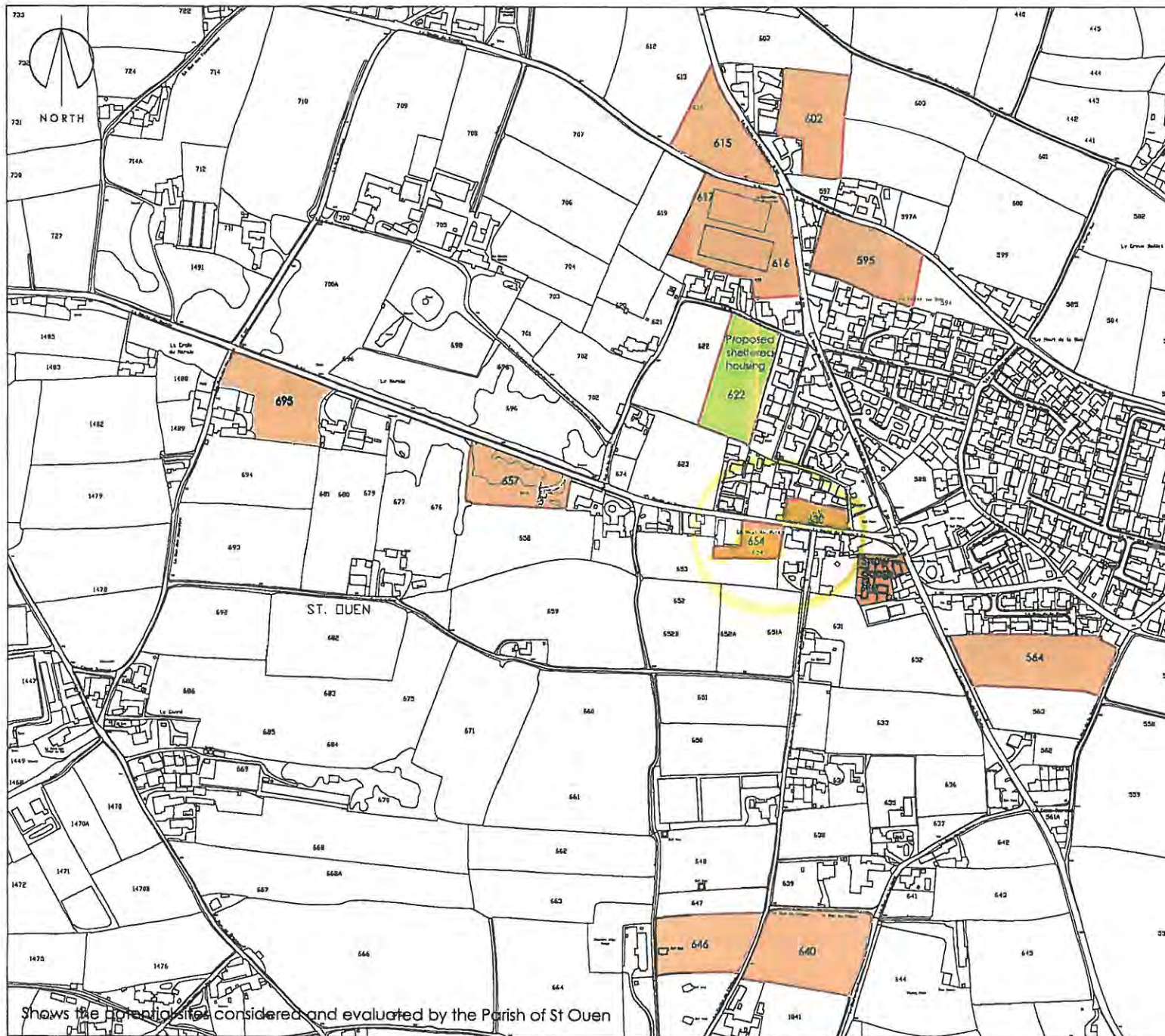
Drawing
Planning Drawing
Location of Safe Routes

morris architects

17 LA MOTTE STREET
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Date Jan '13	Scale 1:2000 (A3)	Drawn by PQ
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Drawing Number	Revision
4591/27	



Shows the potential sites considered and evaluated by the Parish of St Ouen

General Notes

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Revisions

Rev	Date	Description	By

Project

Field 622, Sheltered Housing
La Rue de la Croute
St Ouen, Jersey

Client

Parish of St Ouen

Drawing

Planning Drawing
Potential Sites Evaluated

morris architects

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Telephone: 01534 738635
Fax: 01534 769359
E-mail: email@morrisarchitects.co.uk

Date	Scale	Drawn by
Jan '13	1:4000 (A3)	PQ

Drawing Number	Revision
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4591/28

APPENDIX 1

Housing Demand

States of Jersey Affordable Housing Gateway

Data relating to "over 55's" demand for housing - Island Wide.

