

STATES OF JERSEY

**PLANNING AND BUILDING (JERSEY) LAW 2002
(as amended)**

**PLANNING AND BUILDING (PUBLIC INQUIRIES) (JERSEY) ORDER 2008
(as amended 2015)**

PUBLIC INQUIRY

**PROPOSED RESIDENTIAL DEVELOPMENT, FIELD 632 AND PART OF
FIELD 559, LA GRANDE ROUTE DE ST PIERRE / LA ROUTE DU MANOIR,
ST PETER, JERSEY**

**OUTLINE PLANNING APPLICATION REFERENCE PP/2017/1444:
Development of 65 no. First-time Buyer Affordable Homes on Field 632
& part of Field 559. Construction of associated garden stores,
landscaping, highway improvements and new bus shelter. Reserved
Matters: External Appearance and Materials.**

REPORT TO THE MINISTER FOR THE ENVIRONMENT

BY

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AN INDEPENDENT INSPECTOR APPOINTED UNDER ARTICLE 3

29th MARCH 2018

Public Inquiry PP/2017/1444

Field 632 and Part of Field 559, La Grande Route de St Pierre
La Route du Manoir, St Peter, Jersey

March 2018

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1. Executive Summary

- 1 In March 2018, I conducted a Public Inquiry into an outline planning application, submitted by Andium Homes Limited, for the development of 65 first time buyer affordable homes. The application, relates to a site adjacent to the built-up area of St Peter, but located wholly within the Green Zone.
- 2 This Report focuses on the planning merits of the application.
- 3 The Planning and Building (Jersey) Law 2002 (as amended) provides the legal framework for the operation of the planning system in Jersey. Planning decision-making in Jersey is ‘plan-led’ and the current, relevant ‘*Island Plan*,’ which takes primacy in decision making, is the Revised 2011 Island Plan.
- 4 There is a general presumption that development in accordance with the Revised 2011 Island Plan (referred to in this Report as the Island Plan) will be permitted and that development that is inconsistent with the Island Plan will normally be refused.
- 5 However, according to Jersey Law¹, the provisions of the Island Plan may be overridden if there is ‘*sufficient justification*’ to do so. Whilst this provides decision-makers with a degree of discretion, any inconsistencies with the Island Plan should be fully justified in planning terms.
- 6 My assessment of the planning application has been carried out within this legal and policy context.
- 7 During the Public Inquiry, I heard and considered evidence from various participants, including the Applicant’s team and Officers of the Department of the Environment. I also heard from the States of Jersey’s Strategic Housing Unit, from an elected representative, from members of the public and from the Jersey Farmers Union. Not everyone who made a representation spoke at the Public Inquiry and I confirm that all representations made, spoken and written, have been taken into account and have helped to inform my assessment of the planning application.

¹ Article 19 of Planning and Building (Jersey) Law 2002 (as amended).

- 8 In summary, for the reasons set out in this Report, I recommend to the Minister that the proposed development should not be permitted due to substantial and significant conflict with the Island Plan and because '*sufficient justification*' to override the provisions of the Island Plan has not been demonstrated.
- 9 All parties accept that the proposed development is in direct conflict with Policy NE7 of the Island Plan, which in general terms, establishes a presumption against development in the Green Zone.
- 10 In addition to the above, I have found that the proposed development would also result in conflict with the following Policies of the Island Plan:
 - SP1 (*Spatial strategy*);
 - SP3 (*Sequential approach to development*);
 - SP4 (*Protecting the natural and historic environment*);
 - SP7 (*Better by design*);
 - GD1 (*General development considerations*);
 - H5 (*Affordable housing in rural centres*); and
 - ERE1 (*Safeguarding agricultural land*).
- 11 Consequently, the proposed development's level of conflict with the Island Plan is substantial and significant. Given this, I find that '*sufficient justification*' to override the proposal's departure from the Island Plan would need to be wholly exceptional.
- 12 Such wholly exceptional sufficient justification has not been demonstrated.
- 13 In support of the proposal, the Applicant considers that the delivery of 65 affordable first time buyer houses to meet an identified need justifies departure from the Island Plan. However, I have found that the provision of information to demonstrate that the proposed development responds to a specific area of demand is not the same thing as evidence to demonstrate that the Island Plan under-provides for affordable housing.
- 14 Rather, the overall supply of affordable housing currently exceeds the requirements of the Island Plan.
- 15 In effect, I consider that the proposed development seeks to address a single area of demand for affordable housing outside a comprehensive, Island-wide context. Furthermore, I have found that it would do so in a manner that would be in direct conflict with the Policies of the Island Plan and would lead to identified harm.

- 16 I therefore conclude that it has not been demonstrated that there is sufficient justification to justify a departure from the Island Plan, but rather, that it would be premature to permit the proposed development ahead of work, that is already underway, aimed at providing necessary clarity in respect of the Island's affordable housing needs.

2. Recommendation

- 17 Further to the Public Inquiry and the consideration of all of the information before me, I find that in this case, '*sufficient justification*' to warrant a significant departure from the Island Plan has not been demonstrated.
- 18 Whilst I note that the proposal might contribute to meeting one specific area of demand for affordable housing within a single location, albeit in a manner that is in direct conflict with the Island Plan's Spatial Strategy, I find that it would do so without the support of clear evidence to demonstrate how it would contribute to meeting the overall demand for affordable housing across the Island.
- 19 This is because overall demand for affordable housing across the Island is something of an unknown quantity. The Strategic Housing Unit is now seeking to address this absence of relevant information. In the meantime, permitting a proposal that could set a precedent for disregarding the policies of the Island Plan would be premature, in the absence of a comprehensive evidence base to demonstrate how such development relates to the overall, Island-wide demand for all types of affordable housing.
- 20 The Public Inquiry revealed that there are opportunities for the introduction of effective and efficient cross-working in respect of understanding the need for, and for planning for the delivery of, affordable housing across the Island. The realisation of these opportunities can help to ensure an appropriate and comprehensive approach to the successful Island-wide planning and delivery of affordable housing.
- 21 In submitting my recommendation I am mindful that the plan-making process – and not the planning application process - provides an appropriate vehicle to robustly examine and determine matters of fundamental strategic importance to the Island. Development in Jersey is subject to a plan-led system and the proposed development is in direct conflict with the Island Plan. In this case, there is no sufficient justification to warrant a departure from the Island Plan.

22 I therefore recommend to the Minister that the planning application is refused for the following reasons:

- **Reason 1: The proposal would result in harm to the protected Green Zone, contrary to Island Plan Policy NE7 (Green Zone);**
- **Reason 2: The proposal would be contrary to and serve to undermine the Island Plan’s approach to spatial planning and the delivery of housing, as set out in Island Plan Policies SP1 (*Spatial strategy*), SP3 (*Sequential approach to development*), SP4 (*Protecting the natural and historic environment*) and H5 (*Affordable housing in rural centres*);**
- **Reason 3: The proposal would result in harm to local character and the natural environment, contrary to Island Plan Policies SP4, SP7 (*Better by design*) and GD1 (*General development considerations*);**
- **Reason 4: The proposal would result in the loss of agricultural land without sufficient justification, contrary to the aims of Island Plan Policy ERE1 (*Safeguarding agricultural land*);**
- **Reason 5: The proposal would be premature ahead of the completion of work to establish a clear and detailed understanding of the Island’s affordable housing needs;**
- **Reason 6: Sufficient justification to warrant substantial and significant departure from the Island Plan has not been demonstrated.**

3. Introduction

- 23 My name is Nigel McGurk. I am an Independent Planning Inspector appointed by Jersey's Minister for the Environment. I am a chartered town planner with over 25 years relevant experience across the land, planning and development industry. I am a Planning Inspector and Independent Neighbourhood Planning Examiner in England and am a Director of Erimax – Land, Planning and Communities, a land and planning consultancy. I am a Non-Executive Board Member of Trafford Housing Trust and the Head of Land and Planning for the Leverhulme Estate and the Blenheim Estate.
- 24 I have been appointed to conduct a Public Inquiry into the planning application, PP/2017/1444, submitted by Andium Homes Limited on the 29th September 2017.
- 25 The proposal seeks planning permission for the development of 65 first time buyer affordable homes. The application site comprises agricultural land and is located within the Green Zone, adjacent to the urban area of St Peter.
- 26 Whilst the planning application has been submitted in 'outline,' only matters relating to external appearance and materials have been reserved. Plans and drawings have been submitted to provide an indication of external appearance and materials. Matters relating to scale and mass, siting, means of access and landscape have not been reserved.
- 27 Further to consideration, the Minister for the Environment, Deputy S Luce, resolved on 6 November 2017 that a Public Inquiry should be held into the application and that the Inquiry would be held in accordance with the *Planning and Building (Public Inquiries) (Jersey) Order 2008 (Amended 2015)*.
- 28 The Minister for the Environment determined to hold a Public Inquiry as it was considered that:

*"...if the proposed development were to be carried out the development would be a departure (other than an insubstantial one) from the Island Plan, by virtue of it being a Green Zone site."*²

² Para 1.2, Department of the Environment, Statement of Case, 12/01/18

- 29 I subsequently held the Public Inquiry over two days. It opened on the 5th March 2018 and closed with a site visit on the 6th March 2018. I also undertook informal site visits on the 4th March 2018 and the 7th March 2018.
- 30 The Public Inquiry was held at St Peter Parish Hall. It was assisted by the provision of presentational material including plans and images, as well as a 3D model and the Public Inquiry document library. I heard evidence from various parties, including the Applicant's team and officers from the Department of the Environment and the Strategic Housing Unit.
- 31 In addition to the representations made by people who appeared in person at the Public Inquiry, I have considered all of the written representations submitted. These are provided in the Public Inquiry's electronic document list.
- 32 I would like to record my thanks to the Parish of St Peter for hosting the Public Inquiry and to everyone who contributed to it. All of the representations made have contributed to my understanding of relevant issues and have helped me to reach an informed recommendation to the Minister.
- 33 I would also like to record my thanks to Helen Wilson, the Inquiry Programme Officer, whose skills and knowledge have ensured a smooth Inquiry process.
- 34 The rest of this Report is set out as follows:
- A Description of the Application Site;
 - A Description of the Proposed Development;
 - Relevant Legislation and Policy;
 - Summary of the Applicant's case;
 - Summary of the Department of the Environment's case;
 - Summary of the Cases Made by Other Parties;
 - Consideration of the Main Issues;
 - Consideration of Other Matters;
 - Conclusions
- 35 There are three appendices to this report. Appendix 1 comprises a full list of appearances at the Inquiry. Appendix 2 is the 'Core Documents' list and Appendix 3 is the 'Inquiry Documents' list.

