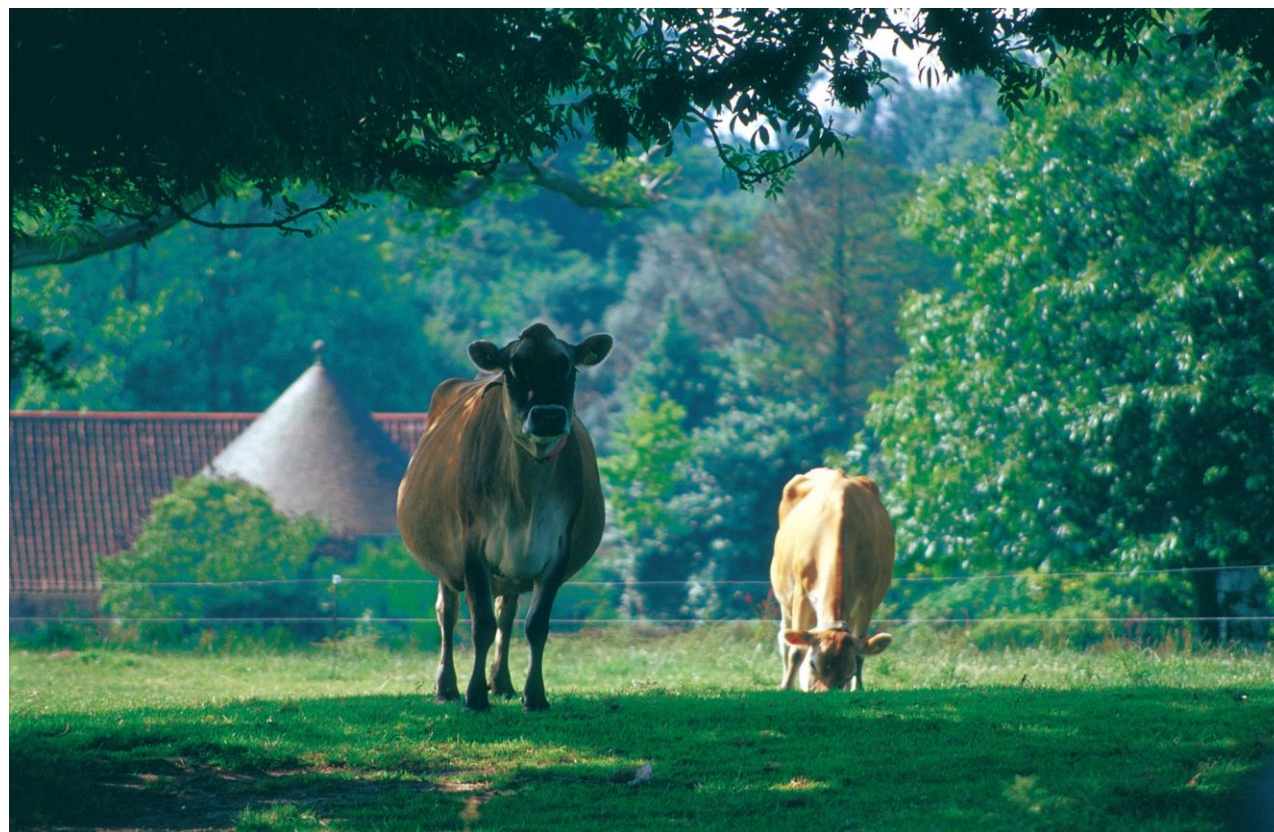




Department of the Environment

# Revised draft Island Plan Schedule of amendments



**March 2011**

## **Introduction**

The Island Plan Review now enters its final stage involving debate and, hopefully, adoption of a new Island Plan.

This Island Plan has been through the most rigorous and intensive examination of any planning policy ever to be presented to the States of Jersey. Starting with the publication of the initial draft Island Plan in September 2009 and culminating with the publication of the independent Planning Inspectors' Report in November 2010. This followed a three-week Examination in Public of the draft Island Plan itself; the Minister's intended changes and the representations made against the Plan.

The requirement for this new extensive and exhaustive process has been set out in law, in order to ensure and provide rigour, transparency and engagement in the plan-making process.

### **Legal and resource implications**

The Minister is now required, on the basis of the evidence to date, to lodge a revised draft Island Plan for consideration and debate in the States. In so doing, the Minister is required to publish an indication of the differences between the initial draft Island Plan and the revised draft Island Plan, with a reasoned justification for each difference.

The Minister is also required to justify why he has chosen not to accept any recommendations in the Inspectors' Report.

### **Amendments schedule**

This schedule sets out the changes that have been made to the initial draft Island Plan, and the justification for them, resulting in the publication and lodging of the revised draft Island Plan. It has been prepared having regard to the representations made relative to the initial draft Island Plan; the Minister's expressed intentions to amend the initial draft Island Plan; and the Inspectors' Report, as well as other material considerations that have arisen in the meantime.

**Written Statement amendments**

	<b>Section / Policy</b>	<b>Summary of issue and/or Inspectors' recommendation</b>	<b>Minister's response</b>	<b>Draft Plan amendment</b>
1.	<b>Background and context</b>	Amend the draft Plan to include a list of the development plans superseded by the new Island Plan.	For the avoidance of doubt and to promote clarity the Minister is minded to amend the draft Plan to include a list of the development plans superseded by the new Island Plan	<p>Add the following to background and context:</p> <ul style="list-style-type: none"> <li><b><i>Superseded development plans</i></b>  <i>Adoption of the new Island Plan will provide the planning policy framework for land-use decisions over the next ten years. It will supersede and replace the existing 2002 Island Plan, as amended. It will also supersede a number of smaller development plans, applicable to specific areas of the Island, whose policies and proposals have either already been implemented or, where still relevant, have been incorporated into this Plan.</i></li> </ul> <p><b><i>For the avoidance of doubt, the following development plans and frameworks are superseded by the new Island Plan:</i></b></p> <ul style="list-style-type: none"> <li><b><i>St. Mary's Village Development Plan (1994)</i></b></li> <li><b><i>St. Martin's Conservation and Development Plan (1994)</i></b></li> <li><b><i>St. Ouen's Bay Planning Framework (1999)</i></b></li> <li><b><i>Waterfront Development Plan (2001)</i></b></li> <li><b><i>Jersey Island Plan 2002, as amended</i></b></li> </ul> <p><b><i>It will also be necessary to develop new, and to comprehensively review existing supplementary planning guidance, to complement the new policy framework provided by the new Island Plan. This is considered at Appendix A 'Supplementary Planning Guidance'.</i></b></p>
2.	<b>Background and context</b>	Reference to the States Strategic Priority to 'Protect and enhance our unique culture and identity' ought to be made in the Plan, specifically at para 1.6 and Table 1.1 to make that linkage to the planning process explicit in the expectation that there is further scope to safeguard and reinforce what makes the Island unique in the Plan.	The Minister is minded to amend the draft Plan to include reference to the States Strategic Priority to 'Protect and enhance our unique culture and identity' as the planning process, and thus the Island Plan, has a role to play in this respect and it is, therefore, appropriate to explicitly recognise this.	<p>At paragraph 1.6 add</p> <ul style="list-style-type: none"> <li><b><i>Protect and enhance our unique culture and identity</i></b></li> </ul> <p>to the list of strategic priorities</p> <p><b>At Table 1.1. add:</b></p> <ul style="list-style-type: none"> <li><b><i>Protect and enhance our unique culture and identity</i></b></li> <li><b><i>Reinforce a strong sense of local identity both internally and externally through policies designed to promote the Island's distinctive local culture and tradition</i></b></li> </ul>

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3.	<b>General</b>	The Minister wishes to promote clarity and consistency throughout the Plan	In order to provide greater clarity to policies in the Plan, the word 'normally' has been removed by the Minister from various policies and associated supporting text.	Amendments made throughout revised draft Plan
<b>Strategic Policies</b>				
4.	<b>Strategic Policy Framework: Sustainable development</b>	A dispute over whether or not climate change was happening and that man-made emissions are its main cause.	The Minister accepts the potential seriousness of climate change and the need to mitigate and adapt to it whilst accepting and respecting the views of those who consider that it may not be happening or that human intervention is not its principal cause.	Remove the word ' indisputable' from para.2.7 to read <ul style="list-style-type: none"> <li><b><i>The evidence that climate change is happening, and that man-made emissions are its main cause, is strong'</i></b></li> </ul>
5.	<b>SP2: Efficient use of resources</b>	Concern that the Plan did not sufficiently address the threat of climate change and that no specific mention was made of, for example, food security. The Inspectors' support the addition of a reference to food security as a legitimate planning function in response to the threats of climate change.	Accept inspectors' recommendation. The Minister accepts the potential seriousness of climate change and the need to mitigate and adapt to it and, in so doing, accepts that it is a legitimate aim and response of the planning system to seek to safeguard and protect food security.	A reference to 'food security' to be added to the supporting text of strategic policy SP2: Efficient use of resources at para 2.14 <ul style="list-style-type: none"> <li><b><i>The safeguarding productive agricultural land in order to increase the security of local food supplies.</i></b></li> </ul>
6.	<b>SP2: Efficient use of resources</b>	Concern that the strategic policies of the Plan did not explicitly recognise the need for water resources to be conserved and for effective water management techniques to be incorporated into new development.	This objective is already addressed by Policy NR1 and Proposal 20, but the Minister accepts that this should be included in Policy SP2 for consistency	Add reference to para 2.38, as follows: <ul style="list-style-type: none"> <li><b><i>The incorporation of effective water management techniques into new development can also assist the conservation of water resources.</i></b></li> </ul> Add reference to water resources to Policy SP2 as follows: <ul style="list-style-type: none"> <li><b><i>Development should make the most efficient and effective use of land, energy, water resources and buildings to help deliver a more sustainable form and pattern of sustainable development and to respond to climate change.</i></b></li> </ul> And 4. <b><i>new development should secure the highest viable resource efficiency, in terms of the re-use of existing land and buildings; the density of development; the conservation of water resources and energy efficiency.</i></b>
7.	<b>SP4: Protecting the natural and historic environment</b>	This policy could be strengthened to make it more proactive such that it encourages the delivery of biodiversity enhancement measures rather than focusing solely on protection.	Reference is already made to this in para 2.51 and is already dealt with by Policy NE1, but the Minister accepts that this should be included in Policy SP4 for consistency	Add the following to Policy SP4: <ul style="list-style-type: none"> <li><b><i>The enhancement of biodiversity will also be encouraged.</i></b></li> </ul>



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8.	<b>Economic Growth and Diversification</b>	At 2.58 consideration might be given to adding the creative industries to the list of sectors of the economy, particularly in view of the possibilities afforded by the Island Plan to encourage creative artists in exerting a positive influence over the environment	The Minister is minded to amend the draft Plan to include reference to the creative industries as the planning process, and thus the Island Plan, has a role to play in this respect and it is, therefore, appropriate to explicitly recognise this.	At paragraph 2.59 add <b>creative industries</b> to the list of sectors of the economy.
9.	<b>SP6: Reducing dependence on the car</b>	The inspectors recommended the removal of the word 'new' from the policy to ensure that the policy applies to all development (rather than 'new' development which could just be construed as new buildings);	Accept inspectors' recommendation. The Minister is minded to amend the draft Plan to promote clarity and out of an abundance of caution	The word ' <b>new</b> ' will be removed from policy SP6: Reducing dependence on the car, to ensure that the policy applies to all development (rather than 'new' development which could just be construed as new buildings).
10.	<b>SP7: Better by design</b>	The inspectors considered that there was a lack of clarity about whether the Minister would encourage innovative forms of modern architecture as opposed to a perceived emphasis of a modern interpretation of traditional forms. The Inspectors recommend the addition of an additional sentence to para. 2.71.	Accept inspectors' recommendation. The Minister is minded to amend the draft Plan to address the concerns raised but to emphasise that the setting and context will be key determinants in the form of architecture and design encouraged in relation to specific schemes.	The following text added to SP7: Better by design in order to make it clear that the Minister will encourage innovative forms of modern architecture; <ul style="list-style-type: none"> <li><b>The use of either traditional or more innovative forms of modern architecture of the highest quality will be encouraged in locations where the setting and context are appropriate, and where areas of particular quality or local character will not be damaged but may be enhanced.</b></li> </ul>
11.	<b>SP7: Better by design</b>	There is a greater need to highlight the principles of safety by design as an integral part of achieving a high design quality.	This is already addressed by Policy GD7(7) but, in specific response to concerns of the States of Jersey Police (see GD1 below) the Minister is minded to give further emphasis to the need to incorporate the principles of safety by design in SP7 and the supporting text	The following reference has been added to Policy SP7, as well as reference made in the supporting text, at para 2.70 <ul style="list-style-type: none"> <li><b>Safety by design</b></li> </ul>
<b>General Development</b>				
12.	<b>GD1: General Development</b>	The States of Jersey Police are concerned at the lack of specific reference to supplementary planning guidance about crime impact statements and the thresholds when they will apply, in the policy. The Inspectors' do not support any amendment to the policy on the grounds that the proposed supporting text and policy is sufficient to deal with the issue. They recommend that the Minister produce SPG to give further guidance on safety by design.	The Minister's intent with regard to the production of new SPG is already clear in the Plan, set out in para. 1.7. The Minister is, however, minded to amend the draft Plan policy to promote clarity and out of an abundance of caution.	Add the following to Policy GD1(3)(d): <ul style="list-style-type: none"> <li><b>take into account the need to design out crime and to facilitate personal safety and security in accordance with the principles of safety by design, as set out in supplementary planning guidance</b></li> </ul>
13.	<b>GD1: General Development</b>	Policy GD1 is to a large degree a compendium of other policies in the IP which form a crucial basis for development control. In his amendments schedule of 20 June, the Minister proposed a number of amendments to this Policy, all of which are accepted by the Inspectors.	The Minister is minded to replace the word <b>unreasonably</b> from policy GD1 3(e) and to strengthen the policy regarding the protection to Jersey Airport and harbours and navigation marks for the avoidance of doubt as to the extent of the application of the policy and out	Revise Policy GD1(3)(e) to read: <ul style="list-style-type: none"> <li><b>not affect, to any material extent, the safe operations of Jersey Airport and Jersey harbours, including both the Island's harbours and navigation marks.</b></li> </ul>

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			of an abundance of caution.	
14.	<b>Proposal 1: Supplementary Guidance</b>	<p>A number of suggestions have been made for the requirement for additional supplementary planning guidance to be produced in support of policies in the Plan and also to provide guidance to applicants about what to provide and when, when making planning applications.</p> <p>Of specific relevance to this are the following additional items which would benefit from additional guidance: crime impact assessments and safety by design, noise levels and standards, a sustainability assessment of proposals for the demolition and replacement of buildings, the protection of employment land, category A housing requirements, affordable housing, housing mix and parking guidelines.</p> <p>Reference to additional guidance is supported by the Inspectors.</p>	The Minister is minded to amend the pre-amble to Proposal 1: Supplementary planning guidance, to ensure that it is as comprehensive as it can be in order that the relevance guidance is produced, as required by Proposal 1.	<p>Revise the supporting text for Proposal 1 and Appendix A to include a appropriate references to new supplementary planning guidance: Para 1.7 to read:</p> <ul style="list-style-type: none"> <li><b><i>In certain circumstances, applicants may be required to submit more detailed information in the form of design statements, environmental impact assessments (EIA), transport assessments, archaeological evaluations, site investigations for contaminated land, travel plans, waste management plans, crime impact assessments, or relating to safety by design, noise levels and standards, a sustainability assessment of proposals for the demolition and replacement of buildings, the protection of employment land, category A housing requirements, affordable housing, housing mix, parking guidelines or other additional information, as an integral element of a planning application.</i></b></li> </ul>
15.	<b>GD2: Demolition</b>	The inspectors consider that there is a need to clarify the policy to ensure that the basis of the test of whether it was 'appropriate' to repair or refurbish a building was based on considerations of sustainability	Accept inspectors' recommendation. The Minister is minded to amend the draft Plan to promote clarity	Amend policy GD2 to include following text; <b><i>1. involves the demolition of a building or part of a building that it is not appropriate in sustainability terms to repair or refurbish.</i></b>
16.	<b>GD2: Demolition</b>	The inspectors support the Minister's intention to delete criterion 7. The contribution that a building makes to the character of an area is not material to an assessment of its sustainability.	Accept inspectors' recommendation. The contribution that a building makes to the character of an area is not material to an assessment of its sustainability	Criterion 7 deleted from policy GD2.
17.	<b>GD2: Demolition</b>	The inspectors consider that SPG is required to set out how an assessment of the sustainability of demolition versus repair and refurbishment might be made	Accept inspectors' recommendation	A reference for the requirement of an SPG on Demolition of buildings has been added to the pre-amble for Proposal 1.
18.	<b>GD2: Demolition</b>	A reference is required to the need for demolition to avoid effects on protected species	Accept inspectors' recommendation, derived from SEA.	<p>Add the following to para. 1.10</p> <ul style="list-style-type: none"> <li><b><i>Where proposed demolition affects protected species and their habitats, proposals will need to be considered in relation to Policy NE 2 'Species protection' with regard to assessment and mitigation in particular.</i></b></li> </ul> <p>Amend Policy GD2 to read (in part):</p> <ul style="list-style-type: none"> <li><b><i>The demolition of a building or part of a building will also not be permitted where</i></b></li> </ul>

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				<b><i>the proposed development:</i></b> <b><i>3. would have an unacceptable impact on a Listed building or place in accord with Policy HE 1 'Protecting Listed buildings and places' and Policy HE 4 'Demolition in Conservation Areas' or protected species and their habitats, in accord with Policy NE 2 'Species protection';</i></b>
19.	<b>Proposal 2: Achieving design quality GD 7: Design Quality</b>	The Plan needs to make specific reference to the need to incorporate the principles of sustainable development into the design of homes. Noted by Inspectors, and Minister's intention to address supported by the Inspectors.	The Minister is minded to amend the draft Plan to make reference to sustainable development as an important element of design quality and to develop a Code for Sustainable Homes in Jersey as supplementary planning guidance	Proposal 2 to be amended to read (in part) as follows: <ul style="list-style-type: none"> <li><b><i>To ensure that the aspirations for design quality and sustainable development are transformed into the physical delivery of better buildings, spaces and places,</i></b></li> <li><b><i>The Minister for Planning and Environment will develop, publish and adopt a Jersey Code for Sustainable Homes as supplementary planning guidance.</i></b></li> </ul> Add to Appendix A: Supplementary planning guidance <ul style="list-style-type: none"> <li><b><i>Jersey Code for Sustainable Homes</i></b></li> </ul>
<b>Natural Environment</b>				
20.	<b>NE6: Coastal National Park</b>	The inspectors consider that proposals for new or extended cultural and tourism attractions in the CNP should just be tested against the criteria in NE6, which include impact on landscape and heritage. Delete cross-references to policies NE8 Access and Awareness and EVE3 Tourism support policies.	Accept inspectors' recommendation. This is because proposals for new or extended cultural and tourism attractions should just be tested against the criteria in NE6: Coastal National Park, which include impact on landscape and heritage.	Cross-references to policy NE6 in policies NE8 Access and Awareness and EVE3 Tourism support policies deleted.
21.	<b>NE8 Access and Awareness</b>	The inspectors have recommended the deletion of the cross-ref to EVE3 Tourism support policies to clarify that NE8 is the dominant policy consideration	Accept inspector's recommendation. in order to clarify that NE8 is the dominant policy consideration	Cross-ref to EVE3 Tourism support policies deleted from NE8
<b>Historic environment</b>				
22.	<b>HE chapter: various</b>	To reflect progress on the review of the historic environment protection regime, the Minister has indicated his intent to amend the revised draft Island Plan to ensure consistency and up-datedness. This is supported by the Inspectors.	Recognise requirement to update content on HE chapter (and any cross-references) to reflect progress of HE review.	Amend all references in draft Plan to new nomenclature for revised historic environment protection regime, involving Listed buildings and places.
23.	<b>HE5: Preservation of Archaeological Resources</b>	The Minister wishes to make explicit the potential requirement for archaeological evaluation where development proposals affect archaeological resources and make explicit requirement for costs of any such works, to also include excavation, recording, and publication of findings, together with treatment and deposition,	The Minister wishes to amend the draft Plan to reflect need for changes	Amend Policy HE5 to read: <ul style="list-style-type: none"> <li><b><i>The Minister for Planning and Environment will require an archaeological evaluation to be carried out, to be provided and paid for by the developer, for works which may affect archaeological remains: this information will be required as an integral</i></b></li> </ul>