(Position as at 5th March 2013)

Total number of applications registered within Bands 1, 2, 3 & 4 of the Gateway where applicant is aged 55yrs or over.		313
Of those 313:		
	Number on the Waiting List (ie those currently housed in unsatisfactory accommodation in the private sector)	217
	Number on the Transfer List (ie those already tenants of the Housing Department or a Housing Trust who need to move for various reasons)	96

Applicants are placed on the list in various priority groups:

BAND	CHARACTERISTICS OF APPLICANTS
1	<p>Homeless ie:</p> <ul style="list-style-type: none">• Under Eviction Notice (Court Order in Place)• In Tied Accommodation where employment has ceased• Unable to occupy or return to present home because of Urgent Medical Issue• Have no rights to stay in current accommodation such as staying with friends or family• Forced to live apart from family because present accommodation is not suitable• In "hostel" or "shelter" type accommodation; <p>Existing tenant needing to transfer for decant reason</p> <p>Existing tenant under occupying</p> <p>Any combination of Band 2 characteristics</p>
2	<p>Grave overcrowding (opposite gender children sharing a room or more than 2 no children in one room)</p> <p>Poor housing standards</p> <p>Moderate Medical Cases (by Medical Officer of Health determination)</p> <p>Other social housing transfers</p>
3	<p>Private Rented Sector tenants who are adequately housed but are unable to afford the current rent - with or without financial assistance.</p>

4	Presently Adequately Housed - little or no housing need but simply wish to change home
5	Register for those who wish to purchase but require some kind of financial assistance to do so.
6	Multi-Agency Supported Housing - Applicants who will require ongoing landlord support to live independently and are only likely to be housed by certain landlords who can offer that 'extra care'.

Bands 5 & 6 have not been included in the figures.

Waiting List

Band 1	29
Band 2	66
Band 3	80
Band 4	42
Total	217

Transfer List

Band 1	46
Band 2	50
Band 3	n/a
Band 4	n/a
Total	96

NB

Single applicants and couples applying to the Gateway for social rented accommodation are generally accepted for one bedroom units unless there is a demonstrated medical need for larger accommodation. This is because the current rent component of Income Support will only allow for the size of accommodation that an applicant needs.

Applicants applying through the Gateway for social rented accommodation are required to meet certain criteria, the financial element of which is that their income is no greater than £40K per annum. The majority of those registered with the Gateway would not therefore be able to afford the full fair rent for a 2 bedroom property without additional assistance from Income Support, which they would only be entitled to if there were strong medical grounds.

Parish of St Ouen List

The Parish of St Ouen has 72 no people on its waiting list. Only 4 no of them have no connection to St Ouen. The list is made up of 44 no single people and 28 no couples.

APPENDIX 2

Alternative Housing Sites Considered and Assessed

In order to decide whether Field 622 was the most suitable site, the Parish assessed 12 no other potential sites within the Parish. These fields are shown on the attached drawing no 2.

Attached to this document is the Parish of St Ouen's report on possible uses of parts of Field 622, which is a document that was presented at a Parish Assembly on 16 November 2009, and highlighted reasons for the preference of Field 622.

Other sites reviewed were:

"Snow Goose"

This site was in private ownership and the site was for sale, at that time, on the open market. This meant that the value of the land made the proposal for affordable homes unachievable. The site was also small and fairly modest in terms of its surrounding context with regard to mass. Therefore, the desired unit numbers could not be achieved without having a significant impact on the adjoining properties and a detrimental effect on the visual amenity of the main arterial road through the village of St Ouen. For these reasons, together with the fact that the site has since been purchased and developed by others, this piece of land was not subsequently considered.

Fields 630 and 654

The sites are small and could not be developed economically. The combined area is inadequate to meet the required number of homes.

Field 564

Adjacent to the Farmers' Inn, this field is in private ownership and the owners have stated that they are not inclined to sell. However, a safe pedestrian route is unachievable and could not be suitably linked to the village, and thus renders the site unsuitable for the intended purpose.

Field 615

This field was offered to the Parish for consideration, but the Parish rejected the offer because the field is bordered on two sides by heavily used roads where access to shops is limited and any pedestrian route would be dangerous. It was also felt that to seek permission for the construction of sheltered accommodation in this field would create a large and unacceptable impact on the environment and the countryside.

Fields 616 and 617

The site at Fosse au Bois, Fields 616 and 617 was reviewed as a potential site as it is located within the Built-up Area, however there were three major reasons against this site. Firstly, the farm is successfully operating as an agricultural business and, if dwellings were placed on this site, it would necessitate displacement of the farm holding and its buildings to another site in the area. Also, the owners have the aspiration to develop the vacant part of the farm holding for Category B housing under Policy H6 of the Island Plan and have subsequently made a planning application to move this proposal forward. Finally, as the site is a valuable agriculture holding and a potential residential development, the land value would be too high for the sheltered accommodation scheme to be viable.

Fields 595 and 602

These were discounted for similar reasons to Fields 615.

Field 657

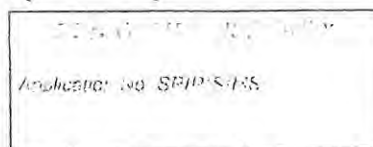
This was not pursued on the grounds that it was not large enough for the number of units required and would need considerable drainage infrastructure work in order to service any development. It was also felt that a safe pedestrian route was difficult to achieve and the site was too remote from the village centre.

