

Department of the Environment
Planning and Building Services
South Hill
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PROOF OF EVIDENCE

FOR PUBLIC INQUIRY INTO P/2017/1023

Demolish glasshouse and ancillary structures in Field 770. Construct 13 No. two bed and 14 No. three bed self-catering accommodation units and ancillary structures with associated hard and soft landscaping. Change of use of resulting agricultural field to car park, including hardstanding and associated works. Widen La Rue de la Frontiere and alter vehicular access. Construct bus shelter and form footpath to South-West of site. Construct terraced seating area to North of existing café. 3D model available.

AMENDED DESCRIPTION: Additional plans and documents received in support of submission and in response to representations received.

AMENDED PLANS RECEIVED. Environmental Impact Statement (EIS) submitted. FURTHER AMENDED DESCRIPTION: Additional plans received in response to previous Department for Infrastructure highway comments. FURTHER AMENDED PLANS RECEIVED at Retreat Farm, La Rue de la Frontiere, St. Lawrence/St. Mary

AND P/2017/0805

Demolish glasshouses to Field No. L78. Alter vehicular access onto La Rue de la Frontiere. Construct 1 No. four bedroom single storey house, detached three car garage and swimming pool to car park South of Field No. L78 with associated landscaping and parking. 3D MODEL AVAILABLE.

AMENDED DESCRIPTION: Additional plans and documents received in support of submission and in response to representations received.

**AMENDED PLANS RECEIVED at Car Park and Field No. L78, Retreat Farm, La Rue des Varvots
St. Lawrence**

1. BACKGROUND

- 1.1** My name is Christopher Jones. I am a Senior Planning Officer in the Development Control Section of Planning and Building Services, Department of the Environment, States of Jersey and I have written this Proof of Evidence.
- 1.2** I am a Chartered Town Planner with approximately 40 years' experience, consisting of about 10 years in my present role acting as case officer for some of the largest planning applications submitted to the Department. Prior to this I have held junior and senior positions within a number of Planning Departments of Local Authorities in England.

2. INTRODUCTION

- 2.1** A Statement of Case from the Department of the Environment has already been submitted to the Programme Officer. This Proof of Evidence expands on the Statement of Case, reviewing the applications submissions, drawings, supporting documentation from the applicant, plus the responses from consultees and representations from the public following the public advertising of the application.
- 2.2** As with the Statement of Case, this submission does not necessarily reflect the views of the Members of the Planning Committee, or the Minister; none of whom have had sight of its content prior to release to the Public Inquiry.
- 2.3** This submission is structured to provide a planning assessment of the application, focusing on the issues identified in the Statement of Case. Such an assessment is based on an understanding of all material considerations and the policy framework as set out in the Island Plan.
- 2.4** It is not uncommon for such issues to pull in apparently competing directions, and so need to be given relative 'weight' in an assessment to enable a balanced conclusion to be reached. This Proof of Evidence will also therefore review the weight to be given to relevant issues.

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- 2.5** The most appropriate starting point is the specific zoning of the application sites(s) as per the Zoning Map forming part of the Revised 2011 Island Plan. A zoning policy would usually deal with matters of principle, alongside which there will be a series of other considerations for detailed and technical matters. In this respect, it will also be necessary to consider the context to, and reasons for, the zoning as part of the overall strategy of the Island Plan.
- 2.6** In this instance, the application site(s) is within the Green Zone where Policy NE 7 of the Revised 2011 Island Plan sets the relevant context.

3. STRATEGIC POLICY CONTEXT

Strategic Plan

- 3.1** Before examining the specific wording of Policy NE 7 as relevant to the Green Zone, it is useful to first explain the context of the Green Zone itself, and reviewing the strategic and spatial objectives of the Island Plan which are relevant to the Green Zone designation.
- 3.2** The hierarchy of current policy can be traced back to the States of Jersey Strategic Plan 2015-18. This is included as Appendix A.
- 3.3** In its introduction (page 3), the Strategic Plan identifies a series of 'Goals', which include to *'Increase the performance of the local economy, encourage economic diversification and improve job opportunities for local people'* and *'Protect and enhance the Island's natural and built environment.'* As per the opening commentary in this submission, the current application involves the consideration of both these 'Goals', and striking a balance between them will be a key question for the Inquiry.

