

Department of the Environment  
**Consultation paper**

## **2011 Island Plan: interim review (#1)**

July 2013

### **Purpose and type of consultation**

The Minister for Planning and Environment wishes to revise parts of the 2011 Island Plan.

The purpose of this consultation is to publicize his proposals and to invite members of the public and any other interested parties to submit comments on the proposed revisions. All comments received in relation to the proposed revisions will be considered by the Minister.

The Minister also intends to appoint an independent inspector to conduct an examination in public at which any representations that have been made might be heard in public. When the inspector has concluded the examination he or she will prepare and submit to the Minister a report setting out their considerations of the representations made relative to the Minister's proposals to revise the Plan.

The Minister will consider the representations and the Inspector's report before he decides on the draft revision to the Island Plan that he will present to the States for approval.

### **Scope**

The scope of this interim review of the 2011 Island Plan is limited to a small number of policies and proposals and does not involve a review of the entire plan. The policies and proposals included as part of this interim review are as follows:

- Policy GD2: Demolition and replacement of buildings
- Proposal 4a: Restrict permitted development rights in the Coastal National Park
- Policy NE6: Coastal National Park
- Policy NE7: Green Zone
- Proposal 20: Provision of homes
- Policy H1: Category A affordable housing sites
- Policy H2: : Other Category A affordable housing sites
- Proposal H3: Affordable housing proposal
- Policy H4: Housing mix
- Policy H5: Affordable housing in rural centres
- Policy H6: Housing development within the Built-up Area
- Policy NR8: Safety zones for hazardous installations
- Policy NR9: Utilities infrastructure facilities

**Public submissions** - Please note that responses submitted to all States public consultations may be made public (sent to other interested parties on request, sent to the Scrutiny Office, quoted in a final published report, reported in the media, published on a States of Jersey website, listed on a consultation summary etc). If a respondent has a particular wish for confidentiality, such as where the response may concern an individual's private life, or matters of commercial confidentiality, please indicate this clearly when submitting a response.

Comments can only be made about those parts of the Plan those are proposed for review by the Minister at this time.

The Minister is conscious that the review of the Island Plan housing policies may encourage the submission of many representations seeking the rezoning of land for housing development. It is relevant to note, however, that any such representations which would not support the Plan's existing spatial strategy; would not deliver truly affordable homes (having regard to the definition of affordable homes and tenure requirements of Policy H1 set out in the proposed revision to the Plan); and would not make a significant contribution to the need for homes (i.e. 10 or more homes), are unlikely to be favourably considered.

The Minister has also agreed to examine the efficacy of other 2011 Island Plan policies. This work is underway but is not part of this interim review. The Minister will publish the outcome of his findings of this work. Should it be found that revision to other policies of the Plan is required; a further interim review may be undertaken at a future date.

### **Summary of proposed revisions**

The Minister for Planning and Environment wants to ensure that the Island Plan remains up-to-date and fit-for-purpose in order that important objectives are met: this is the main reason for making changes to some policies in the 2011 Island Plan.

The principal driver for change is related to the delivery of truly affordable homes. Changes to the policies affecting development in the Coastal National Park and the Green Zone are also considered to be of strategic importance.

The basis for the change to different parts of the Plan is summarized below. Further detail is provided in the supporting documents including copies of draft policies and proposals: changes from the 2011 Island Plan are highlighted in yellow in the relevant documents.

#### **Meeting housing needs**

Since the approval of the 2011 Island Plan the economic downturn has continued to affect the housing market and people's ability to meet their housing needs, with consequential implications for the local development industry. New data about housing needs and affordability has led to a review of the demand for homes and the type of affordable homes that the Island Plan can enable.

An important element of the proposed revision to the Plan is a new definition of Category A housing which seeks to ensure that the Island Plan better meets the housing needs of those people who have most difficulty gaining access to homes. This is coupled with a new mechanism to ensure that homes provided are better targeted and accessible to those most in need.

The proposed revision to the Plan also sets out a new mechanism for the delivery of affordable homes. It is proposed that the 2011 Island Plan Policy H3, which requires a proportion of private housing development to be provided as affordable housing, is set aside and replaced with one that seeks to deliver truly affordable homes on States-owned land and on private land that is specifically zoned for this purpose: four former glasshouse sites are proposed for rezoning at:

- De la Mare Nurseries, Grouville
- Samares Nursery, St Clement
- Le Quesne Nurseries, St Clement
- Longueville Nurseries, St Saviour

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The Plan also includes proposals to rezone three other sites to enable the provision of affordable homes to support some of the Island's smaller rural centres at:

- Field 402, St Martin
- Field 622, St Ouen
- Field 785, St Ouen

It is proposed that Policy H3 be set aside because of the risk of land not coming forward for development which would undermine the delivery of affordable homes. Ministers still wish to explore alternative policy mechanisms to capture value from the development of land to support the provision of affordable homes and have set up a working group of ministers to pursue this, as set out in a new proposal.

