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Island Plan interim review (1)

Conversion of employment uses in Coastal National Park and Green Zone

Arising from discussion at the Examination in Public at the sessions for the review of proposed changes to the policy for the Coastal National Park (Policy NE6) and the Green Zone (Policy NE7) the Inspectors have asked for clarification to be provided about the specific change in policy related to the conversion of land and buildings in employment use to residential use.

Existing policies

It was stated at the EiP that the existing policy NE6 provides, relative to the CNP, for the **demolition and replacement of commercial buildings for another use**, subject to tests, and clear reference was made to NE6 (5). A similar provision exists in the Green Zone for at NE7 (13(c)(ii)).

The existing Policy NE6 explicitly **presumes against the conversion and re-use** of commercial buildings for purposes other than those for which permission was originally granted and against the use of 'other existing buildings' for residential use in the CNP.

The existing policy for the Green Zone states, at NE7 (6), that the following types of development may be permitted, subject to tests:

6. conversions of existing buildings to appropriate and non-intrusive residential, community, cultural, tourism, recreational and commercial uses in accord with ERE4 - 'Change of Use And/Or Conversion of Traditional Farm Buildings' and ERE5 - 'Change of Use And/Or Conversion of Modern Farm Buildings';

And goes on to state, at 13. c.:

13. c. there will be a presumption against the use of commercial buildings for purposes other than for those which permission was originally granted.

Proposed policies

The Minister's proposals to amend both policies NE6 and NE7 make it explicitly clear that the conversion of employment buildings (excluding modern agricultural buildings and glasshouses) to residential or other non-employment uses may be permissible in both the CNP and the GZ, subject to tests, at NE6 (10) and NE7 (12).

The fact that this is a change from the adopted policies is also clear: these changes are clearly highlighted as a change to existing policy in the published draft (July 2013).

Islanders have been afforded opportunity to consider and comment upon the implications of this proposed amendment through the open and public process required of any review of all or part of an Island Plan.

Furthermore, the Minister's intent to regard the conversion of employment buildings to residential use in the CNP more favourably was also clearly expressed when the Minister issued his draft supplementary planning guidance for the Coastal National Park in May 2012 (see following extract):

Conversion to residential use

- 6.4.15 In the Coastal National Park there is a general presumption against the loss of employment land and buildings to residential use set out in Policy NE6 and supported by Policy SP3: Sequential approach to development, and Policy E1: Protection of employment land.
- 6.4.16 Where the redundancy of employment use is proven or where the proposal involves the conversion of offices and tourism accommodation, (but excluding modern agricultural buildings and glasshouses), exceptions to the presumption against the conversion and re-use of an employment building, where it involves little or no physical change to it, may be looked at more favourably where any such scheme delivers benefits related to a reduction in the intensity of use of the site.
- 6.4.17 With specific regard to former hotel sites, the Minister would expect to secure significant reductions in the intensity of use of these buildings where they are proposed for conversion to residential use, as opposed to comprehensive redevelopment involving demolition and building anew: the justification for this approach is based on the fact that permission is likely to have been granted for hotel use, and/or an expansion of either an original residential or hotel use, on a site where permission for a large extent of residential development would not normally have been countenanced. In such circumstances, and in accord with the strategic objectives of the Plan to deliver a more sustainable pattern of development in the Island, the Minister considers it appropriate to seek to secure a significant reduction in the intensity of use and the level of residential occupation of these buildings where they are proposed for conversion.
- 6.4.18 The Minister will also have careful regard of the visual implications of any such change where there is a requirement to make specific provision of external space –in the form of car parking and amenity space in particular -to serve each household. The Minister would seek to ensure that there are no adverse implications of any such provision on the landscape character of the area but rather, will seek to ensure a positive contribution to the repair and restoration of landscape character, as set out at 6.4.13 above.

This draft supplementary planning guidance was released for general public consultation (<https://gov.je/Government/Consultations/Pages/CoastalNationalPark.aspx>) and was also sent directly to the following stakeholders:

- Chairman, Environment Scrutiny Panel
- National Trust for Jersey
- Environment Section, Société Jersiaise
- Council for the Protection of Jersey's Heritage
- Association of Jersey Architects
- Jersey Construction Council
- Chamber of Commerce
- Public Consultation Register

This afforded key stakeholders, and other Islanders, with an initial opportunity, back in 2012, to consider and comment upon the implications of the Minister's intent in this respect.