Island Plan

- 3.4** The Island Plan is one of the 'tools' which takes the Strategic Plan and interprets its objectives as a basis for making land-use planning decisions. The Strategic Policy Framework of the Island Plan is included as Appendix B and sets out five key strategic principles which determine low land is used in Jersey, these being:

Sustainable Development:

Where development should be located and how different forms of development will be assessed according to the principles of a sequential test and how land and buildings should be used and energy use made more efficient and carbon neutral.

Protection of the Environment:

How the Island's unique identity and character, expressed through the nature of the quality of its natural and historic environment, should be protected.

Economic Growth and Diversification:

How the Island Plan will seek to protect and facilitate the maintenance, enhancement and provision of land and development opportunities to support the maintenance and growth of the Island's economy.

Travel and Transport

How the planning system can help to reduce the need to travel and how it can provide choice to encourage the way we travel and in particular reduce the extent of our dependence on the private car.

Quality of Design

How development proposals will be tested against urban design principles to ensure that they deliver quality in design and architecture.

3.5 Policy SP 1 of the Revised Island Plan considers the Spatial Strategy and sets out that:

'Development will be concentrated within the Island's Built-up Area, as defined on the Proposals Map, and in particular, within the Town of St Helier. Outside the Built-up Area, planning permission will only be given for development:

- 1. Appropriate to the coast or countryside;*
- 2. Of brownfield land, which meets an identified need, and where it is appropriate to do so;*
- 3. Of greenfield land, in exceptional circumstances, where it justifiably supports parish communities or the rural economy and which meets an identified need and where it is appropriate to do so.'*

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- 3.6** Evolving from the desire for more sustainable patterns of development and the establishment of a Spatial Strategy, the Island Plan discusses (from para 2.7) the need to ensure the appropriate use of land and resources, and questions the continued reliance on a ‘predict and provide’ approach to delivering a sustainable long term future whilst also investing in the public infrastructure of the Island. This involves reducing demand, managing impacts and by-products of development, and only then investing in new infrastructure.
- 3.7** The supporting text from paras 2.8 to 2.16 explains that the adoption of these principles goes beyond the land use planning and should be embodied within the strategies and practices of the Island’s operators of infrastructure. Jersey is a small island with limited resources, and needs to make wise and efficient use of land, energy and buildings. This would include serious examination of site potential, and an imaginative approach to design and layout.
- 3.8** Policy SP2 is then titled Efficient Use of Resources and sets out:
“Development should make the most efficient and effective use of land, energy, water resources and buildings to help deliver a more sustainable form and pattern of sustainable development, and to respond to climate change. In particular:
- 1. The proposed provision of new development, its spatial distribution, location and design should be designed to limit carbon emissions;*
 - 2. New development should be planned to make good use of opportunities for decentralised and renewable or low carbon energy;*
 - 3. New development should be planned to minimise future vulnerability in a changing climate;*
 - 4. New development should secure the highest viable resource efficiency, in terms of the re-use of existing land and buildings; the density of development; the conservation of water resources and energy efficiency.”*
- 3.9** The Island Plan then establishes a Sequential Approach to Development, articulated through Policy SP3, which will be applied to the assessment of all development applications. The supporting text (para 2.20) sets out that development which requires a site outside the Built-Up Area must be justified and be sited where it causes least harm to the character and appearance of the landscape.
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3.10 Alongside this strategic approach to more sustainable patterns of development, the Protection of the Natural and Historic Environment is then given further emphasis in Policy SP4 and the associated supporting text. Paragraph 2.22 of the Island Plan sets this scene by establishing “The Island’s coast, countryside and historic environment are what makes Jersey unique...highly distinctive, visually appealing and one of the Island’s greatest assets.”