Fields 640 and 646

Bordering La Cache de L'Eglise, neither of these fields is sufficiently close to the village centre or capable of safe pedestrian access.

Field 695

Following a public meeting held on 06 February 2009, the owners of Field 695 were approached, but it became apparent that they were unwilling sellers.



Planning and Building (Jersey) Law, 2002 Application for Permission to Develop Land

Please read the general guidance notes on the back of this form before answering all the questions.
One original and five copies of this form must be provided. Please complete using block letters.
Failure to fully complete this form could result in delays.

1. If this is a revised Planning application please state previous permit number
2. Have you received any pre-application advice in relation to this project (tick) Yes ☒ No ☐
If Yes, please state the name of the officer you dealt with Peter Thorne
3. Give the full address of the land or property that is the subject of this application, including field number where relevant.
Field 622 Field No 622
La Rue de la Croute
St. Ouen
Jersey Postcode:
4. What is the full name and address of the applicant? (See note 4)
The Parish of St. Ouen Contact Constable Ken Vibert
St Ouen's Parish Hall Tel 481619
La Grande Route de St Ouen Fax 481497
St Ouen Postcode: JE3 2HY Email k.vibert@gov.je
5. What is the full name, address and daytime telephone number of the architect or agent making this application if different to the applicant.
Morris Architects Contact Andrew Morris
17 La Motte Street Tel 738635
St. Helier Fax 769359
Jersey Postcode: JE24sy Email andrew.morris@morrisarchitects.co.uk
6. What is the full name and address of the owner?
Tel
Fax
Email
7. Give a clear and concise description of the proposed development, itemising any revisions to a previous application. (IMPORTANT: PLEASE READ NOTE 5)
The construction of 18no. two bed and 1no three bed single storey sheltered accommodation units, communal building with bins areas, sub-station and memorial area.
Externally - new vehicular access and roadways, car parking hard landscaping and planting.
New pedestrian link from site to village.

8. Please give details of all the *types of use* into which the site currently falls and also all the proposed *types of use*. In addition, please show the total amount of existing and proposed floor area given over to those use(s) (see note 6). Where there is more than one use within a site or building, please enter the information about the existing and proposed use in each of the categories provided (see example below). This information will be used in the consideration of the application and in the future monitoring of Island Plan policies.

Code	Type of Use	Existing	Proposed
1	Residential		
1A*	Dwellings	0 Units	19 Units
1B	Extensions to existing Dwellings	Sq.m	Sq.m
*If you have completed this section please indicate below which category of residential property this application relates to:			
	Category (to be completed only if 1A above has been selected)	No of Units to be lost	No of Units proposed
1C	Social rented homes (built by or for the States, a Parish, or a Housing Trust / Association)	Units	19 Units
1D	Homes for First Time Buyers (built on land zoned for the purpose)	Units	Units
1E	Staff and lodging accommodation	Units	Units
1F	All other private sector homes (eg: owner occupation and private rented)	Units	Units
2	Industrial and Commercial	Existing	Proposed
2A	Office	Sq.m	Sq.m
2B	Retail	Sq.m	Sq.m
2C	Café, restaurant, public house or nightclub	Sq.m	Sq.m
2D	Warehouse (storage or distribution)	Sq.m	Sq.m
2E	Industrial	Sq.m	Sq.m
2F	Other commercial not specified above	Sq.m	Sq.m
3	Agricultural and Fisheries	(Please tick) Existing	Proposed
3A	Use of land for agriculture	<input type="checkbox"/>	<input type="checkbox"/>
3B	Permanent building for agriculture or fisheries	<input type="checkbox"/>	<input type="checkbox"/>
3C	Glasshouse, polytunnel or fisheries structure	<input type="checkbox"/>	<input type="checkbox"/>
3D	Other agricultural or fisheries facility not specified above	<input type="checkbox"/>	<input type="checkbox"/>
4	Tourist Facilities		
4A	Visitor accommodation (hotel, guest house, self catering)	<input type="checkbox"/>	<input type="checkbox"/>
4B	Visitor attraction (including heritage/culture site)	<input type="checkbox"/>	<input type="checkbox"/>
4C	Other visitor facility not specified above	<input type="checkbox"/>	<input type="checkbox"/>
5	Community		
5A	Health facilities	<input type="checkbox"/>	<input type="checkbox"/>
5B	Education facilities	<input type="checkbox"/>	<input type="checkbox"/>
5C	Sport and leisure facilities	<input type="checkbox"/>	<input type="checkbox"/>
5D	Other community facility not specified above	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Other Development		
6A	Advertisement	<input type="checkbox"/>	<input type="checkbox"/>
6B	Parking	<input type="checkbox"/>	<input type="checkbox"/>
6C	Telecommunications (masts, aerials, and satellite dishes)	<input type="checkbox"/>	<input type="checkbox"/>
6D	Demolition only	<input type="checkbox"/>	<input type="checkbox"/>
6E	Other development not specified above (please state)	<input type="checkbox"/>	<input type="checkbox"/>

