

**Jersey Draft Island Plan Examination in Public****Day 2 - Wednesday 22 September 2010 (morning session)  
Natural Environment*****General notes for participants in all topic sessions***

*The Inspectors have been appointed to provide an independent review of the (Draft) Jersey Island Plan. After the EiP they will write a report to the Minister for Planning and Environment recommending, with reasons, which aspects of the Draft Plan should be retained and whether, and if so what, changes should be made. They will take into account all written submissions including the Minister's own proposed changes in response to consultations, published in a schedule dated 20 June (EiP library core document IP8). Participants should also look at the Minister's response to the Strategic Environmental Assessment dated 13 August which recommends changes to a number of policies throughout the Plan.*

*They have also selected key topics for debate. Participants for the debates have been selected to represent a range of views. The Inspectors are looking to them not simply to re-state their views (which they will have read) but to challenge or support the views of others. It will be helpful if there is a lively and constructive debate. The sessions will be held in an informal atmosphere, with no cross-examination. The Inspectors are conscious that some participants from organisations, or members of the public, may not have experience of these events; they are a relatively new phenomenon in Jersey. Those participants can be assured that they will not be put under pressure, but that the Inspectors are very keen to hear their views in order to get a rounded picture of the issues.*

*However the Inspectors are also looking where possible for specific proposals as to recommendations they should make; in particular they would welcome debate on specific suggested changes to the policies in the draft plan. Some participants have already couched their representations in this way but others have not.*

*Generally the timetable for the EiP is tight. Participants should therefore seek to keep their comments succinct and not to repeat views already expressed (though they may wish to express support for the views of another participant).*

*Participants should if possible have read the representations from other participants in the session, and also the relevant written representations from other parties.*

*The Minister will be represented at all sessions by officers from his department who will normally be invited by the Inspectors to respond to the points raised. Other Ministers and officials will be participating in topics of particular interest to them (housing for example); however the Inspectors want to hear a wide range of views also from organisations and individual members of the public.*

**Specific comments for Day 2 participants – am**

The Inspectors issued a list of questions on 29 July. On this occasion they will not be issuing a further list of detailed questions but will work through the four questions in turn. The following commentary may help to focus the debate.

**Question 1:** Responses to the Draft Plan contrasted the approach in Policy NE1, *Conservation and enhancement of biological diversity*, with that in the UK Planning Policy Statement 9, *Biodiversity and Geological Conservation*. It was suggested that the Draft Plan approach to biodiversity is overly focussed on protecting designated sites or at any rate those of recognised biodiversity value. Do participants agree? Is sufficient recognition given to the more widespread, if less species rich, environments in urban as well as the generality of rural and coastal areas? If not, what change might be suggested?

The second aspect to Question 1 concerns mitigation, compensation and enhancement measures in those circumstances where development unavoidably has the effect of undermining biodiversity. These circumstances are described as ‘exceptional’ in the Policy but might be less so were the Policy of wider application in line with our preceding discussion. It is sometimes argued that even with mitigation and compensation measures ‘nature’ is the loser. But in which circumstances would it be reasonable for a developer to be required to ‘secure a demonstrable net gain in biodiversity’ in accordance with Policy NE1 as a requirement for obtaining planning permission?

**Question 2** in several ways echoes question 1 but with regard to Draft Policy NE4 *Trees, Woodland and Boundary Features*. Does the Draft Plan overly focus on those that are formally protected or at least of recognised value, and insufficiently recognise them as a generality? If so, what change might be suggested?

**Question 3** Policy NE7 *Green Zone*. There appears to be general though not unanimous support for the principle of combining the 2002 Plan countryside and green zones into a unified Green Zone. Those opposed appear to be concerned that the enlarged area would either dilute protection or conversely be restrictive over too wide an area. Do participants agree and if so what would they suggest by way of change?

The Draft Policy recognises 13 types of development that might be acceptable within the Zone. Bearing in mind the general caveats that precede the list and more specific clarifications that follow, is the list of development types supported by participants? Is it too restrictive or too lax? If either, how should the Policy be amended?

The broad extent of the Green Zone is a consequence of Strategic Policies in the Draft Plan (such as the omission of urban extensions) which were debated on Day 1. Leaving that to one side now, in more detail it has been suggested that the boundaries of the Green Zone are too tightly drawn in places, in particular by taking in domestic gardens on its periphery. Do participants agree, and if so what criteria do they suggest for defining the detailed boundaries?

**Question 4** is a more general one. Is there substance in the suggestion of an ‘anti-architectural’ bias in the Draft Plan? Is there a risk of conservation inhibiting development that might in time become well loved additions to the Island (worthy perhaps of protection)? If so, in what specific way could the Draft Plan be amended? Do the Island’s skylines, views and vistas – built as well

as natural – warrant greater specific policy protection? If so should they be expressly identified or criteria based and how should such a policy be worded?