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		to be the responsibility of the developer.		<p><b>part of an application.</b></p> <p><b>Planning applications for development proposals which do not provide sufficient information to enable the value of archaeological remains and the likely impact of the proposed development to be determined will be refused.</b></p> <p><b>There will be a presumption in favour of the physical preservation in situ of archaeological remains and their settings.</b></p> <p><b>Development which would involve significant alteration or cause damage, or which would have a significant impact on archaeological remains and the setting of visible archaeological remains will only be permitted where the Minister for Planning and Environment is satisfied that the intrinsic importance of the remains is outweighed by other material considerations, including the need for and community benefit of the development.</b></p> <p><b>Where it is determined that the physical preservation of archaeological remains in situ is not justified, the Minister will ensure, through the use of planning obligation agreements and /or planning conditions, that appropriate provision for; the excavation and recording of the remains; the publication of the findings; and in some cases, the treatment and deposition of finds, is made and funded by the developer.</b></p> <p>Supporting amendments also to be made to pre- amble, specifically paras 3.46 and 3.49.</p>
<b>Built Environment</b>				
24.	<b>BE1: Objectives and indicators</b>	The inspectors recommend that the Minister should progress development of an overarching strategy for St Helier and measure progress against it	The Minister is minded to accept the inspectors' recommendation	<p>Following text added to Objective BE1</p> <ul style="list-style-type: none"> <li><b>Develop a vision and overarching strategy for St. Helier</b></li> </ul> <p>Following text added to Indicators BE1</p> <ul style="list-style-type: none"> <li><b>Progress of development of overarching strategy for St Helier</b></li> </ul>
25.	<b>Objective BE2: Regeneration of St. Helier.</b>	The inspectors have stated that (during the EiP) nobody made any specific recommendations to amend Objectives BE 1 or 2 (leaving aside the minor change the Minister has proposed	Minister minded to accept suggested change put forward to reduce emphasis on specific heritage features and flagship sites, rather than the contribution that the historic	<p>Amend part of BE2 Objectives to read:</p> <p><b>Character, quality and vitality</b></p> <ul style="list-style-type: none"> <li><b>Establish a design-led high quality built environment, which showcases</b></li> </ul>



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		concerning the deletion of the word "features", with which we agree).	development of the built environment makes, in its entirety, to the character and sense of place in the built environment.	<b><i>its heritage</i></b>
26.	<b>Proposal 8: St Helier Conservation Areas</b>	The inspectors consider that the Plan should make it clear that this proposal will be taken forward on the basis of multiple discrete areas rather than one area for St Helier	The Minister is minded to accept the inspectors' recommendation but will seek to ensure that the proposed extent of the areas being considered for designation seeks to reflect and capture the historic integrity of St Helier	A reference to <b><i>multiple Conservation Areas</i></b> has been added to the supporting text making it clear that this proposal will be taken forward on the basis of multiple discrete areas rather than one area for St. Helier
27.	<b>Jersey Airport Regeneration Zone</b>	Concern was expressed that the development of supplementary planning guidance for Jersey Airport would not be done in a way which enabled local residents to engage with it. No direct comment from the inspectors was made upon this proposed amendment as it is not a policy matter	The Minister is minded to amend the draft Plan to provide clarity and assurance that consultation would be undertaken in relation to SPG for Jersey Airport	Amend paragraph 4.82 to read: <ul style="list-style-type: none"> <li><b><i>Any land-use masterplan or development brief for Jersey Airport will be adopted and published as supplementary planning guidance by the Minister for Planning and Environment following consultation and engagement with key stakeholders, including local residents.</i></b></li> </ul>
28.	<b>Jersey Airport Regeneration Zone</b>	Concern was expressed at the potential extent of land embraced by the Airport Regeneration Zone. The Minister confirmed, at the EiP, that the boundary on the Proposals Map is no more than indicative. His intention is to clarify it so that the zone is clearly limited to the airport's existing operational area (ie not including outlying land owned or administered by the Airport authority). The Inspectors have endorsed the proposed change.	The Minister is minded to amend the boundary for the Airport Regeneration Zone for clarification and the avoidance of doubt as to the spatial extent of it.	The Airport Regeneration Zone to be amended on the Proposals Map and at Map 4.2 such that it only relates to land within the Airport operational boundary.
29.	<b>Proposal 14: Village plans</b>	Concern was expressed that Village Plans ought to be approved by the States, rather than by the Minister, and adopted as supplementary planning guidance. The Inspectors support the adoption of Village Plans by the Minister	The Minister is of the view that where proposals emerging from Village Plans are consistent with the Island Plan, he may adopt them as supplementary planning guidance, but where they are inconsistent with it (where for example, they might seek to develop land for new housing outside the defined Built-up Area boundary) then they require the approval of the States as a draft revision of the Island Plan. The Minister is minded to amend the Plan to clarify this matter. This also applies to the consideration of any other masterplanning or development briefs for Regeneration Zones, Local Development Plans and site development briefs.	Amend Proposals 14, and pre-amble, to state that: <ul style="list-style-type: none"> <li><b><i>Where Village Plans are to attain formal status as part of the planning framework they will require the formal review, approval and adoption by the Minister for Planning and Environment as supplementary planning guidance. In such circumstances, any development proposals in the Village Plan must be consistent with the Island Plan and must relate to and be within the defined Built-up Area boundary for the settlement, as defined on the Island Plan Proposals Map. Where, however, Village Plans contain a specific proposal for the rezoning of land outside the existing defined Built-up Area boundary, any such proposal would require the approval of the States as a draft revision of the Island Plan.</i></b></li> </ul>

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				Also, to add footnotes in relation to Proposal 11 and 12: St Helier and Airport Regeneration Zones; and Proposal 13: Local Development Plans, to clarify the legal basis of the Minister's powers to produce and adopt SPG for these areas. <ul style="list-style-type: none"> <li><b>Article 6 of the Planning and Building (Jersey) Law enables the Ministers to publish guidelines and policies in respect of development generally; any class of development; the development of any area of land or the development of a specified site.</b></li> </ul>
<b>Economy</b>				
30.	<b>Economy: introduction</b>	The introduction to this chapter has been updated to reflect the economic situation, as regards levels of unemployment and inflation, as at February 2011	The Minister wishes to ensure that the Plan is as current as possible	The Plan has been amended, at para 5.1-5.7 to reflect current economic data (at February 2011)
31.	<b>E1: Protection of employment land</b>	The inspectors support the Minister's intention to exempt sites from presumption against the loss of employment related land and buildings where those land and buildings were 'predominantly in office or tourism use'	Accept inspectors' recommendation	Policy E1 has been amended to exempt the following uses: <b>2. the existing development is predominantly office or tourist accommodation</b>
32.	<b>E1: Protection of employment land</b>	The inspectors support the Minister's intention to remove a standard 12 month period for marketing of all employment related land and buildings to test redundancy in favour of a more flexible approach	Accept inspectors' recommendation	Reference to a 12 month period for marketing the site has been removed from the supporting text and policy E1. Further guidance will be offered in the SPG on employment land.
33.	<b>E1: Protection of employment land</b>	The inspectors support the Minister's intention to develop and publish SPG setting out how Policy E1: Protection of employment land policy is to be operated	Accept inspectors' recommendation	A reference for the requirement of an SPG on employment land has been added to Proposal 1.
34.	<b>ER2: Protection and Promotion of St Helier for Shopping (map)</b>	The inspectors concentrated on the actual policies rather than to the supporting material and since it is to be altered so much, a forensic examination of each paragraph was not deemed to be useful (see para1.1 in inspector's final report). Therefore in this case no direct comment from the inspectors was made upon this proposed amendment.	Accept change to title of map 5.2 which is incorrectly annotated as Town centre (should be Core Retail Area)	Amend annotation to map 5.2 in policy ER2: Protection and Promotion of St Helier for Shopping to read: <b>Map 5.2 Core Retail Area</b>
35.	<b>Policy ER5: Development of evening economy uses</b>	Concern was raised that the effect of evening economy uses upon tourist accommodation should be a material consideration. This is supported by the inspectors.	The Minister is minded to clarify that the impact of evening economy uses upon hotel accommodation is also a material consideration. The Minister is also minded to amend the draft Plan to clarify the spatial extent of this policy	Pre-ambles at 5.67 to be amended to include reference to ' <b>other residential accommodation, including tourist accommodation</b> '. Also clarification in the pre-ambles, at para 5.67 to state that:

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			and to amend the pre-amble likewise.	<ul style="list-style-type: none"> <li><b><i>St Helier town centre and the local shopping centres, as well as Tourist Destination Areas are appropriate locations for the development of new evening economy uses.</i></b></li> </ul> <p>Policy ER5 to be amended to make explicit reference to '<b><i>local shopping centres</i></b>'</p>
36.	<b>Policy ER6: Take-away food outlets</b>	The Minister wishes to clarify the basis upon which take-away food outlets are to be considered outwith the defined areas specified in Policy ER6	The Minister is minded to amend the draft Plan to provide a criteria-based assessment for proposals outside St Helier town centre, local shopping centres or Tourist Destination Areas.	<p>Policy ER6 to be amended to state:</p> <ul style="list-style-type: none"> <li><b><i>In the remaining parts of the Island, applications to establish such uses will be considered on their merits having regard to their impact on neighbouring uses.</i></b></li> </ul>
37.	<b>Policy ER7: Food retailing proposals</b>	The Minister wishes to clarify the exact nature of this policy, its explicit purpose and to update the pre-amble to reflect the arrival and opening of a new large-scale food retailer in the Island	<p>The Minister is minded to amend the draft Plan to provide:</p> <ul style="list-style-type: none"> <li>clarity that this policy relates to large-scale food retailing;</li> <li>clarity that the purpose of the policy is to support and enhance the existing hierarchy and distribution of food retail provision across the Island;</li> <li>an update on the arrival of Waitrose, as a third large-scale food retailer in the Island, in the pre-amble.</li> </ul>	<p>Pre-amble to Policy ER6, at para 5.69 to be amended to state:</p> <ul style="list-style-type: none"> <li><b><i>The purpose of the policy is to ensure that new large-scale food retail development (over 500m<sup>2</sup>) supports and enhances the existing hierarchy and distribution of food retail provision across the Island. In particular, St Helier town centre provides a range of services and facilities as well as shops;</i></b></li> </ul> <p>At para 5.76, to state;</p> <ul style="list-style-type: none"> <li><b><i>The recent arrival and opening of stores (in 2011) by a new operator in the form of Waitrose, may alter the nature of the local food retail market by providing more competition for the existing and established operators.</i></b></li> </ul> <p>Amend the policy title to '<b><i>Large-scale food retailing</i></b>'</p>
38.	<b>Policy ER8: Retail warehouses</b>	The Minister wishes to provide a criteria-based assessment for large-scale non food retailing proposals	<p>The Minister is minded to amend the draft Plan to:</p> <ul style="list-style-type: none"> <li>provide a set of criteria against which to assess non-food retailing proposals that is consistent with other retail policies; and</li> <li>clarify that the policy applies to all large-scale non-food retailing and not just retail warehouses.</li> </ul>	<p>Amend Policy ER8, to state:</p> <ul style="list-style-type: none"> <li><b><i>Large-scale non-food retailing</i></b> <b><i>Proposals for large-scale non-food retailing (including retail warehouses) will only be permitted where the proposed development:</i></b> <ol style="list-style-type: none"> <li><b><i>1. is located in St Helier Town Centre;</i></b></li> <li><b><i>2. itself, or cumulatively with other or proposed retail developments, will not cause detriment to the vitality or viability of St. Helier Town Centre;</i></b></li> <li><b><i>3. is genuinely accessible by a choice of means of transport including pedestrians, cyclists, public transport</i></b></li> </ol> </li> </ul>

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				<p><i>users including those with mobility impairments;</i></p> <p><i>4. provides adequate space and facilities for servicing and deliveries;</i></p> <p><i>5. provides facilities for the recycling of waste packaging generated by the proposal and complies with relevant waste policies.</i></p> <p><i>6. accords with General development considerations</i></p>
39.	<b>Policy ER10: Retail development outside the Built-up Area</b>	The Minister wishes to clarify the scale of development that may be permissible under the terms of this policy so that it is consistent with other retailing policies.	The Minister is minded to amend the draft Plan to indicate that any such retail development should be under 100 sq.m of retail floorspace, to be consistent with other retail policies.	<p>Amend pre-ambble to Policy ER10, at paras 5.87 and 5.88 to state:</p> <ul style="list-style-type: none"> <li><i><b>The Planning and Environment Minister will support this type of development provided that it is related and ancillary to the main use and is limited in scale: normally the maximum size should be under 100 sq.m of retail floorspace.</b></i></li> </ul> <p><i><b>The impact of such facilities on the existing hierarchy and distribution of shopping facilities in the Island will need to be taken into account, as will the impact on the countryside.</b></i></p>
40.	<b>Policy ER11: Farm shops</b>	The Minister wishes to clarify that the primary thrust of the farm shop policy is to support the diversification of agriculture where the predominant basis of retail sales is based on fresh local produce where it is ancillary to an existing related economic activity, and that the scale of goods will be regulated.	The Minister is minded to amend the draft Plan to address the issues raised to ensure that the policy is clear and to acknowledge that work is underway to assess the nature and extent of existing farm shop provision	<p>Amend Policy ER11, to state:</p> <ul style="list-style-type: none"> <li><i><b>Farm shops</b></i></li> </ul> <p><i><b>Proposals for farm shops and other small scale ancillary retail outlets will be permitted where the enterprise is ancillary to an existing related economic activity, and where it does not undermine the vitality and viability of existing shopping centres defined in Policy ER 2 'Protection and promotion of St Helier for shopping' and Policy ER 3 'Protection and promotion of local shopping centres' or put at risk a near-by village shop; and where the development is not more than 100sq.m.(gross) in floor area.</b></i></p> <p><i><b>The proposal must meet the requirements of Policy GD 1 'General development considerations' and conditions will be imposed in respect of the type and range of goods to be sold.</b></i></p> <p>And amend the pre-ambble at 5.89-5.93 to state that the predominant basis of retail sales is based on fresh</p>



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				local produce where it is ancillary to an existing related economic activity, and that the scale of goods will be regulated. The revised draft Plan also acknowledges that work is underway to assess the nature and extent of farm shop provision.
41.	<b>EIW1: Provision of light industrial and warehouse land</b>	An update on the demand for light industrial land became available in February 2011.	The Minister is minded to amend the draft Plan to ensure that it remains updated	Amend supporting text to read; <ul style="list-style-type: none"> <li><b><i>At present there are unsatisfied requirements for up to 50-75,000 sq.ft of warehousing and light industrial accommodation (Source: BNP Paribas Real Estate - February 2011), which represents approximately 3-5% of the existing light industrial/warehousing stock. Based on an approximate ratio of floor space to site area of 1:2, the current level of demand equates to approximately 2.3-3.4 acres of land.</i></b></li> </ul> The Plan has also been amended, at para. 5.112, to recognise the recent change in the UK Budget relating to LVCR and the need to keep the impact of this upon the fulfilment industry under review as this may alter the demand for light industrial warehouse space.
42.	<b>EIW1: Provision of light industrial and warehouse land</b>	Inspector recommendation, for the reasons given in Volume 1, Chapter 7, paras7.32-7.41 of the Inspectors' Report, that the Minister should not amend the Plan to remove the proposed extension of Thistlegrave industrial estate.	In light of the falling demand for space and the potential for further contraction in the fulfilment industry due to the uncertainty over the long term prospects of low value consignment relief; together with the Inspectors' concern about the locational and access disadvantages of the Thistlegrave site (relative to the Plan's spatial strategy) the Minister is minded to remove the proposed extension of Thistlegrave industrial estate (at Policy EIW1) from the revised draft Plan. The Minister considers that there are alternative sources of supply such as at Jersey Airport to provide provision for light industrial/warehouse land to meet the reduced level of demand. The Minister also considers that his proposed changes to permitted development rights for light industrial / warehouse premises – allowing a five <i>per cent</i> increase in floorspace without the need for express consent – may also enable the enhancement and improvement of the supply of warehouse /	Amend Plan to delete Policy EIW 1 and replace with Proposal 15 <ul style="list-style-type: none"> <li><b><i>Provision of light industrial and warehouse land</i></b> <b><i>In order to meet the demand requirements for light industrial land, additional land will be considered for potential light industrial development over the Plan period.</i></b> <b><i>It is anticipated that this land could come from the following potential sources, which will in some cases need further examination and may require consultation before any development can take place;</i></b> <ol style="list-style-type: none"> <li><b><i>1. La Collette and surrounding harbour areas</i></b></li> <li><b><i>2. Non-operational land at the airport</i></b></li> <li><b><i>3. Other States owned land</i></b></li> <li><b><i>4. Existing light industrial sites</i></b></li> <li><b><i>5. Development of existing agricultural premises/windfall development opportunities</i></b></li> </ol> </li> </ul>

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			light industrial premises <sup>1</sup> , further lessening the potential scale of new provision required. The current stock of light industrial warehousing is circa 1.5 million square feet (140,000 sq.m). This change could therefore see the creation of an addition 75,000 square feet (7,000 sq.m). The Minister's response is, therefore, to delete the Policy EIW1 which sought to rezone land adjacent to Thistlegrove for light industrial use and replace this with Proposal 15 that seeks to identify and develop alternative sources of supply over the Plan period.	
43.	<b>EIW2: Protection of existing industrial sites</b>	No direct comment from the inspectors was made upon this proposed amendment.	Accept suggested change to amend error on the draft proposals map and to include Jersey Steel as protected light industrial site	Draft Proposals Map amended to include Jersey Steel as protected light industrial site under the auspices of Policy EIW2: Protection of existing industrial sites
44.	<b>EIW4: Extensions or alterations to existing industrial buildings</b>	The Minister wishes to clarify that this policy applies to intensification of use as well as extension or alteration	Minister minded to amend draft Plan to clarify extent of application of policy	Amend Policy EIW4 and pre-amble to state that <ul style="list-style-type: none"> <li><b><i>There will be a presumption against extensions, alterations and/or the intensification of use of existing industrial buildings outside of the Built-up Area and designated industrial sites.</i></b></li> </ul>
45.	<b>ERE6: New agricultural buildings, extension and horticultural structures</b>	Inspectors recommend amendment of policy so that the development of new agricultural sheds is subject to a 'removal upon redundancy' requirement	Minister is minded to accept inspectors' recommendation to prevent further damage to the character of the countryside from the re-use of new agricultural sheds for non-agricultural uses.	Amend Policy ERE6 to state: <ul style="list-style-type: none"> <li><b><i>The Minister will impose conditions and/or use planning obligation agreements to ensure the removal of agricultural buildings, extensions to existing agricultural buildings and horticultural structures should they become redundant to the agricultural industry</i></b></li> </ul>
46.	<b>EVE1: Visitor accommodation, tourism and cultural attractions</b>	Inspectors recommend amendment to simplify and clarify application of policy in Coastal National Park (NE6) and Green Zone (NE7)	Accept inspectors' recommendation	Reference to Coastal National Park and Green Zone policies in policy EVE1 simplified to read: <ul style="list-style-type: none"> <li><b><i>Within the Green Zone proposals for visitor accommodation, tourism and cultural attractions will be determined in accordance with Policy NE7 Green Zone .</i></b></li> <li><b><i>Within the Coastal National Park, proposals for visitor accommodation, tourism and cultural attractions will be determined in accordance with Policy NE 6 'Coastal National Park'.</i></b></li> </ul>
47.	<b>EVE2: Tourist Destination</b>	Inspectors recommend amendment to clarify application of policy in Marine Zone (NE5)	Accept inspectors' recommendation	Reference to <b>Marine Zone Policy NE5</b> made in Policy EVE2.