3.11 The definition of Countryside Character types has informed the development of planning policy to protect these natural assets, and the guiding principal is that the countryside will be protected from inappropriate and non-essential development.

3.12 Policy SP4 entitled Protecting the Natural and Historic Environment sets out:

“A high priority will be given to the protection of the Island’s natural and historic environment. The protection of the countryside and coastal character types; Jersey’s biodiversity; the Island’s heritage assets – its archaeology, historic buildings, structures and places – which contribute to and define its unique character and identity will be key material considerations in the determination of planning applications. The enhancement of biodiversity will also be encouraged.”

3.13 Alongside the other strategic objectives, the States (at para 2.35), seeks to maintain a strong, sustainable and diverse economy in order to protect all aspects of the quality of life that Islanders enjoy. Over the Plan period, the island needs to create the conditions where existing businesses in all sectors can survive and ultimately thrive, and new businesses can enter the market. Further para 2.36 confirms that ‘the planning system can contribute towards this objective in particular, by protecting and facilitating the use of land and buildings in support of economic activity.’

3.14 As a consequence, Policy SP 5 entitled Economic Growth and Diversification sets out:

‘A high priority will be given to the maintenance and diversification of the economy and support for new and existing businesses, particularly where development can attract small footprint/high value business from elsewhere

and foster innovation in the following ways:

- 1. The protection and maintenance of existing employment land and floorspace for employment related use;*
- 2. The redevelopment of vacant and under-used existing employment land and floorspace for new employment uses and,*
- 3. The provision of sufficient land and development opportunities for new and existing employment use*

3.15 By focusing development within the existing built-up urban area, by reusing brownfield sites and by encouraging higher density development in appropriate circumstances, modes of transport other than the private car should be more viable. Policy SP6 of the Island Plan seeks to Reduce the Dependence on the Private Car, and acknowledges that spatial planning policies are only one part of a package which include elements of behavioural change and complementary initiatives (via traffic management initiatives, parking standards, and Travel Plans).

3.16 This review of the key elements of the Strategic Policy Framework gives clear context to the prominent emphasis to be placed on the Green Zone policy as a tool to generally resist development in support of the overall Spatial Strategy of the Island Plan, and to support more sustainable patterns of development, alongside the protection of the innate character of the countryside as a valued asset and part of the inherent qualities of what makes Jersey unique. Essentially, to direct development to the Built-up Area.

4. GREEN ZONE POLICY

4.1 Having set out the contextual Strategic Framework policies, this commentary now moves to review the site specific Green Zone objectives in Policy NE7.

4.2 Paragraph 2.114 of the Revised Island Plan sets out that the Green Zone” includes those areas of the countryside which have an intact character and comprise an important range of environmental features needing a high level of protection....It presents a rich background including an attractive and intricate pattern of small fields, enclosures and lanes, and ecologically rich network of hedgerows, verges and banques.”

4.3 Whilst there is a general presumption against any development in the Green Zone, it is a “living landscape” containing a great number of buildings and a variety of land uses. As a consequence, Policy NE7 does not establish a “moratorium” against development, but instead sets out a series of categories of development which may exceptionally be considered, with the key tests for both developments proposed being whether or not there is a strong justification related to the essential requirement for a countryside location and if alternative provision cannot be found or made within the Built-up Area and the context to be able to accommodate development without serious harm to landscape character.

