

## **Appendix A-1**

### **Scoping Opinion**

## ENVIRONMENTAL IMPACT ASSESSMENT SCOPING OPINION

<p>TITLE OF ES:</p> <p>FUTURE HOSPITAL</p>	<p>THIS SCOPING OPINION HAS BEEN COMPLETED BY:</p> <p>JOHN NICHOLSON</p> <p>DATE:</p> <p>12 MAY 2017</p> <p>IT REFERS TO THE FINDINGS OF THE SCOPING EXERCISE AND SUMMARISES THE KEY ISSUES, SIGNIFICANT EFFECTS, OR AREAS OF CONCERN IDENTIFIED BY THE FOLLOWING:</p> <p><i>DFI – Solid Waste</i> <i>DFI – Drainage</i> <i>DFI – Transport</i> <i>DFI – Transport Policy</i> <i>EDD – Tourism</i> <i>Env – Natural Environment</i> <i>Env – Environmental Protection</i> <i>Env – Environmental Health</i> <i>Env – Planning Policy and Projects</i> <i>Env – Historic Environment</i></p>
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### 1. Introduction

This Scoping Opinion has been prepared on behalf of the Planning and Environment Department following the submission of a request for a scoping opinion, under Planning and Building (Environmental Impact) (Jersey) Order 2006 by Jersey Property Holdings on 27 February 2017.

The opinion outlines what the Planning and Environment Department consider should be addressed by the Environmental Impact Assessment (EIA) based upon the nature and scale of the development, the receiving environment and what is considered to be current reasonable good practice for undertaking an Environmental Impact Assessment (EIA) and for the preparation of an Environmental Statement (ES).

This Scoping Opinion refers to the Scoping Report provided by Jersey Property Holdings and has been developed based on:

- the Planning and Building (Environmental Impact) (Jersey) Order 2006
- good practice guidance for EIA;
- good practice guidance for the production of ES's;
- consultee responses; and
- professional judgement and experience.

The Scoping Opinion and Checklist does not override the legislative requirements of Schedule 2 Article 1 of the Planning and Building (Environmental Impact) (Jersey) Order 2006, which stipulates 'What an Environmental Impact Statement Must Contain'.

## **2. *Proposed environmental aspects to cover***

### **Planning Policy and Land Use**

The list of ES chapters in the Scoping Report does not include a Planning Assessment (it is presumably to be covered in the Planning Statement, listed as a Supporting Assessment). The ES should include a comprehensive review of current planning policy. This includes provisions within the Island Plan as well as supporting Supplementary Planning Guidance. There is also a need to include a review of policies from other States strategies, as identified in Section 8 of the Scoping Report.

### **Geology, hydrogeology and contamination.**

As per section 10.1 of the Scoping Report.

### **Water, flooding and drainage**

As per section 10.2 of the Scoping Report, with the exception of potential for coastal flooding, which should be confirmed.

### **Ecology and Biodiversity**

As per section 10.3 of the Scoping Report and consultation feedback from the Natural Environment section.

### **Townscape and Visual Assessment**

As per section 10.4 of the Scoping Report.

### **Archaeology and cultural heritage**

As per section 10.5 of the Scoping Report, to include reference to true heights, and other commentary in the feedback from the Historic Environment team.

### **Noise and Vibration**

As per section 10.6 of the Scoping Report.

### **Transport**

As per section 10.7 of the Scoping Report, to also include feedback from Transport Policy.

### **Waste**

As per section 10.8 of the Scoping Report.

### **Air Quality**

As per section 10.9 of the Scoping Report, as amended by the consultation feedback from Environmental Health.

### **Micro Climate**

As per section 10.10 of the Scoping Report.

### **Socio-Economic, Human Health and Community**

As per section 10.11 of the Scoping Report.

**Cumulative effects**

A cumulative effects assessment should be incorporated, to include impacts from enabling works (including those required beyond the prospective commissioning date of the new hospital, such as Westaway Court) and the residual land / buildings which form part of the currently operational hospital site.

**Other Assessments**

As per section 10.12 of the Scoping Report. It is noted that the HIA would seem to be duplicated within section 10.11, and other supporting submissions listed on Table 1 of the Scoping Report are not all referenced in section 10.12, which should be up-dated.

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**Summary and Conclusion**

Subject to the points set out in the consultation responses (included in full as attachments to the Scoping Checklist), the Scoping Report is considered a comprehensive overview of the matters for inclusion in the ES, to be supplemented by a cumulative effects assessment and to include mitigation / residual impacts.

## ENVIRONMENTAL IMPACT ASSESSMENT SCOPING CHECKLIST

TITLE OF ES:  FUTURE HOSPITAL	THIS CHECKLIST HAS BEEN COMPLETED BY: JOHN NICHOLSON  DATE: 12 MAY 2017  IT REFERS TO THE FINDINGS OF THE SCOPING EXERCISE AND SUMMARISES THE KEY ISSUES, SIGNIFICANT EFFECTS, OR AREAS OF CONCERN IDENTIFIED BY THE FOLLOWING:  <i>DFI – Solid Waste</i> <i>DFI – Drainage</i> <i>DFI – Transport</i> <i>DFI – Transport Policy</i> <i>EDD – Tourism</i> <i>Env – Natural Environment</i> <i>Env – Environmental Protection</i> <i>Env – Environmental Health</i> <i>Env – Planning Policy and Projects</i> <i>Env – Historic Environment</i>
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The Scoping Opinion identifies the content and extent of the information to be provided by the developer to the competent authority. In particular, it identifies the types of environmental impacts to be investigated and reported in the environmental information.

The Scoping Checklist is taken from the EU Guidance on EIA – Scoping (June 2001) and is split into four parts:

1. a detailed list of characteristics of projects which could give rise to significant effects on the environment;
2. a list of characteristics of project environments which could be susceptible to adverse effects;
3. a list of factors to be considered in deciding whether or not an impact is likely to be significant;
4. alternatives and mitigation measures which can be considered.

The comments included within the table below should be read in conjunction with the attached correspondence from consultees. This list is not exhaustive and during the course of the environmental impact assessment, further information may come to light and further issues may arise, which are of relevance to this application and may require further investigation.

The Scoping Opinion and Checklist does not override the legislative requirements of Schedule 2 Article 1 of the Planning and Building (Environmental Impact) (Jersey) Order 2006, which stipulates 'What an Environmental Impact Statement Must Contain'.

## PART 1: PROJECT CHARACTERISTICS

No.	QUESTIONS TO BE CONSIDERED IN SCOPING	Yes/No/ ?	WHICH CHARACTERISTICS OF THE PROJECT ENVIRONMENT COULD BE AFFECTED AND HOW?	IS THE EFFECT LIKELY TO BE SIGNIFICANT? WHY?
<b>1. WILL CONSTRUCTION, OPERATION OR DECOMMISSIONING OF THE PROJECT INVOLVE ACTIONS WHICH WILL CAUSE PHYSICAL CHANGES IN THE LOCALITY (TOPOGRAPHY, LAND USE, CHANGES IN WATERBODIES, ETC)?</b>				
1.1	Permanent or temporary change in land use, landcover or topography including increases in intensity of land use?	Y	<i>Significant new buildings (45,499 sq m) on land which is currently contains less floorspace. Potential impacts across a range of technical issues.</i>	<i>Unknown - scale of new buildings is significant.</i>
1.2	Clearance of existing land, vegetation and buildings?	Y	<i>All site to be cleared, excluding Patriotic Street car park. Site is already previously developed, impacts will relate to waste generation.</i>	<i>Unknown - Waste materials will need to be appropriately managed</i>
1.3	Creation of new land uses?	N		
1.4	Pre-construction investigations e.g. boreholes, soil testing?	Y	<i>Unlikely to be any impacts.</i>	
1.5	Construction works?	Y	<i>Significant new building on a very tight urban site will have potential impacts across a range of technical issues.</i>	<i>Unknown – potential exists for significant traffic and environmental health impacts.</i>
1.6	Demolition works?	Y	<i>As 1.5 above</i>	<i>As 1.5 above</i>
1.7	Temporary sites used for construction works or housing of construction workers?	Y	<i>Substantial project is likely to require specialist contractors</i>	<i>Implications unknown.</i>
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations?	Y	<i>Above ground buildings will be significant scale and will impact on a range of technical issues.</i>	<i>Unknown at this stage.</i>
1.9	Underground works including mining or tunnelling?	N	<i>Basement will be single level.</i>	
1.10	Reclamation works?	N		
1.11	Dredging?	N		
1.12	Coastal structures eg seawalls, piers?	N		
1.13	Offshore structures?	N		
1.14	Production and manufacturing processes?	N		
1.15	Facilities for storage of goods or materials?	N		
1.16	Facilities for treatment or disposal of solid wastes or liquid effluents?	?	<i>Clinical waste will need specialist disposal.</i>	
1.17	Facilities for long term housing of operational workers?	?	<i>Proposed staffing levels are unknown in relation proposed levels.</i>	
1.18	New road, rail or sea traffic during construction or operation?	Y	<i>New traffic during construction is likely to be significant, and have complex relationships with the operational hospital.</i>	<i>Yes – road network is already well trafficked, and some perimeter roads are minor in nature.</i>
1.19	New road, rail, air, waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?	N		
1.20	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?	Y	<i>Reconsideration of road network will change existing habits, however impacts are as yet unknown.</i>	<i>Unknown at this stage.</i>

