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Jersey Island Plan Proposed Revisions 2013

Response to Inspectors questions - Written Statement – Policy NE7 Green Zone

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The following provides a response to the Inspectors request for comments about the changes proposed to Policy NE7.

Q1 – There is greater detail, however I am not sure that the policy provides greater clarity as it does not cover every possibility. As has been mentioned many times, Jersey's countryside is a living landscape; Jersey is a small place and land is a scarce resource. It appears that the policy is becoming more restrictive and prescriptive in terms of what will be allowed outside of the built-up area.

For example, there are sites where families want to be able to build limited residential development on previously developed land. This can be done without causing any harm to the landscape or environment. It is suggested that the measure should be one of harm rather than an assessment based on numbers (footprint and floorarea).

Preventing new dwellings in the countryside, particularly for family members, overlooks the need for increased trip generation if families are forced to live separately. The island has a very strong Parish administration and representation. Could this be used to confirm the needs of parishioners; particularly those needing affordable housing or first-time buyers?

Jersey is too small to say no to nearly everything outside the Built-Up Area. To protect the landscape and environment, the safeguards need to be clear and rigorous, but allow flexibility. Making the best use of the island's scarce resource – land – should also be a material consideration.

A balance is required to protect the landscape and environment, whilst at the same time allowing businesses and residents to carry out development that is reasonable and does not cause harm.

It appears that benchmark measurement assessment tools – floorspace and footprint - are being proposed as the methods for assessing schemes. There is reference to the Countryside Character Appraisal 1999 to identify and define landscape character and assets worthy of protection. This is judged to be an excellent appraisal, however does not account for every anomaly. There are many hamlets and large building groups in the Green Zone, where small infill sites could accept development without causing visual, landscape or environmental harm.

Q2 – Perhaps in trying to provide more clarity, the policy has become too prescriptive. It does not appear to allow for current situations where adverse impacts are mitigated and/or no harm is being caused, to change without resulting in a reduction in floorspace or footprint. There are occasions, both for residential and commercial uses, where an increase in footprint and/or floorspace might not cause harm and any potentially adverse impacts can be mitigated.

The purpose of the policy is to protect the landscape character of the island. It appears that there is development that could contribute to the island's economic and social well-being, that could take place in the countryside that would be prevented by the terms of the current policy.

Q3 – As has already been referred to, the policy does not appear to allow for existing situations that are not harmful and cause no adverse impact to be replaced with development that is also not harmful and causes no adverse impacts. On the basis of the wording suggested there appears to be an automatic requirement for a reduction in footprint or floorspace for any replacement structure and any extension should be subservient.

Environmental gains appear to be narrowly defined and relate only to landscape impacts. The island's environment comprises many aspects – for example - water resources, geology, biodiversity, environmental performance of buildings. It is suggested that improvement of these assets should be acknowledged as environmental gains for the purposes of the policy.

The supporting text to the policy refers to 'significant' environmental gains, the policy requires 'demonstrable' environmental gains to be achieved to overcome the policy presumption against development. This is potentially confusing. In both cases there is no explanation of the assessment criteria that will measure what is meant by each term. This leaves interpretation open to subjective assessment and consequently makes it more difficult to achieve consistent decision-making.

Q4 – Unfortunately the nature of the consultation process invites criticism. Providing a policy that meets the competing aims of 'no development', and providing for the needs of businesses and residents who live in the Green Zone requires a tight-rope.

The purpose of the policy is clear, prevent harm to the landscape and environment of the island. Each person's perception of harm is different, and the aspiration of those in the community who would like to see no more development in the countryside has to be balanced with the aspirations of those who live and work in the countryside.

My own view is that in its attempt to anticipate many possibilities the policy has become too prescriptive and does not provide for opportunities to secure what can be viewed as wider environmental benefits or gains.

The answer to this question is probably yes, the policy could probably be more succinct. However, more time is needed than this exercise allows to provide more thoughtful and positive feedback.

Q5 – Anecdotal evidence suggests that Les Quennevais School is in need of modernisation and expansion. If the decision is made that the school stays in a similar location, any decision that is made is likely to require an exception to the presumption against new development on land that is not zoned for development. The sensitive ecological and landscape environment provided by the dunes is also close by.

The strategic nature of the impacts of any redevelopment of Les Quennevais school require a strategic impact assessment, that go beyond the Green Zone policy. There perhaps needs to be some acknowledgement of the possibility within the policy/Island Plan, in the same way that a previous potential extension of the prison was provided for under the previous plan.

Other comments – if the island is to support the leisure and tourism industry, the very strong presumption against any new buildings for those purposes, might prevent opportunities that benefit the island from being realised.