4.4 Policy NE7 sets out that:

“The Green Zone, as designated on the Proposals Map, will be given a high level of protection from development and there will be a general presumption against all forms of development, including but not limited to:

- *the development of a new dwelling (other than as a replacement, the re-development of an employment building, essential for staff and key agricultural workers or an existing building conversion);*
- *facilitating a separate household by means of an extension, conversion or new build;*
- *the change of use of land to extend a domestic curtilage;*
- *redevelopment of modern agricultural building(s) involving demolition and replacement with buildings for another use, or their conversion to a non-employment use, and*
- *the re-development of glasshouse(s) involving demolition and replacement with a building(s) or conversion for another use, or their conversion to a non-employment use.*

Only the following exceptions may be permissible, and only where they do not cause serious harm to landscape character:

Employment – the extension and/or intensification of use of existing employment buildings and land, but only where, having regard to the planning history of the site:

- a) *the requirement for a coastal or countryside location can be adequately justified;*

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- b) an extension, well related to the existing building in design and scale;*
 - c) an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation, and*
 - d) it does not cause serious harm to landscape character.*

The re-development of an employment building(s), involving demolition and replacement for the same use, but only where:

- a) an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation, and*
- b) it gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.*

The re-development of an employment building(s), involving demolition and replacement for another use, but only where:

- a) the redundancy of employment use is proven in accord with Policy E 1 (The Protection of Employment Land), or where the development involves office or tourism accommodation, and*
- b) it gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character; reduced intensity of occupation and use and improved design and appearance of the land and building(s).*

New cultural and tourism development, but only where it:

- a) is appropriate relative to existing buildings and its landscape context, and*
- b) does not seriously harm landscape character.*

4.5 In respect of cultural and tourism uses, para 2.159 confirms that new or extended cultural or tourism developments within the Green Zone need to be sensitive and proportionate to the fragility and vulnerability of its landscape setting. The Countryside Character Appraisal (CCA) (discussed later in this Proof) is a valuable tool, identifying management threats to character areas and their capacity for change. It can be used to inform decisions on development proposals.

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- 4.6** Given the presumption against development in the Green Zone, any exceptions related to new or extended cultural and tourism attractions must have limited impact on its relevant landscape character area.
- 4.7** Para 2.162 also confirms that leisure and tourism activities can also generate a requirement for ancillary services and buildings. New leisure and tourism buildings are unlikely to be favourably considered other than possibly small scale buildings or structures such as kiosks. The visual implications, infrastructure requirements and effect on the locality's intensity of the use will require careful consideration relative to the sensitivity of the landscape character.

5. THE HOLIDAY VILLAGE

- 5.1** In respect of 4.7 above, it is difficult to see how the erection of 27no. holiday lodges and other structures to house a reception area and gym etc, could be regarded as being 'small scale' or as being 'appropriate relative to existing buildings and landscape and landscape context, especially as any new tourism development needs to be sensitive and proportionate to the fragility and vulnerability of its landscape setting.
- 5.2** In order to assess the proposal in respect of landscape impact, the CCA Dated December 1999, identifies the site as lying within the E6 Central Plateau: Valley Heads Character Area.
- 5.3** The essential character of this area is of an intact, productive agricultural landscape with a characteristic 'patchwork' of arable and pasture fields enclosed by mixed hedgerows, with a particularly distinctive feature of the area being the long views across the interior, often encompassing the church spires and steeples of the main settlements.
- 5.4** The Appraisal then confirms that there *is 'limited capacity to accept any new development and it recommends that this area should have high levels of protection as any development can have a very high impact in the long views that can be obtained within this area.'* The Appraisal then concludes that new development should then be *'limited to the existing village areas at Trinity, St John, St Mary and St. Ouen,'* rather than an area such as the application site.

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- 5.5** The full CCA document can be found on the States web site from the following link:

<https://www.gov.je/planningbuilding/lawsregs/islandplan/background/pages/countrysidecharacterappraisal.aspx>

The relevant extract from the document can be found at Appendix C.