4. The Application Site

- 36 The application site comprises the whole of Field 632 and part of Field 559 in St Peter and measures around 2.05 hectares. It is a flat site and currently comprises grazing land forming part of Manor Farm, a dairy farm.
- 37 The application site is bounded to the west by La Grande Route de Saint Pierre (A12), by La Verte Rue to the north and by La Route du Manoir to the south. The eastern edge of the site adjoins open countryside, comprising grazing land.
- 38 The site is located directly across La Grande Route de Saint Pierre from the Main Rural Settlement of St Peter's Village. Whilst the whole of the site is within very close proximity of St Peter's Village Centre, the site lies outside the Built-up Area (*Island Plan Policy SP1*) and within the Green Zone (*Island Plan Policy NE7*). There are bus stops adjacent to the south western edge of the site, where La Grande Route de Saint Pierre meets La Route du Manoir.
- 39 As well as to the west, the Built-up Area boundary of the Main Rural Settlement extends to the north and the south of the site. There are houses across La Verte Rue to the north of the site and mixed use development, including residential, retail and farm buildings across La Route du Manoir to the south of the site.
- 40 Whilst the site is immediately adjacent to and partly enclosed by the Main Rural Settlement, the presence of granite walls and/or hedgerows along the majority of its boundaries affords some degree of separation from the settlement, as well as providing for a sense of self-containment. Roof-tops and other urban features can be seen above hedgerows to the north, south and west of the site, affording these edges of the site a semi-rural, as opposed to wholly rural, character.
- 41 The site has no planning history. Evidence has been provided to demonstrate that the site is readily capable of being serviced, in respect of utilities; and that the ground has a safe bearing capacity, suitable for the development proposed. The land is currently agricultural and there is no reported contamination.

5. The Proposed Development

- 42 The application seeks planning permission for the development of 65 three bedroomed first time buyer homes.
- 43 The proposal is supported by a Design Statement and a set of plans, all of which have been published electronically:
- Design Statement, Parts 1 and 2 (and Appendices A-J)
 - Site Location Plan
 - Existing Site Plan
 - Proposed Site Plan
 - Floor Plan Proposed Elevations
 - Floor Plan Typical House Type Layout (HT1A-C and HT2)
 - Proposed Sectional Elevations
 - Proposed Landscaping Plan (North)
 - Proposed Landscaping Plan (South)
 - Proposed House Type Key Plan
 - Proposed Indicative Aerial View
 - Proposed Indicative Village Green View
 - Proposed Typical External Store Layout
- 44 The proposal is also supported by a Transport Assessment and Outline Travel Plan. A new vehicular access is proposed. This would connect the site directly with La Grande Route de St Pierre and would form the sole vehicular access. Evidence has been provided to demonstrate appropriate visibility splays in both directions. Jersey Fire Service and Western Refuse have confirmed that the proposed internal road layout would meet their requirements.
- 45 The proposal would provide a total of 147 car parking spaces (two per dwelling and 17 visitor spaces). Car parking would be laid out in courtyards. The scheme would also provide an Electric Vehicle Charging Point (EVCP) for every 10 parking spaces.
- 46 The Applicant proposes to make a financial contribution to the Jersey Bus Service to improve the service offered on the No 9 Bus Route; and to provide an improved replacement bus shelter.
- 47 The proposal would incorporate the provision of new pedestrian and cycle routes within the site and would provide for connectivity with existing routes. A small area of public open space would be provided in the south-western part of the site.

- 48 All proposed dwellings would have three bedrooms. They would be two storeys in height and all would have private amenity space amounting to at least 70 square metres. All dwellings would be either semi-detached or terraced and would be laid out in attached rows of between two and five houses.

6. Relevant Legislation and Policy

- 49 The Planning and Building (Jersey) Law 2002 (as amended) sets out the legal framework for the operation of the planning system in Jersey. This effectively establishes a ‘*plan-led*’ system whereby Jersey’s development plan, currently the Revised 2011 Island Plan, sets out a Strategic Policy Framework together with a detailed set of Policies and Proposals Maps and takes primacy in decision making.
- 50 The Island Plan was approved in June 2011 and a subsequent review resulted in the Revised 2011 Island Plan being approved in July 2014. Today, the Revised 2011 Island Plan (referred to in this Report as the Island Plan) sets the framework for development in Jersey to 2020. There is a legal requirement to review the Island Plan every 10-years and it is currently anticipated that the next review will commence this year, resulting in a new approved Island Plan in 2020.
- 51 As noted earlier in this Report, there is a general legal presumption that development in accordance with the Island Plan will be permitted and that development that is inconsistent with the Plan will normally be refused, unless there is ‘*sufficient justification*’³ for overriding its provisions.
- 52 The Planning and Building (Jersey) Law (as amended) also prescribes that, where the Minister is satisfied that a development proposal:
- “...would be likely to have a significant effect on the interests of the whole or a substantial part of the population of Jersey...”*⁴ then the Minister shall not determine the application “*...unless and until a public inquiry has been held concerning the application.*”⁵
- 53 In accordance with Article 19 of Planning and Building (Jersey) Law 2002 (as amended), a Public Inquiry has been held to inform the determination of this planning application, with all representations made at the Public Inquiry being taken into consideration.
- 54 Many of the Policies of the Island Plan – and the document taken as a whole – are relevant to the application the subject of this Inquiry. The main relevant Policies, and the focus of this Report, are those contained in the Island Plan’s Chapters relating to Strategic Policy, General Development, Housing and the Natural Environment.

³ Article 19 Planning and Building (Jersey) Law (as amended).

⁴ Article 12(1)(a).

⁵ Article 12 (2).

- 55 The Island Plan's Spatial Strategy is set out in Policy SP1 (*Spatial strategy*) and establishes that:

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

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

- 56 Consequently, Policy SP1 establishes that the Island's Spatial Strategy concentrates new development within the Island's Built-up Area and only supports the development of greenfield land in exceptional circumstances, where it justifiably supports parish communities and meets an identified need, where it is appropriate to do so.

- 57 Policy SP2 (*Efficient use of resources*) goes on to seek to ensure that development makes the best and most efficient use of resources, including land, and Policy SP3 (*Sequential approach to development*) establishes a sequential approach to new development, directing it to the most sustainable locations.

- 58 Policy SP4 (*Protecting the natural and historic environment*) affords protection to the natural and built environment and Policy SP6 (*Reducing dependence on the car*) seeks to encourage sustainable patterns of movement. Policy SP7 (*Better by design*) promotes good design and requires development to maintain and enhance local character.

- 59 Policy GD1 (*General development considerations*) establishes the general development considerations against which all planning applications need to be assessed, including sustainability, protection of the historic environment, the amenity of neighbouring occupiers, economic impact, transport and design quality.

- 60 Policy GD3 (*Density of development*) seeks to achieve optimum development density; Policy GD4 (*Planning obligations*) addresses matters relating to Planning Obligation Agreements (POA), where additional infrastructure, amenities or financial contributions might mitigate the effects of development; and Policies GD5 (*Skyline, views and vistas*) and BE10 (*Roofscape*) (in the Built Environment Chapter of the Island Plan) protect the skyline and the appearance of roofscapes, respectively. Policy GD7 (*Design quality*) promotes good design.
- 61 Planning policy as it relates to housing and housing needs is set out in the Housing Chapter of the Island Plan, the Objectives of which, amongst other things, seek:
- *To ensure the provision of land and development opportunities to meet the Island’s housing needs over the plan period;*
 - *To sustain the viability of rural parish communities, where there is a justifiable need to do so, through the provision of land and development opportunities for new residential development.*
- 62 Taking these Objectives into account, Paragraph 6.6 of the Island Plan states:
- “Planning for homes in Jersey requires an understanding of the requirements for homes and how homes will be supplied up to 2020. The Island Plan needs to address the anticipated overall demand for new homes during the Plan period, as well as ensuring that needs and demands for different categories of housing, housing tenures, and housing types are met. This is not straightforward and is based on a series of estimations and assumptions.”*
- 63 The Island Plan estimates a requirement for 1,000 affordable homes between 2013 and 2020⁶ and goes on to state that “...it is envisaged that over 1,100 Category A affordable homes will be delivered over the Plan period...”⁷
- 64 Table 6.4 in the Island Plan indicates that the Island Plan provides for a total supply of 1,060 Category A (affordable) houses between 2013-2020. Whilst this figure is below the 1,100 referred to in Paragraph 6.45, it is above the Island Plan’s estimate of the overall requirement for 1,000 affordable homes during the plan period. In this regard, the Island Plan suggests that it provides for “a small surplus” of Category A homes between 2016-2020.