Example - If your application is to demolish an existing building containing a house and a flat and to build 6 new dwellings (for first time buyers), 10 new flats (for social rent) and 4 dwellings (for others), then you would fill out question 8 as follows:

Code	Type of Use	Existing	Proposed
1	Residential		
1A*	Dwellings	2 Units	20 Units
1B	Extensions to Existing Dwellings	Sq.m	Sq.m
*If you have completed this section please indicate below which category of residential property this application relates to:			
	Category (to be completed only if 1A above has been selected)	No. of units to be lost	No. of units proposed
1C	Social rented homes (built by or for the States, a Parish, or a Housing Trust/Association)	Units	10 Units
1D	Homes for First Time Buyers (built on land zoned for the purpose)	Units	6 Units
1E	Staff and Lodging accommodation	Units	Units
1F	All other private sector homes (eg: owner occupation and private rented)	2 Units	4 Units

9. What is the area of land (including buildings) to which the application relates? 6899 Sq.m
10. Do the proposals include a new or altered means of vehicular access to a road? (tick) Yes ☒ No ☐
11. What systems are used for the disposal of foul sewage and surface water?
- Foul Sewage (tick) Foul Sewer ☒ Surface Water (tick) Surface Water Sewer ☐
 Septic Tank / Soakaway ☐ Soakaway ☒
 Cesspool / Tight tank ☐ Storage Tank ☐
12. Could any previous uses of the land have potentially contaminated the site?
 (if yes, please provide details such as a desktop study and/or intrusive investigation result – see the department's guidance, 'Development of Potentially Contaminated Land') Yes ☐ No ☒

13. Give details of plans, drawing, maps and photographs included with this form
 (Continue on separate sheet if necessary. IMPORTANT: PLEASE READ NOTE 7)

Drawing No.	No. of Copies	Description of Drawing
As per issue slip		
1554/001	6	Landscape site plan
1554/02	6	Full planting plan

14. Fee Calculator

Category	Category	Number of	Fee per Item	Total
e.g. 1	A	3	x £233.00	= £699.00
1	C	5	610	3,050
1	D	14	830	11,620

Total fees due £ 14,670.00

Please indicate how you would like to make payment (tick):

Cheque ☒ Credit Card* ☐

*Credit Card payments can be made by completing a separate form coded: CCNPT

Cheque Number

Cheque Value £ 14,670.00

This Application Form Must be Signed by the Applicant and Agent.

APPLICANT/AGENT DECLARATION: I am aware that it is an offence to submit false or misleading information with an application. This application is made with my authority and I confirm that I have read and understood the notes section detailed with this form. As part of the application process, I am aware and agree that any of the information supplied in this application may be disclosed to relevant States Departments, other relevant authorities, made accessible to members of the public and published in the local media or on our website. Confidentiality is maintained on a broader front through the auspice of Jersey's Data Protection Law. I confirm that the particulars given in this application and the accompanying drawings are correct.

Applicant Signature

Date 22. 11. 10

FULL NAME IN BLOCK LETTERS

Parish of St. Ouen

Agent Signature

Date 22. 11. 10

FULL NAME IN BLOCK LETTERS

Morris Architects Ltd

This Application Form must be signed by the Owner of the Land or Property as being submitted with his or her knowledge and agreement.

OWNER'S DECLARATION: This application is made with my authority and I confirm that I have read and understood the notes section detailed with this form. As part of the application process, I am aware and agree that any of the information supplied in this application may be disclosed to relevant States Departments, other relevant authorities, made accessible to members of the public and published in the local media or on our website. I also understand that the site will need to be visited by an officer of the Department and that notes/photographs may be taken to assist in the determination of the application. Confidentiality is maintained on a broader front through the auspices of Jersey's Data Protection Law.

Signature

Date 19. 11. 2010

FULL NAME IN BLOCK LETTERS

ROBERT FREDERICK KEY - DOYEN

Checklist Please check that you have provided the following information:

1. 1 original Application Form fully completed and signed and 5 additional photocopies.
2. 6 copies of site plans and floor plans, elevations, specifications and sections. (see note 7)
3. 6 copies of the current 1:2500 scale map of the Island showing the site outlined in red. (see note 7)
4. Fee calculator section filled out to show how fee has been calculated. (see note 8)
5. Payment enclosed and cheque number box completed where payment is made by cheque (see note 8)

