

# 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.

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

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## 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**

Morris Architects © Copyright reserved 2004. Do not scale. Use written dimensions only. All dimensions in millimetres unless otherwise stated. This drawing must be read in conjunction with all other architect's and consultants' drawings, details and / or specifications. Any discrepancy between details/drawings and / or specifications must be referred to the architect before carrying out the work.

**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  
Location of Safe Routes



17 LA MOTTE STREET  
ST HELIER  
JERSEY  
JE2 4SY

Telephone: 01534 738635  
Fax: 01534 769359

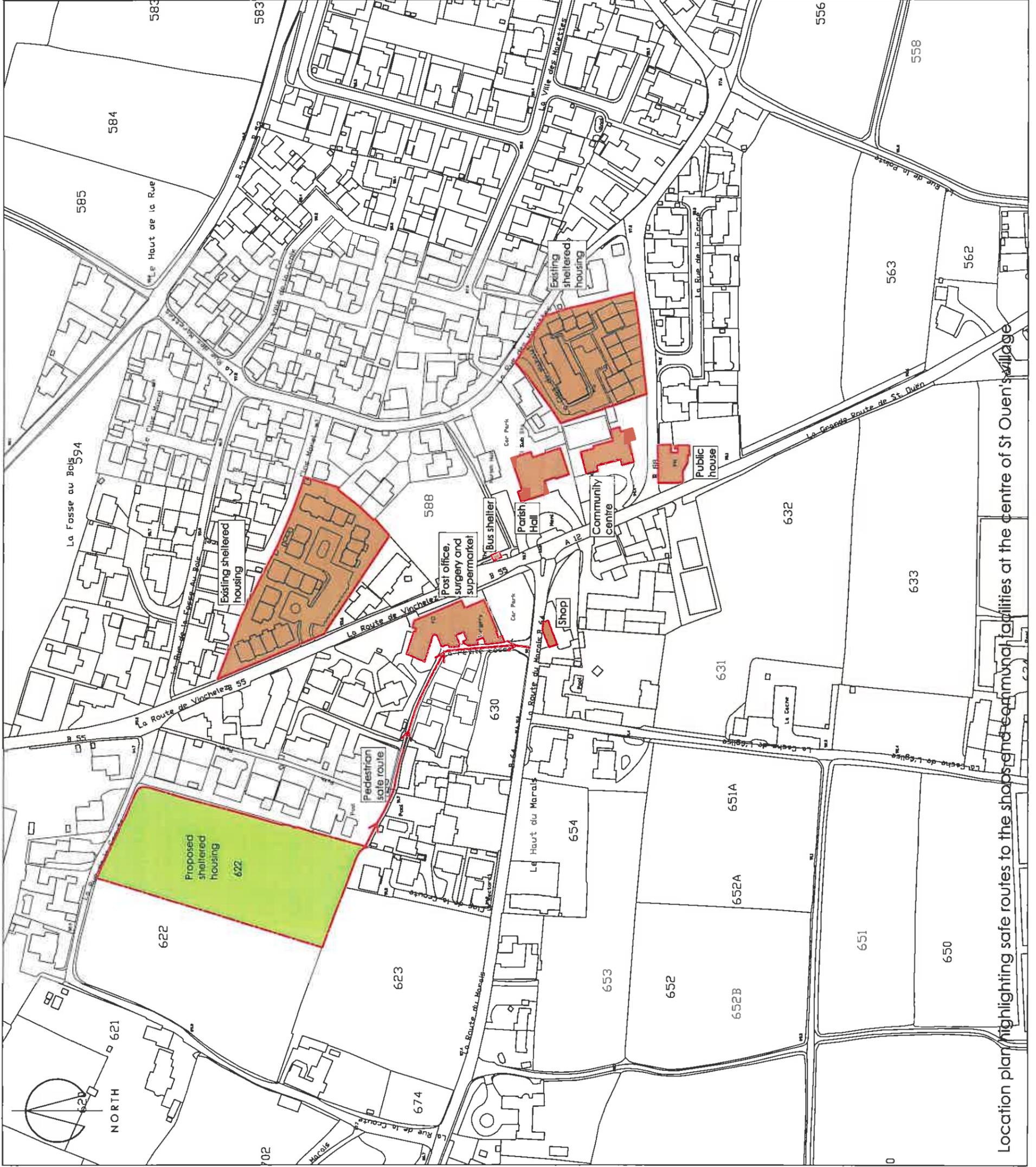
E-mail: [email@morrisarchitects.co.uk](mailto:email@morrisarchitects.co.uk)