⁶ Paragraph 6.36, Island Plan.

⁷ Paragraph 6.45, Island Plan.

- 65 Together, policies H1 (*Category A affordable housing sites*), H2 (*Other Category A affordable housing sites*) and H5 (*Affordable housing in rural centres*) provide a planning framework for the provision of Category A housing during the plan period. Whilst these Policies seek to focus such development in line with the Island Plan’s Spatial Strategy, Policy H5 provides for housing development to support the “*vitality and viability*” of Jersey’s rural settlements. In this regard, the supporting text establishes that:

*“It is not envisaged that the scale of development or provision of affordable homes in or around rural settlements would be large...It is currently envisaged that the total number of affordable homes to be delivered through this policy would amount to no more than 50 units over the remainder of the plan period...”*⁸

- 66 Policy NE7 (*Green Zone*), set out within the Island Plan’s Natural Environment Chapter, designates the Island’s Green Zone, where there is a general presumption against development, other than in exceptional circumstances. It states that:

“The Green Zone, as designated on the Proposals Map, will be given a high level of protection from development and there will be general presumption against all forms of development...”

- 67 The Policy allows for a number of exceptions, but in residential terms, exceptions are limited to a single dwelling.
- 68 In addition to all of the above, Island Plan Policy ERE1 (*Safeguarding agricultural land*), in the Economy Chapter of the Island Plan, imposes a presumption against the permanent loss of good agricultural land.

⁸ Para 6.115, the Island Plan.

7. Summary of the Applicant's Case

69 Whilst acknowledging that the proposed development would be contrary to Island Plan Policy NE7, it is the Applicant's case that the delivery of affordable housing at the application site to meet an identified need amounts to "*sufficient justification*" for such a departure from the Island Plan.

70 In this regard, the Applicant states:

"The sufficient justification is the essential need for affordable housing in St Peter (and beyond) that has been established and that field 632 is an appropriate site having regard to policies SP1, SP2, SP3 and H5 of the Island Plan and having regard to policies SP7 (Better by Design), GD1 (General Development Considerations) and GD7 (Design Quality)."

71 In support of its case, the Applicant states that the proposed development will help to meet two of the objectives set out in Objective H1 of the Island Plan:

"...To ensure the provision of land and development opportunities to meet the Island's housing needs over the Plan period...(and);

...To sustain the viability of rural parish communities, where there is a justifiable need to do so, through the provision of land and development opportunities for new residential development."

72 It is the stated view of the Applicant that the Island Plan does not provide sufficient land to meet the Island's housing needs over the Plan period.

73 The Applicant has submitted evidence relating to the demand for housing to support its case and considers that this demonstrates an urgent need for first time buyer homes. The Applicant has referred to support from the Minister for Housing, who in a letter dated 18 January 2018, pointed out that demand for "*affordable ownership in Jersey as demonstrated by the number of active applications registered on the Affordable Housing Gateway*" stood at 1022, up from 860 in September 2017. The Applicant also states that the need in St Peter is "*acute,*" as demonstrated by 252 applications registering interest for the 65 dwellings proposed in this application.

- 74 The Applicant states that the Island Plan is based on flawed assumptions. In this regard, the Applicant considers that the need for housing in Jersey is growing at a level above that provided for by the Island Plan due, in part, to population growth arising from migration rates that are higher than anticipated.
- 75 The Applicant has also submitted evidence to show that all of the recommendations contained in the Inspectors' Report to the Minister for Environment 18th February 2014 were not carried through to the final, approved version of the Plan.
- 76 The Applicant, with reference to Page 445, Section 3 of the Island Plan, states that there has been a failure to monitor the delivery of affordable housing in accordance with the requirements of the Island Plan. In this respect, the Applicant states that circumstances have changed and that there is now a pressing need for the development proposed.
- 77 The Applicant considers that the need for the delivery of affordable housing is so pressing that it cannot wait for the revision of the Island Plan, which may take until 2021/2022.
- 78 The Applicant considers that the proposal is in accordance with the Island Plan's Spatial Strategy, with specific reference to the third bullet point of Policy SP1 which provides for the development:
- "Of greenfield land, in exceptional circumstances, where it justifiably supports parish communities or the rural economy and which meets an identified need and where it is appropriate to do so."*
- 79 In support of this, the Applicant states that:
- "A thorough assessment of the capacity of the existing Built-Up Area within St Peter's Village has been carried out and there is no capacity for providing meaningful affordable housing...(and that the development is justified) on the basis of essential need...(and) will cause least harm to the character and appearance of the landscape."*
- 80 In respect of the Spatial Strategy in the Island Plan, the Applicant considers that the proposal has appropriate regard to Policies SP2 and SP3, as well as SP1.

- 81 Whilst the Island Plan (in Paragraphs 6.120 to 6.123) provides the scope for Village Plans to provide for new affordable housing around rural centres, the Applicant has confirmed that the proposed development is not supported by an approved Village Plan.
- 82 The Applicant has expressed concerns that the Village Plan approach is “*not the swiftest route*” and that there is no guarantee that a Village Plan would be approved by the States of Jersey at the end of the process. The Applicant states that Paragraph 6.124 of the Island Plan “*provides scope*” to submit the application the subject of this Public Inquiry.
- 83 The Applicant states that a Draft Village Plan was prepared for the identification of an appropriate site for the development of affordable housing. However, it is accepted by the Applicant that this Draft Village Plan is not the same thing as an approved Village Plan. The Applicant states that the proposed development site emerged through a site selection process and that a Parish Meeting has voted in favour of the proposal.
- 84 Notwithstanding the above, the Applicant considers that, in any case, the proposed development is in accordance with Island Plan Policy H5.
- 85 The proposal will result in the loss of good agricultural land. Whilst the Island Plan Policy ERE1 imposes a presumption against the permanent loss of good agricultural land, the Applicant states that the need for affordable homes for purchase means “*that there is sufficient justification to set aside this policy.*”
- 86 In the Design Statement accompanying the planning application, the Applicant includes a reference from the landowners to the application site being considered as “*peripheral*” to the agricultural landholding, largely because cows have to cross a road to reach it.
- 87 Further to the above, also in the Design Statement accompanying the application, the Applicant sets out how, in its view, the proposed development “*will not be detrimental to the operation*” of the farm business associated with it and that the proposal will safeguard the long term future of the associated farm by allowing the landowners to “*invest in the future of the business*” to keep the “*family farming legacy viable.*”
- 88 Whilst matters relating to external appearance and materials are reserved, the Applicant considers that the proposal meets relevant design and general development considerations, having regard to Island Plan Policies GD1, GD7 and SP7.

- 89 In the above regard, the Applicant states that the proposal will be screened *“to a very great degree”* by the planting of hedgerows and additional trees. At the same time, the Applicant considers that the elevations and site sections included with the application indicate that the development will *“fit in well with the scale of the existing village centre”* and will have a *“varied and interesting roofscape”* reflecting a *“traditional rural vernacular village cluster.”*
- 90 The Applicant states that the creation of a new village green public open space as part of the proposal will *“create a spiritual and visual “heart” to the Parish...providing public open green space for locals to enjoy...(and) opportunities for ecological enhancement.”*
- 91 The Applicant states that the proposal provides vehicle access in line with relevant standards and parking provision in line with approved schemes elsewhere. An improved bus shelter and a contribution to improved bus provision are proposed; as are improvements to pedestrian and cycle provision.
- 92 Evidence has been provided to demonstrate that the proposal will not generate excessive traffic impacts requiring improvements to existing road capacity or junction layouts; and that the proposal will not increase road safety risks, but will, to some degree, improve safety at key junctions within the village centre.
- 93 The Applicant has submitted evidence in respect of ecology. This states that the removal of 359 metres of hedgerow habitat of high ecological value will result in a significant loss of Biodiversity Action Plan habitat on site and may disturb or possibly harm protected species during clearance works.
- 94 However, the evidence goes on to state that the development of the site can eliminate or reduce negative impacts on protected species and allow development *“to continue without breach of The Wildlife Law.”* The report states that a Habitat Creation and Management Plan has been produced *“to ensure the long term ecological functionality of the site for protected species, and to provide considerable environmental gains...”*
- 95 NB, the Applicant, the Department of the Environment and the Strategic Housing Unit agreed, during the course of the Public Inquiry, that the most up-to-date figure relating to the supply of affordable housing over the Plan period is 1,253 dwellings.

8. Summary of the Department of the Environment’s Case

96 The Department states that:

“The proposal does not accord with the policy framework of the Island Plan, and the Department are of the opinion that the application does not provide the level of ‘sufficient justification’ which is required to depart from the Island Plan on such important issues.”

97 The Department considers that the proposed development is premature, in that it only considers a single Parish and sits outside emerging work related to the forthcoming review of the Island Plan, most notably an Island-wide Objective Assessment of Housing Needs.

98 The Department states that the re-zoning of land outside the Built-Up Area is *“usually”* a strategic, Island-wide matter. The Department identifies that Policy H5 of the Island Plan does provide for an alternative approach, through the approval of a Village Plan, but notes that the Applicant has *“chosen not to pursue”* this option.

99 Whilst the Department notes that the proposal does not comprise a Village Plan, it states that it previously advised that:

“Any sites the Parish might put forward that were not already zoned for housing would need to be part of a Village Plan, as specified in the Island Plan.”

100 The Department considers that the content of the Island Plan provides the *“clear ‘supply-side’ tool for Island-wide housing provision”* and in support of this, refers to the Housing Strategy 2016, which states:

“The SHU (Strategic Housing Unit)...will work with the Department of the Environment should additional supply be required from new sources...”