No.	QUESTIONS TO BE CONSIDERED IN SCOPING	YES/NO/?	WHICH CHARACTERISTICS OF THE PROJECT ENVIRONMENT COULD BE AFFECTED AND HOW?	IS THE EFFECT LIKELY TO BE SIGNIFICANT? WHY?
1.21	New or diverted transmission lines or pipelines?	N		
1.22	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	N		
1.23	Stream crossings?	N		
1.24	Abstraction or transfers of water from ground or surface waters?	N		
1.25	Changes in waterbodies or the land surface affecting drainage or run-off?	N		
1.26	Transport of personnel or materials for construction, operation or decommissioning?	N		
1.27	Long term dismantling or decommissioning or restoration works?	N		
1.28	Ongoing activity during decommissioning which could have an impact on the environment?	?	<i>The long-term future of the current hospital site is unknown.</i>	
1.29	Influx of people to an area in either temporarily or permanently?	N		
1.30	Introduction of alien species?	N		
1.31	Loss of native species or genetic diversity?	N		
1.32	Any other actions?	N		
<b>2. WILL CONSTRUCTION OR OPERATION OF THE PROJECT USE NATURAL RESOURCES SUCH AS LAND, WATER, MATERIALS OR ENERGY, ESPECIALLY ANY RESOURCES WHICH ARE NON-RENEWABLE OR IN SHORT SUPPLY?</b>				
2.1	Land especially undeveloped or agricultural land?	N		
2.2	Water?	N		
2.3	Minerals?	N		
2.4	Aggregates?	N		
2.5	Forests and timber?	N		
2.6	Energy including electricity and fuels?	N		
2.7	Any other resources?	N		
<b>3. WILL THE PROJECT INVOLVE USE, STORAGE, TRANSPORT, HANDLING OR PRODUCTION OF SUBSTANCES OR MATERIALS WHICH COULD BE HARMFUL TO HUMAN HEALTH OR THE ENVIRONMENT OR RAISE CONCERNS ABOUT ACTUAL OR PERCEIVED RISKS TO HUMAN HEALTH?</b>				
3.1	Will the project involve use of substances or materials which are hazardous or toxic to human health or the environment (flora, fauna, water supplies)?	N		
3.2	Will the project result in changes in occurrence of disease or affect disease vectors (eg insect or water borne diseases)?	N		
3.3	Will the project affect the welfare of people eg by changing living conditions?	?	<i>The introduction of a building of a significant size will have a direct impact on a number of immediate residents.</i>	<i>The scale / nature of these impacts is as yet unknown.</i>
3.4	Are there especially vulnerable groups of people who could be affected by the project eg hospital patients, the elderly?	Y	<i>By its very nature the project is likely to interact with a wide variety of vulnerable groups of people.</i>	<i>By the very nature of the project the health impacts are likely to be significant.</i>



No.	QUESTIONS TO BE CONSIDERED IN SCOPING	YES/NO/?	WHICH CHARACTERISTICS OF THE PROJECT ENVIRONMENT COULD BE AFFECTED AND HOW?	IS THE EFFECT LIKELY TO BE SIGNIFICANT? WHY?
3.5	Any other causes?	N		
<b>4. WILL THE PROJECT PRODUCE SOLID WASTES DURING CONSTRUCTION OR OPERATION OR DECOMMISSIONING?</b>				
4.1	Spoil, overburden or mine wastes?	Y	Basement construction will produce waste.	Volumes are likely to be significant in a local context
4.2	Municipal waste (household and or commercial wastes)?	Y	Operation of the hospital will produce a variety of waste streams.	Yes, the waste streams are likely to be complex and significant in a local context.
4.3	Hazardous or toxic wastes (including radioactive wastes)?	Y	Ditto	Ditto
4.4	Other industrial process wastes?	N		
4.5	Surplus product?	N		
4.6	Sewage sludge or other sludges from effluent treatment?	N		
4.7	Construction or demolition wastes?	Y	Demolition will produce waste	Volumes are likely to be significant in a local context.
4.8	Redundant machinery or equipment?	Y	Ditto	Ditto
4.9	Contaminated soils or other material?	?	Unknown in relation to basement excavation material	As yet unknown
4.10	Agricultural wastes?	N		
4.11	Any other solid wastes?	N		
<b>5. WILL THE PROJECT RELEASE POLLUTANTS OR ANY HAZARDOUS, TOXIC OR NOXIOUS SUBSTANCES TO AIR?</b>				
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources?	?	Operational energy options include on-site combustion.	Unknown at this stage.
5.2	Emissions from production processes?	N		
5.3	Emissions from materials handling including storage or transport?	N		
5.4	Emissions from construction activities including plant and equipment?	Y	Construction will be a significant undertaking.	Unknown at this stage
5.5	Dust or odours from handling of materials including construction materials, sewage and waste?	Y	Ditto	Ditto
5.6	Emissions from incineration of waste?	Y	An element of operational waste will need to be incinerated.	Unknown at this stage.
5.7	Emissions from burning of waste in open air (eg slash material, construction debris)?	N		
5.8	Emissions from any other sources?	N		
<b>6. WILL THE PROJECT CAUSE NOISE AND VIBRATION OR RELEASE OF LIGHT, HEAT ENERGY OR ELECTROMAGNETIC RADIATION?</b>				
6.1	From operation of equipment eg engines, ventilation plant, crushers?	Y	A significant amount of plant and machinery will be needed for the demolition and construction phases, and for on-going operation needs thereafter.	Unknown at this stage
6.2	From industrial or similar processes?	N		
6.3	From construction or demolition?	Y	As above	As above
6.4	From blasting or piling?	Y	Ditto	Ditto



No.	QUESTIONS TO BE CONSIDERED IN SCOPING	Yes/No/?	WHICH CHARACTERISTICS OF THE PROJECT ENVIRONMENT COULD BE AFFECTED AND HOW?	IS THE EFFECT LIKELY TO BE SIGNIFICANT? WHY?
6.5	From construction or operational traffic?	Y	<i>A significant amount of plant and machinery will be needed for the demolition and construction phases, and for on-going operation needs thereafter.</i>	<i>Unknown at this stage</i>
6.6	From lighting or cooling systems?	Y	<i>Ditto</i>	
6.7	From sources of electromagnetic radiation (consider effects on nearby sensitive equipment as well as people)?	?	<i>Such technical matters are as yet unknown.</i>	<i>Ditto</i>
6.8	From any other sources?			
<b>7. WILL THE PROJECT LEAD TO RISKS OF CONTAMINATION OF LAND OR WATER FROM RELEASES OF POLLUTANTS ONTO THE GROUND OR INTO SEWERS, SURFACE WATERS, GROUNDWATER, COASTAL WATERS OR THE SEA?</b>				
7.1	From handling, storage, use or spillage of hazardous or toxic materials?	?	<i>Construction and on-going operations will be complex and will contain inherent risks.</i>	<i>Unlikely to be significant</i>
7.2	From discharge of sewage or other effluents (whether treated or untreated) to water or the land?	?	<i>Ditto</i>	<i>Ditto</i>
7.3	By deposition of pollutants emitted to air, onto the land or into water?	?	<i>Ditto</i>	<i>Ditto</i>
7.4	From any other sources?	?	<i>Ditto</i>	<i>Ditto</i>
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?	?	<i>Ditto</i>	<i>Ditto</i>
<b>8. WILL THERE BE ANY RISK OF ACCIDENTS DURING CONSTRUCTION OR OPERATION OF THE PROJECT WHICH COULD AFFECT HUMAN HEALTH OR THE ENVIRONMENT?</b>				
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous or toxic substances?	?	<i>Construction and on-going operations will be complex and will contain inherent risks</i>	<i>Unlikely to be significant</i>
8.2	From events beyond the limits of normal environmental protection eg failure of pollution control systems?	?	<i>Ditto</i>	<i>Ditto</i>
8.3	From any other causes?	?	<i>Ditto</i>	<i>Ditto</i>
8.4	Could the project be affected by natural disasters causing environmental damage (eg floods, earthquakes, landslip, etc)?	Y	<i>Climate change will resilience will need to be considered</i>	<i>Flood risk (storm surges and wave over-topping) could be a significant concern, especially given the basement works, and nature of the surrounding highway network.</i>
<b>9. WILL THE PROJECT RESULT IN SOCIAL CHANGES, FOR EXAMPLE, IN DEMOGRAPHY, TRADITIONAL LIFESTYLES, EMPLOYMENT?</b>				
9.1	Changes in population size, age, structure, social groups etc?	?	<i>The Future Hospital project, as part of a wider health service review, will need to consider these issues.</i>	<i>Yes, potentially significant.</i>
9.2	By resettlement of people or demolition of homes or communities or community facilities eg schools, hospitals, social facilities?	?	<i>There is no direct loss of such facilities, and the existing hospital will remain operational during construction.</i>	

No.	QUESTIONS TO BE CONSIDERED IN SCOPING	YES/NO/?	WHICH CHARACTERISTICS OF THE PROJECT ENVIRONMENT COULD BE AFFECTED AND HOW?	IS THE EFFECT LIKELY TO BE SIGNIFICANT? WHY?
9.3	Through in-migration of new residents or creation of new communities?	N		
9.4	By placing increased demands on local facilities or services eg housing, education, health?	N	<i>The Future Hospital project, as part of a wider health service review, will need to consider these issues.</i>	<i>Yes, potentially significant.</i>
9.5	By creating jobs during construction or operation or causing the loss of jobs with effects on unemployment and the economy?	?	<i>Unknown at this stage</i>	<i>Unknown</i>
9.6	Any other causes?	N		
<b>QUESTION 10 - ARE THERE ANY OTHER FACTORS WHICH SHOULD BE CONSIDERED SUCH AS CONSEQUENTIAL DEVELOPMENT WHICH COULD LEAD TO ENVIRONMENTAL EFFECTS OR THE POTENTIAL FOR CUMULATIVE IMPACTS WITH OTHER EXISTING OR PLANNED ACTIVITIES IN THE LOCALITY?</b>				
10.1	Will the project lead to pressure for consequential development which could have significant impact on the environment eg more housing, new roads, new supporting industries or utilities, etc?	Y	<i>There are a number of other projects to provide for the continued operation of the existing hospital during construction. Post-construction a potential development site will exist on the current hospital site.</i>	<i>Yes, in a local context</i>
10.2	Will the project lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment eg: <ul style="list-style-type: none"> <li>• supporting infrastructure (roads, power supply, waste or waste water treatment, etc)</li> <li>• housing development</li> <li>• extractive industries</li> <li>• supply industries</li> <li>• other?</li> </ul>	Y	<i>Yes – as above</i>	<i>ditto</i>
10.3	Will the project lead to after-use of the site which could have an impact on the environment?	Y	<i>The physical scale and operational nature of the building is likely to have legacy impacts.</i>	<i>Unknown at this stage.</i>
10.4	Will the project set a precedent for later developments?	Y	<i>The scale and nature of the building is likely to be unique.</i>	
10.5	Will the project have cumulative effects due to proximity to other existing or planned projects with similar effects?	Y	<i>Yes, in particular, the Esplanade Quarter and Waterfront areas have substantial development commitments which will need to be considered</i>	<i>Yes, potentially in relation to highways / traffic and townscape / visual impact.</i>

## PART 2: CHARACTERISTICS OF THE PROJECT ENVIRONMENT

For each project characteristic identified in Part 1 consider whether any of the following environmental components could be affected.

