

Planning and Building (Jersey) Law 2002

Planning and Building (Public Inquiries) (Jersey) Order 2008

Application P/2011/1673: *"Demolish all existing buildings and remove hard-standings. Return 67% of total site area (16.19 vergées) to public accessible natural landscape, similar in size to Howard Davies Park. Replace existing Manager's bungalow/Staff cottage with 2 No. four bed houses and construct 26 No. houses comprising of 10 No. three bed houses, 11 No. four bed houses and 5 No. five bed houses all in three groups plus landscaping, footpaths and reed-bed rainwater recycling pond. Create passing place on C105 at Western edge of Field 48."*

The location is the former Plémont Bay Holiday Village, St Ouen JE3 2BY.

To: All organisations and individuals who have made representations regarding this application by 20 July 2012.

cc Department of Environment: Planning and Building Services.

Public Inquiry – Inspector's Pre Inquiry Note 1

Introduction

1. I am sending you this note because you are recorded as having made representations on the above application. I am the Independent Inspector appointed by the Planning and Environment Minister, Deputy Rob Duhamel, to assess the application, including by holding a public inquiry. I will then write a report to the Minister, with recommendations regarding the outcome. The decision will remain with the Minister.
2. The Programme Officer is Helen Wilson, whose contact details are c/o Planning & Building Services, South Hill, St Helier, email – progofficer@aol.com or by telephone - 01527 65741 or 07879 443035.
3. If you have any significant concerns or queries regarding this note please let Helen know what these are by 3 August. In particular I would welcome confirmation or otherwise from those listed in item 3, on page 3, of the intended outline of inquiry below. I will then consider whether I should make any revisions. I will let everyone know one way or the other by 6 August.
4. Amongst many other duties, on my behalf Helen is responsible for the content of the inquiry website <http://www.gov.je/Government/PublicInquiries/Pages/Plemont.aspx>. This will be updated regularly. As well as the application documents and representations received (with some personal details redacted) the website will shortly include a list of Core Documents. These are documents that anyone may refer to at any stage, without having to submit a further copy. Helen will consider requests to add documents to the Core Documents list. Please let Helen know if you need to see paper copies of the representations, but to keep paper and postal usage to a minimum I hope that as many people as are able will opt to view them on the Inquiry website. Paper copies will be available for inspection at South Hill.
5. There is no requirement for you to attend the public inquiry, as I will in any event give full consideration to all written submissions including your own. You are, however, of course welcome to attend. In order that best use is made of inquiry time I am circulating this note regarding the procedure. The inquiry is to consider important issues and will necessarily be formal in tone, but not unduly so and I hope that you will feel able to attend and speak should you wish to do so.

The Inquiry

6. The inquiry will open promptly at 9.30am on Tuesday 25 September 2012 at the Société Jersiaise, Pier Road, St Helier. I have allocated two days and proceedings will resume the following day, Wednesday 26th September, again starting at 9.30 am. Finishing times will depend on progress, but are likely to be around 5 pm and will not be later than 6 pm.
7. I will have studied carefully in advance all documents submitted including the initial representations. I shall invite participants to highlight only the main points in their written documents and, if they wish, to respond to points made in other people's submissions.

Documents

8. If you are intending to participate at the inquiry, you may either base your presentation on your representation as already made, or you may prefer to prepare a Statement of Case specifically to present on the day. Such statements are often referred to as proofs of evidence. Any such statement, or confirmation that your existing representations will be used, must be with Helen no later than noon on 3rd September. Two paper copies of Statements must be submitted to Helen c/o South Hill, if possible an electronic copy should also be emailed to progofficer@aol.com
9. I am not imposing a word limit on statements but they should be no longer than necessary to cover the points being made, and any statement longer than 1500 words must be accompanied by a summary of it that is fewer than 1500 words. Please remember that a good point briefly made can be very effective!
10. If you wish to refer to a source document that is not a Core Document then a copy (or copy of the relevant extract) including its cover page for identification purposes, must be attached to your Statement.
11. Helen will publish all duly made statements on the website by 7th September.

Further Guidance

12. Depending on what is received I may issue a further pre inquiry note, after 7th September but before the inquiry, if I feel that anything needs clarifying.

Main Issues

13. I am only now embarking on studying all the documents. Other issues will arise from them and may also do so at any stage between now and the close of the inquiry. The topics below are not in any sense intended to foreclose issues to be raised and considered. On that basis and very briefly as things stand I expect to consider:
 - the planning policy framework against which the application should be assessed;
 - the description and scope of the application as submitted;
 - the impacts in the widest sense that the existing former Holiday Village has on that part of Jersey;
 - the impacts, again in the widest sense, of what the proposed development would have on that part of Jersey;

- a comparison of the existing and proposed;
 - any implications wider than the Plémont locality;
 - planning conditions or legal obligations were permission to be granted but without prejudice to the outcome.
14. Please note that my role is to assess the submitted planning application on its own merits and recommend on how that should be decided. I will not be exploring or making recommendations on other matters including the issue, which has been raised, of whether the States should purchase the site.

Intended outline of inquiry

1. Introductions.
2. Confirmation of who wishes to speak at the inquiry.
3. Plémont Estates Ltd (the applicants) and main parties invited to make brief opening points (as things stand I am expecting to hear from the Parish of St Ouen, National Trust for Jersey; Council for the Protection of Jersey's Heritage; and Société Jersiaise).
4. Applicants invited to present their case, calling any witnesses in turn.
5. Those speaking will be able to highlight the main points in their evidence and, if they wish, to respond to points made by others in written representations.
6. There will be no formal cross examination of witnesses (this amends advice in an earlier note you may have seen on the website) but I will explore issues myself and also invite others opposed to that witness's position to suggest lines of questions.
7. This process will conclude the presentation and examination of the applicants' case.
8. I will next invite participants supporting the application to speak, again I may similarly explore points by way of questions and will invite opponents to suggest any further points that they would like me to explore.
9. I will invite other main parties (as above) and then others opposed to the application to speak in turn, again limited to highlighting the main points in their written submissions and responding to points that may have been raised by those promoting or supporting the application.
10. As previously I may explore points by way of questions and will give an opportunity to those promoting or supporting the application to suggest further lines of questions.
11. This will conclude the debate for and against the proposals.
12. I will next hold a "round table" session of the inquiry to consider possible planning conditions and any associated legal agreement. This is a standard part of a planning inquiry and does not mean that I am predisposed towards consent for the scheme. Participation in this session is an opportunity to seek to influence conditions that might be attached, were the Minister to conclude that the development may proceed. Taking part in this session will not prejudice anyone's overall opposition to the scheme.

13. I will then give an opportunity for those main parties opposed to the application to make brief final statements, should they wish to do so, without introducing any new points at this stage.
14. I will next give a similar opportunity to any main party supporting the application, concluding with the Applicants who have this final right of reply.
15. I will arrange for the post inquiry site visit.
16. Inquiry closes.

Site Visits

15. I have previously been to the former Holiday Village and its surroundings. I will make a further, more extensive, inspection of the site and locality following the inquiry, in particular to follow up matters that arise during the debate. Participants will be welcome to attend this visit, but strictly on the basis that there will be no points made there for or against the application. Everything that is to be said must be said in the public arena of the inquiry itself. I expect to carry out the post inquiry site visit during the morning of Thursday 27th September, but this will be confirmed at the inquiry.

Alan Langton

DipTP CEng MRTPI MICE MCIHT

Independent Inspector

27 July 2012