101 The Department refers to the legal requirement to renew the Island Plan and stated in the Public Inquiry that the timetable for Island Plan review is aimed at approving a revised Island Plan in 2020.

102 The Department considers that the estimated supply of affordable homes will *“outstrip the estimated demand”* over the Plan period. In asserting this, the Department acknowledges an increase in demand for homes to purchase, but notes that *“the rental list has been significantly reduced – indicating...issues of need relate to tenure rather than quantum.”*

103 In the above regard, the Department states that the most recent 2016 Housing Needs Survey:

“...did not identify any overall increases in demand over supply but rather identified a tenure demand change for homes for purchase.”

104 Further to the above, the Department considers that *“in the context of healthy supply”* there is no overwhelming need to warrant the release of a large greenfield site outside the Built-up Area without further work to examine the Island-wide context.

105 In respect of affordable housing, the Department refers to a previous Inspector’s Report⁹ and whilst I note its content, I am mindful that this Report pre-dates both the current and previous versions of the Island Plan.

106 The Department considers that evidence in respect of the Housing Gateway appears *“implausible”* and that as such, it supports the need for an Island-wide approach to consider needs and how they might be met. The Department states:

“...the SHU have identified the Island-wide Band 5 needs as 460 3-bed units...and that 121 of these were St Peter-related applicants...This suggests 26% of the 3-bed Band 5 needs of the whole Island relate to the Parish of St Peter. This appears implausible given that the Parish of St Peter contains only about 5% of the population of the Island...”

107 The Department states that the Island Plan’s underlying assumptions, including those related to migration, have been tested at Examination in Public. It notes that a revised population policy is currently lodged for future States debate and that this would, if adopted, inform any review of the Island Plan.

108 The Department states that migration changes will not have an immediate and direct effect on Category A housing requirements, as new migrants to Jersey have limited access to housing such that they cannot access affordable housing until they have been resident for 10 years.

109 The Department has referred to the Island Plan’s *“substantial shift”* in emphasis, compared to previous versions, on the need to protect greenfield sites and direct built development to the Built-up Area, particularly St Helier. The Department considers that the proposal does not accord with the Island Plan Spatial Strategy.

⁹ Inspector’s Report for P/2010/1717.

110 The Department considers that, whilst Policy SP1 presents an “*exceptional circumstances*” option for development outside the Built-up Area, the Island Plan sets out that this should be “*limited*” and/or “*small scale*.” The Department states that the proposal is neither limited, nor small scale.

111 With reference to the proposal’s conflict with Policy NE7, the Department emphasises the importance of the Green Zone and refers to Paragraph 2.113 of the Island Plan, which states:

“The concept of the Green Zone is already well established and familiar to local residents. The vigorous public response, in the Green Paper...to further protect the countryside from development has demonstrated a clear need to review and strengthen the existing countryside policies in order to further protect this important asset.”

112 The Department states that the proposal focuses entirely on the delivery of affordable 3 bed housing and does not set out “*the support that the proposal will give to the village community*.” The Department notes that no analysis has been provided in respect of why the “*perceived shortfall*” in affordable housing is detrimental to the Parish; and states that there is a lack of context in relation to the prospective benefits to the social or community infrastructure of the village of St Peter.

113 Whilst the Department notes that the proposal does not comprise a Village Plan, it states that it previously advised that:

“Any sites the Parish might put forward that were not already zoned for housing would need to be part of a Village Plan, as specified in the Island Plan.”

114 The Department notes that the proposal will involve the loss of c2 hectares of agricultural land. It states that there is no mechanism within the application to ensure that agricultural investment will occur; and notes that, whilst the owner of the site regards the site as “*peripheral*” the Department notes that it is in very close proximity to the main farm buildings.

115 The Department states that the proposal will result in a change to landscape character that may be mitigated by perimeter landscaping but that would not enhance countryside character.

116 The Department considers that the proposed village green is:

“...rather limited in its scope and lacks any real ambition to deliver benefits for the wider village.”

- 117 The Department also considers that the proposal is not exempt from a “*percentage for art*” contribution.
- 118 NB, as noted above, the Applicant, the Department of the Environment and the Strategic Housing Unit agreed during the course of the Public Inquiry that the most up-to-date figure relating to the supply of affordable housing over the Plan period is 1,253 dwellings.

9. Summary of the Cases Made by Other Parties

Constable John Refault

119 Whilst the Constable was called to provide evidence by the Applicant, I also note that he summarised the evolution of the proposed development and specified that it emerged from his original objective of exploring the viability and if possible:

“...the delivery of a housing project for first time buyers that would always remain affordable for future buyers in perpetuity.”

120 The Constable set out that the proposal emerged further to a rigorous analysis of potential sites; and following full engagement with parishioners and the securing of support for the final proposals.

121 The Constable set out that residents were generally reassured and happy that the work undertaken had produced the right outcome.

122 The Constable considers that there is no doubt that there is a very real and urgent need for more affordable homes. Significant need has been demonstrated and there is no alternative site in the Parish.

Strategic Housing Unit (Jack Norris and Richard Joualt)

123 As noted, the Strategic Housing Unit, the Applicant and the Department of the Environment agreed during the course of the Public Inquiry that the most up-to-date figure relating to the supply of affordable housing over the Plan period is 1,253 dwellings.

124 The Strategic Housing Unit stated that the Minister for Housing supports the proposal and considers it meets identified needs consistent with the aims of the 2016 Housing Strategy.

125 The Strategic Housing Unit stated that demand for affordable housing is expressed through the Housing Gateway waiting list. It considers that, since 2011, there has been a shift in demand from social rented to first time buyer accommodation due to an increase in the supply of social rented accommodation; an improving economic situation, giving people confidence to buy a property on a supported basis; and the greater promotion and visibility of home purchase schemes.

126 Greater demand for first time buyer properties is exemplified by “over 1,000 applications” for affordable first time buyer properties. The Strategic Housing Unit considers that this:

“...suggests a need to focus the delivery of affordable housing on new First-Time Buyer housing schemes as the waiting list for social rented housing reduces.”

Steve Baker (Resident)

127 Steve Baker stated that as someone in urgent need of a new home for his family, he is a strong supporter of the proposal as it would provide an opportunity to get on the property ladder at a time when it is very difficult to do so by other means. He considers that the proposal will enhance the village and generate more business for local businesses.

Keith Capern (Resident)

128 Keith Capern expressed strong support for the proposal as a long term St Peter resident. He considers that the site is close to all facilities and that there is a need for ordinary working people to access new homes.

Tony Gray (Resident)

129 Tony Gray expressed strong support for the proposal for the proposal as a long term St Peter resident. He considers the proposal to comprise an ideal development to meet needs.

Jean Holmes (Resident)

- 130 Jean Holmes expressed concerns with the proposal. She objects to the loss of agricultural land. She stated that new houses are not needed and that there are other developments coming forward elsewhere. She raised concerns in respect of car parking, congestion and highway safety.
- 131 Jean Holmes asked whether the stone wall and hedgerow adjacent to the main road would stay in place (and the response from the Applicant was that it would, with the exception of access points).
- 132 Jean Holmes stated that the proposed village green would be inappropriately located due to the presence of large vehicles and fumes adjacent to a busy junction.

Jersey Farmers Union (Peter C Le Maistre)

- 133 Jersey Farmers Union stated that agriculture is extremely important to Jersey, where 52% of land is cultivated, and that there is significant demand for agricultural land, not just for cattle and potatoes, but also for an increasingly wide variety of purposes including for daffodils, organic produce, cider, equine use, tea and hemp.
- 134 Jersey Farmers Union stated that the Island's agricultural land is under pressure and that the Green Zone is relied on in order to protect the Island's stock of agricultural land.
- 135 The Jersey Farmers Union considers that grazing land close to the milking sheds is important rather than peripheral; the site comprises almost 12 vergees and must be an integral part of the dairy farm.
- 136 The Jersey Farmers Union considers that the loss of grazing land at this site is not justified. The loss of Green Zone land should only be considered as a "*last resort*" and any such consideration should be on an Island-wide rather than Parish basis.

10. Consideration of the Main Issues

137 I have identified two main issues:

- Whether the proposed development is appropriate, having regard to the provisions of the Island Plan; and
- Whether the need for affordable housing, or any other matter, individually or cumulatively amounts to '*sufficient justification*' to override conflict with the Island Plan

138 The second of these main issues is self-explanatory. The first main issue is wide-ranging and includes strategic matters, including consideration of the proposal against the Island Plan's spatial strategy, through to more detailed matters, including consideration of the effects of the proposed development on the environment and agricultural land.

Main Issue 1: Whether the proposed development is appropriate, having regard to the provisions of the Island Plan

139 The whole of the application site is located within the Green Zone and the development proposed does not comprise one of the few exceptional forms of development that may be permissible within it.

140 It is established as common ground between the Applicant and the Department for the Environment that the proposed development is in direct conflict with Policy NE7 (*Green Zone*).

141 In this respect, the Applicant states:

"...it is acknowledged that this proposal to provide affordable housing outside the defined settlement boundary of St Peter's Village, a defined Main Rural Settlement, represents a departure from the Plan..."

142 However, as noted earlier in this Report, it is the Applicant's contention that the proposal has regard to other provisions of the Island Plan, including that the proposed site is appropriate:

"...having regard to policies SP1, SP2, SP3 and H5 of the Island Plan..."