Guidance Notes

1. This form is to be used only for obtaining permission to develop land under the Planning and Building (Jersey) Law, 2002, including revisions to a previously approved application. This form may not be used for applications for consent under the Building Bye-Laws, for which separate forms are available. Separate forms are also available for Planning Permission in Principle, Adverts, Replacement Windows, Movable Structures and Sites of Special Interest.
2. This form should be completed as fully and as accurately as possible. This will avoid delays in dealing with the application.
3. This form may have to be photocopied, so please use black type or black ink when completing. For clarity use BLOCK LETTERS.
4. The Applicant is the person or persons for whom the work is to be carried out. The application form must be signed by the Applicant, or on his behalf by an authorised agent. The form must also be signed by the Owner of the land as being submitted with his or her knowledge and agreement.
5. Describe the work in a simple but complete way. For example:- 'Construct new two bedroom house with detached garage. Relocate entrance from road'. Please do not include detailed information in this box such as dimensions, materials and the use of each room; this information must be included on the drawings that you are including in the application.
6. Total floor area means the aggregate of the areas of all floors in the building, measured to the inner surfaces of the main enclosing walls.
7. Every application must include 6 copies of a Location Plan, which must be an authorised copy of the current digital 1:2500 scale Ordnance Scale Map of the Island. The application site must be outlined in red, not hatched, crossed, or circled. For domestic applications the site should be the house and its garden. Any adjacent land in the same ownership must be outlined in blue. Photocopies of and/or versions of old maps will not be accepted, and all maps have a valid Copyright stamp or state a Copyright Licence Agreement Number.

The application must also include 6 copies of all other plans, drawn to scale, and all documents submitted as part of the application. It is useful, for presentation purposes, if at least one copy of each plan is in colour. Please ensure that all of the scales quoted are correct; where there are any discrepancies, applications will be returned.

Where it is relevant to the application, (including applications for new houses or additional bedrooms), the plans must show all existing and proposed rooms, and their use. Please also indicate the number and size of existing and proposed car parking spaces.

All trees and hedges close to the development must be shown, clearly indicating those to stay, those to be removed, and any which are new.

Where a building is to be demolished or significant excavation is involved, a Waste Management Plan must be included at the time the application is submitted. It is not acceptable to have any document 'to follow', as this will result in duplication of work for the Department and any consultees, and delays all applications.

All applications for new building work, or any alteration to existing land levels, must include existing and proposed levels. All new buildings must specify a finished ground floor level relative to a fixed datum point.

8. Please complete the appropriate fee calculated in accordance with the Department's Schedule of Fees for Planning Applications. Cheques should be made payable to the Treasurer of the States. Payment may also be made by credit card using a separate form coded: CCNPT. A charge of 1% will be added to all credit card transactions to cover costs. There will be no charge for using debit cards. We are unable to accept American Express, Diners Club or JCB cards.

APPENDIX 3

AN ASSEMBLY of Principals and Electors of the Parish of St Ouen was duly convened in St Ouen's Parish Hall on Tuesday, 17th November, 2009 at 8.00 p.m. to: -

Relevant extract

The final item on the Agenda was to receive a report on the possible use of part of Field 622 (Rectory land) for the construction of further sheltered accommodation for the elderly and to consider seeking the re-zoning of this land in the new Island Plan.

The Connétable read the following report.

"In October 2007, the Parish was informed that the late Mrs Beryl Coulter has left instructions for a Trust to be created with the residue of her Estate to be used for the financing of the construction of sheltered homes for the Elderly of the Parish of St Ouën. There were certain conditions associated with this request which included that the construction should commence within three years of the date of the registration of her Will. Should any of the conditions not be complied with the residue of her Estate would be transferred to Jersey Hospice Care. These conditions have subsequently been the subject of a Deed of Variation duly accepted by all parties and placed before the Royal Court. This Deed of Variation, among other things, lifts the three-year time stipulation.

Having met with the Trustees of the Will, the Parish started to look for possible development sites. Mindful of the fact that the sites were for elderly persons, there was a need to find a suitable site within easy reach of the shops at Haut du Marais, and also where the crossing of main roads could be avoided.

Initially, two sites were identified. One to the east of the Farmers Inn (field number 565), the other was the eastern half of field 622. Field 565 is in private ownership and the owners have stated that they are not inclined to sell. Field 622 is in the ownership of the Rectorat Committee and therefore subject to the agreement of the Dean of Jersey. The matter was raised with the Rectorat Committee. It was found that the field was originally two fields, which had been made into one with the eastern side being Rectorat land and the western side being in the Trust of the Dean of Jersey and the Rector of St Ouën. The boundaries were duly established, using the services of Mr Winston Le Brun, of law firm Le Gallais and Luce. It must be noted that the western part of the field has a requirement on it that it should be held by successive Rectors and Deans on the following conditions: -

- 1. The land or the income derived from it must be applied for the benefit of the Rector of St Ouën, or any other purpose connected with the Anglican Church in the Island of Jersey.*
- 2. The land cannot be leased, sold, exchanged hypothecated or otherwise alienated without the express written consent of the Church Commissioners, the Bishop of Winchester and the Lieutenant Governor.*
- 3. The Rector and Dean must, if required by, and subject to the directions of the Church Commissioners, permit a Church, Chapel or other place devoted to the Anglican worship or Sunday School or other School in which religious education is taught in accordance with the Anglican doctrine, on the land.*

The field is in the Green Zone and must therefore receive approval of the States of Jersey for re-zoning¹.