Date	Scale	Drawn by
Jan '13	1:2000 (A3)	PQ

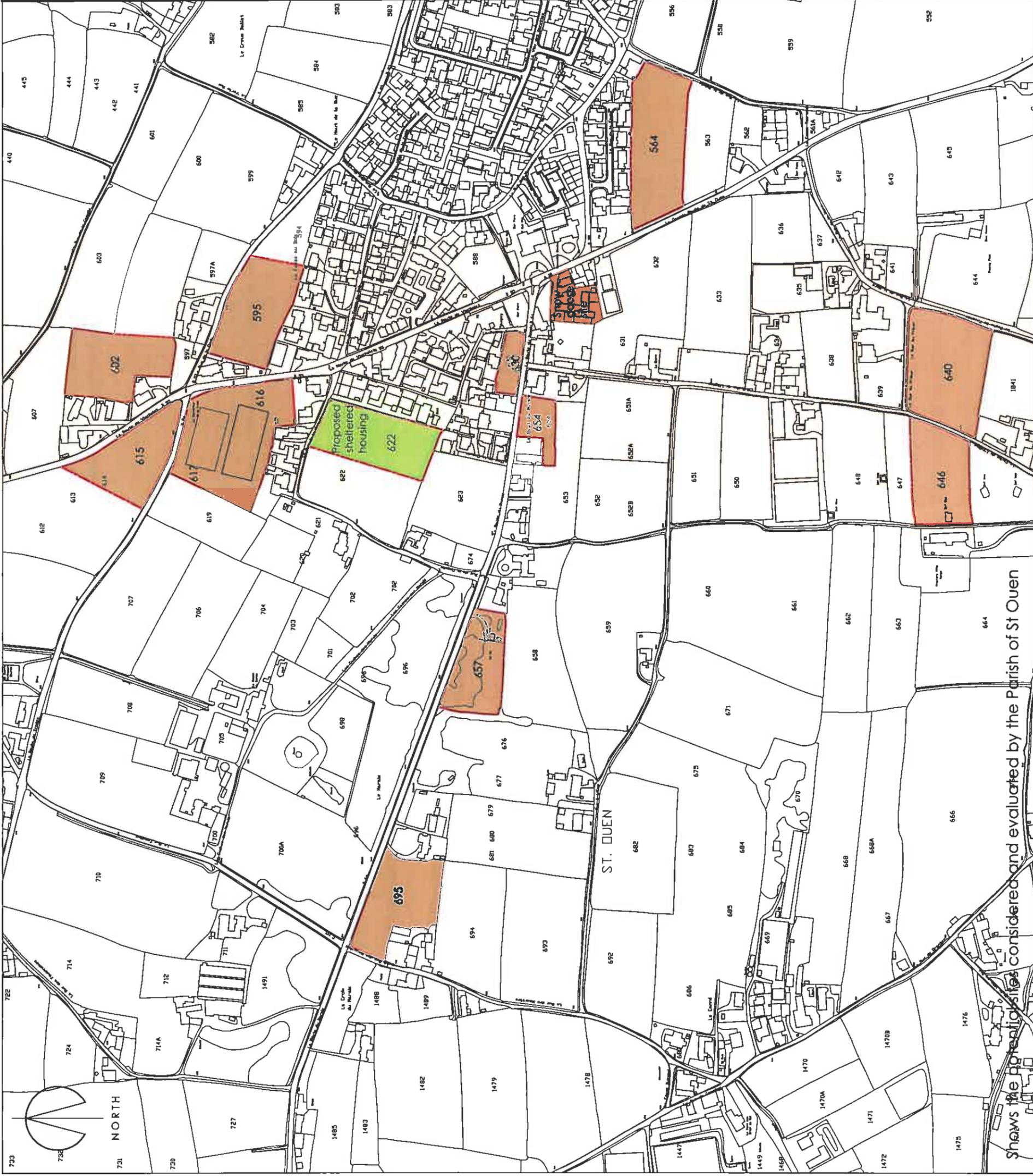
Drawing Number

4591/27

Revision



Location plan highlighting safe routes to the shops and community facilities at the centre of St Ouen village



**General Notes**  
 Morris Architects © Copyright reserved 2004. Do not scale. Use written dimensions only. All dimensions in millimetres unless otherwise stated. This drawing must be read in conjunction with all other architect's and consultants' drawings, details and specifications. Any discrepancy between details/drawings and / or specifications must be referred to the architect before carrying out the work.