- 5.6** Policy ERE 7 sets out the general policy presumption for derelict and redundant glasshouses with the general policy presumption against the redevelopment of such sites for other uses, unless the alternative use is directly related to agriculture or the diversification of agricultural activity.
- 5.7** The policy then goes on to state that in exceptional circumstances, the development of such sites may be considered for non-agricultural purposes, provided that the amount of development permitted will be the minimum required to ensure a demonstrable environmental improvement of the site by the removal of the glasshouses and any contaminated material, the reduction in the area of buildings and the repair to the landscape and accords with Policy GD 1 'General Development Considerations.'
- 5.8** In economic terms, the pre-amble to Policy EVE 1 (Visitor Accommodation, tourism and cultural attractions) confirms at para 5.169 *that 'A strong and high quality visitor product is a key ingredient of a successful tourist destination. In order for Jersey to compete in the future, it will have to ensure that its product grows and changes to meet different expectations. The Island Plan has a role to play by supporting and enabling the tourism industry to compete sustainably to the benefit of the Island.'*
- 5.9** And further at para 5.170 the Plan confirms that *'For tourism to be able to compete successfully, the industry will need to respond to ever-increasing consumer expectations and the needs of its target markets. Jersey will find it hard to compete effectively in the market place with its existing accommodation stock if it is not sufficiently diverse or modern in the facilities it provides.'*

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- 5.10** The Island Plan recognises the dilemma between policies to protect and enhance the coasts and countryside and policies which seek to facilitate developments in the tourism industry to enable visitors to enjoy the Island's environment. The dilemma can be resolved within the Island Plan policy context if proposals for new tourist related accommodation recognise the sensitivity of the areas covered by policies for the countryside.
- 5.11** Proposals for new or extended tourism and cultural attractions will therefore be considered in accordance with the advice appropriate to the particular zoning of the site and where there is a presumption against development, there is a requirement for clear evidence to support the case.
- 5.12** Whilst the Department has previously stated that the principle of a holiday village in this location is an interesting concept, aligning itself with diversifying the rural economy and building up the Island's tourism offer, there is clearly a balance to be found, given the policy presumption against new development in the Green Zone location.
- 5.13** Turning back to the requirements of Policy ERE 7, no evidence has been provided to justify the applicant's requirements for 27no. units and whether this number of units and the cost of provision etc is commensurate with the amount required to clear the site and set the holiday village in operation. This is a clear requisite of the policy.
- 5.14** In addition, the area of the holiday village and new car parking area directly adjoining to the South will be constructed on the footprint of the existing glasshouse, whereby the same policy requires a reduction in the area of buildings and the repair to the landscape.
- 5.15** In previous discussions with the applicant, the Department had discussed the possible potential of a much smaller number of high quality designed units within an extensive landscape setting on the site, not the cramped proposal as submitted.

6. THE NEW DWELLING

- 6.1** Policy NE 7 specifically excludes, subject to specified exceptions, the development of a new dwelling and also excludes without exception, the redevelopment of glasshouses involving demolition and replacement with a building or buildings within the Green Zone.

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- 6.2** The proposed dwelling would not fall into one of the potentially permissible exceptions listed in NE 7. In addition, the glasshouse in question is subject to a Condition requiring its removal in the event that it falls into disuse or disrepair. Condition 4 of Planning Permission 3199/PA attached as Appendix D.
- 6.3** Policy ERE 7 serves to facilitate the clearance of derelict and redundant glasshouses that blight Jersey's landscape. At Retreat Farm, the Department queries whether or not the glasshouses actually blight the landscape, as opposed to being an accepted part of the landscape. Nonetheless, the policy states that *'there is a presumption against the redevelopment of redundant and derelict glasshouses for other uses, unless the alternative use is directly related to agriculture or diversification of agricultural activity.'*
- 6.4** The applicant/owner is not a 'bona fide' agriculturist and that the glasshouses have not been used in connection with agricultural activity under the current ownership. An argument for 'diversification', is accordingly difficult to sustain.
- 6.5** If the applicant is seeking to occupy the new dwelling as an 'essential presence on site', then there is already a current planning application for a single unit of staff accommodation to be located on the western site boundary of the complex. This application was presented to the Planning Committee at its meeting on 27th July 2017 by the Department with a positive recommendation. The application was however deferred by the Committee as they wished to see the overall proposals for the site together, so that the 'whole' picture for the future of the site could be considered. A copy of the Department's report is attached at Appendix E.
- 6.6** Whilst the submitted Planning Statement (most recent December 2017 but stated in previously superseded editions), highlights the fact that the proposed dwelling would be sited on the car park area and not directly where the glasshouse is sited, it is evident that the proposed dwelling has been posited as an environmentally advantageous replacement for the glass.