143 The Applicant also considers that the proposed development will help to meet the following objectives set out in Objective H1 of the Island Plan:

“...To ensure the provision of land and development opportunities to meet the Island’s housing needs over the Plan period...” and

“...To sustain the viability of rural parish communities, where there is a justifiable need to do so, through the provision of land and development opportunities for new residential development.”

144 Further, the Applicant considers that the proposal is in accordance with the Island Plan’s spatial strategy and has appropriate regard to Island Plan Policies SP1 (*Spatial strategy*), SP2 (*Efficient use of resources*), and SP3 (*Sequential approach to development*). The Applicant also considers that the proposed development is in accordance with Island Plan Policy H5 (*Affordable housing in rural centres*) and that there is sufficient justification to set aside the requirements of Island Plan Policy ERE1 (*Safeguarding agricultural land*) in respect of the loss of agricultural land.

145 Finally, in respect of Island Plan Policies, the Applicant considers that the proposal meets relevant design and general development considerations and in so doing, it has regard to Island Plan Policies GD1 (*General development considerations*), GD7 (*Design quality*) and SP7 (*Better by design*).

146 In contrast, the Department of the Environment has emphasised the Island Plan’s “*substantial shift*” towards the need to protect greenfield sites and to direct built development to the Built-up Area, particularly St Helier. Consequently, the Department considers that the proposal does not accord with the Island Plan Spatial Strategy.

147 The Department considers that the proposal fails to meet Island Plan Policy SP1’s “*exceptional circumstances*” requirements for development outside the Built-up Area and that the proposal does not accord with the provisions of Island Plan Policy H5.

148 Taking all of the above into account, whilst the Applicant accepts that the proposal conflicts with the Island Plan in respect of the Green Zone, there is significant disagreement between the parties in respect of whether the proposal is in accordance with other elements of the Island Plan, including its Strategic Policy Framework.

- 149 This is a fundamental matter, as it has a bearing on just how ‘*sufficient*’ a ‘*sufficient justification*’ needs to be to justify the proposal’s conflict with Green Zone Policy. For example, the ‘*sufficient justification*’ hurdle may be less onerous for a proposal in conflict with Policy NE7, but in accordance with all other aspects of the Island Plan; and conversely, the ‘*sufficient justification*’ hurdle may be very substantial indeed for a proposal in direct conflict with other elements of the Island Plan.
- 150 In this regard, I am particularly mindful that the protection of the Island’s Green Zone does not stand in isolation. It forms an integral part of the Island Plan’s Spatial Strategy which, through the Policies set out in the Strategic Policy Framework Chapter, sets out the specific purpose of focusing development within Jersey’s Built-up Area, especially that of St Helier.
- 151 In this respect, it is important to be cognisant of the fact that the Island Plan’s Spatial Strategy is a direct consequence of:
- “...a strong desire to protect the Island’s countryside from the further loss of greenfield land to development...” (Page 17, the Island Plan)
- 152 It represents a purposeful move away from the previous spatial approach that provided for extensions to the Built-up Area boundary and for some release of greenfield land – the implementation of which was “*difficult and unpopular.*”¹⁰
- 153 Consequently, the Island Plan, with particular reference to Policies SP1, SP2, SP3 and SP4, seeks to meet and provide for Jersey’s development needs over the Plan period through a hierarchical series of spatial principles, focused upon the Built-up Area of St Helier, then the Built-up Area of the rest of the Island and then on the appropriate redevelopment of brownfield land outside the Built-up Area.
- 154 Outside the Built-up Area, Island Plan Policy SP1 only supports the development of greenfield land *in exceptional circumstances*.

¹⁰ Second paragraph, Page 17, the Island Plan.

155 Importantly, the Island Plan is not silent in respect of what it considers to comprise “*exceptional circumstances.*” Rather, it is explicit in its recognition that:

“...limited, small-scale new development related to key rural settlements – on greenfield land involving the loss of countryside – could be important in maintaining parish life.”¹¹

156 The Island Plan goes on to recognise that such development may be:

“...justifiable in supporting and enhancing the critical mass of, and diversity in, the local parish population, to sustain schools, shops, pubs, public transport and other facets of parish life...”¹²

157 Consequently, whilst the Island Plan prevents development in the countryside on anything other than a wholly exceptional basis, it provides an explicit and specific steer in respect of the kind of development that *could* be acceptable - *limited, small-scale new development*. This is entirely consistent with an Island Plan Spatial Strategy that concentrates development in the Built-Up Area and protects the countryside.

158 Clearly, development in the countryside that is not limited and small-scale would be likely to result in the significant loss of protected greenfield land.

159 The planning application the subject of this Public Inquiry proposes the development of 65 new dwellings outside the Built-up Area, which, I consider, taking into account the context of the rural settlement of St Peter and its surroundings, comprises a development proposal that is neither limited nor small-scale.

160 Island Plan Policy H5 provides for appropriate housing development to support the “*vitality and viability*” of Jersey’s rural settlements and again, the Island Plan provides explicit supporting detail:

“It is not envisaged that the scale of development or provision of affordable homes in or around rural settlements would be large...It is currently envisaged that the total number of affordable homes to be delivered through this policy would amount to no more than 50 units over the remainder of the plan period...”¹³

¹¹ Third paragraph, Page 20, the Island Plan.

¹² Third paragraph, Page 20, the Island Plan.

¹³ Para 6.115, the Island Plan.

- 161 Taking into account the above and Policy SP4, which goes on to afford a high priority to the protection of the countryside, and notwithstanding that Paragraph 6.115 of the Island Plan acknowledges that “*other proposals may emerge,*” it is reasonable to conclude that a single windfall development of 65 dwellings in the countryside, runs directly contrary to the Island Plan’s anticipation of the delivery of no more than 50 affordable homes outside the Built-up Area, across the whole of the Island.
- 162 However, the Island Plan does provide for some flexibility through its recognition that other proposals for the development of greenfield land might emerge during the Plan period. To provide for these it introduces the “*Village Plans*”¹⁴ process as a specific mechanism to provide for the re-zoning of land outside the existing defined Built-up Area boundary.
- 163 Indeed, to a considerable degree, the “*Village Plan*” approach brings together key elements of Island Plan Policies SP1 and H5 in respect of providing for the re-zoning of greenfield land for development where it “*justifiably supports*” the “*viability and vitality*” of rural settlements.
- 164 However, in this case, the Applicant has confirmed that the proposal does not form part of a Village Plan. In this respect, I am mindful of the Department of the Environment’s reference to the proposal comprising a “*missed opportunity.*” For example, in submitting a planning application, rather than completing a Village Plan, the proposal focuses on the provision of affordable housing and fails to demonstrate how the proposed development would support St Peter’s viability and vitality. I find that this is a factor that adds to the degree of conflict between the proposal and the spatial and housing Policies of the Island Plan referred to above.
- 165 As a relevant aside, during the Public Inquiry, the Applicant referred to the uncertainties and the perceived time-consuming nature of a Village Plan approach. Whilst, to some degree, it seems inevitable that a process involving the re-zoning of greenfield land for development would take some time, not least given the need for States of Jersey approval, I find it a significant concern that a mechanism within the Island Plan aimed at providing for appropriate flexibility in support of rural settlements, is perceived as being slow and uncertain.

¹⁴ Para 6.120-6.123, the Island Plan.

166 Given the success of neighbourhood planning in England, in providing local communities with the power to plan for themselves within the guidance of the national and local planning system, it seems unfortunate to me that, despite the opportunities and potential it provides, Jersey's Village Plan process appears to be putting off, rather than encouraging, well-organised and highly-committed Parishes, like St Peter, from bringing forward their own plans. This suggests to me that there are significant issues with the process that need to be addressed.

167 Notwithstanding this, the Applicant has confirmed that the proposal does not form part of a Village Plan. Again, I find that this results in conflict with the Island Plan, as:

“Any proposals to provide affordable housing outside the defined settlement boundary of a rural settlement that are submitted as a planning application would represent a departure from the Plan and be treated accordingly.”¹⁵

168 Taking all of the above into account, it is my consideration that the proposal is contrary to the Island Plan's Strategic Policy Framework and to the related Housing Policy H5. In my view, this adds significantly to the conflict with Green Zone Policy NE7.

169 As noted above, the Applicant considers that that there is sufficient justification to set aside the requirements of Island Plan Policy ERE1 in respect of the safeguarding of agricultural land and that the proposal meets the relevant design and general development considerations set out in the Island Plan Policies GD1, GD7 and SP7.

170 Taking the latter of these two issues first, Policy GD1 requires development to provide for high quality design, such that it *“maintains and enhances the character and appearance of the island”* and for development not to seriously harm the natural environment.

171 I find that, by its very nature as a large-scale development in the protected Green Zone, the proposal would necessarily result in some degree of harm, as it would transform an area of green, open and spacious countryside in the Green Zone into a major urban development, through the construction of 65 two-storey houses with related roads and car parking areas.

172 I also have some reservations in respect of the overall size of the site, with particular regard to the eastern boundary's lack of clear reference to relevant geographical features and in respect of landscaping and the associated provision of open space.

¹⁵ Paragraph 6.124, the Island Plan.