<sup>1</sup> Proposed amendment to General Development Order

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	<b>Areas</b>			
48.	<b>EVE3: Tourism support facilities in the countryside</b>	The inspectors recommend amendment to policy to simplify and clarify application of policy in Coastal National Park (NE6)	Accept inspector's recommendation	Reference to Coastal National Park and Green Zone policies in policy EVE3 simplified to read: <ul style="list-style-type: none"> <li><b><i>Within the Coastal National Park, proposals for visitor accommodation, tourism and cultural attractions will be determined in accordance with Policy NE 6 'Coastal National Park'.</i></b></li> </ul>
<b>Housing</b>				
49.	<b>Housing introduction</b>	The Minister wishes to ensure the accuracy of the Plan.	Accept suggested change to amend error to reflect current housing qualification period	Amend para 6.6 to state <ul style="list-style-type: none"> <li><b><i>The provision of housing in Jersey is linked to residential qualifications. Those without residential qualifications are able to live in lodgings, staff accommodation or registered lodging houses but cannot lease or purchase accommodation. Residential qualifications can currently be gained following ten years continuous residence or by application to the Minister for Housing.(see <u>Managing Migration: new proposals for housing qualifications</u>). In accord with the Strategic Plan objective of providing adequate housing for all Island residents, the Plan seeks to address qualified and unqualified housing requirements.</i></b></li> </ul>
50.	<b>Demand for homes</b>	The Minister wishes to add additional information to assist clarification of demand for homes and to provide up-to date figures and new information on the current economic climate and the impact of that upon the demand for homes as well as making reference to forthcoming data, which the Plan will need to remain cognisant of in terms of the demand for homes.	The Minister is minded to amend the draft Plan to ensure its updatedness and clarity	Amend Plan at paras 6.18-6.36 to provide up-to date figures and new information on the current economic climate and the impact of that upon the demand for homes, and demand for different tenures, as well as making reference to forthcoming data, which the Plan will need to remain cognisant of through monitoring of performance.
51.	<b>Demand for homes</b>	The Minister wishes to incorporate an update on the demand for homes from the 2009 Jersey Annual Social Survey (JASS) to ensure the updatedness of the Plan.	The Minister is minded to amend the draft Plan to ensure its updatedness involving the inclusion of a minor factual amendment to include latest Jersey Annual Social Survey data on demand for homes. This endorses the existing supporting text and so does not have any policy implications.	Insert new paragraph in supporting text in section 'Demand for Homes' at par 6.31. <ul style="list-style-type: none"> <li><b><i>The magnitude of the overall potential shortfall estimated by the 2007 Housing Needs Survey was confirmed by the Jersey Annual Social Survey (JASS) in 2009. The detailed results of the 2009 JASS survey, however, indicated that there had indeed been a shift in the tenure profile of demand since 2007, from owner occupied to rental; in 2007 rental accommodation accounted for 43% of total demand; by</i></b></li> </ul>

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				<b>2009 this proportion had increased to 48%.</b>
52.	<b>H1: Category A Housing sites</b>	<p>On the sites in Policy H1 the inspectors recommend that the Samares Nursery site and the Longueville Nurseries site should be retained in the IP as originally proposed.</p> <p>The inspectors have also indicated support for the possible future development of part of the land to the west of the Longueville site, subject to further investigation, should the need arise.</p> <p>The inspectors further recommend that the Cooke's Rose site should be omitted from the IP as the Minister intends in his proposed modifications.</p>	<p>Seven, predominantly brownfield, sites yielding 200 (between 197-298) homes were identified in the initial draft Island Plan for rezoning to provide affordable homes (Policy H1).</p> <p>One site is already being developed – Field 633, St Peter – yielding 15 homes, which needs to be withdrawn from the revised draft Island Plan at Policy H1.</p> <p>The Minister has confirmed his intent to remove three of the remaining six sites (with a potential yield of 123 homes) from the revised draft Island Plan. These are:</p> <ul style="list-style-type: none"> <li>• Cooke's Rose Farm, F.114, Le Passage, St Lawrence (yield of 13 - 30 homes);</li> <li>• Samares Nurseries, St Clement (yield 100 -150 homes); and</li> <li>• Longueville Nurseries, St Saviour (yield of 10 - 15 homes).</li> </ul> <p>Cooke's Rose Farm (F.114, Le Passage, St Lawrence) is not supported by the Inspectors because of its relatively poor location (relative to access to services) and poor vehicular access.</p> <p>The Minister is cognisant that there was some opposition to the rezoning of Samares Nursery, Grande Route de la Cote, St Clement for Category A housing and it is not generally supported by the local community on the basis of the likely future need for glasshouses; the amount of development which has already taken place in the area; transport issues; ground conditions and potential social problems and has confirmed his intent to remove it from the revised draft Island Plan.</p> <p>Likewise, he is also cognisant that the rezoning of Longueville Nurseries, New York Lane, St Saviour for Category A housing is not generally supported by the local community on the basis of the amount of development already accommodated within the parish; local traffic problems and the extent of local opposition and has confirmed his intent to remove it from the revised draft Island Plan.</p>	<p>Amend policy H1 and delete the following sites from the sites list:</p> <ul style="list-style-type: none"> <li>• <b>Samares Nursery site</b></li> <li>• <b>Longueville Nurseries</b></li> <li>• <b>Cooke's Nursery</b></li> <li>• <b>Field 633, St Peter</b></li> </ul>
53.	<b>H1: Category A</b>	Increasing the density of development on	The Minister is clear that he must make	Amend the draft Plan at Table 6.2: Sources of



	Section / Policy	Summary of issue and/or Inspectors' recommendation	Minister's response	Draft Plan amendment
	<b>Housing sites</b>	remaining rezoned sites in the Plan has been considered by the inspectors at the EiP. The Inspectors' view of this proposal was inconclusive other than to suggest that it may make the provision of family homes more difficult.	<p>provision in the draft Plan to meet the identified housing need, and in light of his decision to remove two sites proposed for rezoning, he must identify alternative sources of supply.</p> <p>The Minister intends to do this in two ways: the first involves increasing the density of development on remaining rezoned sites in the Plan;</p> <ul style="list-style-type: none"> <li>• at de la Mare Nurseries, Grouville;</li> <li>• at Field 785, St Ouen; and</li> <li>• at Field 1219, Mont a L'Abbe, where the site area has also been expanded.</li> </ul> <p>This provides a potential yield of c.125 affordable homes (towards the required provision from this source, of 200 homes) and is consistent with the strategic policy objective of seeking to use land efficiently and effectively.</p> <p>The Inspectors' view of this proposal was inconclusive other than to suggest that it may make the provision of family homes more difficult. In view of the fact that the initial yields were conservative, this is not considered to be problematic.</p> <p>There is no specific requirement to amend the policies of the Plan to give effect to this as the Plan already encourages optimal use of these sites and the housing site assessments, at appendix 2 of the draft Island Plan, indicate the range of potential yields. Table 6.2: Sources of Housing Supply, of the draft Plan should, however, be updated.</p>	Housing Supply and para.6.54-6.55
54.	<b>H1: Category A Housing sites</b>	<p>All of these sites were not put forward to the inspectors, therefore, they did not comment upon this proposal in full.</p> <p>They did make reference to the use of States-owned land to meet the need for affordable housing in their report and noted some inconsistency in the approach adopted by the States to its own land and that taken towards land owned by others.</p> <p>Of those States-owned sites that the inspectors were asked to consider at the EiP, including Mont Cantel and D'Hautree, the inspectors commented that it was not clear whether these two particular</p>	<p>The second alternative involves the potential use of States-owned land to meet this pressing community need (over and above the extent to which it may contribute towards this need through the application of Policy H3: <i>Affordable housing</i> upon adoption of the Plan and its subsequent development).</p> <p>It is considered that using publicly owned sites for the provision of affordable housing is an important principle. This would concentrate development within the built up area and further protect less developed sites and require less rezoning. This is considered to be in line</p>	<p>Amend Policy H1 and the supporting text and tables, to reflect the use of States-owned land to provide at least 150 affordable homes, as follows:</p> <ul style="list-style-type: none"> <li>• <b><i>To assist with and contribute to the provision of affordable homes, especially over the first five years of the Plan period, the following States-owned sites, and others which may emerge during the Plan period, will also be developed to provide, in part or in whole, at least 150 affordable homes:</i></b> <ul style="list-style-type: none"> <li>○ <b><i>Le Coin, Ann Street;</i></b></li> <li>○ <b><i>former Jersey College for Girls site,</i></b></li> </ul> </li> </ul>

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		sites would become available over the lifetime of the Plan and, therefore, their view was that it was unwise to rely upon them.	<p>with the spatial strategy of the Plan and is also in line with the States Strategic Plan.</p> <p>If adopted as a policy, through the Island Plan, the use of States-owned land to contribute to the need for affordable homes has the advantage of being within the control of the government to bring these sites forward for development in response to an immediate and pressing need, over the first five years of the Plan period.</p> <p>Clearly, any such land would need to be appropriate in planning terms and accord with the criteria used to assess housing sites. Those sites with potential to contribute to this need that are presently part of the States property portfolio, or with the potential for disposal, include:</p> <ul style="list-style-type: none"> <li>• Le Coin, Ann Street;</li> <li>• former Jersey College for Girls site, Rouge Bouillon;</li> <li>• South Hill States Offices;</li> </ul> <p>and those sites that may become surplus to requirements include;</p> <ul style="list-style-type: none"> <li>• former D'Hautree School site, St Saviour's Hill; and</li> <li>• Ambulance HQ, Rouge Bouillon.</li> </ul> <p>All of these sites sit within the defined BUA and, in planning terms, strongly accord with the spatial strategy of the Plan (se set out at Policy SP1) and their development for affordable homes (in whole or in part) would also serve to potentially catalyse the residential regeneration of St Helier (as set out at Objectives BE1 and BE2).</p> <p>There may also be properties within the Health and Social Services portfolio, for example, at St Saviour's Hospital / Clinique Pinel, which could be considered.</p> <p>The Minister also considers that the development of the Esplanade Quarter may serve to contribute towards the need for affordable homes over and above that required under the auspices of Policy H3.</p>	<p><b><i>Rouge Bouillon;</i></b></p> <ul style="list-style-type: none"> <li>○ <b><i>South Hill States Offices;</i></b></li> <li>○ <b><i>former D'Hautree School site, St Saviour's Hill; and</i></b></li> <li>○ <b><i>Ambulance HQ, Rouge Bouillon</i></b></li> </ul> <p><b><i>The specific proportion and type of affordable homes to be provided on all or some of these sites will be determined according to need, as set out in supplementary planning guidance to be published and adopted by the Minister for Planning and Environment.</i></b></p> <p><b><i>Planning permission for the development of these sites for other purposes will not be approved unless it can be demonstrated, to the satisfaction of the Minister for Planning and Environment, that their development, in whole or in part, is not required for the purposes of meeting the need for affordable homes.</i></b></p> <p><b><i>It is also considered that there is potential for the development of the Esplanade Quarter to contribute to the need for affordable homes (over and above that required under the auspices of Policy H3 Affordable housing).</i></b></p>
55.	<b>H1: Category A Housing sites</b>	The inspectors support the Minister's intention to develop and publish SPG setting out how the policy will operate flexibly to ensure provision of	Accept inspectors' recommendation	A reference for the requirement of an SPG on Category A housing has been added to Proposal 1.

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		different tenure types on basis of evidence of need over Plan period		
56.	<b>Proposal 17: Provision of homes</b>	In this case no direct comment from the inspectors was made upon this proposed amendment.	The Minister is minded to add text to make reference to housing mix policy within proposal 17 in order to provide clearer guidance. This does not have any new policy implications.	Amend proposal 17 to add the following text to read: <ul style="list-style-type: none"> <li><b><i>The proportion of housing types and tenures for both category A and category B housing sites will be guided by the latest published evidence within the Housing Mix supplementary guidance document, in accordance with policy <a href="#">H5 Housing Mix</a>.</i></b></li> </ul>
57.	<b>H3: Affordable housing</b>	<p>The inspectors recommend that:</p> <ul style="list-style-type: none"> <li>the intention to increase the proportion of yield for affordable housing should be included on the face of the policy;</li> <li>the intention to require a standard viability assessment should be included on the face of the policy;</li> <li>they support the Minister's intention to require a proportion of 12.5% affordable housing rising to 20% affordable housing over 5 years and that consideration should be given to increasing the yield beyond 20% after 5 years;</li> <li>the thresholds should be relaxed from those proposed to enable the policy, and its practical use, to become established such that its provision should apply, as follows; <ul style="list-style-type: none"> <li>initially to 6-10 units as commuted sums, and 11+ units on site;</li> <li>after no more than 2 years, to 4-9 units as commuted sums and 10+ units on site;</li> <li>after no more than 5 years, to 2-8 units as commuted sums and 9+ units on site</li> </ul> </li> <li>the policy should not become operational until 2012 and that it will be operated permanently thereafter;</li> <li>the policy should include a requirement for developers to demonstrate that schemes do not represent under-development of a site or are phased to avoid crossing the affordable housing thresholds</li> </ul>	The Minister is minded to accept the inspectors' recommendations and to amend the policy accordingly	<p>Policy H3 has been amended to state:</p> <ul style="list-style-type: none"> <li><b><i>Permission will not be granted for any residential development to which this policy applies, whether or not this forms part of a mixed-use scheme, unless and until the Minister for Planning and Environment is satisfied that the development has maximised the opportunity for the provision of affordable housing, in accord with the parameters of this policy.</i></b></li> </ul> <p><b><i>The Minister will require a proportion of affordable housing to be provided on those sites to which this policy applies in accordance with the proportions and thresholds set out in supplementary planning guidance issued by the Minister.</i></b></p> <p><b><i>To ensure the timely development and provision of affordable homes, the Minister will limit the validity of planning permission for sites to which this policy applies by condition, the extent of which will be set in supplementary planning guidance.</i></b></p> <p><b><i>On sites with a limited capacity, the Minister may require a proportion of affordable housing to be provided through a commuted payment, to support the delivery and/or procurement of affordable housing elsewhere. Alternatively, the affordable housing provision may be made on the site for which permission is sought.</i></b></p> <p><b><i>The application of this policy, which will commence on 01 January 2012, will be phased incrementally, subject to monitoring and review, such that:</i></b></p> <ul style="list-style-type: none"> <li><b><i>the threshold levels for the scale of</i></b></li> </ul>

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				<p><i>the development to which it applies will be incrementally reduced over time. It shall initially apply to schemes with a capacity of six or more homes and is intended to apply to schemes with a capacity of two or more homes after five years;</i></p> <ul style="list-style-type: none"> <li>○ <i>the proportion of affordable housing to be provided will be increased over time. It shall initially be at a rate of 12.5%, rising incrementally to 20% after five years. The percentage of affordable housing shall be rounded up if the figures arrived at contain a proportion of one unit.</i></li> </ul> <p><i>In order to meet the Island's housing needs, the tenure of that proportion of development yield that is to be provided as affordable housing i.e. whether it is to be social rent, Jersey Homebuy, first-time buyer or lifelong homes (for people over 55), shall be determined by the Minister, based on current housing need. The Minister for Planning and Environment will review these parameters on an annual basis and, where there is the need for change, will issue supplementary planning guidance to revise the threshold size of developments to which the policy will apply; the proportion of affordability to be derived from those developments to which the policy applies, including the level of commuted sum tariff; and the tenure of the affordable housing development yield. Schemes that are just below the threshold levels, will have to satisfy the Minister that the proposals do not represent an under occupation of the site, nor that a large site is being brought forward in phases in order to avoid the threshold at each stage. Affordable housing shall be provided on the site for which permission is sought unless one or more of the following circumstances apply:</i></p> <ol style="list-style-type: none"> <li><i>1. that the provision of affordable housing on the site would make that development unviable;</i></li> <li><i>2. that the site is of such a size or</i></li> </ol>



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				<p><i>nature that the contribution to affordable housing would be maximised by allowing high-quality market housing to occupy that site and for the contribution to affordable housing to be in the form of a commuted payment, to support the delivery and/or procurement of affordable housing elsewhere;</i></p> <p><b>3. affordable housing is best provided through the mechanism of a site-swap using sites within the ownership and control of the applicant;</b></p> <p><b>4. the housing units provided in a mixed-use scheme are directly related to and necessary for the operation of that development.</b></p> <p><b>All development to which this policy applies will need to be the subject of a standard economic viability assessment, to be provided and funded by the developer, as an integral element of a planning application, in accordance with supplementary planning guidance to be issued by the Minister.</b></p> <p><b>It is intended that this policy mechanism for the delivery of affordable homes will be permanent and will be extended beyond the Plan period.</b></p>
58.	<b>H3: Affordable housing</b>	The Minister wishes to avoid the likelihood of developers sitting on unimplemented permissions to avoid less favourable thresholds and proportions of development yield for affordable housing	The Minister is minded to state that he will limit the duration of planning permission for residential development, through the use of condition, initially at two years.	Included, as shown above
59.	<b>H4: Housing mix</b>	The inspectors recommend that SPG on housing mix should be produced with some priority	Accept inspectors' recommendation	SPG has been written and a reference for the requirement of an SPG on Affordable housing has been added to Proposal 1.
60.	<b>H4: Housing mix</b>	The inspectors recommend that the policy should be amended to clarify that evidence of need for different housing types will be a material consideration	Accept inspectors' recommendation	<p>Policy H4 amended to read:</p> <ul style="list-style-type: none"> <li><b>Proposals for all new residential development are required to contribute towards the need for specific types and sizes of home, relative to the latest published evidence of need, as set out in supplementary planning guidance.</b></li> </ul> <p><b>The extent to which a planning application</b></p>

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				<i>meets the published guidance with respect to housing mix will be an important material consideration in the grant or otherwise of planning permission.</i>
61.	<b>H5: Housing in rural centres</b>	The inspectors supported the H5 policy.	Subsequent to the EiP and the Inspectors' Report the Minister has been required to review Policy H5 in light of the comments made in relation to Village Plans at BE4 (see above) such that it now relates to development proposals within the Built-up Area boundary only.	<p>Amend Policy H5 to read:</p> <ul style="list-style-type: none"> <li><b><i>The Minister will support the provision of small-scale affordable housing to support the viability and vitality of Jersey's smaller main rural settlements, predominantly in the northern and central parishes (i.e. St. Ouen, St. Mary, St. John, St Lawrence, Trinity and St. Martin). Any such housing shall be Category A housing or for homes to meet the specific needs of the elderly and those with disabilities, including sheltered accommodation.</i></b></li> </ul> <p><b><i>Housing development proposals to support the viability and vitality of Jersey's smaller rural settlements will be permitted, provided that the development:</i></b></p> <ul style="list-style-type: none"> <li><i>is appropriate in scale and density to the existing character of the village;</i></li> <li><i>is within the existing Built-up Area and well related local facilities, services and infrastructure and where provision for education, leisure, recreation, local shopping, and other community facilities is adequate or can be provided, where required, to meet the needs arising from the proposals;</i></li> <li><i>meets an identified local need (evidenced through the Housing Gateway) for such homes;</i></li> <li><i>has been the subject of full and comprehensive assessment and engagement with the local community and key stakeholders, including relevant States departments.</i></li> <li><i>is designed and constructed or can be adapted to accommodate the specific requirements of the intended residents</i></li> </ul>
<b>Social, Community and Open Space</b>				
62.	<b>Primary School - Field 327A,</b>	The Minister for Education, Sports and Culture has raised changed circumstances with the	The original draft Plan identified field 327 as the site for the new St. Martin's Primary	<p>Amend the supporting text of Primary School to read:</p> <ul style="list-style-type: none"> <li><b><i>However, St Martin's Primary School is an</i></b></li> </ul>

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	<b>St Martin</b>	Minister for Planning and Environment regarding the proposals to redevelop St Martin's Primary School. The Inspectors have made no comment on this proposal.	School, whilst field 327A was zoned as protected open space for the school. The Education Sports and Culture department have since indicated that the preferred option is to instead use field 327A for the site of both the primary school and playing field on account of difficulties of land acquisition. There is therefore, no current need to identify any additional land for open space associated with the school as there is sufficient already identified.  The Minister is minded to amend the draft Plan to reflect the changed circumstances to meet this community need.	<b><i>exception, where the roll is predicted to remain at 175 primary school pupils with 30 nursery places. Unfortunately the existing school and nursery is well below the minimum space standards with no further capacity on the site to extend the facilities.</i></b> <b><i>To address this deficiency, provision for a new primary school and nursery unit is currently included in the States capital programme, and the existing football pitch, field 327A, has been identified as being an appropriate location and of sufficient size to provide for both the new school buildings and a junior football pitch.</i></b> <b><i>The day to day running of the existing school will be unaffected during the construction period and remain fully operational. This will provide for an easy transition on completion, when the old school will revert back to the Parish for community use.</i></b> <b><i>Planning guidance will be provided in the form of a planning brief to determine the location of the new building, its design, form, energy efficiency, colour, materials, access and landscaping.</i></b> <b><i>Any requirement for additional playing field space will be addressed as part of any new village plan proposals.</i></b>
63.	<b>SCO1: Educational facilities</b>	The inspectors support the Minister's intention to safeguard part of <ul style="list-style-type: none"> <li>• Field 263A, Grouville;</li> <li>• Field 782, St Ouen;</li> <li>• Field 1533, St Helier;</li> <li>• Field 525, St John</li> </ul> as open space for education use, where there is evidence of need;	Accept inspectors' recommendation	The following sites have been added to Policy SCO1 and safeguarded for educational use; <ul style="list-style-type: none"> <li>• <b>Field 327A, St Martin</b></li> <li>• <b>Part of Field 263A, Grouville;</b></li> <li>• <b>Part of Field 782, St Ouen;</b></li> <li>• <b>Part of Field 1533, St Helier;</b></li> <li>• <b>Part Field 525, St John</b></li> </ul> Field 327, St. Martin, has been removed from the list (replaced by field 327A – see above))
64.	<b>SCO2: Healthcare facilities</b>	The inspectors recommend the addition of an 'exceptions' criterion where it can be demonstrated that the provision of specialist healthcare facilities, supported by the Health and Social Services Department, cannot be provided on any other suitable site	The Minister is not minded to accept the inspectors' recommendation on the basis that this could create a dangerous precedent that is inconsistent with other policy relating to, for example, the provision of other community facilities, and the Minister will consider such	None

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			cases on their merits, relative to the Island's interests.	
65.	<b>SCO4: Protection of open space</b>	The inspectors recommend amendments to the Proposals Map and policy regime required in relation to the implications for the La Collette Coastal Park of revised hazardous installation safety zones	Accept inspectors' recommendation	Amend supporting text to policy SCO4 to read: <ul style="list-style-type: none"> <li><b><i>La Collette 2 open space: the planning framework for the use of land at the La Collette 2 reclamation facility envisages the provision of a significant area of public open space at the completion of reclamation activity. Whilst originally proposed to be publicly accessible, this area is within an identified area of risk, owing to the proximity of hazardous installations. On this basis, the area remains to be developed as open space, to provide an important visual feature and landscape buffer, but will not be publicly accessible.</i></b></li> </ul>
66.	<b>SCO4: Protection of open space</b>	The inspectors support the intention of the Minister to include commercial sports facilities and golf courses within the ambit of policy	Accept inspectors' recommendation	Proposals map amended to include commercial sports facilities and golf courses within the ambit of policy SCO4.
67.	<b>SCO5: Provision and enhancement of open space Proposal 18: Open Space Strategy</b>	The inspectors support the Minister's intention to add requirements for the provision of open space as part of new development and not to approve development that fails to satisfy standards. But emphasise needs for standards to be provided prior to or at same time as adoption of Plan	Accept inspectors' recommendation	Amend policy SCO5 to include the following text: <ul style="list-style-type: none"> <li><b><i>To ensure the adequate provision, accessibility and quality of open spaces throughout the Island and in local neighbourhoods, the Minister for Planning and Environment will require the provision of open space in association with new development. Development proposals which do not make adequate open space provision will not be approved. Open space provision will need to be made in accord with guidance to be developed and adopted by the Minister in accord with Proposal 18.</i></b></li> </ul>
<b>Travel and Transport</b>				
68.	<b>Travel and transport</b>	The Sustainable Transport Policy was approved by the States at the end of 2010.	The Minister is minded to amend the draft Plan to ensure that it reflects the current status of the STP	The draft Plan has been amended throughout this chapter to reflect the approval and adoption of the STP by the States.
69.	<b>Travel and transport hierarchy</b>	The inspectors propose the substitution of a road users hierarchy with a travel hierarchy, to also include taxis, at para. 8.22	Accept inspector's recommendation	Travel hierarchy in para 8.22 to be amended to include taxis: <p><b><i>5. public transport (includes bus, coach and taxi);</i></b></p> And the draft Plan is also amended at para 8.23 to address the implications of change for the needs of people with disabilities and the movement of goods.