**2.1 ARE THERE FEATURES OF THE LOCAL ENVIRONMENT ON OR AROUND THE PROJECT LOCATION WHICH COULD BE AFFECTED BY THE PROJECT?**

- Areas which are protected under international or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?
- Other areas which are important or sensitive for reasons of their ecology e.g.
  - wetlands,
  - watercourses or other waterbodies,
  - the coastal zone,
  - woodlands
- Areas used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?
- Inland, coastal, marine or underground waters?
- Areas or features of high landscape or scenic value?
- Routes or facilities used by the public for access to recreation or other facilities?
- Transport routes which are susceptible to congestion or which cause environmental problems?
- Areas or features of historic or cultural importance?

*Yes, in particular historic buildings.*

**2.2 IS THE PROJECT IN A LOCATION WHERE IT IS LIKELY TO BE HIGHLY VISIBLE TO MANY PEOPLE?**

*Yes – the town centre site is likely to be visible in several long and mid-distance views, and will certainly be experienced from its immediate vicinity.*

**2.3 IS THE PROJECT LOCATED IN A PREVIOUSLY UNDEVELOPED AREA WHERE THERE WILL BE LOSS OF GREENFIELD LAND?**

*No, the site is entirely previously-developed*

**2.4 ARE THERE EXISTING LAND USES ON OR AROUND THE PROJECT LOCATION WHICH COULD BE AFFECTED BY THE PROJECT? FOR EXAMPLE:**

- homes, gardens, other private property,
- industry,
- commerce,
- recreation,
- public open space,
- community facilities,
- agriculture,
- woodland,
- tourism,
- quarrying.

*Yes, the site is surrounded by existing land uses which include commercial businesses and residential property.*

**2.5 ARE THERE ANY PLANS FOR FUTURE LAND USES ON OR AROUND THE LOCATION WHICH COULD BE AFFECTED BY THE PROJECT?**

*See 10.5 above*

**2.6 ARE THERE ANY AREAS ON OR AROUND THE LOCATION WHICH ARE DENSELY POPULATED OR BUILT-UP, WHICH COULD BE AFFECTED BY THE PROJECT?**

*Yes - the site is within a built-up area and the impact on neighbouring land-uses will need to be considered.*

**2.7 ARE THERE ANY AREAS ON OR AROUND THE LOCATION WHICH ARE OCCUPIED BY SENSITIVE LAND USES WHICH COULD BE AFFECTED BY THE PROJECT?**

- hospitals,
- schools,
- places of worship,
- community facilities.

*The existing hospital will remain operational on the neighbouring site*

**2.8 ARE THERE ANY AREAS ON OR AROUND THE LOCATION WHICH CONTAIN IMPORTANT, HIGH QUALITY OR SCARCE RESOURCES WHICH COULD BE AFFECTED BY THE PROJECT? FOR EXAMPLE:**

- groundwater resources,
- surface waters,
- agriculture,
- fisheries,
- tourism,
- minerals.

*There are no known areas with such characteristics in the vicinity.*

**2.9 ARE THERE ANY AREAS ON OR AROUND THE LOCATION OF THE PROJECT WHICH ARE ALREADY SUBJECT TO POLLUTION OR ENVIRONMENTAL DAMAGE E.G. WHERE EXISTING LEGAL ENVIRONMENTAL STANDARDS ARE EXCEEDED, WHICH COULD BE AFFECTED BY THE PROJECT?**

*There are no known areas with such characteristics in the vicinity.*

**2.10 IS THE PROJECT LOCATION SUSCEPTIBLE TO EARTHQUAKES, SUBSIDENCE, LANDSLIDES, EROSION, FLOODING OR EXTREME OR ADVERSE CLIMATIC CONDITIONS E.G. TEMPERATURE INVERSIONS, FOGS, SEVERE WINDS, WHICH COULD CAUSE THE PROJECT TO PRESENT ENVIRONMENTAL PROBLEMS?**

*Yes – see 8.4 above.*

**2.11 IS THE PROJECT LIKELY TO AFFECT THE PHYSICAL CONDITION OF ANY ENVIRONMENTAL MEDIA?**

- The atmospheric environment including microclimate and local and larger scale climatic conditions?
- Water: e.g. quantities, flows or levels of streams, reservoirs, groundwater, coastal waters or the sea?
- Soils: e.g. quantities, depths, humidity, stability or erodibility of soils?
- Geological and ground conditions?

*Yes – scale could affect local micro-climate in relation to sunlight and winds.*

**2.12 ARE RELEASES FROM THE PROJECT LIKELY TO HAVE EFFECTS ON THE QUALITY OF ANY ENVIRONMENTAL MEDIA?**

- Local air quality?
- Global air quality including climate change and ozone depletion?
- Water quality – streams, reservoirs, groundwater, coastal waters or the sea?
- Nutrient status and eutrophication of waters?
- Acidification of soils or waters?
- Soils?
- Noise?
- Temperature, light or electromagnetic radiation including electrical interference?
- Productivity of natural or agricultural systems?

*No*

<p><b>2.13 IS THE PROJECT LIKELY TO AFFECT THE AVAILABILITY OR SCARCITY OF ANY RESOURCES EITHER LOCALLY OR GLOBALLY?</b></p> <ul style="list-style-type: none"> <li>• Fossil fuels?</li> <li>• Water?</li> <li>• Minerals and aggregates?</li> <li>• Timber?</li> <li>• Other non-renewable resources?</li> <li>• Infrastructure capacity in the locality - water, sewerage, power generation and transmission, telecommunications, waste disposal, roads?</li> </ul> <p>No</p>
<p><b>2.14 IS THE PROJECT LIKELY TO AFFECT HUMAN OR COMMUNITY HEALTH OR WELFARE?</b></p> <ul style="list-style-type: none"> <li>• The quality or toxicity of air, water, foodstuffs and other products consumed by humans?</li> <li>• Morbidity or mortality of individuals, communities or populations by exposure to pollution?</li> <li>• Occurrence or distribution of disease vectors including insects?</li> <li>• Vulnerability of individuals, communities or populations to disease?</li> <li>• Individuals' sense of personal security?</li> <li>• Community cohesion and identity?</li> <li>• Cultural identity and associations?</li> <li>• Minority rights?</li> <li>• Housing conditions?</li> <li>• Employment and quality of employment?</li> <li>• Economic conditions?</li> <li>• Social institutions?</li> </ul> <p><i>Yes – by the nature of the project itself, to be considered by the Strategic Case and the Health Impact Assessment.</i></p>

## ADDITIONAL COMMENTS:

The Scoping feedback has been produced on the basis of responses from consultees as set out in the beginning of this Checklist – responses have not been received from all our consultees, notably the Town Surveyor of the Parish of St Helier (as the relevant parochial authority and highway authority for part of the immediate roads network).

All consultation responses are attached with this Checklist and it is notable that the majority of agencies identify a good degree of dialogue has already been established with the project team and they are consequentially familiar with the proposed technical content of the EIA as set out in the Scoping Report, which is generally comprehensive.

It is also noted that the consultation response from Planning Policy and Projects raises the question of whether Strategic Environmental Assessment could be an appropriate tool for this development. Having reviewed the submitted Scoping Report it is considered that the approach to a cumulative effects assessment and the inclusion of any enabling works (including those required beyond the prospective commissioning date of the new hospital, such as Westaway Court) and the residual hospital estate, represents an acceptable approach.

The submitted Scoping Report identifies that the application will be in an outline format, it then sets out that the reserved matters will be "in accordance with pre-application discussions". For the avoidance of doubt, the matters for consideration at outline stage are understood to be siting, scale and means of access, with appearance / materials and landscape to be reserved matters for future consideration.

Within the submitted Scoping Report (table 1) there is a list of proposed ES Chapters, which does not include a planning policy review. It is therefore assumed that the "Planning Statement" (which is listed as a Supporting Assessment on Table 1, but not referenced at paragraph 10.12 of the Scoping Report) will contain a comprehensive planning policy appraisal to include the content of the Jersey Island Plan 2014 and relevant Supplementary Planning Guidance, for incorporation in the ES.

At various points in the Scoping Report commentary is provided on the need for the project and work contained within the Strategic Outline Case. This should be comprehensively explained in the supporting assessments (Vision for the Project).

**ATTACHMENTS:**

Copy of scoping consultation responses.



## John Nicholson

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**Sent:** 12 May 2017 14:49  
**Subject:** FW: Future Hospital EIA Scoping Request (polite reminder!)

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**From:** Richard Fauvel  
**Sent:** 26 April 2017 16:00  
**To:** John Nicholson <J.Nicholson@gov.je>; Denis Van der Vliet <D.VanderVliet@gov.je>; Fay Gibaut <F.Gibaut@gov.je>  
**Cc:** Dennis Rive <D.Rive@gov.je>  
**Subject:** RE: Future Hospital EIA Scoping Request (polite reminder!)

John

Apologies if Denis or Emma have been unable to respond to this.

I believe that we at DFI Solid Waste normally comment on the waste management plans submitted with planning applications, however I did respond to questions from Bob Hudson relating to the EIA in March.

We look forward to reviewing the waste management plans submitted with the application and ask that the Waste Hierarchy, Solid Waste Strategy and relevant guidance on Medical and Hazardous wastes are considered in the operational design of the Future Hospital and any construction or demolition activities.

Best regards

Richard

**Department for Infrastructure  
Operational Services - Drainage**

Beresford House, Bellozanne Road  
St Helier, Jersey, JE4 8UY  
Tel: +44 (0) 1534 445509



**Reference: EIA/2017/0252**

06/04/2017

**Response Type: More Info**

**Proposed General Hospital Site, Gloucester Street, St. Helier**

The current hospital sites drain both foul and surface waters to the public foul sewers in the vicinity and it is our requirement that full separation of surface water run-off must eventually drain to the foreshore. This is the general policy requirement for all major developments in the island and it is noted that separation of foul and surface waters is stated in both the Scoping Opinion and the Screening Request.