- 173 In terms of the site's size, I find that its eastern boundary fails to relate to either landscape features or to the site's surrounding built context. Rather, it simply appears as the end-result of enabling the siting of 65 dwellings on the site.
- 174 The impact of the above is of a site that would appear to "*jut out*" into the countryside to the north east. As such, I consider that this part of the site would fail to integrate into its surroundings and would, as a result, draw attention to itself as an awkward and incongruous urban extension into the Green Zone. Consequently, this element of the proposal would fail to maintain or enhance local character, contrary to Island Plan Policies GD1 and SP7.
- 175 One of the strengths of the proposal is that the choice of the site emerged through a site assessment and public engagement process and there is little doubt in my mind that this has resulted in a choice of location where access to services is excellent.
- 176 Indeed, factors in favour of the proposal are that the site lies close to the centre of St Peter and that there is already development along much of three of the roughly rectangular site's four sides. This factor, together with the existence of mature hedgerows, provides opportunities for an ecology-led approach to boundary treatments, such that the provision of new hedgerows and the strengthening of existing hedgerows might enable part of the proposal, to some extent, to "*knit-in*" to its surroundings.
- 177 However, whilst I acknowledge that, over the long term – stated by the Applicant during the Public Inquiry to comprise a period of 4 to 7 years – the proposed boundary treatments would reach a level of ecological value comparable to that present today, the proposal would involve the removal of some 359 metres of hedgerow of high ecological value. Not all hedgerow removed would be directly replaced – for example, hedgerow running through the middle of the site removed for housing, and hedgerow removed to provide for access and the proposed village green.
- 178 Taking all of this into account, even if, over the long term, the replacement of hedgerow resulted in a level of ecological value comparable to that of today, I find that the removal of 359 metres of hedgerow of high ecological value would inevitably cause some serious short term harm to the natural environment, contrary to the provisions of Island Plan Policies SP4 and GD1.

- 179 In respect of open space, as noted above the proposal would replace around 2 hectares of existing open space, in the form of countryside, with a large urban development. Whilst the proposal would provide 65 medium to large private gardens, these would comprise private areas of space which would, by their very nature, be enclosed and thus have little, if any impact, in respect of mitigating loss of openness.
- 180 The proposal also proposes an area of public open space. However, relative to the size of the site as a whole, this would only comprise an extremely small area of land and rather than deliver a significant benefit to the wider community, in the form of a successful new village green, I concur with the views of the Jersey Architecture Commission and the Department of the Environment, in that the proposed public open space appears as something of a lost opportunity.
- 181 The size and location of the public open space would, I find, lead it to appear “squeezed” into the southernmost corner of the site. Much of it would be open to the busy adjacent crossroads, such that it would comprise a relatively noisy environment, due to the slowing and speeding up of vehicles. In this regard, it is unclear why members of the community would choose to utilise the space as a “village green” and I consider that, in this respect, the sparsity of proposed facilities other than a bus shelter would do little to encourage public use.
- 182 In support of the proposal, the Applicant has provided evidence to demonstrate that the proposed development site is well-located in respect of services, facilities and access to public transport; that the development would result in some improvements to highway safety, particularly for pedestrians and cyclists; and that it could be delivered without significant harm to residential amenity. I consider that these amount to factors in favour of the proposal and which respond positively to aspects of the site’s context, having regard to Island Plan Policy GD7.
- 183 However and on balance, after taking all of the above into account, I consider that the proposal would result in harm to local character and harm to the natural environment. Whilst this harm would be mitigated to some extent by a combination of the site’s location and some of the overall masterplan proposals, there are matters in respect of landscaping, ecology and the overall impact of the site, identified above, that appear unresolved.
- 184 Consequently, I consider that the proposal would fail to maintain and enhance the character and appearance of the Island, contrary to Island Plan Policies GD1 and SP7.

- 185 Island Plan Policy ERE1 imposes a presumption against the permanent loss of good agricultural land. Where exceptions are proposed, Policy ERE1 requires, amongst other things, impact on the viability of the agricultural holding and visual impact to be taken into account.
- 186 The proposal would replace a green, open and spacious area of countryside with a large development. I consider that the transformation of open countryside into urban development would inevitably result in some visual harm. Further, I consider that this harm would be exacerbated to some considerable degree by the incongruous appearance of the north eastern part of the proposed development, which would “*jut out*” into the Green Zone.
- 187 In support of the proposal, the Applicant refers to the landowners’ consideration that the proposed development will help safeguard the long term future of the adjacent agricultural unit. However, no substantive evidence has been submitted to demonstrate how this will occur and in this regard, I am mindful of the Department of the Environment’s comment that there is:
- “...no mechanism within the application to ensure that any agricultural investment actually occurs as a result of the proposals.”*
- 188 Further, I am also mindful that the development site comprises land located in extremely close proximity to the associated dairy farm. In this regard and in the absence of clear information, it is difficult to reach a conclusion that would concur with the Applicant’s contention that the site is “*peripheral*” to the dairy farm. The Jersey Farmers Union does not consider the site to be peripheral and has noted that it is normal, everyday practice for cattle to be taken across a road to a field for grazing purposes and vice-versa for milking.
- 189 Given this, I concur with the view of the Jersey Farmers Union that the site appears to comprise an integral part of the dairy farm adjacent to it and there is no substantive evidence to demonstrate that its loss would not impact on the viability of the associated agricultural holding.
- 190 Taking all of the above into account, I find that the proposal fails to accord with the provisions of Island Plan Policy ERE1.

- 191 I have thus found that, in addition to departing from Green Zone Policy, the proposed development would be contrary to the Island Plan's Spatial Strategy, as set out in its Strategic Policy Framework Policies. It would also be contrary to Island Plan Policy H5. Further, the proposal would result in harm, contrary to the requirements of Island Plan Policies GD1, SP4 and SP7; and would fail to accord with the requirements of Island Plan Policy ERE1.
- 192 Consequently, I consider the proposal's overall level of conflict with the Island Plan to be very substantial indeed. To my mind, there can be little doubt that the application represents a very significant departure from the Island Plan. Given this, the requirement to demonstrate '*sufficient justification*' to override the provisions of the Island Plan comprises an exceptionally high hurdle to seek to overcome.

Main Issue 2: Whether the need for affordable housing, or any other matter, individually or cumulatively amounts to ‘sufficient justification’ to override conflict with the Island Plan

193 The Applicant considers that departure from the Island Plan is justified due to:

*“...the essential need for affordable housing in St Peter (and beyond)...”*¹⁶

194 In respect of providing for housing needs, the role of the Island Plan in providing for housing needs over the Plan period is set out in Paragraph 6.6, which establishes that:

“Planning for homes in Jersey requires an understanding of the requirements for homes and how homes will be supplied up to 2020. The Island Plan needs to address the anticipated overall demand for new homes during the Plan period, as well as ensuring that needs and demands for different categories of housing, housing tenures, and housing types are met. This is not straightforward and is based on a series of estimations and assumptions.”

195 The fact that providing for housing needs and demands across the Island “is not straightforward” was also confirmed at the Public Inquiry, where all parties agreed that it comprises a “complex” matter.

196 The Island Plan estimates a requirement for 1,000 affordable homes between 2013 and 2020¹⁷ and goes on to state that:

*“...it is envisaged that over 1,100 Category A affordable homes will be delivered over the Plan period...”*¹⁸

197 Table 6.4 in the Island Plan indicates that it provides for a total supply of 1,060 Category A (affordable) homes between 2013-2020. Whilst this figure is below the 1,100 referred to in Paragraph 6.45, it is above the Island Plan’s estimate of the overall requirement for 1,000 affordable homes during the plan period. In this regard, the Island Plan suggests that it provides for “a small surplus” of Category A homes between 2016-2020.

¹⁶ Para 7.15, Proof of Evidence, Michael Stein on behalf of Andium Homes.

¹⁷ Paragraph 6.36, the Island Plan.

¹⁸ Paragraph 6.45, the Island Plan.

- 198 This was tested during the Public Inquiry and evidence was submitted – and agreed by all parties – to show that the most up-to-date supply figure for Category A homes during the Plan period is 1,253. This number is considerably greater than the Island Plan requirement for 1,000 affordable homes.
- 199 Consequently, it is reasonable to conclude that the supply of Category A housing comfortably exceeds the requirements of the Island Plan.
- 200 The Island Plan was approved in July 2014. It is less than four years old. To reach approval, the Island Plan emerged through consultation and rigorous examination and its underlying assumptions were tested. Consequently, the Island Plan provides a robust framework for decision making.
- 201 However, we live in a dynamic world and things change over time. The Applicant has provided evidence to demonstrate that, during the Plan period, there has been a significant growth in demand for housing to purchase at a discount to market value.
- 202 For example, with specific reference to demand for assisted purchase 3-bed houses for first time buyers, Jersey's Housing Gateway waiting list shows a rise in demand from 79 houses in January 2013 to 460 houses in January 2018. In this regard, the Applicant has pointed out that of the supply of 1,253 affordable homes over the Plan period, only 66 comprise affordable 3-bed homes for first time buyers.
- 203 This reflects the findings of the Strategic Housing Unit, whereby demand for affordable housing expressed through the Housing Gateway waiting list has shifted from demand for social rented to that for affordable first time buyer accommodation. Indeed, across the Island, evidence has been provided to show that there are “*over 1,000 applications*” for affordable first time buyer properties on the Housing Gateway waiting list.
- 204 The Strategic Housing Unit has identified the reasons for this shift from demand shown by the Housing Gateway from social rented to affordable first time buyer housing. It considers that these are due: to an increase in the supply of social rented accommodation; an improving economic situation, giving people confidence to buy a property on a supported basis; and the greater promotion and visibility of home purchase schemes.
- 205 The Strategic Housing Unit considers that this:

“...suggests a need to focus the delivery of affordable housing on new First-Time Buyer housing schemes as the waiting list for social rented housing reduces.”