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- 6.7** Policy ERE 7 goes on to state that *‘where glasshouses are no longer viable to the horticultural industry and a ‘disuse’ and ‘disrepair’ condition is attached to the planning permission, then the landowner will be required to comply with that condition.’* Given the existence of a condition to this effect, the glasshouse block should therefore be removed, if necessary through the effective enforcement of the original condition.
- 6.8** Hence whilst the submitted Marketing Strategy Method Statement by CBRE concludes that *‘...there is no market demand for the existing use of the site or interest in pursuing its use for alternative employment purposes..’* The conclusion is that ERE 7 would not support the re-development of that glasshouse block.
- 6.9** Notwithstanding the policy argument in respect of the dwelling house, the clearance of the glasshouse and subsequent restoration/reversion of land to open agricultural use would be appropriate under the provisions of ERE 7, although this would not justify a clear departure from NE 7.

7. ECOLOGICAL IMPACT

- 7.1** Both applications have been accompanied by an Initial Ecological Assessment and in the case of P/2017/1023, a Secondary Tree inspection Result Report for Bats and Birds, which have all been reviewed by the Natural Environment section of the Department of the Environment. Their consultation responses (dated 18th July, 8th September 7th November and 14th November 2017 and 23rd January 2018) are included alongside all the other consultation responses in Appendix F.
- 7.2** Their consultation responses identified concerns about the surveys, which were clarified in further correspondence from the applicant’s ecological consultant. This has resulted in confirmation that the ecological issues have been satisfactorily addressed, subject to the mitigation measures / species protection plans.
- 7.3** On the basis of this feedback, the proposal is considered to be acceptable in the context of both the requirements of NE7 and the wider Island Plan policy framework in GD1, NE1 (Conservation and Enhancement of Biological Diversity) and NE2 (Species Protection).

8. TRANSPORT IMPACT

- 8.1** The applications have been accompanied by a Transport Assessment which has been reviewed by the Transport Policy section of the Department for Infrastructure. Their consultation responses (dated 23rd June, 16th August, 31st October and 12th December 2017 and 19th January 2018) are included with the other consultation responses in Appendix F.
- 8.2** Their consultation responses confirm support for the proposals on pure technical grounds, subject to the provision of various road improvements, a bus stop, and various other conditions as suggested.
- 8.3** However, the requirements for access widening, road widening and a new bus stop are at the expense of landscape character in that existing trees/hedging are being removed and replaced with a wider road, pedestrian refuge, a new road crossing with surface changes and a new bus shelter.
- 8.4** Whilst it is acknowledged that new trees and hedging is being replaced, this is at the expense of the current landscape character of the country lane.
- 8.5** In addition, a new 168 space car park is to be provided on the Southern section of the Western glasshouse site which suggests that despite the best interests in trying to promote a more sustainable transport package, the vast amount of journeys to and from the site will be by car, which is contrary to sustainable objectives.

9. GROUND CONDITIONS

- 9.1** The applications have been accompanied by Phase 1 and Phase 2 Reports which have been reviewed by both the Environmental Protection and Environmental Health sections of the Department of the Environment, with their consultation response (dated 3rd and 25th October 2017 and 8th January 2018) included with the other consultation responses in Appendix F.
- 9.2** Both Environmental Protection and Environmental Health have confirmed that the development would be acceptable subject to suggested conditions and informatives.