Foul water drainage in the south-west area of the town of St Helier has the capacity for the overall proposal and the public foul water sewers will benefit from any current surcharging by the removal of surface water run-off through development of the sites. However, further detailed foul water flows based on the British Water Codes of Practice (Flows and Loads 4) will be required for each connection to the public foul sewer network.

The public surface water sewer system runs through the Parade Park to the north-east of the General Hospital and connects to a larger deeper tunnel that runs below Gloucester Street and discharges to the foreshore. Connection of run-off to these sewers, whether attenuated or not, will require a full assessment of the current catchments and capacities to ensure that surcharging does not occur. The Department will require full drainage calculations for each proposed connection from the development site prior to carrying out the assessment. It should also be noted that the tunnel in Gloucester Street is very deep and therefore, construction of a new connection could be difficult and disruptive or alternatively, lengths of off-site sewer to an appropriate connection point could be significant. Hence, investigations into the feasibility of using Sustainable Urban Drainage Systems for the site may prove beneficial. The design of any new sewer in the public or parish by-ways will require to be agreed in advance of development as will any requirement for any new discharge point to the foreshore.

There are no surface water sewers in Kensington Place, Newgate Street and Patriotic Street.

It is noted from the Scoping Request that there will be a number of enabling works prior to development that affect off-site locations (e.g. Westaway Court) and that these will be the subject of separate Planning Applications. Input on the drainage aspects of these works will also be required by DfI at the appropriate time.

## Alice Tostevin

---

**From:** Robert Hayward  
**Sent:** 07 March 2017 10:15  
**To:** Alice Tostevin  
**Cc:** Julie Thomas; Dave St. George; William Prendergast  
**Subject:** EIA/2017/0252 - Scoping Consultation

Alice

Please find a response on behalf of DfI (Transport Policy) in relation to your email below, requesting for screening and scoping feedback for the EIA for the Future Hospital Project (FHP).

The department is currently engaged with the FHP transport consultant and key stakeholders to resolve the transport issues that are predicted to arise in conjunction with the delivery of the new hospital. To this extent, a full Transport Assessment (TA) and Travel Plan is in the process of being produced which is expected to address the department's concerns relating to the construction and operation of the new hospital and the operation of the transport network.

The Transport Assessment should be produced in accordance with UK best practice, as detailed in 2007 (UK) Department for Transport document; *Guidance on Transport Assessment*. The exact scope of the assessment in relation to the FHP is in the process of being agreed with DfI and the project's sponsors as part of pre-application discussions.

The Travel Plan should be prepared in accordance with UK best practice. There are many documents published by Local Authorities in the UK, although Transport for London has a thorough checklist for possible content of a travel plan published on its website: <https://tfl.gov.uk/info-for/urban-planning-and-construction/travel-plans/travel-plan-content>. An indicative (but not exhaustive) list of information requiring evaluation and consideration is provided below:

- benchmark travel data including trip generation databases;
- Information concerning the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development;
- relevant information about existing travel habits in the surrounding area;
- proposals to reduce the need for travel to and from the site via all modes of transport; and
- provision of improved public transport services.
- parking strategy options; and
- proposals to enhance the use of existing, new and improved public transport services and facilities for cycling and walking both by users of the development and by the wider community (including possible financial incentives).

The full scope of the Travel Plan is to be agreed with DfI as part of pre-application discussions.

We welcome the information contained within the Scoping and Screening note which identifies a more focussed study on the environmental issues, associated with the anticipated changes in traffic flows. These issues are named in the scoping note for identified streets and are summarised in the bullet points given below.

The suggested corridors for assessment in the scoping request are acceptable, although we would recommend the inclusion of the Patriotic Place Car park into the study and consideration given to the transport effects listed in

assessment methodology in the scoping note. If consideration is not given to any potential future layout of the carpark, there is the potential for all of the effects listed below to become an issue:

- Severance
- Driver Delay
- Pedestrian Delay
- Pedestrian Amenity
- Fear and Intimidation
- Accidents and Safety

It is anticipated that once the FHP is completed there may be an issue of severance caused by traffic on The Parade, particularly with regard to the anticipated redevelopment of the Westaway Court site into community care facilities. The extent of this severance should be assessed and mitigated as far as possible.

We note that there is to be a noise and air quality assessment of the site as part of the EIA. As these assessments will require outputs from the traffic assessment work (to identify whether traffic contributes towards changes in baseline levels of either noise or air quality) we would welcome the earliest possible submission of the TA to enable the EIA work to keep to programme.

The scoping request note identifies possible mitigation measures at this early stage before the assessment work has been carried out. It is the view of the department that the assessment work and identification of likely issues should shape possible mitigation measures, rather than the mitigation measures be fixed before the outcome of any assessment work is known. It may be appropriate that additional mitigation, either on or off site, may be required following the conclusion of the assessment work.

Regards,

Rob

**Robert Hayward | Senior Transportation Planner**  
**Transport Policy | Department for Infrastructure | States of Jersey**  
P.O. Box 412, States Offices, South Hill, St Heller, Jersey, JE4 8UY  
T: +44 (0)1534 448287 | E: [r.hayward@gov.je](mailto:r.hayward@gov.je) | W: [www.gov.je](http://www.gov.je)

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**From:** Alice Tostevin  
**Sent:** 01 March 2017 15:31  
**To:** Julie Thomas  
**Subject:** EIA/2017/0252 - Scoping Consultation

Good Afternoon,

The Planning and Environment Department has received a proposal for the above works.

We would be grateful for your comments on the enclosed Scoping Report in writing within 4 weeks and what issues you consider should be addressed in an EIA to be submitted with a future planning application.

If you are unable to provide comments within this timeframe, please contact us on 445508.


Kind regards

**Alice Tostevin | Technical Support Officer | Department of the Environment**

Planning and Building Services, South Hill, St Helier, Jersey, JE2 4US

**T:** +44 (0)1534 448482 | **E:** [a.tostevin@gov.je](mailto:a.tostevin@gov.je) | **W:** [www.gov.je](http://www.gov.je)

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## Dfl Highways and Infrastructure comments on

# The Future Hospital Project Screening and Scoping Reports

March 2017

## Screening Report – February 2017

Dfl - Highways and Infrastructure Section has only considered aspects of the report referring to Enabling Works, Transport and Access, Water Resources and Flood Risk. We consider the EIA should consider the impact the project will have on the following areas: -

- Highway works both during and post construction – Impact on the road system during the construction and when complete.
- The proposed extension to Patriotic Street MSCP – Increase in number of spaces in the car park and type of user (short stay, long stay, shopper or commuter).
- Public access to buildings during and post construction including access off the highway into construction sites.
- Changes to traffic routes, temporary road signs and markings and signals during construction and post construction.
- Use of existing Dfl data to assist in traffic modelling and Traffic Impact Assessment
- Risk of inundation from sea/storm state flooding – an assessment of current adequacy and future proposals.

## Scoping Report – February 2017

Dfl - Highways and Infrastructure Section consider that the EIA and EIS should also consider the following points of interest to us. We understand the project is in an early stage of design and some of the following points will be for consideration at a later stage but for completeness we have listed them here: -

- Existing adequacy of flood protection measures – To assess whether there is a need to increase the current protection measures before the future hospital is constructed and to consider the impact of climate change on the location.
- Design and specification of new highway and footways – To ensure that the new highway and footways are designed to accommodate current and predicted vehicle loadings.
- Provision for Jersey traffic signs and signals as required in Jersey Traffic Signs Order – Collaborate with the Department to ensure that the new road network is designed to the Department's standards and not to UK highway standards.



- Legal responsibility for highways and footways, landscaping and streetscape – define at early stage which administration will have legal responsibility for the various parts of the completed project.
- Location and specification of pedestrian crossings – Access routes are fully considered for all phases of the build and not just the finished Hospital.
- Specification for surface finishes – To be agreed by appropriate Highway Authority to ensure easy hand over to HA that is taking responsibility for administration of highway and footway following construction.
- Standard of street lighting – DfI to comment on street lighting standards and type of public lighting to be installed.
- Maintenance of highways and footways, landscaping, street lighting and streetscape – clearly define which public body is going to take on the maintenance and seek approval of design and apparatus.
- Cleaning, rubbish removal and gulley emptying operational responsibility - clearly define which public body is going to take on these activities.
- Noise and vibration of existing and new road system - assessment of existing levels and condition of structures prior to construction and post construction.
- Assessment of the loss of parking spaces in Patriotic Street MSCP during Hospital construction phases and during extension to car park
- Designation of neighbouring on-street parking areas, prohibitions, unloading and waiting areas during the construction phase and post construction

**Economic Development, Tourism,  
Sport and Culture Department**

**Tourism Regulation**

8-13 Central Market

St Helier, Jersey, JE2 4WL

Tel: +44 (0)1534 448132



**Reference: EIA/2017/0252**

28/04/2017

**Response Type: No Objection**

**Proposed General Hospital Site, Gloucester Street, St. Helier**

'Given the importance to the Island of the Future Hospital project the department has no objections to the loss of the Revere and Stafford Hotels however it does regret the loss of registered tourist accommodation during this exciting chapter for tourism in Jersey. The department has noted the proposals.'

Hospitality and Leisure Manager

Trading Standards Service

Department of Economic Development, Tourism, Sport and Culture

Tel: +44(0)1534 448132

## John Nicholson

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**Sent:** 12 May 2017 14:45  
**Subject:** FW: Future Hospital EIA Scoping Request (polite reminder!)

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**From:** John Pinel (P&E)  
**Sent:** 02 May 2017 16:01  
**To:** John Nicholson <J.Nicholson@gov.je>  
**Subject:** RE: Future Hospital EIA Scoping Request (polite reminder!)

Hi John

Sorry, I haven't made the official response as I had nothing to add to an initial request from the consultant (attached).



RE: Jersey Future  
Hospital - E...