- 206 However, whilst these numbers are not in any dispute, as presented they appear to demonstrate a shift in tenure demand during the Plan period, rather than a requirement for an absolute increase in the overall supply of affordable homes.
- 207 As above, the supply of Category A housing over the Plan period comfortably exceeds the requirements of the Island Plan, which emerged, only relatively recently, through consultation and rigorous examination.
- 208 Whilst there appears to have been a shift in tenure demand, no detailed evidence has been submitted in respect of overall Island-wide affordable housing requirements. Rather, during the course of the Inquiry, it was agreed by the Applicant, a developer responsible for delivering affordable housing, and by the Strategic Housing Unit, that overall demand for social rented housing was something of an unknown quantity.
- 209 Further to the above, all parties agreed that, whilst it is the most up-to-date tool available to measure demand for affordable housing, many people cannot even access the Housing Gateway. It was established at the Public Inquiry that the Housing Gateway “*excludes*” many people – including single persons, couples over 50 and low income households and probably “*under-estimates*” the overall need for affordable housing.
- 210 Whilst there has been an increase in demand for affordable 3-bed homes for first time buyers, this is due to a number of different reasons, including those set out by the Strategic Housing Unit – one of which is simply the greater promotion of development offering new housing at a discount to market value. Certainly, it would appear to be an entirely rational choice on behalf of prospective purchasers to seek to purchase housing at a discount to market value, at a time when market housing is expensive.
- 211 Taking all of the above into account, I find that an increase in demand for affordable first time buyer housing does not necessarily equate to the same thing as an under-supply of affordable housing across the Island as a whole and there is no substantive evidence before me to the contrary.
- 212 Therefore, the provision of evidence to demonstrate that the proposed development responds to a specific area of demand is not the same thing as evidence to demonstrate that the Island Plan under-provides for affordable housing as a whole. Rather, as noted above, the overall supply of Category A housing currently exceeds the requirements of the Island Plan.

213 In this regard, I am mindful of the Department of the Environment's comments in respect of the most recent 2016 Housing Needs Survey, which:

"...did not identify any overall increases in demand over supply but rather identified a tenure demand change for homes for purchase."

214 This points to the fact that, whilst the Housing Gateway waiting list demonstrates rapidly rising demand for affordable homes for first time buyers, it does not amount to a comprehensive assessment of Island-wide affordable housing needs.

215 The supply of affordable housing over the Plan period exceeds that required by the Island Plan. Demand for affordable housing has changed during the Plan period, with particular regard to affordable first time buyer housing, but there appears to be insufficient information to determine precisely what the overall affordable housing needs of the Island actually comprises.

216 In this regard, the view of the Strategic Housing Unit is explicit:

"...it is recognised that further analysis of the demand for housing in the island across all categories of tenure is required..."¹⁹

217 It is accepted then, that there is much uncertainty in respect of the Island's affordable housing needs.

218 It therefore appears to me to be essential that a detailed assessment be completed, in order to tackle this uncertainty and to inform an appropriate, comprehensive approach to meeting the Island's affordable housing needs in a planned manner.

219 To address this absence of comprehensive, relevant, necessary information, the Strategic Housing Unit has commissioned an Island-wide Objectively Assessed Housing Needs (OAHN) report. This work is due to be completed over the next few months.

220 Matters relating to affordable housing in Jersey are complex. The Island Plan provides the *"clear 'supply-side' tool for Island-wide housing provision"*²⁰ and as set out above, the supply of affordable housing, in planning terms, currently exceeds the requirements of the Island Plan.

¹⁹ Paragraph 2.12, Proof of Evidence, Strategic Housing Unit.

²⁰ Paragraph 4.5, Proof of Evidence, John Nicholson, Department of the Environment.

221 Further, the latest Housing Strategy (2016) states that:

“The SHU (Strategic Housing Unit)...will work with the Department of the Environment should additional supply be required from new sources...”

222 No such work has taken place, as it has not been established that additional supply is required. The OAHN is needed to help determine whether or not additional supply is required from new sources, taking into account the identified changes and uncertainties in respect of demand and need for affordable housing across the Island.

223 Taking all of this into account, I find that the proposed development seeks to address a single area of demand for affordable housing outside a comprehensive, Island-wide context. It seeks to do so in a manner that would result in additional land being developed for affordable housing during the Plan period, over and above the existing supply, which is, itself, considerably greater than that required by the Island Plan. It would also do so in a manner that would be in direct conflict with the Policies of the Island Plan and would lead to identified harm.

224 Consequently, it is my conclusion that it has not been demonstrated that there is sufficient justification to justify a departure from the Island Plan, but rather, that it would be premature to permit the proposed development ahead of work that is already underway to provide more clarity in respect of the Island’s affordable housing needs.

11. Consideration of Other Matters

- 225 The Applicant considers that the Island Plan is based on flawed assumptions and also notes that the recommendations contained in the Inspectors' Report to the Minister for Environment 18th February 2014 were not carried through to the final, approved version of the Plan.
- 226 However, the Island Plan is an approved document. As above, it emerged through consultation, testing and rigorous examination. Whilst it is the contention of the Applicant that the Island Plan is based on flawed assumptions, it remains the approved Island Plan and its contents take primacy in decision making under Jersey's plan-led system.
- 227 In the above regard I note that there is no substantive evidence before to demonstrate that the Applicant sought to legally challenge the contents of the Island Plan before, during or after its approval.
- 228 In respect of the recommendations of the Inspectors' Report, they were precisely that. They were not obligations and there is nothing before me to demonstrate that there was any requirement on the behalf of plan-makers to ensure that the approved Island Plan contained, in full, all of the recommendations made by the Inspectors.
- 229 The Applicant, with reference to Page 445, Section 3 of the Island Plan, states that there has been a failure to monitor the delivery of affordable housing in accordance with the requirements of the Island Plan.
- 230 Having considered the evidence before me, I would concur that, in respect of affordable housing, the Island Plan has not been monitored according to the intention set out on Page 445 of the Island Plan. Indeed, it became apparent during the course of the Public Inquiry that the monitoring of affordable housing need and delivery across the Island does not appear to be as efficient and effective as it might be.
- 231 I find that this is a factor that adds to the essential requirement to address the current absence of a comprehensive understanding in respect of Island-wide affordable housing needs. However, the absence of this knowledge is not something that supports a development proposal contrary to the Island Plan, which, itself was consulted upon, tested and rigorously examined prior to its approval less than four years ago.
- 232 The Applicant considers that the need for the delivery of affordable housing is so pressing that it cannot wait for the revision of the Island Plan, which, in its view may take until 2021/2022.

- 233 During the course of the Public Inquiry, it was confirmed by the Department of the Environment that the proposed review of the Island Plan is intended to result in an approved new Plan in 2020. This is a shorter timeframe than that anticipated by the Applicant.
- 234 Further to the above, I have reached the conclusion that the proposed development is contrary to the Island Plan, would result in harm and would be premature, given uncertainties around Island-wide affordable housing needs. In the light of all of this, it is my conclusion that the identification of unmet demand for affordable 3-bed first time buyer houses does not comprise sufficient justification to warrant a departure from the Island Plan.

12. Conclusion

- 235 It is acknowledged by all parties that the proposed development represents a departure from Policy NE7 (*Green Zone*) of the Island Plan and as such, it is incumbent upon the Applicant to set out '*sufficient justification*' to override this conflict.
- 236 In addition to the above, I have found that the proposed development would also result in conflict with the Island Plan's spatial and housing Policies SP1 (*Spatial strategy*), SP3 (*Sequential approach to development*), SP4 (*Protecting the natural and historic environment*) and H5 (*Affordable housing in rural centres*).
- 237 I have also concluded that the proposal would result in harm to local character and to the natural environment, contrary to Island Plan Policies GD1 (*General development considerations*), SP4 and SP7 (*Better by design*).
- 238 Furthermore, I consider that the proposal would result in the loss of agricultural land without justification, contrary to the aims of Island Plan Policy ERE1 (*Safeguarding agricultural land*).
- 239 Taking all of the above into account, the proposed development's level of conflict with the Island Plan is substantial and significant. Given this, I find that '*sufficient justification*' to override the proposal's departure from the Island Plan would need to be wholly exceptional.
- 240 In support of the proposal, the Applicant considers that the delivery of 65 affordable first time buyer houses to meet an identified need justifies departure from the Island Plan.
- 241 However, whilst I recognise that there is evidence of large and rapidly increasing demand for affordable first time buyer housing, I find that the provision of information to demonstrate that the proposed development responds to a specific area of demand, is not the same thing as evidence to demonstrate that the Island Plan under-provides for affordable housing.
- 242 Rather, as noted above, the overall supply of affordable housing currently exceeds the requirements of the Island Plan.
- 243 What is clear is that there is currently insufficient detail to understand precisely what the Island's affordable housing needs comprise. Work is underway to seek to address this gap in knowledge.

- 244 The proposed development seeks to address a single area of demand for affordable housing outside this comprehensive, Island-wide context. It seeks to do so in a manner that would result in additional land being developed for affordable housing during the Plan period, over and above the existing supply, which is, itself, considerably greater than that required by the Island Plan. Furthermore, it would also do so in a manner that would be in direct conflict with the Policies of the Island Plan and would lead to identified harm.
- 245 Consequently, it is my conclusion that it has not been demonstrated that there is sufficient justification to justify a departure from the Island Plan, but rather, that it would be premature to permit the proposed development ahead of work that is already underway to provide more clarity in respect of the Island's affordable housing needs.