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70.	<b>Proposal 19: Pedestrian priority</b>	Concern was expressed that adoption of the principles of pedestrian priority, without any level of detail, would disenfranchise key stakeholders from consultation on detail. The inspectors did not see this as a policy issue and recommended no change to the proposal	The Minister notes the concerns raised and is minded to amend the draft Plan to make specific reference to consultation to provide stakeholders with the necessary assurance that they might seek	Amend Proposal 19 to read: <ul style="list-style-type: none"> <li><b><i>The implementation of measures to extend and enhance the public realm in these locations will be supported and approved by the Minister for Planning and Environment, following public consultation and engagement with key stakeholders;</i></b></li> </ul>
71.	<b>TT8: Access to public transport</b>	The inspectors support the Minister's intention to increase thresholds but propose that the 250sqm for office use threshold is applicable to all employment uses	Accept inspectors' recommendation	Amend policy TT8 to increase thresholds of 250sqm for all employments sites: <ul style="list-style-type: none"> <li><b><i>All new development of 10 units of residential accommodation and employment-related land uses with floorspace of over 250sqm (for office use) and 500sqm (for retail use) and where other development proposals are likely to lead to a significant movement of people into and out of a site, should be within 400 metres of a bus service.</i></b></li> </ul>
72.	<b>TT 10 Off-street public parking provision in St Helier</b>	The Minister wishes to ensure consistency of the Plan with emergent proposals for North of Town Masterplan. The Inspectors support the recommendation of the SEA to make reference to sustainable drainage systems (SuDs) for new car parks	The Minister is minded to amend the draft Plan to ensure that it remains up-to-date and reflects the emergent proposals for the North of Town masterplan and to reflect the requirements of the SEA.	Amend associated pre-amble and Policy TT 10 to read <ul style="list-style-type: none"> <li><b><i>In order to contribute towards the objective of reducing peak hour congestion by 15%, planning permission for new additional off-street public parking spaces will not be permitted in the Town of St Helier unless the total level of public off-street car provision falls below 4,000 spaces (2009 levels), or where the provision of public off-street space is provided in lieu of the loss of private off-street parking provision.</i></b> <b><i>During the Plan period, the provision of public off-street car parking space at the following sites will be approved;</i></b> <ul style="list-style-type: none"> <li><b><i>Esplanade Quarter: a new 520 space MSCP, to replace the public off-street provision on the existing Esplanade Quarter surface-level car park; and subject to the outcome of the proposals for North St Helier Masterplan and traffic impact assessments;</i></b></li> <li><b><i>Ann Court: a new 285 space MSCP, to replace the potential loss of Minden Place MSCP (@ 240 spaces) and its potential replacement with 25 public spaces;</i></b></li> </ul> </li> </ul>

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				<ul style="list-style-type: none"> <li>the provision of off-street public parking at key development sites in the north of the Town - such as at Bath Street; Jersey Gas and Ann Street Brewery - to provide up to 450 public spaces.</li> </ul> <p><b>All development proposals within the masterplan will be required to be the subject of full transport assessments and to reflect the need and desire for parking at the time of implementation, which will be reviewed on a bi-annual basis.</b></p> <p><b>New car park facilities will be required to incorporate sustainable drainage systems to promote infiltration.</b></p>
73.	<b>Proposal 20: Parking guidelines</b>	The inspectors support the Minister's intention to develop and publish SPG based on maximum parking guidelines but urge prioritisation of this work	<p>Whilst the Minister notes the inspectors' recommendation, he is minded to amend the draft Plan such that he proposes to introduce parking guidelines which will introduce a range of maximum and minimum standards in order to address all of the issues raised.</p> <p>These will be developed as supplementary planning guidance and will thus be the subject of further consultation.</p>	<p>Amend pre-amble to Proposal 20 to read:</p> <ul style="list-style-type: none"> <li><b><i>It is, however, recognised that this is a difficult matter to tackle in Jersey where, given high levels of car ownership, many people consider it almost a requirement or even a right to park close to or at their home. There is also evidence, from elsewhere, that development which fails to cater adequately for the car can lead to increasing pressure on nearby kerbside space and for other road users to be excluded from using it.</i></b></li> </ul> <p><b><i>The Minister for Planning and Environment will, therefore, develop and adopt supplementary planning guidance which establishes a range of minimum and maximum levels of parking for broad classes of development. Maximum standards will be designed to be used as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion whilst minimum standards will ensure that developers are required to provide a certain level of parking provision where it is appropriate to do so.</i></b></p> <p>Amend Proposal 20 accordingly</p>
74.	<b>TT15:</b>	Policy <b>TT15</b> safeguards the operational areas	Accept inspectors' recommendation	Draft proposals map amended to include the

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	<b>Operational Development at the Port of St Helier and Jersey Airport</b>	"defined on the Proposals Map" from respectively non port or airport related forms of development, save for those at the airport that might arise in the context of Proposal 12 Jersey Airport Regeneration Zone. In fact the Port operational area is not defined on the Proposals Map, and pending any further definition the inspectors endorse the Minister's intention to rely on the area defined in the current 2002 IP.		operational area of the Port of St Helier
<b>Natural Resources</b>				
75.	<b>Proposal 20: Water conservation.</b>	The inspectors support turning Proposal 20 into a policy.	Accept inspectors' recommendation	<ul style="list-style-type: none"> <li><b>NR2: Water Conservation</b> <i>Developments will not be permitted unless adequate water supply is made available at the time of the development. The Minister for Planning and Environment will encourage development proposals to incorporate all practicable water conservation and management measures to reduce water consumption and help conserve the Island's water resources.</i> <i>It is proposed that all major development proposals (i.e. greater than 1,000m<sup>2</sup>, or 10 dwellings) submit a 'Water Conservation Strategy' as part of the Design Statement or any statement of sustainability to demonstrate how this is to be achieved.</i></li> </ul>
76.	<b>Protection of water resources</b>	The inspectors support the designation of a single extensive Water Pollution Safeguard Area, combining both previously protected water source areas and wider catchment areas.	During the Examination in Public, it had been suggested that the Policy should be expanded to introduce 'Catchment Management Areas' to improve water quality and in particular to limit nitrate levels. This reflected concerns raised by Jersey Water about the need to address diffuse pollution of water by nitrates. The nitrates issue is largely outside the control of the planning system and for the purposes of clarification, the Minister considers it appropriate to add a note in the IP to that effect.	<p>New footnote created to read:</p> <ul style="list-style-type: none"> <li><b>Diffuse water pollution from nitrates is a major problem in the Island which poses serious risks to drinking water quality (through contamination) and nature conservation (through water enrichment). Most of the nitrates originate from intensive farming activities, which are outside the control of the Planning Law. Where permission is not required for such practices, reliance is placed on the Water Pollution Law. The Environment Department has recently defined nine WCMA's that cover the whole Island and strategies will be developed for each of them.</b></li> </ul>
77.	<b>Protection of water resources</b>	The Plan confirms that the Environmental Protection Team will be consulted on all such applications.	The Minister considers that it is more appropriate to consult with Jersey Water when applications are made for developments in Water Pollution Safeguard Areas. The policy has therefore been amended to	<p>Policy amended to read as follows:</p> <ul style="list-style-type: none"> <li><b>NR1: Protection of Water Resources</b> <i>Development that would have an unacceptable impact on the aquatic environment, including surface water and</i></li> </ul>

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			reflect this.	<p><b><i>ground water quality and quantity, will not be permitted. In particular, development proposals that rely on septic tanks, soakaways or private sewage treatment plants, as a means of foul waste disposal, will not be permitted except where they accord with Policy LWM 2 'Foul Sewerage facilities'.</i></b></p> <p><b><i>The Minister for Planning and Environment will also seek to encourage a high quality environmental design for development to minimise surface water runoff and to reduce the demand for and consumption of water in accord with Policy LMW3 'Surface Water Drainage Facilities'.</i></b></p> <p><b><i>If a development proposal is within the Water Pollution Safeguard Area, Jersey Water will be consulted prior to determining the planning application, to ensure that the public water supply is not put at risk from pollution.</i></b></p>
78.	<b>NR3: Air Quality</b>	The Minister has noted that local air quality, as a material planning consideration, has not been given sufficient emphasis in the draft Plan. No comment was made by the inspectors as this issue emerged after the examination in public and publication of the inspector's report.	In view of the recognition given to the management of air quality in the Strategic Plan 2009-14 and the emerging Air Quality Strategy, the Minister considers that there is merit in introducing a new objective and a new policy which addresses this issue.	<p>New objective created to read:</p> <ul style="list-style-type: none"> <li><b><i>To reduce or avoid significant adverse impacts on air quality in association with new developments.</i></b></li> </ul> <p>New policy created (with relevant supporting text) to read:</p> <ul style="list-style-type: none"> <li><b><i>Policy NR3: Air Quality</i></b>  <b><i>Development that would have a significantly adverse effect on air quality, taking into account the cumulative impact of other proposed or existing sources of air pollution in the area, will not be permitted when it would breach key targets identified in association with the emergent Air Quality Strategy, or when it is considered that it would cause harm to the health, safety and amenity of users of the site or the surrounding area or put at risk the quality of the environment.</i></b>  <b><i>Such developments may be permitted, however, where the potential pollution problems can be overcome or contained to within acceptable limits by agreement on suitable mitigating measures, to the satisfaction of the Minister for Planning</i></b></li> </ul>



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				<p><i>and Environment. Any required mitigation measures and monitoring requirements before, during and following development will be secured by means of planning conditions or planning obligations, as appropriate.</i></p> <p><i>The Minister for Planning and Environment will require the submission of a full and detailed 'Air Quality Assessment' with applications, in order to assess the extent of effects on air quality where it is considered appropriate, including:</i></p> <ul style="list-style-type: none"> <li><i>developments which significantly increase emissions from road traffic;</i></li> <li><i>industrial activities, quarrying, landfill and other waste management operations which involve potential air pollutants;</i></li> <li><i>energy generation projects;</i></li> <li><i>major developments (&gt;10 homes / 1,000m<sup>2</sup> floorspace) within or near to and likely to have an adverse effect on, any 'Air Quality Management Areas' which may be identified in response to on-going air quality monitoring, improved monitoring and modelling techniques and/or changing air quality standards;</i></li> <li><i>Proposals to locate air pollution-sensitive development close to existing sources of air pollution and/or in areas with existing unacceptably poor air quality.</i></li> </ul> <p><i>Where a proposed development requires an Environmental Impact Assessment, the Minister for Planning and Environment will consult with Environmental Protection to determine whether the assessment should include consideration of emissions to air and the likely impacts on health and the environment.</i></p>
79.	<b>NR7: Renewable energy</b>	The inspectors support the Minister's intention to introduce a policy requiring a proportion of renewable energy generation on developments above specified thresholds	Accept inspectors' recommendation	<p>New <b>Renewable Energy in New Developments</b> policy (with relevant supporting text) added to draft plan:</p> <ul style="list-style-type: none"> <li><b>Policy NR7: Renewable energy in new developments</b></li> </ul>

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				<p><b><i>The Minister for Planning and Environment will encourage all developments to incorporate on-site low carbon or renewable energy technologies. However, all non-residential developments with a gross floorspace of 1,000m<sup>2</sup> or more and residential developments of ten or more units, whether new build or conversion, will be required to incorporate on-site low carbon or renewable energy production equipment to off-set predicted carbon emissions by at least 10%, except where:</i></b></p> <ul style="list-style-type: none"> <li><i>it is demonstrated by the applicant, to the satisfaction of the Minister for Planning and Environment, that such provision would make the development unviable; or</i></li> <li><i>it would have an adverse visual or amenity impact that would outweigh the benefits of the technology.</i></li> </ul>
80.	<b>Safety Zones for Hazardous Installations</b>	The inspectors endorse changes made to the extent of the safety zones around the fuel store at La Collette (post Buncefield) and agree with the recommendations regarding those facilities where work is required to develop new or to review existing zones.	The Minister accepts the inspectors' recommendation and is also minded to reflect the arrangements for regulating major hazard sites and make provision for consultations with the relevant regulators in the draft Plan	<p>Amend the policy to read:</p> <ul style="list-style-type: none"> <li><b><i>Policy NR8: Safety Zones for Hazardous Installations</i></b>  <i>In considering development proposals within the following safety zones associated with hazardous installations, as designated on the Proposals Map, the Minister for Planning and Environment will consult with those regulators identified in brackets below and other relevant stakeholders, to determine the appropriateness of the development:</i> <ul style="list-style-type: none"> <li><i>La Collette Fuel Farm (The States of Jersey Fire and Rescue Service);</i></li> <li><i>La Collette LPG Storage Site (Health and Safety at Work Inspectorate);</i></li> <li><i>Les Ruettes LPG Storage Site, St John (Health and Safety at Work Inspectorate);</i></li> <li><i>Airport Fuel Storage Site (The States of Jersey Fire and Rescue Service);</i></li> <li><i>Crabbé Explosive Storage Site, St Mary (The Home Affairs Department); and</i></li> <li><i>Gas Holder, Tunnel Street (Health and Safety at Work Inspectorate).</i></li> </ul> </li> </ul>

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				<ul style="list-style-type: none"> <li>○ <b>Developments within the vicinity of the hazardous installations at La Collette will also be the subject of consultations with the La Collette Hazard Review Group.</b></li> </ul> <p><b>In all cases, the health and safety of the public will be the overriding consideration. Developments that would conflict with the requirements of health and safety will not be permitted.</b></p> <p>Also the draft Plan is to be amended to add a new proposal: Review of Safety Zones for Hazardous Installations</p> <ul style="list-style-type: none"> <li>• <b>The Minister for Planning and Environment will seek to ensure that work is undertaken to review existing safety zones and to define new zones, where this work has yet to be undertaken, as appropriate, during the Plan period.</b></li> </ul>
81.	<b>NR13 Utilities infrastructure facilities</b>	Inspectors support proposed amendments to Policy NR13.	Accept suggested changes to give special consideration for future essential water supply infrastructure works.	<p>Amend Policy NR13 to read:</p> <ul style="list-style-type: none"> <li>• <b>...will be permitted provided that the proposal is required to meet a proven need and is:</b> <ol style="list-style-type: none"> <li>1. <b>within the grounds of an existing utility infrastructure facility; or</b></li> <li>2. <b>within the Built-up Area."</b></li> </ol> </li> </ul>
82.	<b>NR15: Satellite TV receiving or communication antennae</b>	Inspectors support proposed amendments to Policy NR15	Accept suggested change for the policy to be more pro-active in encouraging the use of communal satellite dishes, where appropriate.	<p>Following text added to policy NR15:</p> <ul style="list-style-type: none"> <li>• <b>Where there are proposals for larger housing developments and buildings in multiple occupancy, developers will be expected to provide carefully sited communal satellite dishes, to avoid the unnecessary visual clutter associated with a proliferation of individual antennae and reduce the overall impact on the environment.</b></li> </ul>
<b>Mineral Resources</b>				
83.	<b>Mineral Resources</b>	The Minister is of the view that Mineral Resources should be treated as a separate topic area in the Plan, given its peculiar complexities. This should also help in rationalising the layout of the document and making it easier to use. The Minister also wishes to ensure that the Plan remains up-to-date.	This chapter has been created (as a distinct section from the NR chapter) and updated throughout to reflect the latest position on the availability of mineral resources as necessary.	<p>Amend IP to include a separate section on Mineral Resources.</p> <p>Amend to reflect latest data, where relevant.</p>

	Section / Policy	Summary of issue and/or Inspectors' recommendation	Minister's response	Draft Plan amendment
84.	<b>NR6 (re-numbered to be policy MR1 in revised draft): Supply of aggregates</b>	Inspectors support proposed amendments to paras 9.65 (now para. 10.22)	Accept suggested change endorsed by the inspectors to amend Point 5 of the modified minerals strategy set out in Para. 9.65 (now para. 10.22)	Amend Point 5 of the modified minerals strategy set out in Para. 9.65 (now para. 10.22) to read: <b>5. Creating appropriate facilities at St. Helier Harbour for importing all the Island's future sand requirements...</b>
85.	<b>NR6 (re-numbered to be policy MR1 in revised draft): Supply of aggregates</b>	<p>The inspectors consider that the policy conflates an objective and a policy, and should be separated to promote clarity.</p> <p>To this end the inspectors first recommend that the opening part of Policy NR6, as far as and including the extract just quoted, should be removed and restated as an Objective. The degree of fulfilment of that Objective would then be a material consideration rather than conflated with the policy itself.</p>	Accept inspectors' recommendation	<p>New proposal created to read: <b>Proposal 20 Supply of Aggregates</b></p> <ul style="list-style-type: none"><li><b>The Minister for Planning and Environment will seek to ensure continuity of supply of aggregates for the Island, whilst applying the principles of a sustainable approach to mineral extraction, which underpin the Modified Jersey Mineral Strategy.</b></li></ul> <p><b>To this end, he will aim to:</b></p> <ul style="list-style-type: none"><li><b>Maintain, throughout and at the end of the Plan period, a 'landbank' of permitted reserves of crushed rock as aggregate, equivalent to at least 10 years production; and</b></li><li><b>support the creation of new importing facilities which will be available at the end of the Plan period for importing all the Island's sand requirements.</b></li></ul> <p>Revise policy MR1 (was NR6) to read:</p> <ul style="list-style-type: none"><li><b>MR1 Supply of Aggregates</b> <b>The sites that currently make up the Island's permitted reserves of aggregates are shown on the Island Proposals Map and include:</b></li></ul> <ul style="list-style-type: none"><li><b>Ronez Quarry;</b></li><li><b>La Gigoulande Quarry; and</b></li><li><b>Simon Sand and Gravel.</b></li></ul> <p><b>Developments which would be likely to cause serious hindrance to the extraction of these reserves, whether it is directly over the deposits or located close to them will not be permitted.</b></p> <p><b>The extraction of the aggregates from these reserves prior to permanent forms of development will generally be encouraged.</b></p>
86.	<b>NR8 (re-numbered to be policy MR3</b>	With the insertion the inspectors <b>recommend</b> the head paragraph would read as follows. "Proposals for the winning and working of	Accept inspectors' recommendation	Policy NR11 amended to include reference to <b>sand</b> as well as crushed rock.