All the best  
John

## John Nicholson

---

**From:** John Pinel (P&E)  
**Sent:** 02 May 2017 15:07  
**To:** 'Catherine Jones (L)'  
**Subject:** RE: Jersey Future Hospital - Ecological Assessment

Dear Catherine,

It would need to be the Planning Officer reviewing the application who would make that decision.

My preference would be to submit all relevant information with the application, enabling the application to be reviewed fully.


It may be that the Planning officer would accept the proposal, although they may refuse the application due to insufficient information.

Do you have a contact at Planning who you have been liaising with?

Kind regards  
John

John Pinel MCIEEM  
Principal Ecologist & Assistant Director Natural Environment  
**States of Jersey, Department of the Environment**  
**Howard Davis Farm, La Route de la Trinité,**  
**Trinity, Jersey, JE3 5JP**  
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**From:** Catherine Jones (L) [<mailto:Catherine-L.Jones@arup.com>]  
**Sent:** 02 May 2017 10:39  
**To:** John Pinel (P&E)  
**Subject:** RE: Jersey Future Hospital - Ecological Assessment

Dear John,

Thank you for providing the feedback below back in February.

We have since carried out an Extended Phase 1 Habitat Survey and identified low potential for roosting bats in a couple of small hotels adjacent to the General Hospital. We have recommended that internal inspections are carried out in the roof voids and one dusk/dawn survey is carried out. However, discussions between SoJ and the owners of these properties are at a sensitive stage and requesting access for the bat surveys may be counterproductive at the moment.

I wanted to consult you on the following situation if it were to arise – if we do not get access to the buildings to carry out the bat surveys before we submit the ES (15<sup>th</sup> June), but get access soon after, would it be acceptable to submit the bat survey report as Supplementary Environmental Information (SEI) within the determination period?

For the purposes of the assessment we would assess the impact of the project on bats based on a reasonable worst case, which in this case would be the presence of a roost/ small number of roosts of a common species i.e. of local importance/ low conservation importance.

Do you agree with this approach?

Best regards  
Catherine

Catherine Jones  
Senior Ecologist | Consulting West

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**From:** John Pinel (P&E) [<mailto:J.Pinel@gov.je>]  
**Sent:** 16 February 2017 09:23  
**To:** Catherine Jones (L)  
**Subject:** RE: Jersey Future Hospital - Ecological Assessment

Dear Catherine

Thank you for your email.

EIA – no doubt you are also aware of our local requirements for EIA

Extended phase 1 – I'm not sure of the exact footprint. In these urban habitats there could be common urban species which are protected by the Conservation of Wildlife(Jersey) Law 2000, such as hedgehogs. There could be others. I don't know if the adjacent town parks would be affected? There may be a need for areas for servicing the site which should also be surveyed.

Protected species surveys – likely to be birds and bats, but your extended phase 1 should identify such issues. I would recommend a preliminary roost assessment.

The Jersey Biodiversity centre at the Société Jersiaise has all of our data, so will be able to provide that. The Jersey bat Group may have additional records.

It would be worth asking the Société Jersiaise ornithology section for any records of birds in the area.

Gulls nest throughout St Helier, it is almost certain that gull nest sites will be in vicinity, but I have no accurate data for the area.

Please let me know if I can be of any further assistance.

Kind regards  
John

John Pinel MCIEEM  
Principal Ecologist & Assistant Director Natural Environment  
**States of Jersey, Department of the Environment**  
**Howard Davis Farm, La Route de la Trinité,**  
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**From:** Catherine Jones (L) [<mailto:Catherine-L.Jones@arup.com>]  
**Sent:** 15 February 2017 11:25  
**To:** John Pinel (P&E) <[J.Pinel@gov.je](mailto:J.Pinel@gov.je)>  
**Subject:** Jersey Future Hospital - Ecological Assessment

Dear John,

We have been commissioned to undertake the ecological assessment for the Jersey Future Hospital and I have been passed your contact details by our planning team to provide our proposed approach to the assessment, which is outlined below:

- The methodology to be applied to the assessment will follow the Chartered Institute of Ecological and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment (2016).
- An Extended Phase I Habitat Survey, to be carried out in February 2017, will identify any requirement for further protected species surveys.
- Any further protected species surveys required will be carried out in accordance with best practice survey guidelines.
- We will be consulting the Société Jersiaise for any statutory designated sites for nature conservation (within 5km) and non-statutory (within 2km) of the project site, and any biodiversity records they hold within 2km of the project site (5km for bats). We will also contact the Jersey Bat Group for any additional records they may hold. Please advise if there are any additional biodiversity data holding organisations within Jersey / CI for ecological information who we should contact;

Could you please provide any comments you may have on the above proposed approach, or confirm your agreement with the approach so far? I'm happy to discuss further via phone if that would be helpful.

Also if you do know yourself, or within your department, of any relevant ecological issues in this part of St Helier such as confirmed bat roosts and known nesting sites for gulls etc, then please advise.

Best regards,  
Catherine

Catherine Jones  
Senior Ecologist | Consulting West

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**Department of the Environment  
Environmental Protection**

Howard Davis Farm, La Route de la Trinite  
Trinity, Jersey, JE3 5JP  
Tel: +44 (0)1534 441600



**Reference: EIA/2017/0252**

06/03/2017

**Response Type: COMMNT**

**Proposed General Hospital Site, Gloucester Street, St. Helier**

Thank you for the opportunity to comment on the screening and scoping opinion for the future hospital project. The EIA scoping opinion broadly covers the topics we would expect it to for this site and Environmental Protection look forward to seeing the detail in due course at which point we will comment further.

## Department of the Environment

### Environmental Health

Maison Le Pape, The Parade

St Helier, Jersey, JE2 3PU

Tel: +44 (0)1534 443712



**Reference: EIA/2017/0252**

13/03/2017

### **Response Type: No Objection**

#### **Proposed General Hospital Site, Gloucester Street, St. Helier**

Thank you for the opportunity to comment on this application. Based on the information submitted, Environmental Health has the following comments in respect of the scoping report.

#### Noise and vibration

Agree with the scoping report

#### Air quality

It is accepted that the estimated number of operational vehicle movements will, of itself, be a relatively insignificant contributor to air quality in the area, but most of the vehicles will be diesel and will contribute to road congestion which can already be significant around what will be an island site. It is therefore recommended that roadside particulates and nitrogen dioxide are measured at adjacent sensitive locations throughout the duration of the development and that consideration is given to the means of keeping traffic moving so as to reduce congestion and stationary traffic, which produce elevated emission levels, particularly of NO<sub>2</sub> and particulate matter. It is also recommended that such monitoring commences as soon as practicable in order to obtain 'baseline' levels before the development begins.

It is noteworthy that Jersey has no vehicle emission testing requirement and many of the island's vehicles are old and probably less well maintained than their counterparts in mainland UK.

Peter Brown

Environmental Health Officer

Tel: 01534 445809

23/03/2017

TO: J. Nicholson - Principal Planner (Development Control)

FROM: Planning Policy and Projects Team

## POLICY CONSULTATION RESPONSE

<b>Application Address:</b>	Proposed General Hospital Site, Gloucester Street, St. Helier, JE1 3QS
-----------------------------	--

<b>Description of Work:</b>	<b>Future Hospital Project – Scoping Request</b>
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**DC REF: EIA/2017/0252**

Thank you for giving the Planning Policy and Projects Team an opportunity to contribute to the proposed Future Hospital Project screening and scoping opinion. The Policy Team have reviewed the information supplied and wish to offer the following comments; should you require any further clarification, or a more detailed interpretation of any policy area, please do not hesitate to contact us.

### **Screening Opinion: strategic consideration of cumulative impacts**

The package submitted by the applicant has, quite unusually, combined a request for a screening and a scoping opinion.

Whilst the Future Hospital Project is a specific project, it is one that effectively sits as the principal element within an overall 'masterplan' which cumulatively has the potential to have wider strategic environmental effects. On this basis, there is considered to be some benefit for greater strategic consideration to be given to the cumulative environmental impact of the entire programme of works, and not just those contained within the application site.

Such impacts will be both temporal, in terms of the need for enabling developments to be provided during what will be a relatively lengthy, phased construction programme; and geographic, affecting a number of sites that are outwith the application site during the construction phase of the new hospital and also affecting the future use of land arising as a result of the development of the new facility.

A Strategic Environmental Assessment (SEA) could, if undertaken, provide a greater understanding of the strategic and cumulative impact of the entire programme of works. SEA is not a statutory requirement in Jersey, but the spirit of the approach, if adopted and applied, can help ensure that strategic and cumulative environmental considerations are fully and appropriately understood and addressed in more detailed project specific EIAs: local guidance is available in this respect<sup>1</sup>

<sup>1</sup> See: <https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/SPG%20-%20Practice%20Note%2019%20-%20Strategic%20Environmental%20Assessment.pdf>

On the basis of the above, there is considered to be a need to address the strategic, cumulative environmental impacts of the entire programme of works for those aspects of the FH project where there is potential for significant environmental effects.

### **EIA Scoping:**

The anticipated scope of the EIA has been outlined in the scoping report by the applicant, at a high level. This would appear to cover the generalities of an EIA for a project of this scale and nature. Specific comment on the detail of each area of the scoping opinion is considered best dealt with by the relevant statutory consultees who will offer specific advice, but the following general comment is offered.

#### **1. Outline consent and Environmental Impact Assessments:**

It is noted in the screening and scoping report that the 'Rochdale Envelope' approach has been adopted by the applicant and an outline application will be pursued with some assumptions or reservations relating environmental impact to be addressed at a later date. It is important to stress that this approach is based on UK case law and only has relevance as a guiding principle in Jersey; accordingly, the requirements of the Planning and Building (Environmental Impact) Order 2006 (Schedule 2, Part 1 and Part 2) should be met in full.

Notwithstanding the above, it should still be possible to secure the flexibility offered by an outline planning application in the EIA provided that:

- the fixed and reserved matters are clearly agreed at an early stage;
- parameters are clearly defined and sufficiently address environmental issues at an appropriate level.

The scoping report fails to comprehensively indicate what elements of the outline application are proposed to be fixed, and what are proposed to be reserved; in the absence of this information it is not possible to properly identify the parameters of the EIA and it is, therefore, appropriate for the fixed and reserved matters to be agreed prior to provision of a scoping opinion.