10. CRIME IMPACT

10.1 The planning application submission for the holiday village has been accompanied by a Crime Impact Statement, which sets out how designing out crime, and designing in community safety, are integrated into the project. The submission confirms that the proposed development is not expected to encourage crime or anti-social behaviour.

11. WASTE MANAGEMENT

11.1 Both applications have been accompanied by Waste Management Strategies identifying the structures to be demolished and how the waste generated will be appropriately managed. A consultation response from the Environmental Protection Section of the Department of the Environment dated 3rd October 2017 raising no objections subject to adhering with the submitted Strategies is attached in Appendix F.

12. DRAINAGE IMPACTS

12.1 Given concerns from local residents regarding the capacity of the existing drainage systems locally to be able to accommodate the proposed developments, the applications have been accompanied by detailed drainage proposals for both the foul and surface water arrangements.

12.2 These proposals have been reviewed by the Drainage Section for the Department for Infrastructure with no objections raised.

12.3 Their consultation responses dated 20th July and 21st August 2017 and 4th and 29th January 2018 have been included with the other consultation responses in Appendix F.

13. RENEWABLE ENERGY

13.1 The submitted information confirms that the new dwelling and the holiday accommodation units will utilise a significant proportion of green technologies to include air source heat pump, solar thermal panels and solar collectors. In addition, the dwelling collects surface rainwater run-off from the roof to provide grey water recycling. The South elevation of the dwelling will also be shaded by the proposed roof to provide improved solar shading.

13.2 The Department is satisfied that the requirements of Policy NR 7 of the Island Plan (Renewable energy in new developments) can be secured.

14. LOSS OF AGRICULTURAL LAND

14.1 The consultation response from the Environmental Land Control section of the Department of the Environment dated 11th September 2017 objects to the proposal to demolish the existing Western glasshouse (referred to as Field MY770), given that this land has an agricultural restriction imposed upon it such that it cannot be occupied by anyone other than a bona fide inhabitant of the island who is wholly or mainly engaged in work of an agricultural nature. In addition, the field should only be used for agricultural or horticultural purposes only.

14.2 Their consultation response has been included with the other consultation responses in Appendix F.

15. DESIGN

15.1 Policy SP7 “Better by Design” establishes that the maintenance and enhancement of the Island’s distinctive character and environment also requires good design. This policy sets out that all development must be of a high design quality that maintains and enhances the character and appearance of the area of Jersey in which it is located. The policy sets out that the various components of a development will be assessed to ensure that the proposal makes a positive contribution to urban design objectives including local character and sense of place.

15.2 This objective is reinforced by the more detailed content of Policy GD7 “Design Quality” which requires that all development should deliver a quality of design which respects, conserves and contributes positively to the diversity and distinctiveness of the landscape and built context. A set of seven criteria are then set out, and the policy is clear that when the design does not adequately address these points it will not be permitted. These points include: the scale, form and siting; relationship to the landscape and wider setting; the degree to which the design complements the style and traditions of local buildings; the use of landscape to enhance the development; the incorporation of existing site features such as boundary walls; the inclusion of safe pedestrian routes; and the incorporation of features to design out crime.

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- 15.3** Whilst the Department has noted the innovative design of the proposed dwelling and indeed the proposed 'eco-pod' design of the ancillary buildings proposed within the holiday village, one of the reasons for considering this as an interesting concept was the design led solution to new tourism accommodation in this rural location. In this respect, the Department were of the opinion that all the proposed holiday units would be of the same innovative 'eco-pod' design.
- 15.4** The Department now notes that (aside from the ancillary buildings on the holiday village site) that the proposed two and three bed units of accommodation now comprise a series of ordinary timber clad chalets located in very close proximity to each other.
- 15.5** It is considered that these chalet designs do little to satisfy the high design quality requirements for this highly sensitive Green Zone location.