March 2018



EST. 2011

APPENDIX 2

CORE DOCUMENTS LIST

Application Documents	
CD1.1	Application form
CD1.2	3D Model
CD1.3a	Design Statement, Part 1
CD1.3b	Design Statement, Part 2
CD1.3c	Index to appendices to Design Statement
CD1.3d	Appendix A - Site Investigation and Desktop Study
CD1.3e	Appendix B - Transport Assessment and Outline Travel Plan Report
CD1.3e.1	Appendix B – Appendices to Transport Assessment and Outline Travel Plan Report
CD1.3e.2	Transport Assessment Addendum Statement
CD1.3f	Appendix C Part 1 - Ecological Assessment and Enhancement
CD1.3f.1	Appendix C Part 2 - Ecological Assessment and Enhancement
CD1.3g	Appendix D – Draft Village Plan
CD1.3h	Appendix E - Parish Assembly Minutes, Constable Advisory Group (Selected Meeting Minutes) and September 2017 Presentation
CD1.3i	Appendix F – Planning Department Meeting Minutes
CD1.3j	Appendix G - Memorandum of Understanding (Between the Parish of St Peter and Andium Homes Limited}
CD1.3k	Appendix H – Heritage Assessment
CD1.3l	Appendix I - Utilities/ Jersey Police Department Consultation
CD1.3m	Appendix J - FTB Consultee Comments Submitted to Andium Homes Website
Plans	
CD1.4	Location Plan
CD1.5	Existing Site Plan
CD1.6	Proposed Site Plan RevA
CD1.7	Proposed Landscaping Plan (South) RevA
CD1.8	Proposed Landscaping Plan (North) RevA
CD1.9	Proposed Elevations
CD1.10	Proposed Sectional Elevations
CD1.11	Proposed House Type Key Plan
CD1.12	Typical House Type Layout HT1A
CD1.13	Typical House Type Layout HT1B
CD1.14	Typical House Type Layout HT1C
CD1.15	Typical House Type Layout HT2
CD1.16	Proposed Indicative Aerial View
CD1.17	Indicative Village Green View
CD1.18	Typical External Store Layout
Other Documents	
CD1.19	Letter from Godel Architects dated 29 September 2017
CD1.20	Letter from Godel Architects dated 3 October 2017
CD1.21	Application Publication, Certificate of Compliance, 24 October 2017
CD1.22	Letter from Godel Architects dated 13 December 2017 regarding proposed highway amendments
CD1.22a	Drawing showing the proposed highway amendments (1052/SK13 RevA)

APPENDIX 3

INQUIRY DOCUMENTS LIST

Procedural and General Documents	
INQ1	Letter dated 18 December 2017 from the Minister of the Environment to the Inspector regarding the Terms of Reference for the Inquiry
INQ2	Draft Planning Conditions
INQ2a	Updated Draft Planning Conditions, 16 March 2018

Consultation Responses	
CON1	Department for Infrastructure, Transport Policy, 27 November 2017
CON1a	Department for Infrastructure, Transport Policy, 30 November 2017
CON2	Department of the Environment, Environmental Land Control
CON3	Department of the Environment, Environmental Health
CON4	Department for Infrastructure, Drainage
CON4a	Further response from Department for Infrastructure, Drainage
CON5	Parish of St Peter
CON6	Department for Infrastructure, Operational Services
CON7	Jersey Architecture Commission

Comments on the Planning Application	
C1	Comments by Mr M Macready
C2	Comments by Mr S Garrett
C3	Comments by Edward Michel
C4	Comments by Mrs Lindsay
C5	Comments by Mr M Holley
C6	Comments by Mr E Daly (support)
C7	Comments by Mr D Carter
C8	Comments by L Carter (support)
C9	Comments by Keith & Joann Capern (support)
C10	Comments by Charlotte Sewrey (support)
C11	Comments by Rob Crawford (support)
C12	Comments by Stephanie Samson
C13	Comments by Remi Couriard
C14	Comments by Ms C Campbell (support)
C15	Comments by Sophie Moore (support)
C16	Comments by N S Faulkner
C17	Comments by C Le Maistre (support)
C18	Comments by Mr J Kelleher
C19	Comments by Mrs R Hansford (support)
C20	Comments by Mr & Mrs Dubois (support)
C21	Comments by P De Ste Croix
C22	Comments by H Crawford (support)
C23	Comments by L Le Moine (support)
C24	Comments by Mrs G Faulkner
C25	Comments by Ms K Le Ruez
C26	Comments by Ms L Le Riche (support)
C27	Comments by Kathleen Dougan (support)
C28	Comments by Mr A & Mrs G Gray (support)
C29	Comments by Mr A & Mrs L Gray (support)

C30	Comments by Stuart Abraham
C30a	Photograph accompanying the comments by Stuart Abraham
C31	Comments by Vicky Le Riche (support)
C32	Comments by Michele Campbell (support)
C33	Comments by The Baker Family (support)
C34	Comments by Hollie Dougan (support)
C35	Comments by Sandra De Freitas (support)
C36	Comments by N Riou
C37	Comments by Mr P Riou
C38	Comments by L Riou
C39	Comments by Mr M Alexandre
C40	Comments by Mr J Evans
C41	Comments by Ms J Holmes
C42	Comments by Gillian Morgan
C43	Comments by Clive Coutanche (support)
C44	Comments by Deputy Kristina Moore (support)
C45	Comments by Mark Styger (support)
C46	Comments by David Haddon (support)
C47	Comments by S Dewing (support)
C48	Comments by Victoria Coutanche (support)
C49	Comments by Mr P Therin
C50	Comments by Mr Le Lay
C51	Comments by Kamil Miaskiewicz
C52	Comments by Jersey Farmers Union
C53	Comments by Lisa Loxton (support)
C54	Comments by Mr J Jardim (support)
C55	Comments by Emma Fox (support)
C56	Comments by Lee Edwardson (support)
C57	Comments by J Sewrey (support)
C58	Comments by N Rushton (support)
C59	Comments by N Cupit (support)
C60	Comments by Mr J Cupit (support)
C61	Comments by Mr A Buttimer (support)
C62	Comments by Mr & Mrs Piron (support)
C63	Comments by D Queree (support)

Statements of Case	
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SC1	Statement of Case by the Department of the Environment
SC2	Statement of Case on behalf of Andium Homes
SC3	Statement of Case by John Refault, Constable St Peter
SC3a	Appendices to the Statement of Case by John Refault, Constable St Peter

Proofs of Evidence	
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Andium Homes Limited	
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AHL/1	Proof of Evidence and Appendices of Constable John Refault, Origin and Evidence of Parish Need
AHL/1a	Assessment of Potential Sites against Location Factors
AHL/1b	Constable's Advisory Group (First Time Buyers), 13 July 2015
AHL/1c	A Village Plan for First Time Buyers, 18 October 2016
AHL/1d	Memorandum of Understanding between The Minister for Treasury and Resources and Andium Homes Limited
AHL/1e	Extracts from Rents Matter, Jersey Consumer Council

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AHL/1f	Article from the Jersey Evening Post, 27 February 2018
AHL/2	Proof of Evidence and Appendices of Carl Mavity, Housing Need
AHL/3	Proof of Evidence and Appendices of Mike Stein, Objectives of the Island Plan
AHL/4	Proof of Evidence and Appendices of Robert Godel, Design and Scheme Development
AHL/5	Proof of Evidence and Appendices of Dr Nordin Yunis, Highways and Transportation
AHL/6	Proof of Evidence and Appendices of Jon Horn, Ecological Assessment and Enhancement
AHL/7	Response to objections, 1 March 2018
AHL/8	Revised Habitat Creation and Management Plan for Ville de Manoir
AHL/9	SK detail of Banque Feature
AHL/10	Percentage for Art Statement
AHL/11	Closing Submissions
Department of the Environment	
DOE/1	Proof of Evidence of Richard Jouault and Jack Norris, Housing Need
DOE/1a	Appendix A to Proof of Evidence - 2016 Jersey Housing Strategy
DOE/1b	Appendix B to Proof of Evidence - P.33/2013 The Reform of Social Housing
DOE/1c	Appendix C to Proof of Evidence - Jersey Statistics Unit (June 2017) Jersey Resident population estimate 2016
DOE/1d	Appendix D to Proof of Evidence - Objective Assessment of Housing Need tender document
DOE/1e	Appendix E to Proof of Evidence - Jersey Statistics Unit (June 2017) Jersey House Price Index Third Quarter 2017
DOE/1f	Appendix F to Proof of Evidence - Correspondence from the Minister for Housing to the Chief Executive, Andium Homes (23rd October 2017)
DOE/1g	Appendix G to Proof of Evidence – Correspondence from the Minister for Housing to the Chief Executive, Andium Homes (10th January 2018)
DOE/1h	Information on eligibility to social housing
DOE/2	Revised Proof of Evidence of Ralph Buccoltz, Planning Policy
DOE/2a	Appendix A to Proof of Evidence - 2011 Island Plan Housing Chapter
DOE/2b	Appendix B to Proof of Evidence - Proposition P.37/2014
DOE/2c	Appendix C to Proof of Evidence - Revised 2011 Island Plan Housing Chapter
DOE/2d	Appendix D to Proof of Evidence - 2011 Jersey Island Plan Interim Review Volume 2 (Extract)
DOE/2e	Appendix E to Proof of Evidence - Andium Homes Business Plan 2017-21
DOE/2f	Appendix F to Proof of Evidence - Detailed supply by site 2011-20
DOE/3	Proof of Evidence of John Nicholson, Development Control
DOE/3a	Appendix A to Proof of Evidence – States of Jersey Strategic Plan 2015-2018
DOE/3b	Appendix B to Proof of Evidence – P/2010/1717, Field 622 St Ouen Inspectors Report
DOE/3c	Appendix C to Proof of Evidence – Percentage For Art SPG And ‘Exemption Agreement’
DOE/4	Closing Submissions