Fields 614 and 615 were offered to the Parish for consideration, but were turned down because they were bordered on two sides by heavily used main roads, where access to the

¹ It is not a legal necessity for the States Assembly to designate the field on the 2011 Island Proposals Map

shops would have been dangerous. It was also felt that, to seek permission for construction in these two fields, meant a new encroachment into the countryside.

Part of field 602 was also offered but again, turned down for similar reasons to the above.

At this time, the former Snow Goose site came onto the market and the Parish contacted the owners to enquire whether the site would be available for use by the Parish. Although the owners had no objection, the site had already been valued at a figure, which the Parish could not afford. At the same time, we were advised that the site was not large enough to accommodate 20 units.

Field 657 was also offered, but was also refused on the grounds that it was not large enough and would have needed considerable drainage to be undertaken prior to any construction.

Two fields bordering La Cache de L'Eglise were also considered, but neither proved large enough to house the proposed development.

In September, 2008 a Parish Assembly agreed to the establishment of a Charitable Association to administer the building of Homes for the Elderly, in accordance with the terms of the Will of the late Mrs Beryl Coulter. This was done following legal advice that considerable amounts could be lost to the British Chancellor of the Exchequer by way of Death Duties, if such a Charitable Association was not established.

Following a meeting of concerned residents living in the area of field 622, held on 6th February this year, the owners of field 695 were approached, but proved to be unwilling sellers. A further suggestion that a Residential Home should be looked at was proceeded with, with a Committee under the Chairmanship of Advocate Richard Renouf, tasked with enquiring into the feasibility of such a scheme. This Committee consisting of Deputy Andrew Green, who has considerable experience in hospital management, Mrs Rosamund Harris, a long time nurse with Jersey Hospice and Mr Graeme Le Rossignol, Chartered Accountant has now reported.

The Committee took advice from a number of bodies involved in Health Care including, Mrs G Blackwood, Registration and Inspection Manager, Health and Social Services, the present and past Matrons of Maison St Brelade, St Ewolds, the Little Sisters of the Poor, together with Social Services Social Work Care Manager and the Financial Director at the Town Hall.

The Committee have found that there is insufficient capital in the Coulter bequest to enable the Parish to construct an economically viable unit (25 beds). They have also identified that, even if the capital could be raised for building such a unit, the ongoing running costs would be too high a risk to justify recommending to a Parish Assembly.

The Committee, after considerable research, have been forced to conclude that it is not economically feasible to operate a combined Residential Nursing Home on the planned site as, whilst fees may cover running costs, they would not be sufficient to recover any capital expenditure, and there would also likely be ongoing calls on Parish funds to meet maintenance.

There would also likely be problems in ensuring availability to Parish residents in accordance with the terms in Mrs Coulter's Will. To ensure economical running of the unit would need near enough 100% occupancy, meaning that the Parish could not hold back any units for the specific use of Parishioners.

Having identified the need for further Sheltered Housing, (15 Doubles and 28 Singles on the present waiting list), the Parish therefore appears to be left with no alternative other than to pursue the use of the eastern part of field 622."

The Connétable added that he opposed any building on Green Field sites but he always knew that any further extension to the Homes for the Elderly in the Parish would require building on a Green Field site. All applicants on the waiting list had been written to and all but one had replied in the positive.

The proposition before the Assembly was to seek approval for the Eastern half of field 622 to be included in the new Island Plan which was due to come out in 2010. It would then be considered by the States of Jersey.

Mr Robert Henkhuzens asked if Field 564 had been considered. The Connétable replied that this was incorporated in Field 565.

Mr Nicholas Poole stated that he was one of the ones opposing this. He was not opposing the building of the homes just another piece of the Green Zone being used. Although it had been said that it was on the edge, everything was always on the Green Zone. He felt that he would have liked a little more time and consideration be given to this issue. Although it was stated that half of the field was being considered for the redevelopment of the homes, the plans showed a mystery road going onto the other half of the field. He also understood that there were people who were in their 50's on the list. To what extents had the other sites been looked at? Maybe 615 would have been a possibility. He asked for the decision to be made not only on social grounds.

The Connétable replied that on the advice of the Planning Minister, Field 622 would be re-zoned for a specific purpose only. Only Sheltered Homes. According to the list of applicants, who were all written to, 90% of these are over 60 years of age. Regarding Field 615, this field was rejected because it was surrounded on two sides by busy main roads.

Mr Robert Blackmore asked if Field 622 was re-zoned and Sheltered Housing was turned down, could he have the Connétable's assurance that no other development would be built. Mr Blackmore further added that Mr Richards Nobes, a cousin of Mrs Beryl Coulter had telephoned him that afternoon and that he, Mr. Nobes, was unaware that the Will had been changed and was very distressed concerning this. Mr. Blackmore insisted that, what was contained in the lady's will should be complied with, as Jersey Hospice was very close to her heart. The Connétable replied that he had not changed the Will this had been done by the Executors of the Will, and it was legally supported by Mr Percell-Jones of Jersey Hospice's signature.