Revisions	
Rev	Date Description

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**  
 17 LA MOITE STREET  
 ST HELIER  
 JERSEY  
 JE2 4SY  
 Telephone: 01534 738635  
 Fax: 01534 769359  
 E-mail: email@morrisarchitects.co.uk

**Date**  
 Jan '13

**Scale**  
 1:4000 (A3)

**Drawn by**  
 PQ

**Drawing Number**  
 4591/28

**Revision**

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

APPENDIX 1

Housing Demand

States of Jersey Affordable Housing Gateway

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

(Position as at 5<sup>th</sup> March 2013)

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

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"> <li>• Under Eviction Notice (Court Order in Place)</li> <li>• In Tied Accommodation where employment has ceased</li> <li>• Unable to occupy or return to present home because of Urgent Medical Issue</li> <li>• Have no rights to stay in current accommodation such as staying with friends or family</li> <li>• Forced to live apart from family because present accommodation is not suitable</li> <li>• In "hostel" or "shelter" type accommodation;</li> </ul> <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
<b>Total</b>	<b>217</b>

#### Transfer List

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

#### 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.

<b>FOR OFFICE USE ONLY</b>
Application No. <i>SPIPISIMS</i>

## 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.

- If this is a revised Planning application please state previous permit number
- 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**
- 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:
- 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
- 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
- What is the full name and address of the owner?  
Tel  
Fax  
Email
- 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
<b>1</b>	<b>Residential</b>		
1A*	Dwellings	0 Units	19 Units
1B	Extensions to existing Dwellings	Sq.m	Sq.m
<i>*If you have completed this section please indicate below which category of residential property this application relates to:</i>			
<b>Category</b> (to be completed only if 1A above has been selected)		<b>No of Units to be lost</b>	<b>No of Units proposed</b>
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
<b>2</b>	<b>Industrial and Commercial</b>	<b>Existing</b>	<b>Proposed</b>
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
<b>3</b>	<b>Agricultural and Fisheries</b>	<b>Existing</b>	<b>Proposed</b>
		<i>(Please tick)</i>	
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"/>
<b>4</b>	<b>Tourist Facilities</b>		
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"/>
<b>5</b>	<b>Community</b>		
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"/>
<b>6</b>	<b>Other Development</b>		
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
<b>1</b>	<b>Residential</b>		
1A*	Dwellings	2 Units	20 Units
1B	Extensions to Existing Dwellings	Sq.m	Sq.m
<i>*If you have completed this section please indicate below which category of residential property this application relates to:</i>			
<b>Category</b> (to be completed only if 1A above has been selected)		<b>No. of units to be lost</b>	<b>No. of units proposed</b>
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	£233.00	= £699.00
1	C	5	610	3,050
1	D	14	830	11,620

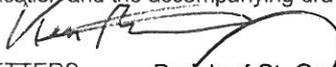
**Total fees due £ 14,670.00**

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

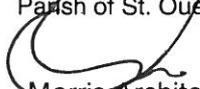
Cheque Number  
 Cheque Value £ 14,670.00

**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

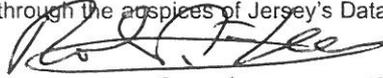
FULL NAME IN BLOCK LETTERS Parish of St. Ouen

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, 17<sup>th</sup> 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-zoning<sup>1</sup>.*

*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*

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<sup>1</sup> 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 6<sup>th</sup> 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 23<sup>rd</sup> February, 2010.**

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

#### **Relevant Extract**

The Connétable then read the Act of the Parish Assembly held on 17<sup>th</sup> 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 17<sup>th</sup> November 2010, he wished to know how many non Parishioners voted and wished it be minuted that there were concerns regarding 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 Breuilly 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.