It is an observation that this is and will remain a densely developed site with a number of environmental constraints. The more items that are 'reserved matters', the greater the scoping requirements of the EIA, since an increased number of 'possible' effects on the environment will arise through a lack of certainty. If it is raised in the ES that it is not possible to properly identify or predict the potential effects on the environment as a result of the lack of fixed matters, it would be necessary to refuse or delay the grant of outline consent until such a time that the likely effects on the environment can be properly ascertained.

#### **2. Enabling works:**

As stated above, the screening and scoping reports mention that a list of enabling works sites will be acknowledged in the EIA as they are necessary to facilitate the

entire project. It is noted that this has not been mentioned again or in any detail in the assessment of scope.

In light of this, it is considered prudent that the potential strategic cumulative environmental impact of the development and use of other sites, over time and in relation to one another geographically, is considered in the ES, with particular attention to the displacement of staff, patients and vehicular traffic: this is considered to be an important and integral part of the entire programme of works and this should be explicit in the scoping recommendation.

### **3. Scale of effects:**

The scoping report identifies the scale of effects as:

- 1.) Island Wide,
- 2.) St. Helier
- 3.) District
- 4.) Neighbourhood
- 5.) Site

It also identifies further temporal effects due to the phased programme of development. The scoping report makes no reference to the Island's commitments made under the Espoo Convention (Convention on Environmental Impact Assessment in a Transboundary Context, Espoo 1991). Whilst no obvious transboundary issues have been identified from the information provided and the effects will likely remain local, given the major, strategic nature of the proposal, it may be appropriate to address the topic of transboundary effects for completeness, even if it is to state that there are considered to be none.

### **4. Climate Change Impacts:**

The screening and scoping reports state that the prevailing climate and the microclimate of the site will be taken into consideration.

It is considered equally important to address the wider climate, including the effects of global climate change. The scoping should include consideration as to how the site may contribute to and affect global climate change and also to demonstrate its resilience as a receptor of climate change impacts.

In this respect, it is considered appropriate that the Environmental Policy Team is added to the list of statutory consultees.

### **5. Monitoring and Reporting**

Given the anticipated scale and duration of the project, the ES is expected to specifically address the monitoring and reporting of potential environmental effects. This should be discussed throughout the ES and also addressed as a specific matter where all the various issues that will require monitoring and reporting can be brought



together in a plan, which would thereafter be managed with a planning condition or obligation.

#### **6. Local legislation, MEA compliance and adopted policies of the States of Jersey**

The various chapters of the ES should take into consideration the local legislative requirements, adopted SOJ policies and strategies and any Multilateral Environmental Agreements of which ratification has been extended to Jersey. This will involve ensuring that throughout the EIA process, any identified effects and proposed mitigation measures remain consistent with those prescribed requirements and objectives.

The applicant has identified a number of these within the terms of reference which could be supplemented with a list of MEAs that may fall within the scope of the EIA, as follows.

- Agreement on the Conservation of European Bats (EUROBATS)
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal
- Convention of Biological Diversity (CBD)
- Convention on the Conservation of Migratory Species of Wild Animals (Bonn)
- Convention on the Conservation of European Wildlife and Natural Habitats (Bern)
- Convention on Environmental Impact Assessment in a Transboundary Context (Espoo)
- Convention for the Protection of the Architectural Heritage of Europe (Granada)
- European Convention on the Protection of the Archaeological Heritage (Valletta)
- United Nations Framework Convention on Climate Change (UNFCCC)
- Kyoto Protocol to above Convention
- UN Vienna Convention for the Protection of the Ozone layer
- UNECE Convention on Long Range Transboundary Air Pollution and Associated Protocols (CLRTAP)

#### **Concluding summary**

In light of the above, it is considered that the scope of the EIA should:

- include some strategic consideration of the cumulative impact of the entire programme of works, on both a temporal and geographic basis, or be informed by an SEA;
- ensure that the fixed and reserved matters are clearly defined and the parameters of assessment clearly defined;
- ensure that consideration of transboundary implications is acknowledged;
- ensure that climate change adaptation and mitigation is addressed and that the Environmental Policy Team is included as a statutory consultee in this respect;
- ensure that monitoring and reporting of environmental impacts is addressed; and
- acknowledge relevant local MEAs.

-End-

*The Planning Policy and Projects Team wish it to be clear that this consultation response has been limited to matters relating to EIA Screening and Scoping only and does not in any way endorse any of the particulars relating to the Future Hospital Projects by virtue of this response, nor does it provide advice relating to the application of adopted policies. The team will however be happy to provide any such advice and be party to pre-application discussions as the project evolves.*

**Department of the Environment**

**Historic Environment Team**

South Hill

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**Reference: EIA/2017/0252**

13/03/2017

**Response Type: No Objection**

**Proposed General Hospital Site, Gloucester Street, St. Helier**

Listed Building Grade 1

**Statement of Significance**

An important example of a substantial mid 19th century general hospital typical of the period, retaining most historic features, with outstanding masonry work. The entrance lodge is an unusual building of high quality, retaining fine features in a muscular hybrid classical/neo-Norman style. Together a fine ensemble.

**Assessment**

Within the Townscape Assessment there needs to be clarity about the height of the new building(s) by reference to true heights rather than storey heights as these are not reflective of the larger floor to ceiling heights required. The building at the scale suggested is likely to break skyline from most views in St. Helier. This needs to be acknowledged as more than assessment of 'sensitive' views.

The historic environment assessment of both archaeological and Listed Building setting is acceptable. Jersey do not have a "Land Registry" but hold all land based contracts in a central registry.

Mitigation on archaeology should arise from the Desk Based Assessment, mitigation on setting will need to be proposed, where possible, for each asset or groups of assets.

Policy SP4 and Policy HE1 of the 2011 Jersey Island Plan, which seek to preserve the special historic and architectural interest of Listed Buildings and Places has been used to guide this assessment.

Please note that this response only deals with the Historic Environment aspects of the proposal. There may be other issues to be considered. To assist both applicants and agents any further comment or discussion on issues arising from the above should always be addressed to the Planning Officer.

## Townscape Scoping Opinion

**John Nicholson - dated 31 March 2017**

### TOWNSCAPE VIEWPOINTS

I have reviewed your suggestions, as per the slides extracted from your 3<sup>rd</sup> March presentation to the Architecture Commission. I have also reviewed the submitted 3d model.

I have been conscious that the viewpoints should not be contrived, but should represent legitimate instances when there will be a public visual relationship with the site. The lack of viewpoints in the local environment (with its tight network of streets) did surprise me a little, and conversely I think that I have identified a few other locations in the mid-distance where there are some framed axial views that I didn't anticipate. I also think the viewpoints need to be supplemented by some selected views from the longer-distance bowl around the town of St Helier. For example, there will be views from numerous locations around the escarpment, but these may be from essentially private environments (Victoria College, the former JCG etc) and it is probably better to focus on potential public views, in particular on routes when the 'bowl' of St Helier comes into view on arrival.

I have therefore taken screenshots from the 3d model which help identify altered or new viewpoints for your consideration, and I can provide the following comments (using the numbered locations from the JAC presentation, plus my own numbered screenshots):

1. Gloucester Street – this should be moved back to by the Adelphi PH, being where the view would first be encountered.
2. Gloucester Street – ditto, this should be moved back slightly to the corner by the Gloster Vaults PH
3. Kensington Place – a longer view is needed, from the Cheapside junction
4. Kensington Place – ditto, this should be pulled back to outside Casa Mila
5. Patriotic Street – fine
6. Patriotic Street (top) – this doesn't take account of the additional floors proposed for the car park (which are not in the 3d model either)
7. Peoples Park – this appears to be rather random point, and not a view which is commonly encountered. This should be moved back to the roundabout, being the arrival point where the view is unveiled. A view across the park might be best taken from the footpath network in the western backdrop (7a) and on emergence from the new Westmount flats (7b). As an 'arrival' view you might also want to consider a location around the southern end of the park, perhaps at the Victoria Avenue traffic lights when travelling eastbound (19). Above People's Park there are also 2 key 'arrival' views, at Overdale (20) and at the steps on the hairpin bend (21). Locally, the key view will be 22, at the end of the one-way road (which I think is still called Kensington Place).
8. The Parade – fine, but should be supplemented with 8a from the southern end of The Parade, near Cyril Le Marquand House (trees will be a key issue here). I also think there will be a longer distance view looking westwards down Union Street from the New Street junction (13).

9. Top of Minden Street Car Park – I don't think this is a particularly key view, however, I would leave it in as it is typical of a longer distance view from within the bowl of St Helier. On this point I have checked key 'sensitive' locations within this bowl (Royal Square and other 'civic' spaces such as The Weighbridge and Liberation Square, and I don't believe there are views) but some of the main roads in the north of St Helier are 'on axis' (St Marks Road and Stopford Road) without appearing to have a view, and the same appears to be true for the Town Park, but there may be a glimpse from the bottom of Wellington Road (23). I also think there are three other locations within the town where public views will occur, being outside the Post Office / Lloyds Bank on Broad Street (16), emerging from the port at the Waterfront Roundabout (17) and on exit from the Les Jardins Car Park (18).
10. Top of Sand Street car park – I think this should be the bottom of the car park, near the vehicle exit (10)

Otherwise, as with my commentary with the views around People's Park, it is certainly worth including views from key arrival points where the townscape is first unveiled. I have checked the arterial routes into St Helier and the key locations are on Old St Johns Road, near its junction with Undercliffe (11) and on the opposite side of town at Mount Bingham (15). There are limited views from the east but it is also worth including a view from the north end of Fort Regent (14, near the flagpole) which is somewhat contrary to my thought process in relation to key public views, but does in my view, complete the coverage.





