Mrs Lesley Ricketts stated that legally, it may have been ok for Trustees to change the terms of the Will but morally this was wrong. Advocate Richard Renouf (Procureur du Bien Public) explained that Parish Lawyers were dealing with this. Mrs Coulter did not appoint her Cousin to administer her Estate she appointed two very close friends. The Trustees have only been handling the Will with the assistance of their lawyers who have applied to the Royal Court for these changes. The Royal Court had this power. The Trustees were not changing the intention in Mrs Coulter's Will, as her intent was always to have Homes for the Elderly for St Ouen. The Trustees were allowed to extend the time providing they were content that the Parish was making every attempt to get these homes built. The Parish were asked, by the Trustees, to support this application to the Royal Court. The Royal Court did not consider that any of the parties was in any way acting incorrectly.

The Connétable asked Mr Robert Blackmore if he was aware that the family were contesting the will. Mr Blackmore replied to the negative.

Advocate Richard John Michel stated that the parties to the Will were all in agreement. For any representation, all had to agree to changes, and it had to be unanimous. Trustees giving effect to the Will had to gather around a table and sort out who was to receive what. This was nothing to do with the Parish. If the family disputed what the Trustees had done, again, it was nothing to do with the Parish.

Mr Daniel Dingle stated that he would agree to building on Field 622 as he saw nowhere else other than this. The Parish need for more homes had clearly been identified.

Mr Nicholas Poole, re-iterated that the Parish should make sure it had all the facts before it went ahead and voted. There was an emotional factor which should not be overlooked.

Major Michael Barthorpe asked if Field 622 would only to be used as Sheltered Housing and what would happen to the rest of the field, would it remain the in the Green Zone. The Connétable replied yes.

Mr Nicholas Poole asked why there was still an access road showing on the drawings. Mr David Fleetwood Ellam (Procureur du Bien Public) stated that these were the same drawings that had been presented at an earlier meeting, but that that issue would be addressed.

Mr Dennis Clarence Renouf stated that the site proposed was an ideal site for this building project as it had safe pedestrian access to shops and the Parish Hall.

Mrs Amanda Lees-Baker did not agree that this was the ideal site. Access was an incredibly narrow green lane. The Connétable replied that the Parish had experience of the traffic involved in a sheltered homes development, and this was nowhere near that of an open development.

Mrs Brenda Watts stated that those opposing this proposition were merely pulling at heartstrings. She asked the following questions of the objectors. Did they drive here, were they on a bus route, did it serve a Parish Hall, how many cars in their family, how many cars sat outside of their own property. She thought that most had driven here. How many cars did they have? She stated that she had recently moved to the Village from L'Etacq. From L'Etacq, if she got a bus she would have had to go to town to get to the Village at St Ouen. As you got older, if you had no transport, you tried to move nearer to your Parish Hall. Down in L'Etacq, was lonely, and there were many in this Parish who were lonely. She was fortunate to be able to have made a private move, but there were many who could not. The field being suggested was a good forward step, and although not yet in black and white, she asked that it at least it be given a chance. It was on our doorstep and that is what we needed.

Dr Kisch stated that he was looking at this from a different angle, Field 622; Parish land administered by the Rectorat and the Church had been identified. How would the Parish be acquiring this? Why were we not looking at the largest field, 614 and 615? Dr Kisch then suggested that this site should not be decided on tonight but moved to another meeting.

Connétable replied that there were no conditions on the site proposed, field 622. No decision had been made on how we acquired that land, although negotiations had begun with the Dean. It would either be taken on a long lease or an outright sale of the field. Fields 614/615 were turned down because they bordered two main roads and were even further into the Green Zone. The principal of Homes for the Elderly in St Ouen was set 35 years ago.

Mr Clarence Syvret asked if the Parish purchased Field 622 would they have to replace it with more land. The Connétable replied that he had spoken to the Dean, who would have preferred a complete sale or a long lease. This would have to be decided at a later date.

Mr Douglas Creedon said that a sum of 2 to 3 million pounds had been mentioned. Was it true that the amount depended on the sale of property in the U.K? Did anyone have any idea if the prices had gone down in the UK and if there was a shortfall how would it be met. The Connétable assured the Assembly that no scheme would be proceeded with unless the monies were available. There was no question of a shortfall.

Mr Creedon said that Field 623 might get developed, could the Connétable get a guarantee that this would not happen. The Connétable replied that this would be a Planning decision, and he therefore could not give any guarantee.

Mr Nigel Queree said that this was being considered, as when you had money burning a hole in your pocket, it was easy to make the wrong decision. An Assembly would be wiser to take the longer view. He felt that this was a worthy report but not a satisfactory one.

The Connétable said that this was a good point but that he was already being criticised for delaying the matter and this suggestion would only cause further delay.

Mr Nicholas Poole understood that the time scale has been lifted altogether. Advocate Renouf confirmed this was correct.