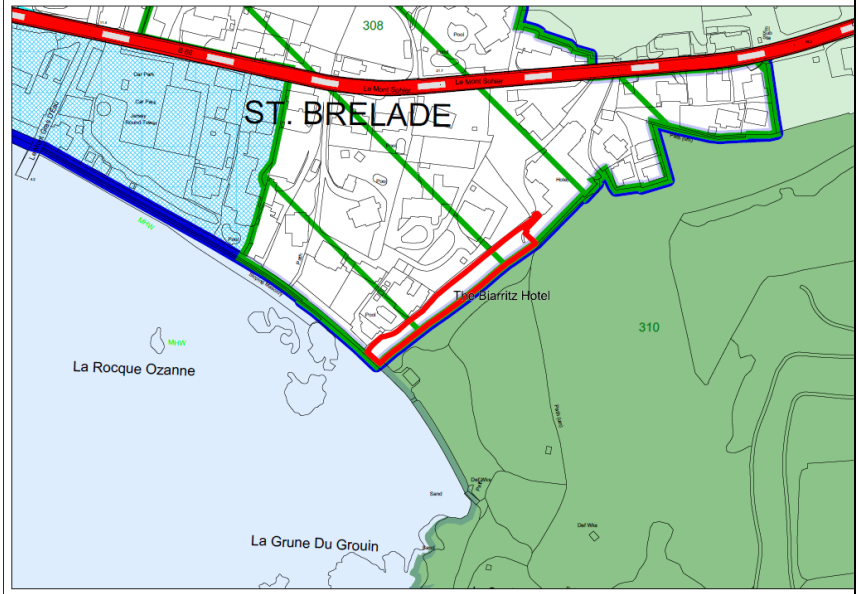
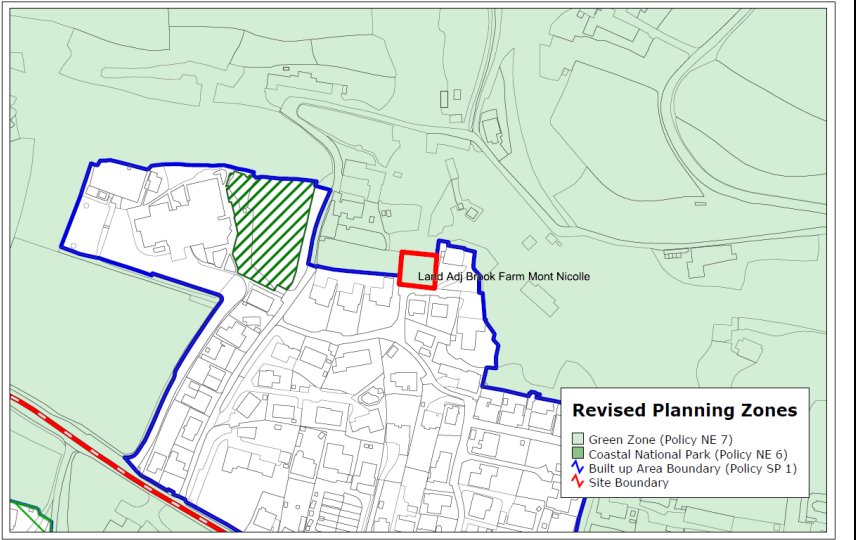


	Section / Policy	Summary of issue and/or Inspectors' recommendation	Minister's response	Draft Plan amendment
	<b>in revised draft): New or extended mineral workings</b>	crushed rock <i>and sand</i> outside permitted sites will only be granted consent where:" followed by 7 criteria		
87.	<b>NR8 (re-numbered to be policy MR3 in revised draft): New or extended mineral workings</b>	Inspectors support proposed amendments to Policy NR8.	Accept suggested change endorsed by the inspectors to omit criterion 5 from Policy NR8 and the corresponding bullet point in the explanatory text (para. 9.83 previously, now para. 10.40)	Amend plan to omit criterion 5 from Policy MR3 (previously NR8) and the corresponding bullet point in the explanatory text (para. 9.83 previously, now para. 10.40)
88.	<b>NR12 (re-numbered to be policy MR7 in revised draft): New Off-loading Facilities for Imported Aggregates</b>	Inspectors support proposed amendments to 9.100/Policy NR12 (now para 10.57/MR7).	Accept suggested change endorsed by the inspectors to be less specific about the type and nature of the new facility required for future sand imports is accepted.	<p>Amend paragraph 9.100 (now para 10.57)</p> <ul style="list-style-type: none"> <li><b><i>....in 2000 as part of the 20 Year Port Masterplan study. It is clear now that the extent and nature of the facility needs to be reviewed , given: - the recently extended life expectancy of La Gigoulande Quarry; - the new strategic approach to mineral planning, which looks to maximise opportunities for local production of crushed rock aggregate; - the possibility that planning permission will be forthcoming for the working of additional crushed rock resources at La Gigoulande and Ronez; and - the proposal to produce a comprehensive plan for the 'La Collette and the Port Regeneration Zone' Ultimately, Jersey Harbours will have responsibility for making adequate provision for sand importation as part of emerging plans for the development of the port.</i></b></li> </ul> <p>Amend Policy MR7 (previously NR12)</p> <ul style="list-style-type: none"> <li><b><i>Policy MR7: New Off-loading Facilities for Imported aggregates</i></b>  <i>The Minister for Planning and Environment will support the provision of adequate aggregate importing facilities (principally for sand imports) at St. Helier Harbour and will seek to ensure, in consultation with Jersey Harbours, that the facilities are provided at the earliest opportunity, prior to the ceasing of sand extraction at Simon Sand and Gravel Ltd. Detailed proposals for the facilities may include an Environmental Impact Assessment, where considered</i></li> </ul>

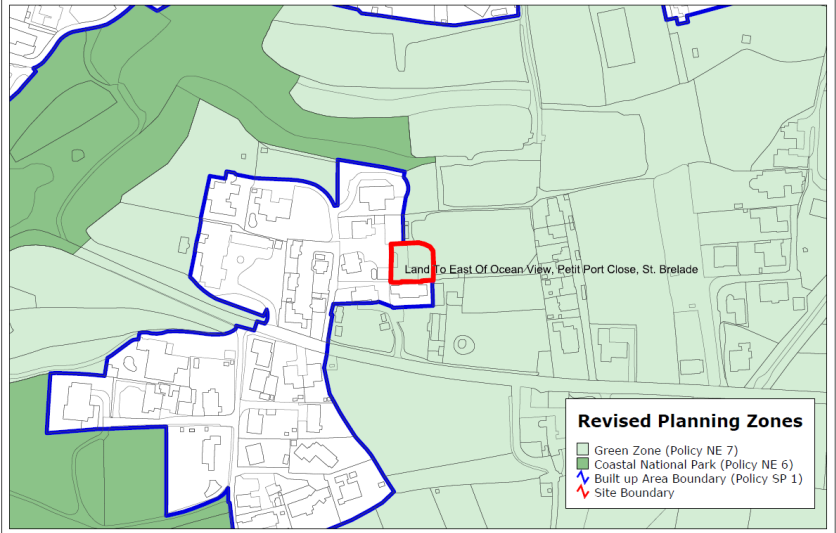
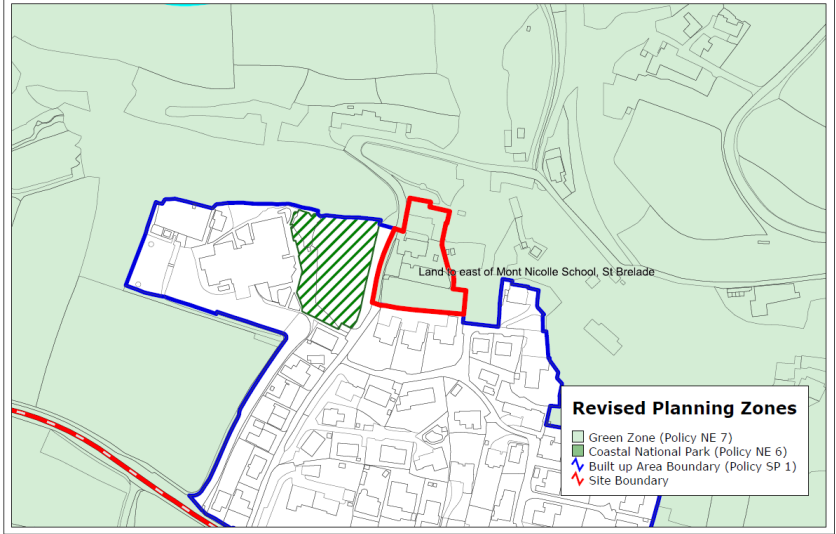
	Section / Policy	Summary of issue and/or Inspectors' recommendation	Minister's response	Draft Plan amendment
				<p><i>appropriate, to ensure the environmental risks are thoroughly assessed and potential adverse effects are satisfactorily mitigated.</i></p> <p><i>Proposals will only be permitted where it is demonstrated that they;</i></p> <ol style="list-style-type: none"> <li><i>1. Will not have an unreasonable impact on neighbouring uses, the local environment and human health, by reason of: noise,vibration, dust, odour or other emissions/pollution;</i></li> <li><i>2. Will not have an unacceptable visual impact;</i></li> <li><i>3. Will not lead to unacceptable problems of traffic generation (land and sea);</i></li> <li><i>4. Will include an acceptable programme of site management for the duration of the life of the facility</i></li> <li><i>5. Will not have an unreasonable impact on the quality of sea water and marine or terrestrial habitats, including the South East Coast Ramsar; and</i></li> <li><i>6. Will satisfactorily address and mitigate all the potential adverse effects identified in the Environmental Impact Assessment process.</i></li> </ol> <p><i>New off-loading facilities for aggregates outside the St. Helier Harbour Operational Area will not be permitted, unless a need can be satisfactorily demonstrated.</i></p>
<b>Waste</b>				
89.	<b>Various</b>	The inspectors accept various minor changes to this chapter put forward by the Department of the Environment	The Minister accepts the suggested changes put forward by his department and endorsed by the inspectors.	The amendments involve minor changes to the text and format primarily for clarification purposes.
90.	<b>WM1: Waste minimisation and new development</b>	The Inspectors support the proposed amendment to Policy WM1 (second para) though this does not appear in the schedule.	The Minister accepts suggested change endorsed by the inspectors to amend second paragraph to define "major new development"	<p>Amend paragraph 2 of policy WM1 to read:</p> <ul style="list-style-type: none"> <li><i>o All new developments of 10 or more dwellings, or above a threshold of 1000m<sup>2</sup> and/or developments which would involve the demolition of major structures or the potential generation of significant quantities of waste material will only be permitted where:</i></li> </ul>
91.	<b>WM2: New and expanded waste</b>	The Inspectors support the proposed amendment policies...WM2	The Minister accepts suggested change endorsed by the inspectors for the policy to amend the draft Plan Policy WM2 to 1. Omit	<p>Omit first criterion no.2 from Policy WM2.</p> <p>Amend criterion 5 in policy WM2 to read:</p>

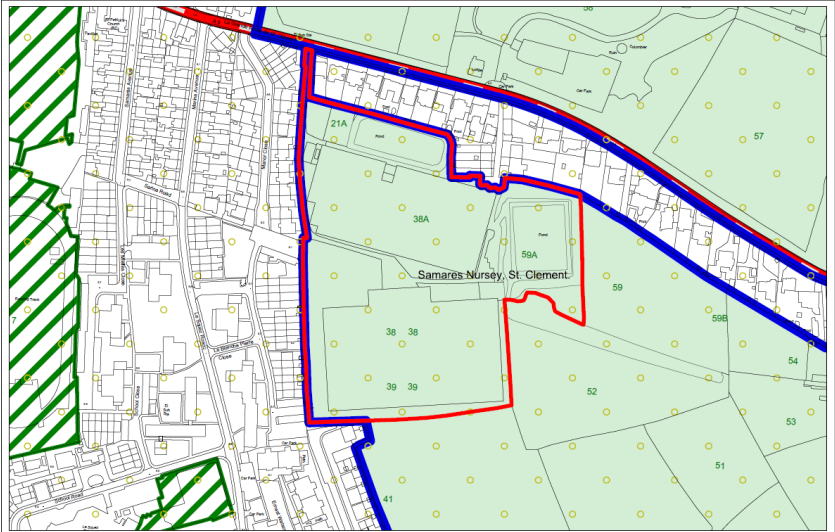
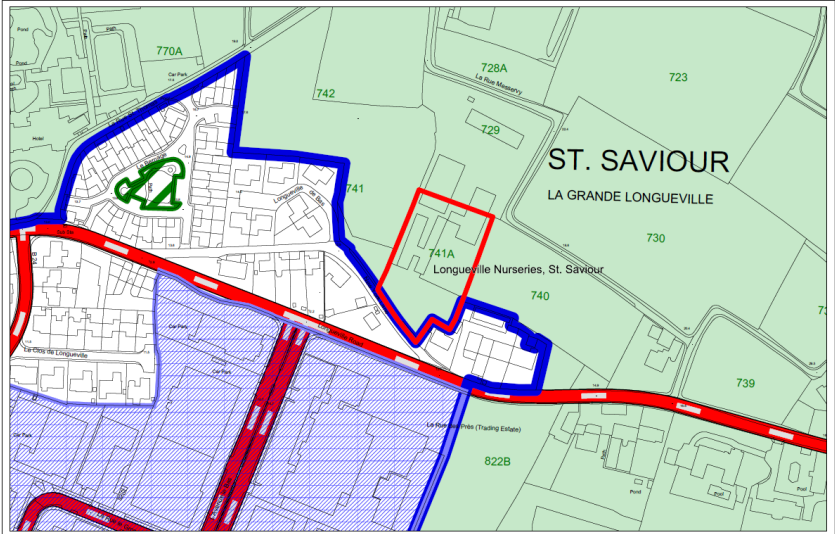
	Section / Policy	Summary of issue and/or Inspectors' recommendation	Minister's response	Draft Plan amendment
	management facilities		the reference to existing quarries (first criterion no.2) and 2. Amend last criterion no.5 to address the spelling mistakes.	<b>5. will not have an adverse effect on biodiversity and protected species (see Policies NE1 and NE2), areas of recognised importance for nature conservation and built heritage, or on historic environments;</b>
92.	<b>WM5: Recycling centres and waste collection (was Re-use and recycling centres)</b>	Re-name policy WM5 from <b>Re-use and recycling centres</b> to <b>Recycling centres and waste collection</b> in order to better reflect aims of the policy. No comment was made by the inspectors as this minor change was made the examination in public and publication of the inspector's report.	The Minister accepts change	Rename policy WM5 to <b>Recycling centres and waste collection</b>
93.	<b>Factual data provided for Policy WM8: Residual waste and terrestrial landfill sites</b>	The inspectors note that the factual data was confirmed to us, save that TTS consider that at present rates of disposal La Collette will be full by 2016 rather than 2018.	The Minister accepts the revised expected closure date for La Collette Reclamation Site.	Amend all the references in the draft Plan to when La Collette will be full and closed to the general receipt of inert waste, from 2018 to 2016.
94.	<b>WM8: Residual waste and terrestrial landfill sites</b>	The inspectors do not support the Minister's stated veto against the use of the sand quarry for solid waste disposal but rather, consider that any such proposal ought to be able to be tested against the policies in the Plan.	The Minister is minded to accept inspectors' recommendation	Policy WM8 remains and does not prejudice against the use of the sand quarry (Simon Sand) for landfill, subject to the criteria set out in the policy.
95.	<b>LWM3: Surface water drainage facilities</b>	The inspectors note and agree with the changes to policies...LWM3..which the Minister outlines, in the proposed amendments schedule.	The Minister accepts suggested change endorsed by the inspectors to make minor modifications to text of Policy LWM3 for clarification and consistency.	Amend policy LWM3 - The 6th bullet point should read: <b>...gradual release to a public surface water sewer.</b>
<b>Appendices</b>				
96.	<b>A: Supplementary Planning Guidance</b>	The inspectors made various recommendations about the need to prepare and prioritise certain supplementary planning guidance notes	The Minister accepts the inspectors' recommendations and has sought to respond to this in the amended schedule of supplementary planning guidance.	Amend the schedule of supplementary planning guidance to ensure that it is comprehensive and that it reflects the relative priorities for work to be undertaken in respect of the development of specific SPG.
97.	<b>B: Housing development briefs</b>	The Minister wishes to clarify that these are not the final development briefs for the rezoned sites but simply serve as housing sites assessments which provide an indication of potential housing yield. The Minister also wishes to clarify that housing development briefs will be developed for these sites in consultation with stakeholders, including the parish connétables.	The Minister is minded to amend the draft Plan to rename these documents and to also make it explicit that housing development briefs will be developed in consultation with stakeholders	<ul style="list-style-type: none"> <li>Amend draft Plan at Appendix B to rename them : <b>Housing site assessments;</b></li> <li>Amend draft Plan to make explicit reference to the need to consult key stakeholders, including parish connétables, in the development of housing development briefs for the rezoned sites.</li> </ul>

## Proposals Map amendments

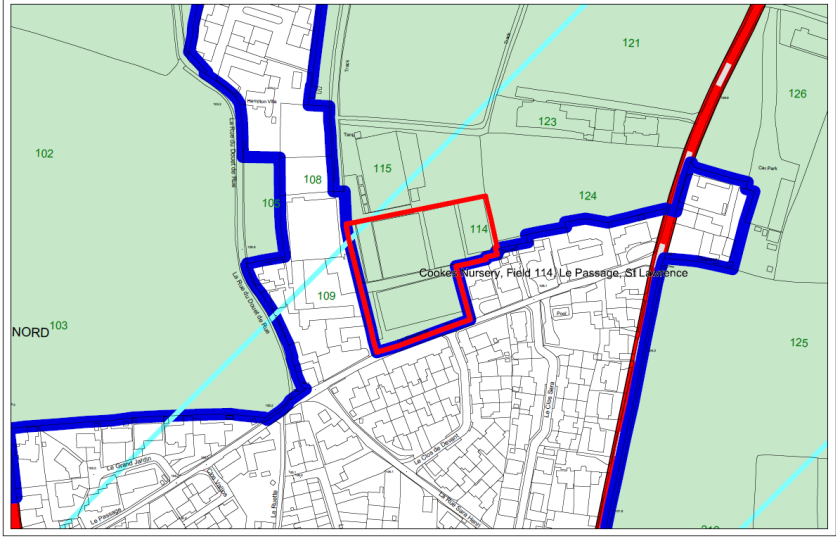
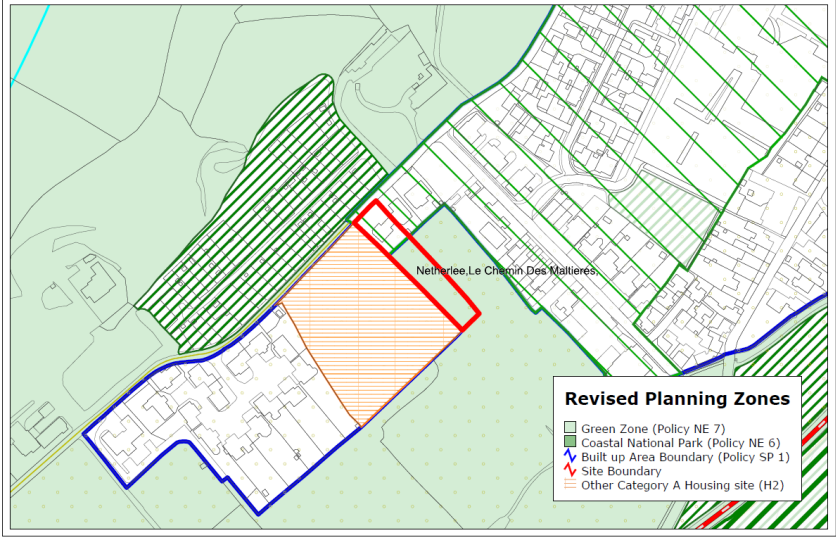
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
1.	<b>Biarritz Hotel, St Brelade's Bay</b>	Recommendation: for the reasons set out in Volume 1, Chapter 4, that the Minister amends the Plan to remove the site from the Coastal National Park.	The Minister is minded to accept the inspectors' recommendation	 <p>Amend Proposals Map to exclude curtilage of <b>Biarritz Hotel</b> from boundary of Coastal National Park and incorporate it within the Built-up Area boundary.</p>
2.	<b>Brook Farm, Mont Nicolle, St Brelade</b>	This site is closely associated with existing residential development and surrounded on three sides by the Built-up Area (BUA) as defined by the draft Plan. Bearing in mind the existing pattern of development, in all the particular circumstances the inspectors consider that the BUA boundary would be more appropriately drawn to include this site. This would not be contrary to the strategic aims of the Plan. Recommendation: that the Minister amends the BUA to take in this very small site.	<p>The Minister rejects the inspectors' recommendation.</p> <p>The site, although not significant in size, is on the edge of the proposed Built-up Area, as drafted on the Proposals Map, where there is a clear boundary change and change in the character of the landscape.</p> <p>The site comprises a small area of woodland and is an important characteristic of the area. Extending the Built-up Area boundary into the countryside would represent an encroachment of development, detrimental to the amenity of the area which would be contrary to the Minister's criteria for protecting greenfield land, important open space and woodland areas.</p> <p>The Countryside Character Appraisal's evaluation is that the overriding local character of the area forms an 'Enclosed Valley', D3 and that the landscape sensitivity of this area is high.</p> <p>The revised draft Plan's Green Zone</p>	 <p>Maintain <b>Brook Farm, Mont Nicolle, St Brelade</b> site within Green Zone on Proposals Map.</p>

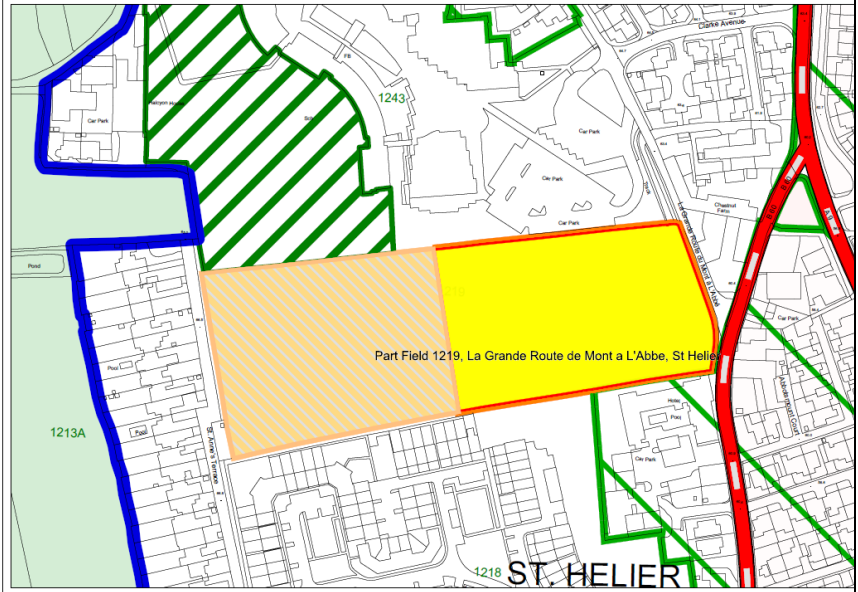
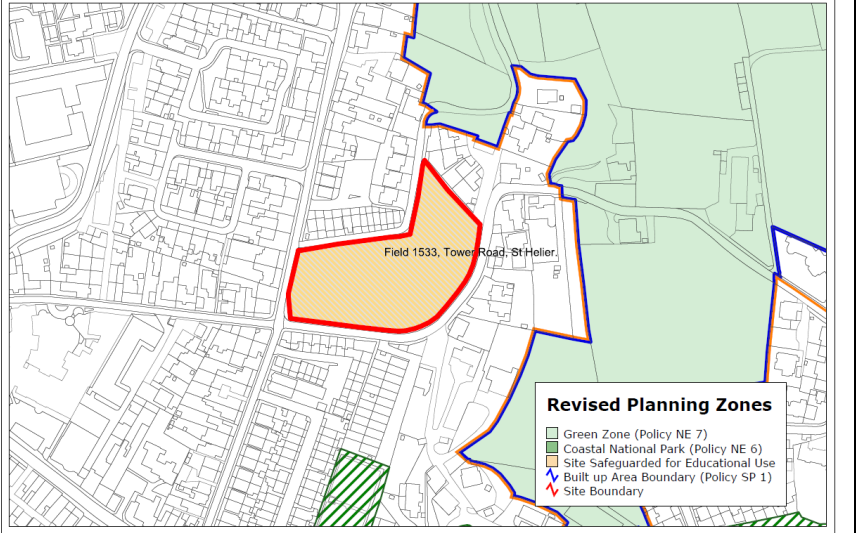


Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
			designation for this site remains consistent with the 2002 Island Plan. Designating this as Built-up Area would, therefore, challenge established policy.	
3.	<b>Ocean View, Petit Port Close, St Brelade</b>	This site is rearward part of a modest sized domestic curtilage, containing outbuildings and used for residential purposes such as parking. It is enclosed on 2½ sides by Built-up Area (BUA) as defined by the draft Plan, and two dwellings have been constructed relatively recently to the south. Bearing in mind the existing pattern of development, in all the particular circumstances, the inspectors consider that the BUA boundary would be more appropriately drawn to include this site. This would not be contrary to the strategic aims of the Plan. It was indicated to the inspectors that the site might be suitable for one further dwelling or just possibly two. Recommendation: that the Minister amends the BUA to take in the very small area of the domestic curtilage of Ocean View, Petit Port Close.	Reject inspectors' recommendation and maintain site within the Green Zone. The site does not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside. The draft Plan's Green Zone designation remains consistent with the 2002 Island Plan. Designating this as Built-up Area would, therefore, challenge established policy.  Any development in this area would be considered detrimental to the visual amenities and character of the area.	 <p>No amendment to the Proposals Map - maintain <b>Ocean View, Petit Port Close, St Brelade</b> within Green Zone.</p>
4.	<b>Land to east of Mont Nicolle School, St Brelade</b>	The inspectors accept that the Proposals Map included an error here. Recommendation: that the Minister should amend the Plan.	Accept inspectors' recommendation.	 <p>Amend Proposals Map to include <b>land to east of Mont Nicolle, St Brelade</b> in the Green Zone.</p>

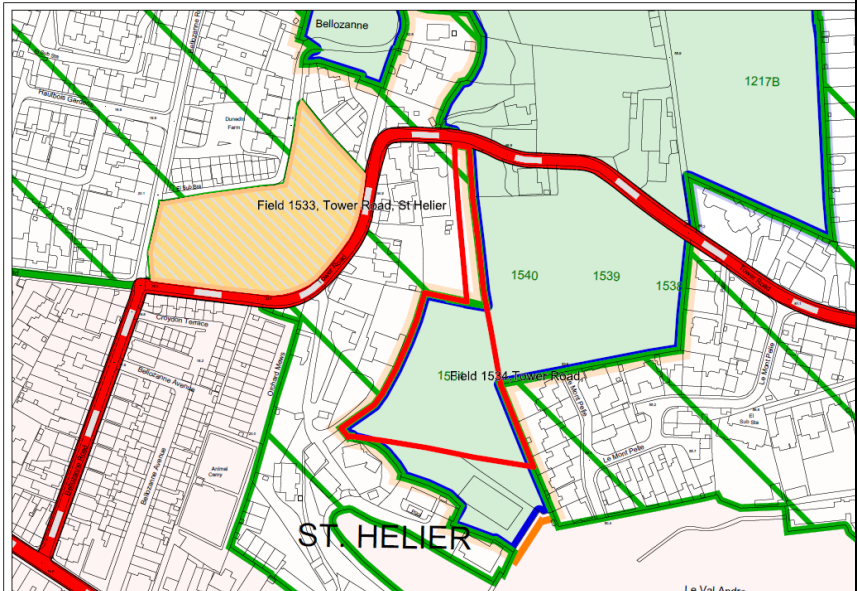
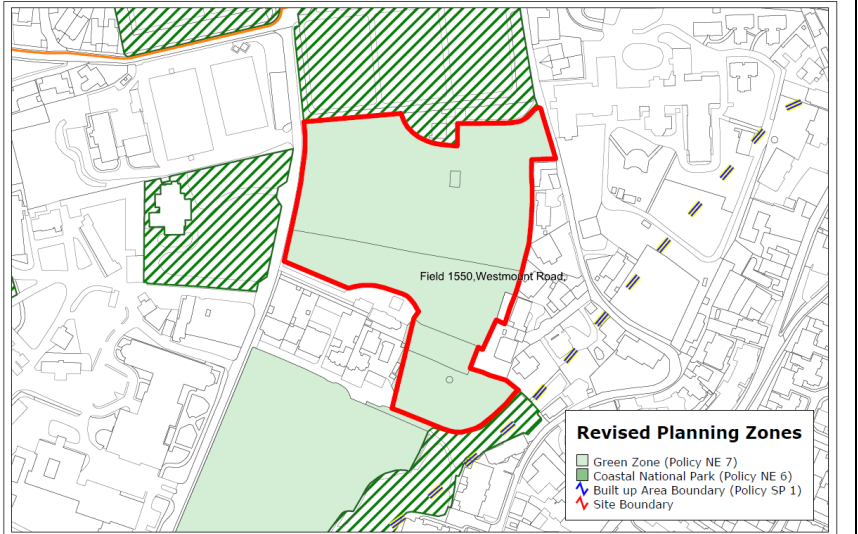
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
5.	<b>H1: Category A Housing sites: Samares Nursery, St Clement.</b>	<p>The inspectors conclude, with conviction, that the merits of this site are considerable. The site is well located in relation to the Built-up Area; it has good services (buses, schools etc); little damaging impact on the countryside, and is previously developed land which is falling into dereliction. All these factors taken together – especially its compatibility with the spatial strategy of the IP – suggest to the inspectors that this is a good site.</p> <p>The inspectors disagree with the Minister's proposed modification and recommend that the Samares Nursery site should be retained in the draft Plan.</p>	<p>Reject inspectors' recommendation.</p> <p>The Minister is cognisant that there was some opposition to the rezoning of Samares Nursery, Grande Route de la Cote, St Clement for Category A housing and it is not generally supported by the local community on the basis of the likely future need for glasshouses; the amount of development which has already taken place in the area; transport issues; ground conditions and potential social problems and it is to be removed from the revised draft Island Plan.</p> <p>The Minister is also of the view that housing need can be better and more appropriately met by increasing the density of development on the remaining rezoned sites for Category A housing; and requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3).</p>	 <p>Remove Samares Nursery on Proposals Map as a designated Category A housing site and re-zone as Green Zone.</p>
6.	<b>H1: Category A Housing sites: Longueville Nursery, St. Saviour.</b>	<p>Having read all the representations in full and considered the debate at the EiP, the inspectors conclude that this is a suitable site for housing. It is well located in relation to the IP strategy, with good services and facilities nearby. Though the traffic generation may be less than the garden centre, it will occur at peak times; however there are proposals to improve the junction and the inspectors do not see this as an insuperable problem.</p> <p>The inspectors disagree with the Minister's proposed modification and recommend that the Longueville Nurseries site should be retained in the draft Plan.</p>	<p>Reject inspectors' recommendation.</p> <p>The rezoning of Longueville Nurseries, New York Lane, St Saviour for Category A housing is not generally supported by the local community on the basis of the amount of development already accommodated within the parish; local traffic problems and the extent of local opposition and it is to be removed from the revised draft Island Plan.</p> <p>The Minister is also of the view that housing need can be better and more appropriately met by increasing the density of development on the remaining rezoned sites for Category A housing; and requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3).</p>	 <p>Remove Longueville Nurseries on Proposals Map as a designated Category A housing site and re-zone as Green Zone.</p>

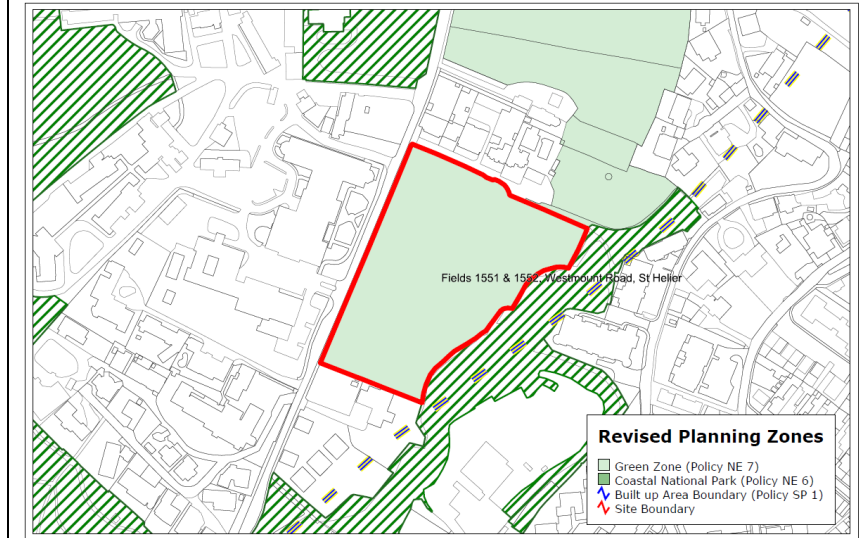
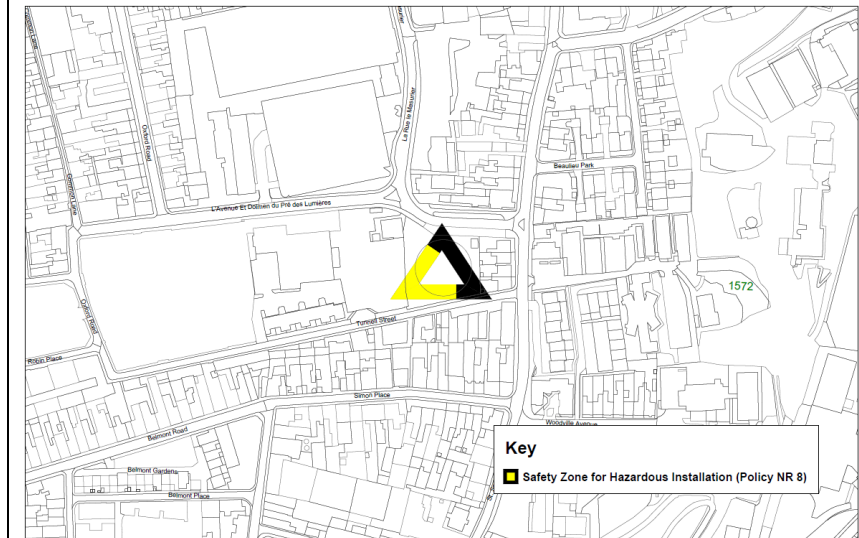


Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
7.	<b>H1: Category A Housing sites: Cokes Nursery, St. Lawrence.</b>	<p>The inspectors consider that this is not a site which should be pursued as an H1 site in the Island Plan because it is poorly located in relation to the strategic policies of the Plan and because it has relatively poor access to services.</p> <p>The inspectors recommend that the Cooke's Rose Farm site should be removed from the draft Plan.</p>	<p>Accept inspectors' recommendation.</p> <p>The Minister is also of the view that housing need can be better and more appropriately met by increasing the density of development on the remaining rezoned sites for Category A housing; and requiring the development, in whole or in part, of States-owned sites within the BUA, to contribute towards the need for affordable homes (over and above the requirements of Policy H3).</p>	 <p>Remove Cooke's Rose Farm on Proposals Map as a designated Category A housing site and re-zone as Green Zone.</p>
8.	<b>Field 263A, Grouville</b>	<p>The inspectors heard clear evidence of an educational need to extend the school in the manner proposed. The inspectors see no basis for recommending any additional housing allocation. Recommendation: that the Minister should amend the Plan as proposed.</p>	Accept inspectors' recommendation	Amend Proposals Map to safeguard part of <b>Field 263A, Grouville</b> for educational use.
9.	<b>Netherlee, Chemin des Maltieres, Grouville</b>	<p>In view of the extant permission to develop Field 184 (immediately to the south-west of the site), the inspectors consider that the objection is well founded; they are of the view that it is incongruous to include the back garden to Netherlee within the Green Zone.</p> <p>Recommendation: that the Minister amends the Plan to include this very small site - the entire curtilage of Netherlee, within the Built-up Area.</p>	<p>Reject inspectors' recommendation and maintain site in the Green Zone.</p> <p>The site does not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside, and does not present any overriding justification of community need (which was a material factor in the release of land for the development of homes for people over-55 on Field 184).</p> <p>Any development of this site is considered detrimental to the visual amenities and character of the area leading to the further urbanisation of the edge of Grouville Common.</p> <p>The draft Plan's Green Zone designation remains consistent with the 2002 Island Plan. Designating this as Built-up Area would, therefore, challenge and be contrary to established policy.</p>	 <p>No amendment to the Proposals Map - maintain <b>Netherlee, Chemin des Maltieres, Grouville</b> site within Green Zone.</p>

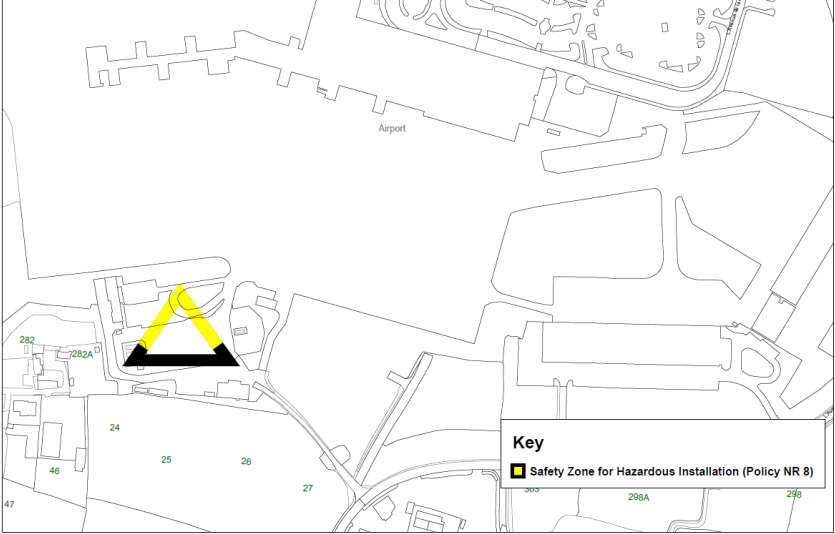
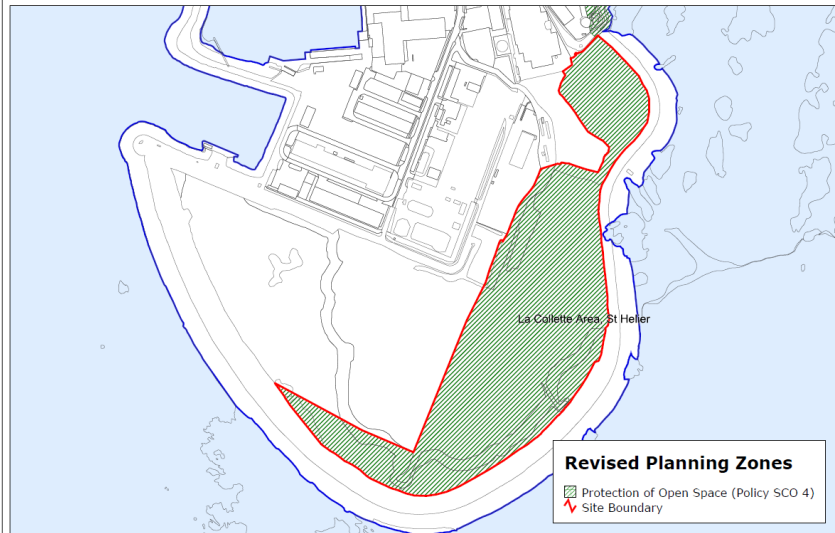
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
10.	<b>Part Field 1219, La Grande Route de Mont a L'Abbe, St Helier</b>	<p>The inspectors see no problem with the Minister's intentions regarding this site to increase the Category A housing area to 50% of Field 1219 (which is one of the sites in Policy H1 of the Island Plan) subject to normal development control considerations and local consultation.</p> <p>Recommendation: that the Minister proceeds as intended.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to increase Category A housing area to 50% of <b>Field 1219, La Grande Route de Mont a L'Abbe, St Helier</b>.</p>
11.	<b>Field 1533, Tower Road, St Helier</b>	<p>Safeguard part of the site for educational use where justifiable evidence of need. The inspectors accept the Minister's intentions in respect of Field 1533. Recommendation: that the Minister proceeds as intended with regard to this field.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to safeguard part of <b>Field 1533, Tower Road, St Helier</b> for educational use.</p>

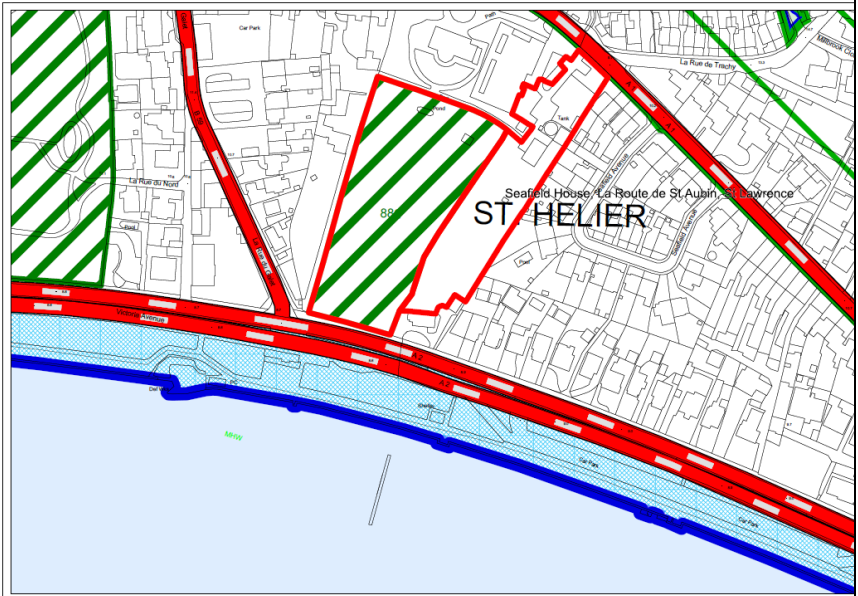
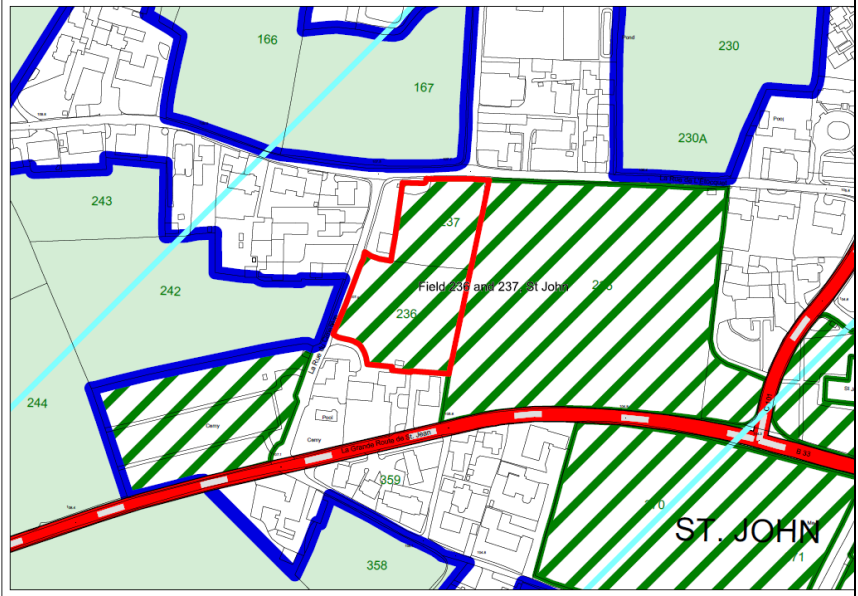


Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
12.	<b>Field 1534, Tower Road, St Helier</b>	<p>This site was subject to an oral session at the EiP and the inspectors are aware that it was expressly considered by the Minister prior to preparation of the Plan.</p> <p>The main area sits someway from the road, reached by a lengthy grass strip. The draft Plan includes it at the southern end of a swathe of Green Zone forming a wedge of undeveloped land projecting into St Helier. The inspectors do not question that zoning as a whole (far from it) however, having looked carefully on the ground and listened to both sides of the debate, on balance the inspectors consider that this particular parcel of land relates more strongly to the Green Backdrop Zone that largely encloses it than it does to the Green Zone. The inspectors recommend that the Minister rezones the site on the Proposals Map as Green Backdrop Zone.</p> <p>This would make any proposal for development subject to consideration under Policy BE3, which the inspectors consider would adequately safeguard understandable concerns regarding its elevated (though the inspectors have to say not prominent) location.</p> <p>If the Minister disagrees, then in the alternative the inspectors recommend that the entranceway strip at any rate would be more appropriately included within the Built-up Area.</p>	<p>Reject inspectors' recommendation to zone Field 1534 in the Green Backdrop Zone but accept inspectors' recommendation to rezone the track only, to include it within the Built-up Area, and to maintain Field 1534 in the Green Zone.</p> <p>The whole site's inclusion within the Green Backdrop Zone would not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside.</p> <p>Any development in this area would be considered detrimental to the visual amenities and character of the area.</p>	 <p>Amend Proposals Map to rezone the entranceway of <b>Field 1534, Tower Road, St Helier</b> as Built-up Area. The remaining field 1534 to be maintained in the Green Zone.</p>
13.	<b>Field 1550, Westmount, St Helier</b>	<p>The inspectors visited this site on two occasions and also viewed it from elsewhere in St Helier. The issues are not clear cut.</p> <p>The inspectors consider that the exclusion of this and adjacent land from the Built-up Area to be illogical as the locality is entirely within the urban extent of St Helier. Conversely, its location on the escarpment makes this a sensitive location where development has the potential to be intrusive. On balance, the inspectors consider that it would be premature to consider allocating the site for housing but rather it warrants designation as Protected Open Space.</p> <p>It may be that at a future review of the Plan some limited Category A housing development along the road frontage could be considered, taking into account any impact that results from the currently proposed development on the quarry below. Recommendation: that the Minister extends the Built-up Area to include this site but also</p>	<p>Reject inspectors' recommendation and the maintain site within the Green Zone.</p> <p>The site is in a prominent position on the escarpment of St. Helier and any development would cause visual harm to the character and amenities of the area and to the skyline. In addition, the development of this site would not meet with the Minister's stated objective of protecting green fields and open spaces.</p> <p>The Minister considers it more appropriate to maintain the site within the Green Zone to achieve this objective.</p>	 <p>No amendment to the Proposals Map - maintain <b>Field 1550, Westmount, St Helier</b> within the Green Zone.</p>

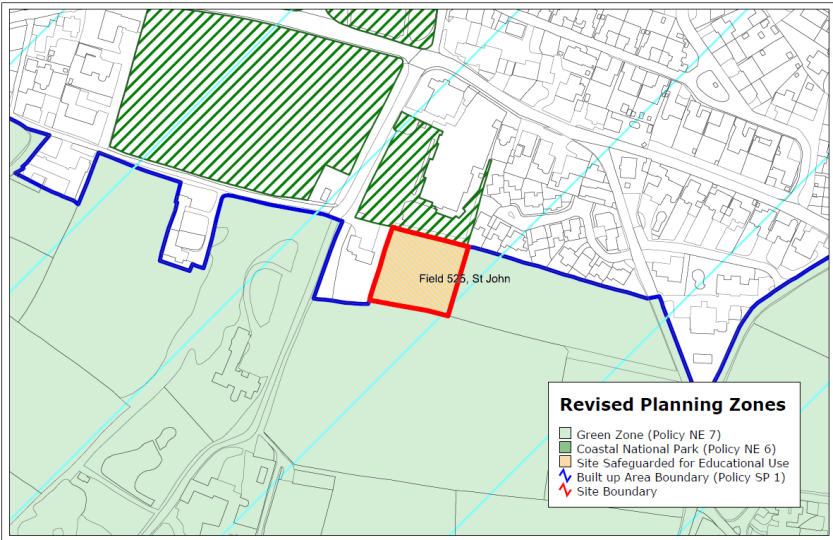
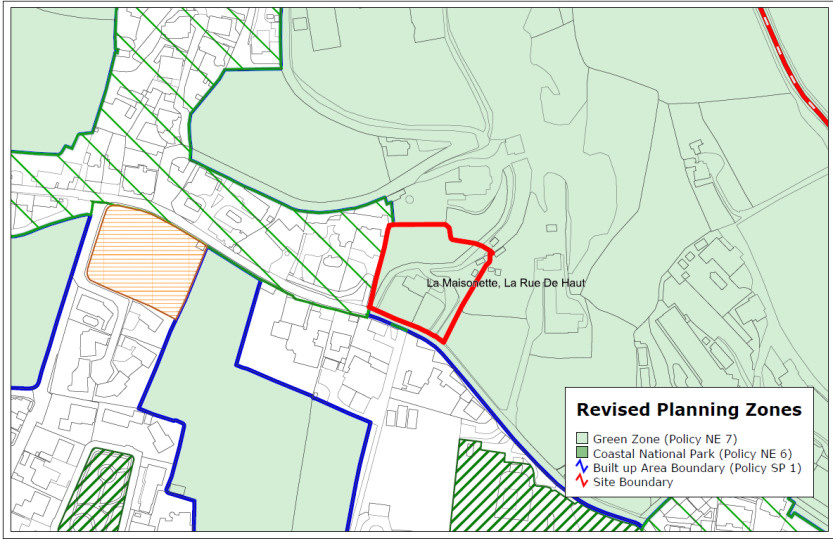
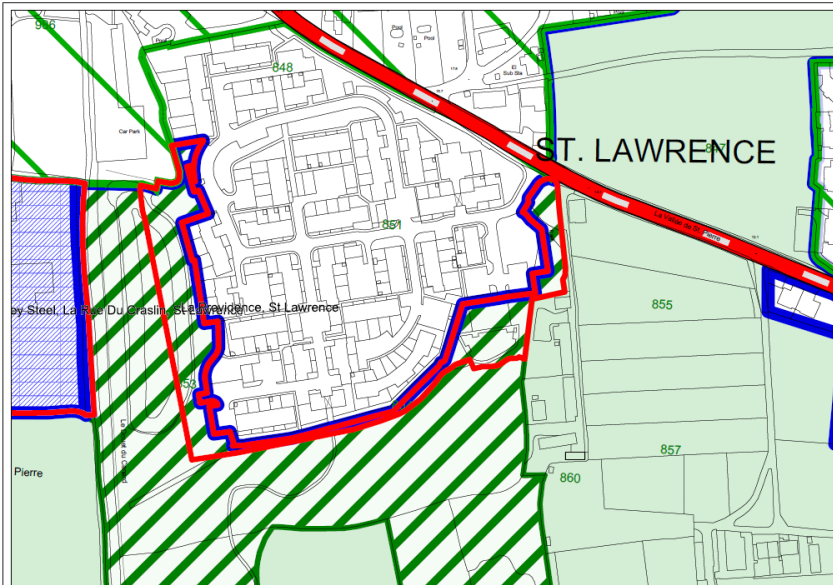
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
		designates it as POS.		
14.	<b>Fields 1551 and 1552, Westmount, St Helier</b>	<p>The inspectors visited this site on two occasions and also viewed it from elsewhere in St Helier. The issues are not clear cut.</p> <p>The inspectors consider that the exclusion of this and adjacent land from the Built-up Area to be illogical as the locality is entirely within the urban extent of St Helier. Conversely, its location on the escarpment makes this a sensitive location where development has the potential to be intrusive. On balance, the inspectors consider that it would be premature to consider allocating the site for housing but rather it warrants designation as Protected Open Space.</p> <p>It may be that at a future review of the Plan some limited Category A housing development along the road frontage could be considered, taking into account any impact that results from the currently proposed development on the quarry below. Recommendation: that the Minister extends the Built-up Area to include this site but also designates it as POS.</p>	<p>Reject inspectors' recommendation, maintain site within the Green Zone.</p> <p>The site is in a prominent position on the escarpment of St. Helier and any development would cause visual harm to the character and amenities of the area and to the skyline. In addition, the development of this site would not meet with the Minister's stated objective of protecting green fields and open spaces. The Minister considers it more appropriate to maintain the site within the Green Zone to achieve this objective.</p>	 <p>No amendment to the Proposals Map - maintain <b>Fields 1551 &amp; 1552, Westmount, St Helier</b> within the Green Zone.</p>
15.	<b>Gas Holder, St Helier</b>	<p>The inspectors endorse changes made to the extent of the safety zones around the fuel store at La Collette (post Buncefield) and agree with the recommendations regarding those facilities where work is required to develop new or to review existing zones.</p> <p>The inspectors agree to amend, zone site as a 'Safety Zone for Hazardous Installations'.</p> <p>Recommendation: that the Minister proceeds as intended.</p>	<p>The Minister accepts the inspectors' recommendation</p>	 <p>Amend Proposals Map to include <b>Gas Holder, St Helier</b> as a 'Safety Zone for Hazardous Installations'</p>

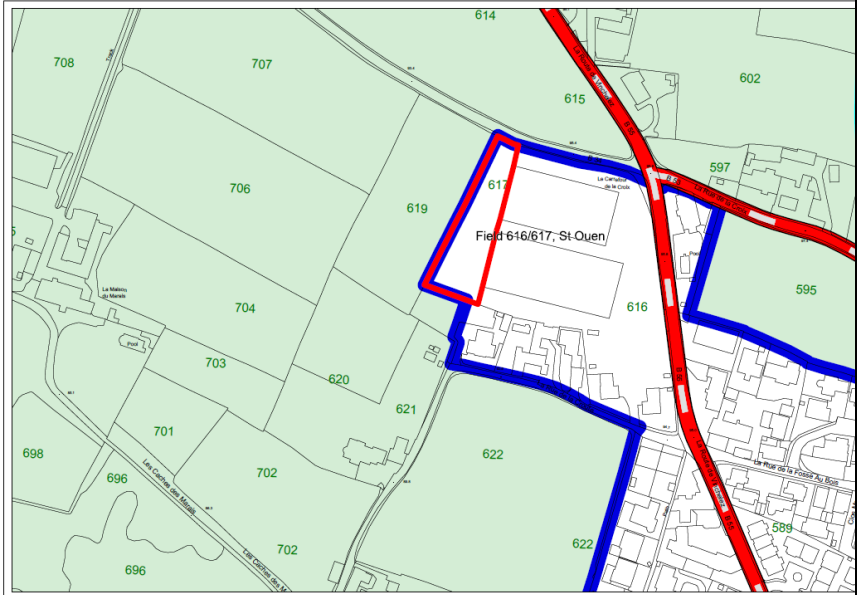


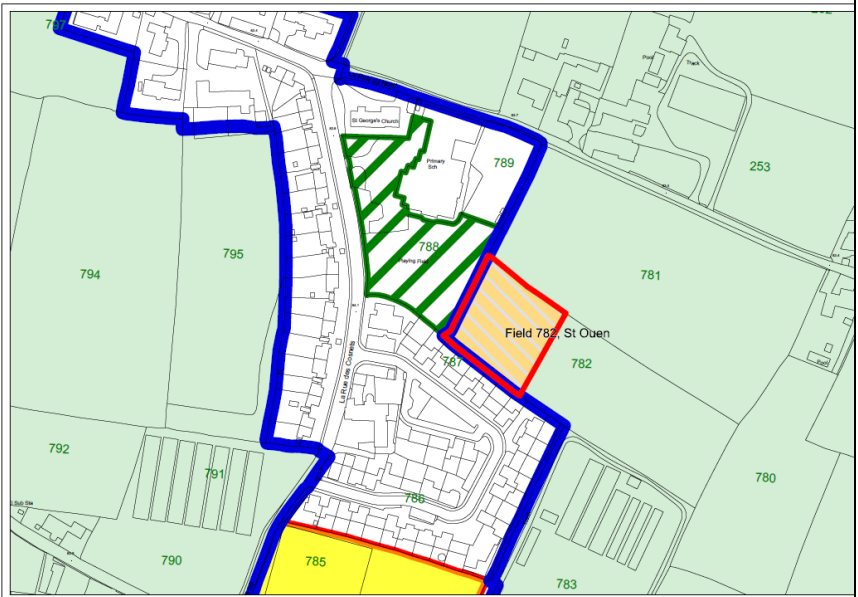
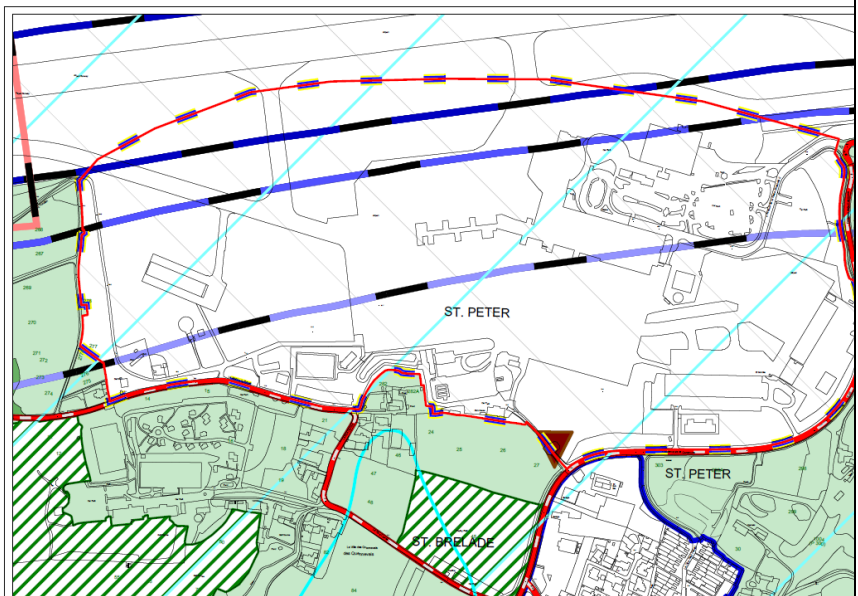
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
16.	<b>Airport Fuel Farm</b>	<p>The inspectors endorse changes made to the extent of the safety zones around the fuel store at La Collette (post Buncefield) and agree with the recommendations regarding those facilities where work is required to develop new or to review existing zones.</p> <p>The inspectors agree to amend, zone site as a 'Safety Zone for Hazardous Installations'. Recommendation: that the Minister proceeds as intended.</p>	The Minister accepts the inspectors' recommendation	 <p>Amend Proposals Map to include <b>Airport Fuel Farm, St. Peter</b> as a 'Safety Zone for Hazardous Installations'</p>
17.	<b>La Collette Area, St Helier</b>	<p>The inspectors consider that this element of the Plan requires amendment to reflect the constraints on public access to this open space imposed by the proximity of hazardous installations and that there is requirement to remove 'Provision and Enhancement of Open Space' designation. Recommendation: for the reasons given in Volume 1, Chapter 9, that the Minister amends the Plan.</p>	Accept inspectors' recommendation to clarify that public access will be restricted to this area, but that it will remain Protected Open Space, as it will still provide an important landscape buffer and will be of visual amenity.	 <p>Amend Proposals Map to amend Proposals Map to remove 'Provision and Enhancement of Open Space' designation from <b>La Collette Area, St Helier</b> but to maintain Protected Open Space designation</p>

Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
18.	<b>Seafield House, La Route de St Aubin, St Lawrence</b>	<p>This site comprises a sizeable private garden, fully enclosed from public view and inaccessible other than by arrangement with the owners. It is effectively separate from the main grounds to Seafield House and the inspectors were advised that the land in question did not form a part of the setting of Seafield House relative to its designation as a Listed building.</p> <p>Accordingly the inspectors consider that it falls outside the intended scope of Policy SCO4 and that the Protected Open Space designation should be removed from the Plan. This conclusion does not carry with it any implied presumption regarding the suitability or otherwise of any part of the land for development. Any proposal would need to be considered carefully in relation to any impact on the adjacent Listed building and its setting to the west.</p> <p>Recommendation: that the POS designation should be removed from the area of land to the east of Seafield House, which has been excluded from the SSI.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to remove Protected Open Space designation from land to east of <b>Seafield House, La Route de St Aubin, St Lawrence</b>, outwith the defined boundary of the Listed building.</p>
19.	<b>Field 236 and 237, St John</b>	<p>This deals with the issue of whether these two fields should be designated as Protected Open Space within the Built-up Area.</p> <p>The inspectors understand that this was the intention of the Minister but in error the POS notation was not shown on the Proposals Map.</p> <p>In the inspectors assessment, these two fields provide worthwhile open space within the settlement warranting their designation as POS in the same way as the field immediately to their east.</p> <p>Recommendation: that the Minister proceeds as intended.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to designate as Protected Open Space <b>Field 236 and 237, St John</b>.</p>

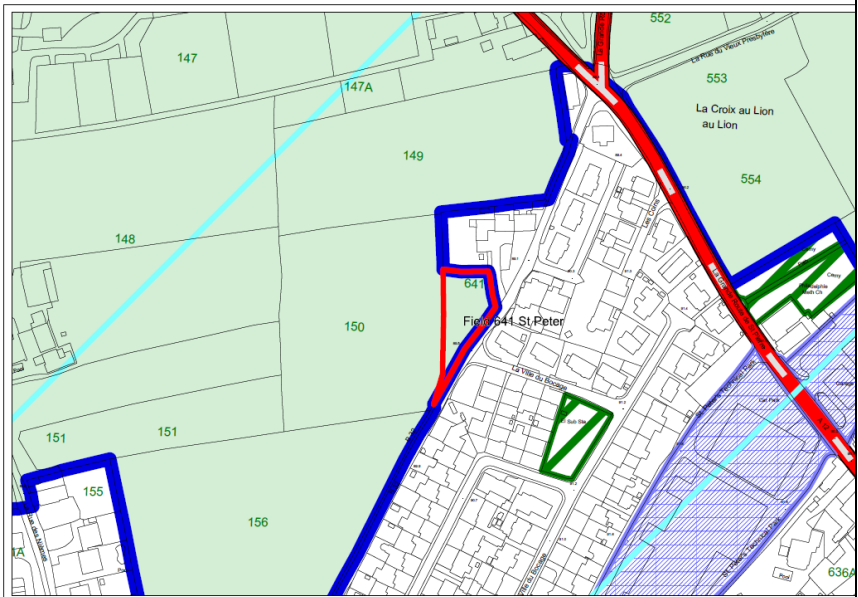
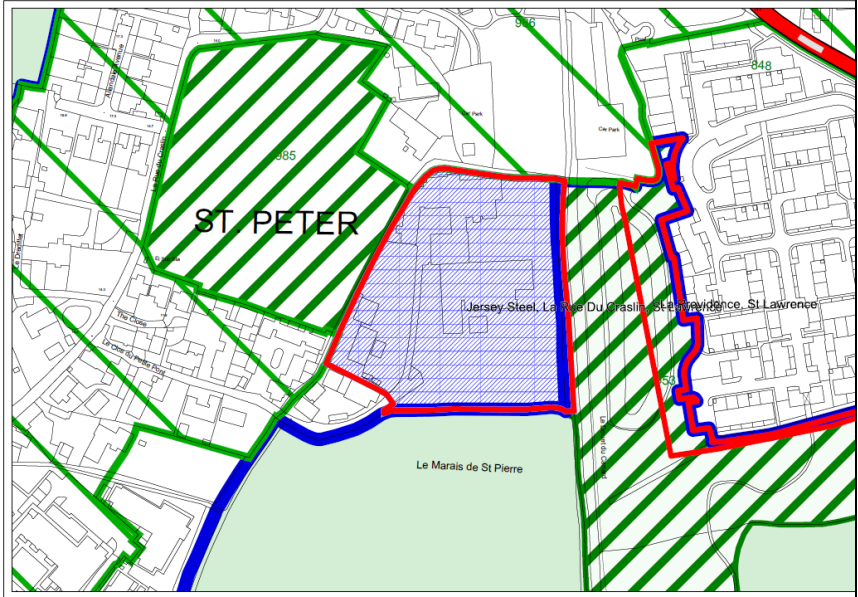


Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
20.	<b>Field 525, St John</b>	<p>Safeguard part of the site (up to 2,500 sqm) for educational use where justifiable evidence of need.</p> <p>Recommendation: that the Minister proceeds as intended.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to safeguard part of <b>Field 525, St John</b> for educational use.</p>
21.	<b>La Maisonette, La Rue de Haut, St Lawrence</b>	<p>This site is already partly developed residentially and adjacent to the Built-up Area as defined by the draft Plan. Bearing in mind the existing pattern of development, in all the particular circumstances the inspectors consider that the Built-up Area boundary would be more appropriately drawn to include this site. This would not be contrary to the strategic aims of the Plan.</p> <p>It was indicated to the inspectors that the site might be suitable for one further dwelling. Any such proposal would need to be sensitively designed with regard to the rising ground.</p> <p>Recommendation: that the Minister amends the Built-up Area to take in this very small site - the curtilage of La Maisonette, La Rue De Haut.</p>	<p>Reject inspectors' recommendation and maintain site in the Green Zone.</p> <p>The site's inclusion within the Built-up Area would not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside.</p> <p>Any development in this area would be considered detrimental to the visual amenities and character of the area.</p> <p>The draft Plan's Green Zone designation remains consistent with the 2002 Island Plan. Designating this as Built-up Area would, therefore, challenge established policy.</p>	 <p>No amendment to the Proposals Map - maintain La Maisonette, La Rue de Haut, St Lawrence within the Green Zone.</p>
22.	<b>La Providence, St Lawrence</b>	<p>The inspectors agree with all these proposals which essentially are designed to tidy up the designations in this area. Recommendation: that the Minister proceeds as intended.</p>	Accept inspectors' recommendation	