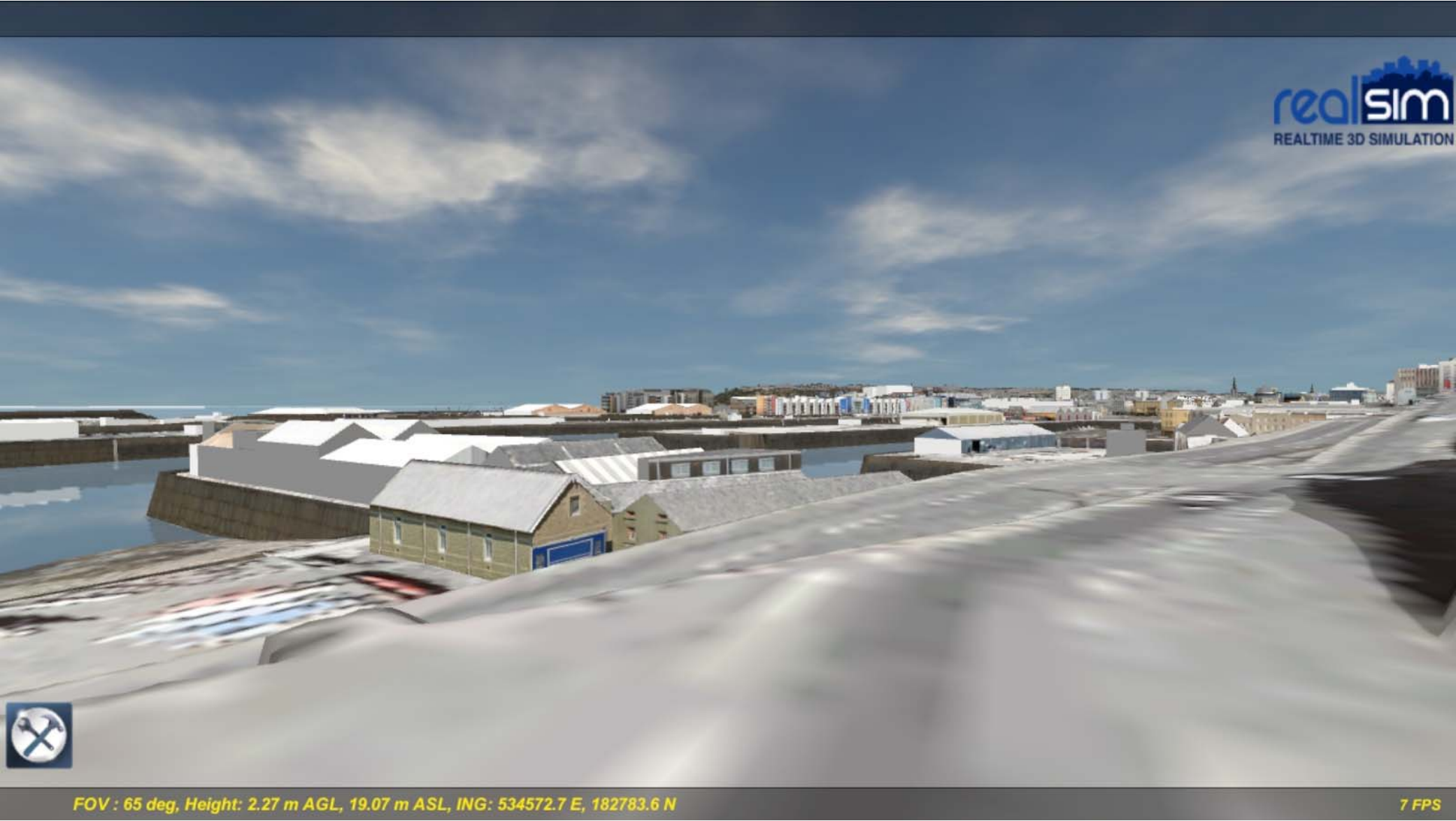


























FOV : 65 deg, Height: 3.2 m AGL, 65.94 m ASL, ING: 534151.6 E, 184489.5 N

8 FPS







## Appendix A-2

### Interim Planning Advice

## Interim Planning Advice - Jersey Future Hospital 2

Following our meetings of 18<sup>th</sup> and 30<sup>th</sup> January and 7<sup>th</sup> February 2018, this is the Planning Department's interim response to the emerging proposals for JFH2 at the Gloucester Street site.

Please bear the following in mind.

- a) This is an initial Department opinion, covering planning and heritage matters only.
- b) The opinion is based on the emerging proposals, dated 7<sup>th</sup> February 2018, shown in the PDF supplied by R. Glover.
- c) No consultation has been carried out with any of the usual stakeholders (DfI, PoSH, Environmental Health etc.). Nor has there been any public engagement.
- d) The opinion is entirely without prejudice to any future recommendation, which may change as further information or proposals emerge.

### 0. The Inspector's Report and Other Preliminary Remarks

One of the tasks that we have jointly undertaken since the first decision is to review the Inspector's Report. We understand why this has been important to the project team, because within the report is not only an explanation of why the first application was refused, but also some of the clues to a successful future outcome.

The project team has asked the department to jointly agree on the comments set out in the Analysis document. Broadly, we do agree, but there are areas where we differ in emphasis. Most notably, this relates to the Urban Design Approach, but we also comment on several other areas below.

We would also like to emphasise that the Inspector's report will not hold all the answers for the project team. It was a report into a particular scheme, at a specific time, which now appears to be very different from the emerging proposals. A box-ticking exercise of those issues will only go so far – other issues may emerge from the revised scheme – it is important that these are not missed.

We also consider that the team should prepare for the new scheme not being policy compliant. The planning policy approach for the first scheme was that it was compliant, and if the Inspector didn't agree, then the fall-back position was that it was within a close margin. We think that the same risk is likely in the revised scheme, albeit that the margin may be closer.

The team should have a strategy to be able to say whether the scheme is policy compliant, and if it is not, then a plan to 'bridge the gap'.



## 1. The Urban Design Approach

The Inspector (at para 174) discusses what he sees as a recommended route to determine the capacity of the site to accept new buildings. He refers back to Island Plan policy BE5 which requires that Tall Buildings must be fully justified in urban design terms.

We have already discussed with the team what this means. To us, it means that the applicant must not allow the clinical adjacencies to dictate the size and shape of the building mass. Yes, they must be accounted for once the size parameters have been established, but they must not lead the process.

Second, an urban design approach means that the proposal must not be considered in isolation. The applicant must have a view (a vision) on what will happen to the parts of the site which are left after the main build phase is complete – it must be an holistic view of the whole estate and how it interacts with the wider public realm. It cannot be left undecided.

There was further comment in the Inspector's report about government's role in master planning – we accept that, but we do not think that 'master planning' in the conventional sense is required here. What is required is that the applicant must demonstrate that they have considered the effect of what is included in their proposal (and what is not included) on the town and whether those present good outcomes.

To emphasise this, we urge the project team to consider how the new building will deal with its interface with the Parade Park. What will happen to the 1980s and 1960s blocks? They cannot remain unspecified on the application. If they have a future need and use, then say so. If not, then use their demolition as the catalyst for major public realm enhancement of this area and the sorely needed link between the new building and the Park. Answer questions such as, where is the new hospital entrance; how does the building respond to the (Listed) park; how does it address Westaway; what are the required linkages; which buildings will remain and which will go? The scheme must answer these questions, if it is to be seen as an integrated piece of townscape.

If this is approached holistically, there will be other knock-on benefits (see Heritage below).

## 2. A Phased approach

As previously advised, we note and support the team's revised approach to phasing the project. One of the key constraints for the first application was that the whole project had to be built as a single phase. This very much restricted the ground plane available for the new building and forced the mass upwards. Now that we know that this is

not acceptable, a revised approach, which delivers a larger footprint to the team, allows for a significantly lower building and a better use of the current estate.

The emerging visual material already indicates that the impact of scale on the immediate surroundings and the wider townscape will be easier to manage than the first scheme. But other impacts will arise, such as the very long elevation of Block A onto Kensington Place. Much more work needs to be done to refine and test these impacts from all the receptors, but we are pleased to see the general positive impact on the scheme and will continue to work with the project team to improve this.

The team should also consider whether the current two-phase option is the only option available – there may be others. Our concern is that, in the rush to meet an April application submission, other options may be missed. The team should also be prepared to explain how it took a couple of years to bring forward the first application, and only a couple of months to develop the second. These matters are likely to be raised by a curious public, some of whom have different conclusions in mind for this project.

### 3. Conclusions on Tall Buildings

#### Policy BE5

The project team has asked for the department's view on Tall Buildings policy and the Supplementary Planning Guidance (A Design Guide for St. Helier).

We will not repeat here the Inspector's views, which are set out at paras 133-142 of his report. However, it is clear to this department that, as expressed by the Inspector (in para 141), the emerging scheme will still be seen as a Tall Building, as defined by Island Plan policy BE5. It will still be above 18 metres high (or more than 7 metres above some its neighbours) and so will require full justification in urban design terms.

The 5 assessment criteria set out within policy BE5 are well known to the project team and the scheme must be justified in this context (i.e. the justification for a tall building cannot simply be 'we need a new hospital'). We believe that the emerging scheme does have the *potential* to be justified in these terms, but there is much work to complete before that can be concluded definitively. The justification should make it clear how the team has approached each of the listed criteria in the policy.

As we mentioned above, the issue of height is not the only matter which is relevant here – indeed height may be less of a challenge in the emerging scheme than the length of the building, particularly where it fronts onto Kensington Place. How this length and mass will be broken up, to respond to the character of the surroundings, will be a

matter to be resolved. As we comment later, without the key tools in place (in an Outline application) this remains a difficult task for the project team.

### St. Helier Design Guidance

The SPG is an important document and it is useful to record its purpose. It was written to control the scale and height of new development, given the pressure placed on St. Helier, so as to manage negative impacts of large scale buildings on the townscape. It is not a tool to define how the maximum height is to be reached and breached; it is a tool to define the local scale and from this the likely success of larger scale.

In the SPG, the site lies in Character Area 7, and specifically in Areas 'a' and 'b'. The Character Area objectives are bulleted at page 57 of the document and it is interesting to remind ourselves of those – to create better links; a higher standard of development; protecting street patterns; fostering mixed use and active frontages and to remedy existing over-scaled architecture. The scheme should demonstrate how it achieves these aims.

Areas 'a' and 'b' are also instructive – the team can refer to the Guidance on page 59 at its convenience, but it did specifically ask the department for its view on the height parameters.