Mrs Margaret Jervis stated that this argument could go on forever. The objectors were very much "not in my back yard". Postponement was not good, just a way of trying to get out of it. Mr Gary Le Brocq stated that was not the case, they just felt that it was not the right site. They were asking for the Parish to look for other alternative sites. One behind Jersey Telecom was suggested, as was one at the top of the Marsh, these would have less effect on life and properties in the area.

Mr Jonathan Poole jnr asked why the Village Green was not used as no one else uses it. The Connétable stated that the owner of that field was only prepared to gift it to the Parish as a Village Green, not a building site. Furthermore, it would not have been big enough.

Mrs Rosemary Blackmore stated that she did not agree with Mrs Watts, there would be far more traffic in the small green lane. Although they had had the Connétable's assurances to the contrary, she did not believe him. The exit onto the main road would be far too dangerous for the elderly.

The Connétable stated that elderly people did not use cars all the time, they normally only had one per home maximum, if any, and the Parish would put in traffic calming measures if deemed necessary.

Mrs Madeleine Poole asked what sort of traffic calming measures could be put at this junction. The Connétable suggested the possibility of a traffic island.

Mr John Mallet said that we were getting away from the point and that the proposition was to get field 622 re-zoned. Putting forward the argument for another Green field site, fields 614/615, was only saying OK to build there but not on field 622.

Advocate Richard Renouf stated that he wished to add that there was pedestrian access in the South East corner. This was why this was the best field of all fields considered, as easy access would be available along a quiet lane. The Connétable & Procureurs had agreed that Field 622 was by far a better site for the building of homes. The Parish would have loved to keep the Green Field site. Houses to the east had been constructed on Green Field sites as were a lot of homes in the area. It was necessary to look at what would be best and most convenient to the elderly. The population was now living longer and he stated that it was recognised that there was a need for more retirement homes. A sympathetic development was proposed subject to all the planning controls.

Mr Pierre Le Saux said it was not just a case of granting permission to build 22 homes, but it would lead to 71 further homes around the site. He was led to believe that the other fields could not enter onto the dangerous road. He further stated that this was a new drawing, but Mr David Ellam (Procureur du Bien Public) replied that this was definitely not a new drawing.

The Connétable stated that he was only attempting to get permission to get field 622 re-zoned. No homes would be built until the amount of funds left to the Parish was known.

The Connétable then asked the Assembly to vote on this decision. There were 74 in favour, 55 against with 12 abstentions. The motion was therefore carried and the Parish would now be submitting this land for consideration in the next Island Plan.

Dr Robert Albert Kisch proposed that the Act of this Assembly be read at the next Assembly this was seconded by Mr Allan John Quenault (Chairman of the Rates Assessment Committee).

There being no further business the Connétable declared the meeting closed at 10.10 p.m.

APPENDIX 4

Assembly of 23rd February, 2010.

An Assembly of Principals and Electors of the Parish of St Ouen was held in St Ouen's Parish Hall on Tuesday, 23rd February, 2010 at 8.00 p.m. to:-

Relevant Extract

The Connétable then read the Act of the Parish Assembly held on 17th November 2009

Mr Nicolas Poole proposed there be amendments made to the minutes, one being the question of the drawing, asking why, when there was no new drawing, did Mr Ellam insist that the one on display was a new plan, and secondly he questioned the mystery road.

Mr Pierre Le Saux asked with reference to number of people, 74 for 55 against and 12 abstentions, which came to 141 people, but felt there were nearer to 200 people.

On the proposition of Mrs Margaret Aimee Jervis seconded by Dr Robert Albert Kisch it was agreed that the Act of the Parish Assembly be accepted with 10 people in favour 17 abstentions and non-against.

Mr Gary Le Brocq stated that he had raised the issues regarding the road being too narrow for the extra traffic, and the wildlife of Marsh. The Connétable replied that a lot of the old people requiring Sheltered Housing did not actually drive. It was unanimously agreed that the minutes be approved. Mr Nigel Queree proposed that this be deferred. The Connétable stated that there was not to be a vote therefore it was not accepted.

Mr Nicholas Poole stated that going back to the vote of the Assembly which was held on 17th November 2010, he wished to know how many non Parishioners voted and wished it be minuted that there were concerns regarding to the manner in which the vote was taken.

Mr Blackmore asks why no count was made on abstentions. Connétable stated that had he known there would be so much controversy over the vote, he would have carried out the count in a different manner.

Mrs Jervis stated that Mr Ellam counted one side, with Centenier Paddock counting on the other and they had the same result on a re-count.

The Connétable stated that he was satisfied that the count was correctly done.

Mr Le Breuille stated that if people attended Parish Hall meetings on a regular basis rather than once or twice a year if at all, they would know the system of Parish Hall meetings.

Advocate Richard Renouf stated that was no evidence of people who had not had a vote being counted, and to the best of his knowledge, everyone counted was eligible to vote.

Mrs Madeleine Poole stated that in a room that was so full on that night, the two Procureurs could not be expected to know everyone in the room with 100% certainty.

Mr Nicholas Poole added that he accepted that Procureurs had carried out the count fairly and honestly.

There being no further business the Connétable declared the meeting closed at 21.10.