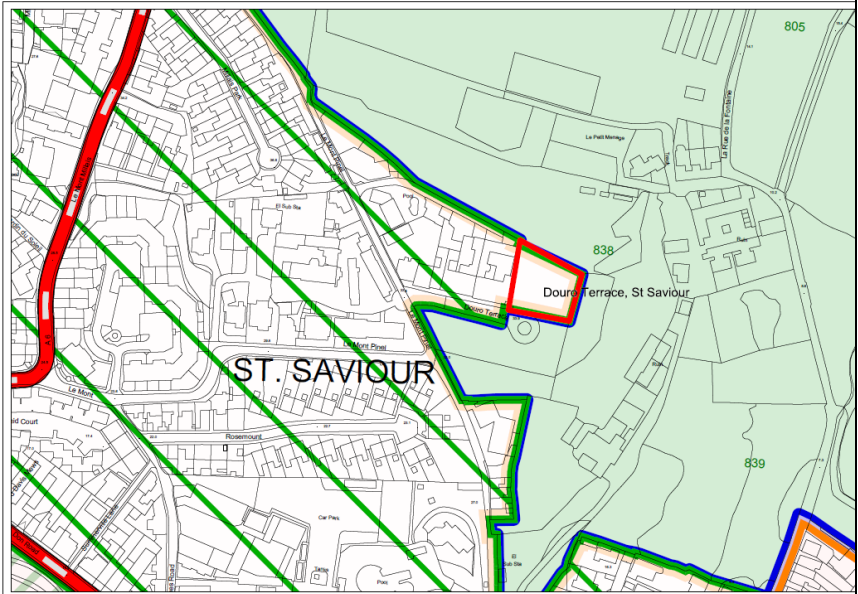
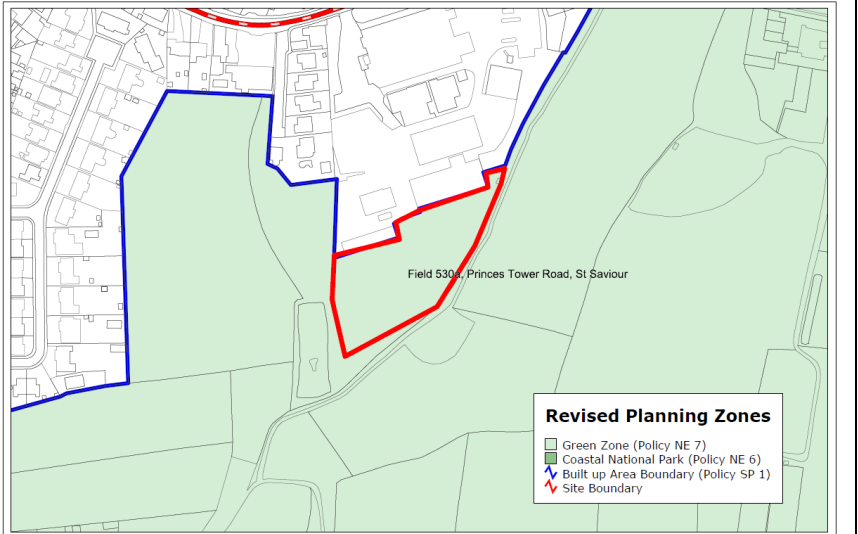
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
				<p>Amend the Proposals Map to address minor anomalies and inconsistencies at <b>La Providence, St Lawrence</b>, as follows:</p> <p>(a) the lawned play area sites and the southernmost car park (intended in large part to serve the wider community / public amenity area) should be excluded from the Built-up Area and included in the Green Zone and the Protected Open Space designation; (the other 2 car parking areas and community building site should remain in the Built-up Area);</p> <p>(b) the track and the landscaped areas to the west of the community building site should be excluded from the Built-up Area and included in the Green Zone;</p> <p>(c) to the west of the housing site part of the landscaped peripheral amenity areas and a large part of the landscaped berm has been included in the Built-up Area. This area should be excluded from the Built-up Area and included in the Green Zone and the Protected Open Space designation.</p> <p>(d) Field 862 should be designated as Protected Open Space as well as Green Zone.</p>
23.	<b>Field 616/617, St Ouen</b>	<p>Include site within Built-up Area to reflect the physical extent of existing development on the ground.</p> <p>Recommendation: that the Minister proceeds as intended.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to rezone <b>Field 616/617, St Ouen</b> to Built-up Area.</p>

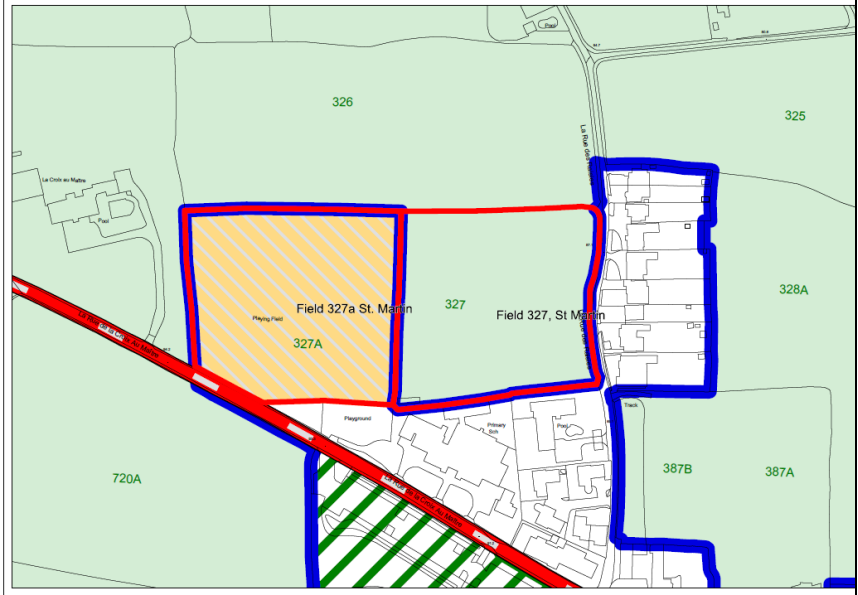
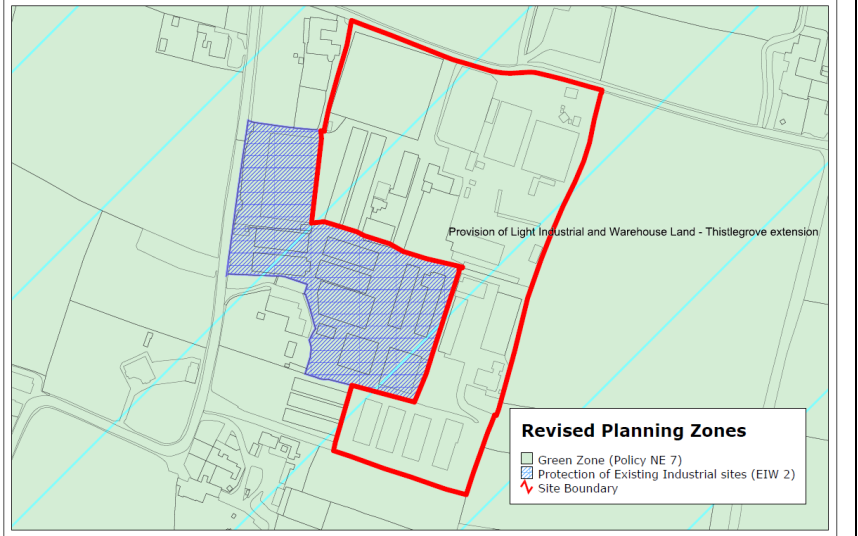
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
24.	<b>Field 782, St Ouen</b>	Safeguard part of the site for educational use where justifiable evidence of need. Recommendation: that the Minister proceeds as intended.	Accept inspectors' recommendation	 <p>Amend Proposals Map to safeguard part of <b>Field 782, St Ouen</b> for educational use.</p>
25.	<b>Airport Regeneration Zone</b>	Support amendment of boundary to reflect operational area. See Volume 1, Chapter 6. Recommendation: that the Minister proceeds as intended.	Accept inspectors' recommendation	 <p>Amend Proposals Map to amend boundary of <b>Airport Regeneration Zone</b> to reflect operational area.</p>



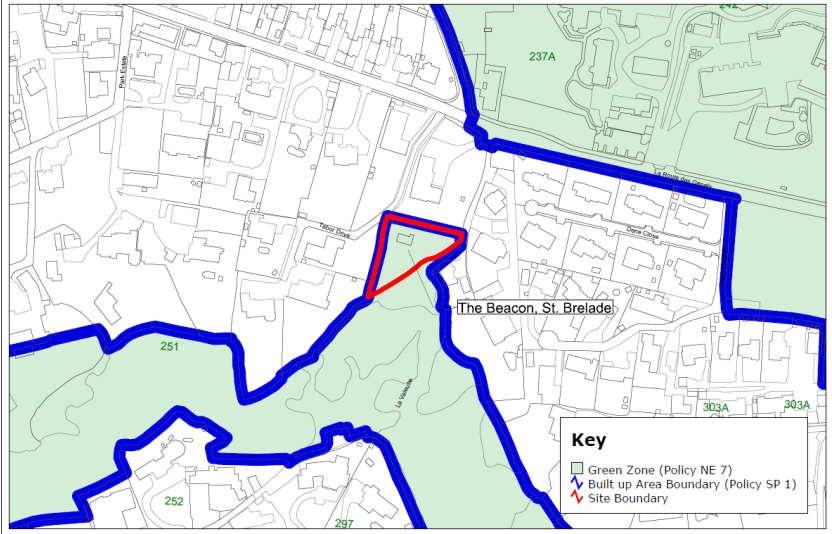
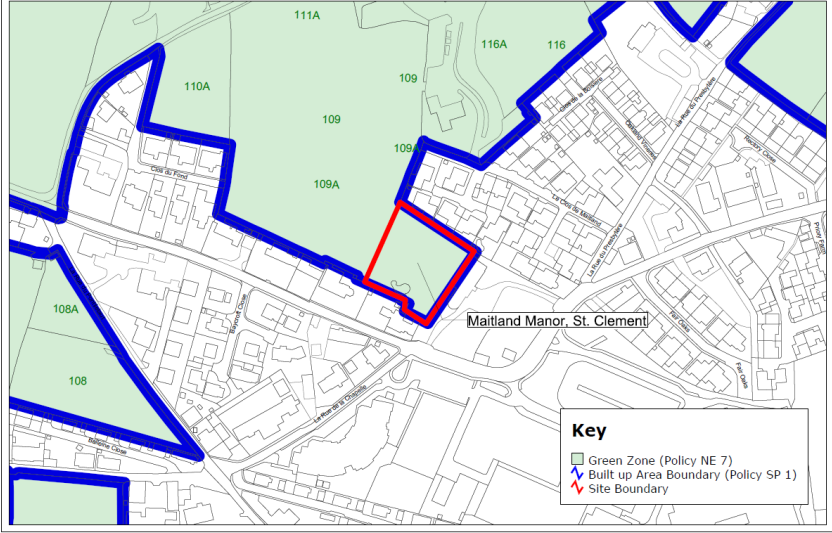
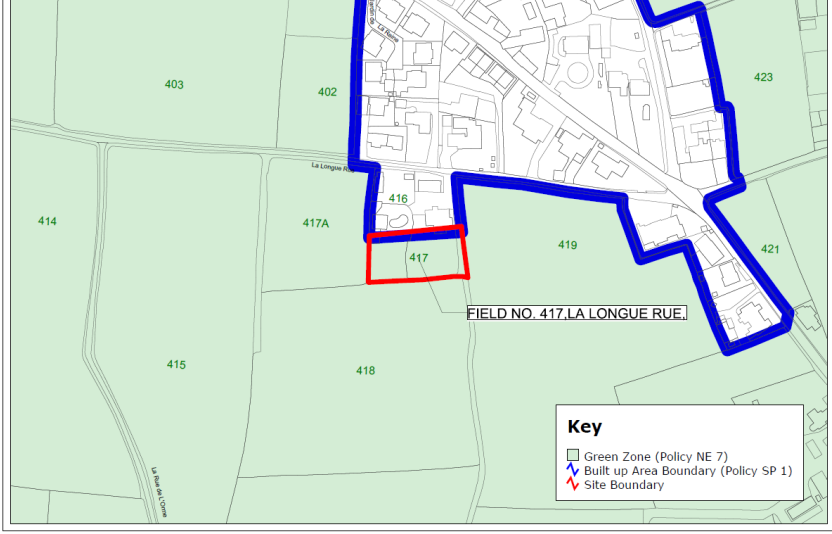
Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
26.	<b>Field 641, La Rue de la Pointe, St Peter</b>	<p>On balance the inspectors agree with the objectors. Although this small area of land was designated as Built-up Area in the 2002 Plan, the inspectors consider that it does not meet the criteria for Built-up Area being applied in the Draft 2009 Plan in accordance with the Island Strategic Plan.</p> <p>The obvious boundary to the Built-up Area here is the Rue de la Pointe, leaving the small cluster of long-standing buildings immediately to the north standing in designated Green Zone.</p> <p>The inspectors also note the repeated refusals of applications for housing on the site.</p> <p>Recommendation: The Minister should amend the Plan to remove this site from the Built-up Area and include it within the Green Zone.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to remove <b>Field 641, La Rue de la Pointe, St Peter</b> from within Built-up Area and include within Green Zone.</p>
27.	<b>Jersey Steel, La Rue de Craslin, St Peter</b>	<p>To correct an error on the Proposals Map to identify the site of Jersey Steel as being subject to Policy EIW2: Protection of existing industrial sites</p> <p>Recommendation: The Minister should amend the Proposals Map to designate Jersey Steel as a protected industrial site, as the Minister intends.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to designate <b>Jersey Steel, La Rue de Craslin, St Peter</b> as Protected Industrial Site.</p>



Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
28.	<b>Douro Terrace, St Saviour</b>	<p>This is an issue of very fine detail. The inspectors note and accept that in some circumstances it may be entirely appropriate to include a building within a Built-up Area but some of its curtilage within adjacent Green Zone.</p> <p>On balance, in the particular case of 5 Douro Terrace, the inspectors consider that the subdivision is not justified. Having looked carefully on the ground the inspectors have concluded that garden lying east of the terrace forming the garden of No 5 should be included within the BUA. The inspectors have no doubt that all the undeveloped land to the south of the road in front of the terrace, and its extension to the east, has rightly been included within the Green Zone. There is a clear distinction in character between the two parcels of land.</p> <p>Any proposal for development within the garden to No 5 would need to be assessed very carefully with regard to its impact on the terrace and the wider locality.</p> <p>Recommendation: that the Minister amends the Plan to include the garden of 5 Douro Terrace within the BUA as described above.</p>	Accept inspectors' recommendation	 <p>Amend Proposals Map to include garden of 5 Douro Terrace within Built-up Area</p>
29.	<b>Field 530a, Princes Tower Road, St Saviour</b>	<p>The inspectors have been made aware of history of recent proposals for this site and the associated dairy site to its north. In the light of this, the inspectors view is that it is undesirable to exclude the relatively small rearward area of land in order to concentrate built development solely on the dairy site itself.</p> <p>The inspectors think that a holistic approach to the combined areas offers scope for a better scheme, which takes into account the relationship to the open land beyond.</p> <p>The inspectors fear that a constrained development on the northern part of the former dairy land might ultimately lead to a less optimum outcome for the combined areas which fails to respect the environs of the site.</p> <p>Recommendation: that the Minister amends the Plan to include Field 530a within the BUA.</p>	<p>Reject inspectors' recommendation and maintain the site within the Green Zone. The site's inclusion within the Built-up Area would not meet with Minister's stated objective of protecting open spaces from further incremental development opportunities and the gradual erosion of the countryside.</p> <p>Field 530a is a sensitive site with high visual amenity and landscape value. Any development of it would be considered detrimental to the visual amenities and character of the area.</p> <p>The draft Plan's Green Zone designation remains consistent with the 2002 Island Plan. Designating this as Built-up Area would, therefore, challenge established policy.</p>	 <p>No amendment to the Proposals Map - maintain <b>Field 530a, Princes Tower Road, St Saviour</b> within the Green Zone.</p>

Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
30.	<b>Field 327, St Martin</b>	The request to amend the draft Plan by the Education, Sports and Culture Department arose after the EiP and so the inspectors have made no comment on this proposal.	<p>The Minister wishes to amend the Proposals Map in order to respond to this community need for the redevelopment of St Martin's Primary School and the provision of associated playing fields in light of changed circumstances and ESC's request.</p> <p>A development brief to guide the redevelopment of the school will be prepared and adopted by the Minister as supplementary planning guidance, following appropriate consultation.</p>	 <p>Amend the Proposals Map to remove the protected open space designation from field 327, St Martin and change it to Safeguarded for education use (Policy SCO1). Amend the Proposals Map to remove the Safeguarded for education use designation from field 327A, St Martin and change it to the Green Zone.</p>
31.	<b>Provision of light industrial and warehouse land – Thistlegrove extension.</b>	Recommendation for the reasons given in Volume 1, Chapter 7, that the Minister should not amend the Plan.	<p>In light of the falling demand for space and the potential for further contraction in the fulfilment industry due to the uncertainty over the long term prospects of low value consignment relief; together with the Inspectors' concern about the locational and access disadvantages of the Thistlegrove site (relative to the Plan's spatial strategy) the Minister is minded to remove the proposed extension of Thistlegrove industrial estate (at Policy EIW1) from the revised draft Plan.</p> <p>The Minister also considers that the need for light industrial space can be met from other sources, including Jersey Airport and other existing industrial sites, together with an opportunity to enhance the floorspace of existing operations under proposed changes to the General Development Order.</p>	 <p>Remove <b>Provision of light industrial and warehouse land zoning from Proposals Map at Thistlegrove, St. Lawrence.</b></p>



Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
32.	<b>The Beacon, La Route des Genets, St Brelade</b>	No direct comment from the inspectors was made upon this proposed minor amendment as it has arisen after the close of their examination.	<p>The site does not meet with Minister's stated objective of protecting green open spaces from further incremental development opportunities.</p> <p>Any development in this area would be considered detrimental to the visual amenities of the area.</p> <p>This site is in a sensitive landscape character area and in order to prevent any further incursion of the Built-up Area into green open spaces, the site is designated as Green Zone.</p>	
33.	<b>Maitland Manor (garden), la Grande route de St. Clement, St Clement</b>	No direct comment from the inspectors was made upon this proposed minor amendment as it has arisen after the close of their examination.	<p>The site does not meet with Minister's stated objective of protecting green open spaces from further incremental development opportunities.</p> <p>Any development in this area would be considered detrimental to the visual amenities of the area.</p> <p>This site is in a sensitive landscape character area and in order to prevent any further incursion of the Built-up Area into green open spaces, the site is designated as Green Zone.</p>	
34.	<b>Field 417 (Garden of La Huterie), La Longue Rue, St. Martin</b>	No direct comment from the inspectors was made upon this proposed minor amendment as it has arisen after the close of their examination.	<p>The site does not meet with Minister's stated objective of protecting green open spaces from further incremental development opportunities.</p> <p>Any development in this area would be considered detrimental to the visual amenities of the area.</p> <p>This site is in a sensitive landscape character area and in order to prevent any further incursion of the Built-up Area into green open spaces, the site is designated as Green Zone.</p>	
35.	<b>Fields 741 &amp; 742, New York Lane, St. Saviour</b>	<p>This site has been put forward for housing as an extension of the 'Built up Area' or for Category A housing by the inspectors.</p> <p>Recommendation: for the reasons given in Volume 1, Chapter 8, that the Minister does not amend the Plan but that subject to consultation and</p>	As the Minister has amended the Plan to remove the Longueville Nurseries site for development of Category A housing and to rezone it as Green Zone, the potential for developing the adjacent Fields 741 and 742 for the further provision of	No amendment to Proposals Map

Ref	Site	Summary of Inspectors' recommendation	Minister's response	Draft Plan amendment
		further investigation he considers the southern part of the site for Category A housing should the need arise in the future (to align with the northern edge of development on the adjacent Longueville Site if confirmed.)	housing is not appropriate at this time, and the Minister is minded to reject this recommendation.	
36.	<b>Key on Town Proposals Map</b>	No direct comment from the inspectors was made upon this proposed amendment.	Accept the suggested change to amend Key on Town Proposals Map to ensure accuracy	Amend key on town Proposals Map: <b><i>Change 'Potential Pedestrian Priority Street (Proposal 17)' to 'Pedestrian Priority (Proposal 18)'</i></b>
37.	<b>Keys on both Proposals Maps</b>	No direct comment from the inspectors was made upon this proposed amendment.	Accept the suggested change to amend key on Proposals Maps to ensure accuracy	Amend keys on both Proposals Maps: <b><i>Safety zones on key refer to Policy NR6, whereas reference should be to NR8.</i></b>