16. HERITAGE ASSESSMENT

- 16.1** Both applications have been accompanied by a Heritage Assessment, which have been considered by the Historic Environment Officer for the Department of the Environment. The consultation responses dated 3rd February 2018 and attached at Appendix F, confirm that the proposed development will not have any adverse impact on the Heritage assets identified in the Assessment.

17. RURAL ECONOMY

- 17.1** The States Rural Economy Strategy (RES) 2017 is a five year strategy which is designed to grow the Island's rural economy in line with the objectives of the States Strategic Plan whilst safeguarding Jersey's countryside, its character and the environment. The RES recognises that economic sustainability of the rural sector also depends on providing positive environmental and social benefits.
- 17.2** The full document can be found on the States web site from the following link:

<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/R%20Rural%20Economy%20Strategy%202017-2021%2020170213KLB.pdf>

17.3 The consultation response from the Acting Director for Rural Economy in their consultation letter dated 15th December 2017 and attached at Appendix F states that whilst there should be caution regarding development in the Green Zone, the holiday village proposals achieve the right balance, particularly given the removal of the existing concrete bases and replacement with a much greener site. The proposal is also considered to be a new, well thought through development, designed to grow an existing business with an excellent track record of delivery, into a gap in the market where there is recognised demand and which will undoubtedly raise the bar within the sector.

18. PUBLIC RESPONSES

18.1 Both applications have been advertised on the States' web site at www.gov.je; on site and in the local newspaper. The proposal for the holiday village has generated 53 letters, 50 of which are opposed to the development for the following (precis) reasons:

- Contrary to Spatial and Green Zone policy context;
- Increased noise, light and pollution;
- Impact on quality of life;
- The proposals will ruin the countryside;
- One of the glasshouses has a disuse and disrepair condition on it; increased traffic congestion;
- Increased sewerage issues;
- The new highway works are only being done for the benefit of the applicant;
- The proposals will still result in car dependence.

18.2 The two letters of support consider that the existing glass will be removed and the site will be tidied up as a consequence.

18.3 The application for the new dwelling has generated 42 letters of objection for the same reasons as above. Two letters of support have been received given that the dwelling will replace a glasshouse and a new field will be created. The proposal on a car park will also improve traffic safety.

18.4 One further letter was received stating that the glasshouses would not be viable for the growing of Jersey Royal potatoes.

All public responses have been attached at Appendix G.

19. OTHER MATTERS

- 19.1** The application for the holiday village has been accompanied by a Percentage for Art Statement which confirms that a financial contribution of circa £23,000 will be generated towards creating an artwork that aims to add historic legibility to the site and its unique rural setting.
- 19.2** Policy GD 8 is clear that Percentage for Art contributions will be encouraged and this proposal continues the engagement of applicants with the Department to provide such an initiative,

20. CONCLUSIONS

- 20.1** This Proof has sought to provide a context to the relevant planning policy framework, and then identify the performance of both the applications against the key considerations of the relevant policies. The commentary set out in this submission is consistent with the earlier Statement of Case from the Department.
- 20.2** As a reminder, the key issues are as follows:
- Impact of both developments in the Green Zone
 - Economic/tourism case
 - Number, design and appearance of units
 - Need for a new dwelling
- 20.3** The applicant is aware of these matters, and has identified that ■ intends to call witnesses and present further evidence to the Inquiry on these core issues. This is welcomed. It will then be for the Inquiry to determine the weight to be accorded to each policy, as part of a balanced overall recommendation.

SCHEDULE OF APPENDICES

- A. STATES OF JERSEY STRATEGIC PLAN 2015-2018**
- B. STRATEGIC FRAMEWORK POLICIES (from Revised 2011 Island Plan)**
- C. EXTRACTS FROM THE COUNRYSIDE CHARACTER APPRAISAL**
- D. PLANNING PERMISSION 3199/PA**
- E. PLANNING COMMITTEE REPORT FOR P/2017/0519**
- F. CONSULTATION RESPONSES**
- G. PUBLIC RESPONSES**