**Area 'a'** has a maximum height limit of 6 storeys – a typical storey height is listed elsewhere in the document at 3.8 metres. This would result in a maximum height in this zone of 22.8 metres. We say 'maximum' because it is an absolute limit – the Inspector was clear that there was no room for flexibility on this point, if the scheme is to remain within the bounds of the policy and guidance.

Of course, it is also a 'maximum' because there are other factors at play. We are aware that the project team is looking at different layers of height control, such as the 'average angle to sky' and the BRE 25 degree guide. This is because some street frontages (and their occupiers) have a greater sensitivity to height than can be set out in a general policy. From this is emerging the 'bird cage envelope', included in the 7<sup>th</sup> February release of plans. We encourage these approaches as a sensible response to moderating impact on sensitive frontages. We feel certain that a less imposing building will result.

**Area 'b'** has a maximum set height limit 'as existing'. Here there is room for debate. The tallest existing building in Area 'b' is the 1980s Hospital block at 39.4 metres. It is possible to construe the guidance as meaning that new buildings elsewhere in area 'b' could also reach this height. It is also possible to construe the guidance to mean 'no more height than already exists'. Neither is a helpful interpretation, so here it is necessary to weave in policy BE5, which states that

*“Development which exceeds the height of buildings in the immediate vicinity will not be approved.”*

Of course, the rub here is that the emerging scheme (block B) is now much closer to the 1980s building – close enough for it to be within its ‘immediate vicinity’ - but Block B is also within the immediate vicinity of several other lower buildings. Given the room for debate, we believe that this is where the project team must insert the justification for the scale required, based on the 5 criteria in policy BE5. If the team can show positive outcomes against each of these tests, then the resultant building should be appropriate in its context, with agreeable impacts on townscape and views.

Area ‘b’ also contains the 1860s Hospital, which adds a further layer of height control, albeit in the different guise of impact on the setting of a listed building. We comment further on this below.

#### 4. Heritage Impact

Much is said in the Inspector’s report relating to heritage impact. There is an exhaustive schedule of listed buildings in his report, the settings of which were affected to varying degrees by the previous proposal. The Inspector concluded that these were harmful effects, triggering the negative conclusion on policy HE1. We consider that a similar conclusion is likely to be reached on the emerging scheme, albeit to a lower degree.

It is not for the department to seek to trim this list – all Listed Buildings must be considered – but there are some areas where the particular quality of the setting is key. We touch on these below.

The new proposals for Block A onto Kensington Place are lower than previously proposed. They may still have some negative effects on listed building settings in that street, but there may also be some potential for enhancements. As you know, the test set out in the ‘Herold’ Royal Court decisions requires that the settings of each individual listed building are worthy of the protection of policy HE1 in their own right – one cannot trade an enhancement on one building’s setting with a negative effect on another. A difficulty of the Outline application approach is that any potential enhancements which might be achieved by a better designed building will be locked up in the Reserved Matters application, and therefore not ‘bankable’ at the Outline stage.

Two key public buildings which were the subject of much attention at the last Inquiry were the 1860s Hospital and Jersey Opera House. The setting of the Opera House is still likely to be negatively affected by the forward projecting wing of Block B. This is because the scale and form of the existing Peter Crill House is broken up, recessive and set back from Gloucester Street. The closer Block B comes to Gloucester

Street, and the more unrelenting its mass, the greater will be the effect on listed building setting.

Peter Crill House was set back originally to allow for the retention of the Hospital grounds wall, which remains a key part of the urban setting. We think that this should continue to be retained in a future scheme.

Turning to the setting of 1860s Hospital, this too will be negatively affected by a larger building to its south-west side. Block B also surrounds the rear of this building (at a substantial height in the emerging scheme) and it is difficult to see how this could be regarded as anything other than a negative and severe impact on setting. We note that the forecourt of this building will now be proposed as a car free zone, perhaps with formal gardens. This will have a positive effect on setting, but not to the extent which offsets the negatives (in our view). We consider that the team needs to find greater benefits to this setting – such as those which might be achieved by the loss of the 1980s and 1960s buildings.

The team will be aware that we have been pushing this latter point throughout our recent discussions and it is a very clear recommendation. The removal of those structures could provide the benefits to setting necessary to offset the proposed negative effects of Block B, *plus* of course all the urban design possibilities we set out above.

## 5. Travel

The department remains unclear on the project team's current approach to car parking. Our approach will be this – the project is a substantial development in the town. We are of course aware of our own policies relating to sustainable transport and the spatial strategy. However, we must also consider this particular end use.

Many hospital users are likely to be ill or infirm in some way – they may not be capable of walking long distances. Another of the larger trip generators is staff, many of whom work shifts. So a good supply of car parking nearby is, we feel, a pre-requisite, unless the matter is demonstrably solved by sustainable alternatives. Even then, we feel that car parking will be a matter of significant public concern in the next application.

We note the potential withdrawal of the two additional floors of parking at Patriotic Street with concern – we think this would be an error for the revised planning application, unless numbers are replaced elsewhere. We already know that the site will lose the forecourt parking in front of Peter Crill and the 1860s Hospital building, plus the spaces at the Gwyneth Huelin entrance. These should be replaced, with an additional allowance for growth over the life-time of the project.

We also note that the current Westaway proposal only shows 13 spaces. Is this enough for those services, or should the team look to other sites within the SoJ portfolio nearby?

6. Townscape and Views Impact

The emerging proposals are at an early stage, but we would like to see their impact from the same viewpoints which were used in the first application. This will make for a useful comparison.

We consider that there needs to be a franker appraisal of these impacts than was apparent in the first application. The Inspector was critical of the conclusions that sought to minimise the impact of the building, which were clearly at odds with the visual material presented in the application. To ensure credibility the impact needs to be stated in a manner that is clear and generally agreed.

7. Public consultation

The project team has suggested to us that it will be carrying out renewed 'public engagement' for the revised application. We have advised already, and repeat here, that the department considers the estimated time period for resubmission of this project is too short to allow for proper consultation.

We appreciate the distinction which the team has drawn between 'engagement' and 'consultation' and feel bound to remind the team of the energy expended at the first Inquiry, defending the point raised by members of the public that consultation had been inadequate. The project team also made a public offer to improve consultation at the first Inquiry. So to avoid a repeat of the same charge being levied at any second Inquiry, we recommend a longer lead-in time for the revised application. This will demonstrate that the issues have been properly reconsidered and not rushed to meet a contrived deadline.

8. Westaway

This proposal was proceeding ahead of the main project, but it now seems that timescales will allow them to come forward together. This is helpful and allows for the two parts of this project to be considered holistically. We have suggested already, and repeat here, that the two buildings should share a common design theme and, crucially, should be linked in some formally recognisable manner across the Park. This another example of where the project team must look wider than just at the building plots themselves.

9. Other matters (Public Inquiry, EIA, Presentation)

A Second Public Inquiry? - As previously advised, the matter of whether the second planning application will require a Public Inquiry is

for the Environment Minister and him alone. However, the department does advise the Minister on such matters and, at present, we do not believe that there has been a material change in the reasons relied upon by the Minister when he called the first Inquiry. We consider a second Inquiry to be highly likely. It may be that the Minister will consider different terms and conditions to the Inspector, but again, that is a matter for him.

EIA - The team has asked for our view on whether the Westaway scheme should be considered as part of the whole development, for purposes of requiring an Environmental Impact Assessment. We consider that it does.

Presentation – We have debated whether it is the department's role to make comment on the project team's presentation, given that it is professionally and independently advised. However, in the spirit of providing positive guidance to the team, we offer the following.

The lead department officers have requested that the second application is accompanied by plans from which it is easier to assess existing and proposed height references.

We also suggest that consideration is given to a different approach at a second Inquiry hearing. We have already advised that the team should indicate where the proposal will breach planning policy and is up front about the impacts and how they are being addressed. It is also the case that the project requires a visible 'client'. By this we mean that someone who has ownership of the issues should be the mouthpiece for the project in the Inquiry. There were times during the first Inquiry where we, as department officers, felt that the compelling parts of the applicant's case were diluted by a series of consultants who spoke at length on individual issues. The element which was lacking, for us, was the 'hearts and minds' case, which needs addressing not only at any new Inquiry, but with public in general.



**From:** Sibley, Fiona <Fiona.Sibley@bdp.com>  
**Sent:** 05 April 2018 15:28  
**To:** Rowena Ekermawi  
**Subject:** FW: EIA requirements

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**From:** Peter Le Gresley [<mailto:P.LeGresley@gov.je>]  
**Sent:** 07 March 2018 10:03  
**To:** Sibley, Fiona <[Fiona.Sibley@bdp.com](mailto:Fiona.Sibley@bdp.com)>  
**Cc:** Richard Glover <[R.Glover@gov.je](mailto:R.Glover@gov.je)>; John Nicholson <[J.Nicholson@gov.je](mailto:J.Nicholson@gov.je)>  
**Subject:** EIA requirements

Dear Fiona, Richard

Further to our meeting on 28<sup>th</sup> February, you asked the department to confirm whether the project, including Westaway, should be subject to an EIA and also whether further scoping work would be required.

I have looked at the Order, which states,

**3 Chief Officer may indicate if environmental impact statement required**

A person minded to apply for planning permission may request the Chief Officer to indicate –

- (a) if the proposed development is within a class of development specified in Schedule 1;
- (b) if Article 2(3) would apply in respect of the development; or
- (c) if, because of factors such as the nature, size or location of the proposed development, the Chief Officer will require an environmental impact statement to be provided in accordance with Article 13(1)(b) of the Law.<sup>[3]</sup>

**4 Chief Officer may indicate scope of environment impact statement.**

A person minded to apply for planning permission where the applicant must provide the Chief Officer with an environmental impact statement, may request the Chief Officer to indicate the information to be provided in the statement

So to confirm, the department considers that the revised development, including Westaway, is an urban development >10,000 sq. m. and therefore trips the trigger in Schedule 1 of the Order. It requires an EIS.

Article 4 above provides that a person *may* request the department to indicate the information required in the statement. If we receive such a request, we will do so, although my recollection from 28<sup>th</sup> February was that both the applicant and department were all content to rely upon an update of the previous EIA from the first application. If your understanding of that is different, then please let us know quickly.

See you later.

Kind regards

*Peter*

**Peter Le Gresley | Director of Development Control  
Department of the Environment**

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