

## Ref: APPLICATION P/2010/1717

Many valid concerns as to the suitability of the site proposed have been raised at every possible opportunity, from the initial Parish Assembly when this proposal was first brought to the Parishioners attention, to the Island Plan road shows, the EIP Meeting, through the planning application objection process and now here we find ourselves today.

The loss of good agricultural land in the green zone is of course at the heart of the matter. I think that this is how and why this Proposal has gained Island wide interest in terms of objection.

In determining demand for the sheltered homes, I can see no evidence that the Parish has considered "The States of Jersey Rezoning of Sites in the Green and Countryside Zones and the Island Plan Review" 2008. That 'States of Jersey' produced document aims to promote joined up thinking by considering Island wide demand for sheltered housing.

The demand for such homes in St Ouen should surely be satisfied by plans for sheltered housing elsewhere should that be deemed appropriate following a cohesive review of Island wide demand.

If it can be credibly argued that this is not the case, then I would maintain that the site proposed, Field 622, remains a totally inappropriate choice of location and that far more suitable alternatives exist.

In considering possible alternatives, we need to of course address reasonable scale.

The recent construction of single storey buildings in both Trinity and St Peter for the same purpose can be suitably considered by way of comparison. Working on a relative basis, I estimate that no more than 2.7vergees should be required to accommodate this proposed development.

The Island Plan policy allows for the consideration of rezoning only when there are no other alternatives. This is not the case here and I do not believe that sufficient consideration has been given to possible alternatives. Indeed this critical argument is evidenced by the following facts in relation to timing: -

- Mrs Coulter died on 9 October 2007;
- Probate followed on 25 October 2007;
- Morris Architects drawings for this development were dated November 2007.

How could the Parish have possibly given due and thorough consideration to alternative sites in at most, a month?!

It is clear and in fact supported by the Parish Report, that the very need to consider such a development only came to the fore as a consequence of this bequest. Would the Parish be considering this development otherwise? This brings the absolute need/demand for such accommodation into question.

In our submission dated 13 February 2010, we set out no fewer than 9 alternative sites worthy of consideration. Most of which were, at the time of submission (therefore previous to the Island Plan) in lesser protected zones (Countryside) with good reason. They are, in my opinion, considered to be more suitable in terms of scale, current use, location and access.

This included Field 585 owned by a Mr Peter Surcouf (who is willing to offer his field for consideration), which provides not only the ideal contained scale, location, traffic visibility, distance to parish amenities (0.3 miles/5-6 minutes walk) etc but the infrastructure is already present as a consequence of the village development across the road; the area is well lit, pavements and a bus stop across the road.

This would allow far safer access to/from the development (with opportunity for a pedestrian crossing) by the elderly and with little to no modification required to the immediate vicinity. This supports the documented intention for any village extension in that direction. Most importantly the area does not have the green zone viability and environmental importance and sensitivity Field 622 has.

The neighbouring Field 584 is also a worthy contender for the same reasons.

Using either Field would not be detrimental to Agriculture or the environment. The surrounding land lends itself for natural extension without any detrimental impact on the surrounding properties.

Various Fields were purportedly considered and subsequently rejected by the Parish for reasons such as: -

1. Field 614 - Being 'bordered on two sides by heavily used main roads where access to the shops was considered 'dangerous';
2. Field 614 - 'encroachment' into the countryside<sup>1</sup>;
3. Field 657 – not large enough and required considerable drainage work

All of which apply to Field 622 yet considered significant enough to dismiss alternatives.

In addition, there is a redundant Greenhouse site in the vicinity (bordering Field no's 648 and 650) in La Cache de L'Eglise which should be considered and on the same road but even closer to the Parish amenities, Field no's 631, 632 and 633. We understand the owner of which has surprisingly never been approached yet is willing to offer the fields for consideration. The latter has ideal access yet again does not present the environmental issues that Field 622 does.

We are therefore surprised that more consultation into alternative sites has not been forthcoming given it is a prerequisite under the Island Plan. One cannot help but deduce from this that Field 622 was the 'easy option' for them given the nature of ownership, not necessarily the most appropriate or duly considered option.

To reiterate and summarise the basis of my objection: -

The east boundaries of fields 622 and 623 were declared in 1973/4 to be the end of the building line of the St Ouen's village development by the first ombudsman panel ever held. They declared the area a 'buffer zone' such that no development would be allowed westwards beyond this line because it would be classed as an extension into the countryside and that the area was to be classed as a very sensitive area due to the close proximity and importance of the marsh. The Marsh has not moved so the buffer simply must remain.

Rue de la Croute is a very narrow green lane and access onto the main roads at either end is extremely hazardous. This also means access issues for emergency services. The impact of additional traffic on such a small narrow lane is also inappropriate. In case reference 2007/03, a field was not considered appropriate for rezoning on these grounds.

Drainage is an issue as the water table is high and this will result in flooding in the surrounding area affecting the Marsh and wildlife. Further, this will prove expensive to deal with.

The field is higher than the road. The development would require extensive excavations, proving costly and potentially problematic for surrounding properties in close proximity.

The Island Plan policy allows for the consideration of rezoning only when there are no other alternatives. This is not the case here.

We have had correspondence with Jersey Heritage which supports and endorses the argument for 'the site being of historical interest'.

As with Field 621 in Noirmont, the Field provides a 'valuable break in the existing built-up area'.

The loss of agricultural land (which is leased and used all year round) and the potential impact of traffic (as supported by the decision not to progress the rezoning of sites referenced 2007/01 – and 2007/02).

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<sup>1</sup> Parish Hall, St Ouen - Report on Possible Use of Part of Field 622 - 11 November 2009

The proximity of the largest worked Agricultural Unit in the Parish.

The Island Plan provisions of C13 & 5 serve to safeguard agricultural land. This field is of a size and scale that makes it incredibly valuable and therefore worked agricultural land, a view shared by the Department of Agriculture.

One of only two reasons for which planning case reference P/2008/0540 was refused in August 2008 in the same location was on the grounds that it is 'an area of open and natural land within an environmentally sensitive location.....the creation of a new residential curtilage around the structure would result in the creeping domestication, and permanent loss, of an area of this open land which would be harmful to the natural character of the immediate vicinity. For this reason, it is considered that the application fails to satisfy the requirements of Policies G2 and C5 of the Jersey Island Plan'.<sup>2</sup> In further consideration of the C5 policy in the context of La Rue De La Croute, the same case cited that the 'area has a high level of protection and there is a general presumption against new development' These statements clearly endorse our argument.

What will the future hold for the western element of Field 622 and indeed the Field numbered 623 in front of it? Both very well utilised large expanses of green zone of great agricultural and environmental value and significance. Our countryside simply cannot be carved up and abused in such a reckless and cavalier manner.

I believe that Field 622 is not appropriate for this development or indeed rezoning at all. We consider rezoning such a large, well used agricultural field which has such historical significance and environmental sensitivity simply cannot be justified.

For all these reasons and supported by the avenues exhausted before getting to this point and given the planning department's rejection of other sites on common and far fewer grounds, we remain hopeful that you will share our concerns and conclude that Field 622 is simply not appropriate or viable for such a proposal or indeed rezoning for development of any kind.

G S Le Brocq

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<sup>2</sup> Reasons for refusing planning application P/2008/0540 documented on planning website.