Other proposed revisions to housing policies seek to clarify, at Policy H4: Housing mix, that the latest evidence of housing need will be in the form of the Housing Needs Survey, as opposed to supplementary planning guidance.

A proposed revision at Policy H6: Housing development within the Built-up Area, seeks to clarify that the Minister's standards for homes is applicable to all residential development.

### **Protecting the coast and countryside**

Since the adoption of the 2011 Island, the Minister for Planning and Environment has issued draft supplementary guidance about the application of Policy NE6: Coastal National Park and there have been a number of appeals to the Royal Court about development in the countryside.

Having had regard to the outcome of consultation on draft supplementary planning guidance; Royal Court judgements; and the application of policy since its adoption in 2011, the Minister is proposing revision to the principal planning policy for the Coastal National Park at NE6 to provide:

- greater clarity and comprehensiveness about the planning policy regime that will apply here;
- a stronger protection regime;
- explicit recognition that some minor incidental development may be acceptable but that this ought to be brought within greater control, through the removal of some permitted development rights, and that there will be a presumption against the development of ancillary buildings in the Coastal National Park;
- explicit recognition that some strategic development may be required in the Coastal National Park and an appropriate policy framework against which to assess it.

To ensure a consistency of approach of policy for development in the countryside and in light of the proposed change for the planning policy regime for the Coastal National Park, the Minister is also proposing a similar revision to Policy NE7: Green Zone.

The proposed amendment of Policy NR9: Utilities infrastructure facilities, is a consequential amendment of proposed change to Policies NE6 and NE7 and relates to

the tests against which new strategic development in the countryside might be considered.

### **Other policies**

Policy GD2: Demolition and replacement of buildings carries a presumption in favour of the retention of buildings unless it can be proven that demolition and replacement is more sustainable. The sustainability of re-using buildings as opposed to their replacement has proved to be extremely difficult to measure and assess. This has posed challenges for decision-makers as well as applicants and their agents and has served to undermine the efficacy of this policy. Because of this, the Minister is proposing that the policy be set aside from the Plan. In the event that this change is pursued, there will be consequential changes throughout the Plan to remove reference to Policy GD2.

Since the adoption of the 2011 Island Plan the risks posed to development from one of the Island's hazardous installations at the Jersey Gas site in the north of town has changed and new information about the extent of risk has become available at the Airport Fuel Farm. Because of this, the Minister proposes to amend Policy NR8: Safety Zones for hazardous installations and the Proposals Map, to reflect the current situation.

### **Making comment**

Comments on the Minister's proposed revision to the 2011 Island Plan can be made in a number of ways:

**By post to:** Policy and Projects Team, Planning and Building Services, Department of the Environment, South Hill, St Helier, JE2 4US

**By email to:** [islandplan@gov.je](mailto:islandplan@gov.je)

**Online at:** <http://consult.gov.je/portal/ipr/ir1>

Representations by post or by email should summarise key points about the Minister's proposed revision in not more than 1,500 words.

Representations seeking the rezoning of land for housing development which would not support the Plan's existing spatial strategy; would not deliver truly affordable homes (having regard to the definition of affordable homes and tenure requirements of Policy H1 set out in the proposed revision to the Plan); and would not make a significant contribution to the need for homes (i.e. 10 or more homes), are unlikely to be favourably considered.

An initial representation may be accompanied by supporting documents where they are concise and support the points summarized in the initial representation.

Alternatively, you may wish to complete and submit (either online at: <http://consult.gov.je/portal/ipr/ir1> or by post) the associated questionnaire.

**The closing date for receipt of representations is Wednesday 25 September 2013**

Representations received after this date will not be valid.

## More information

If you require any further information please contact a member of the Policy and Projects Team at the Department of the Environment

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## Supporting documents

The following information is available:

- online at: <http://consult.gov.je/portal/ipr/ir1> or
- in hard copy, at Department of the Environment, South Hill, St Helier.
  1. **Briefing paper: Demolition and replacement of buildings**
  2. **Briefing paper: Coastal National Park and Green Zone**
  3. **2011 Island Plan: interim review – Proposed revision  
Draft for consultation (July 2013)**
  4. **2011 Island Plan: interim review – Questionnaire**

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