



**REPORT TO THE MINISTER FOR PLANNING AND  
ENVIRONMENT**

by

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**The Revised (Draft) Jersey Island Plan 2011**

**Further Examination in Public May 2011**

Senator Freddie Cohen  
Minister for Planning and Environment  
States of Jersey

Dear Senator Cohen

**Revised Draft Island Plan Report**

I am pleased, on behalf of the Assistant Inspector Mr Alan Langton and myself, to submit our report on the matters you asked us to address during the further Examination in Public (EiP) into certain of the amendments proposed by States Members (and the amendments to amendments) to the revised draft Island Plan.

I would like to record my gratitude once again to Mr Langton and to the Programme Officer Mrs Helen Wilson, without whom the event (which was inevitably arranged at quite short notice) could not have proceeded in the way that it did.

And once again I am grateful to those who submitted written representations and to those who took part in the EiP and enabled us to reach our conclusions based on a broad range of evidence and opinion. I should also mention officials, Mr Pilley and Mr Buchholz, who produced a great deal of essential material against very tight deadlines.

I hope you will find our report clear and useful, as you approach the States Assembly debate on the Island Plan.

Thank you for the opportunity to Chair this Examination.

Yours sincerely



Chris Shepley

## Introduction

1. The further Examination into the revised draft Island Plan took place on 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> May 2011. For the sake of simplicity we refer throughout this report to the “IP” (Island Plan); but the document we were considering was that published in March 2011 entitled “Revised Draft Island Plan”.
2. We conducted an examination of the then Draft IP last autumn, when we considered a large number of written representations from interested parties, including many members of the public, and examined a substantial volume of research and background information. We also held 3 weeks of public hearings, and visited a great many locations throughout the Island. Our report to the Minister was published by him on 1 December. Some will agree with our conclusions and others will not. But we stand by them.
3. The Minister has lodged a Revised Draft Plan to the States with a view to formal adoption and this will be debated by the States on 21 June. In response other States Members have lodged 38 separate amendments addressing some 80 different points. In a few cases the amendments are themselves subject to proposed further amendment by other States Members.
4. We were asked by the Minister to carry out an important but limited task. This was to examine those amendments (and amendments to amendments) which raised issues on which we did not come to a conclusion at the previous EiP. We had no remit to widen the scope of this further examination. Our task was to inform and advise the Minister, in advance of the States debate in June, solely on the 38 amendments (and amendments to them) which give rise to considerations not previously fully explored. The Minister also asked us to hear evidence regarding the overall availability of light industrial land and premises on the Island.
5. The Minister clearly defined those matters on which he wished to receive our recommendations and we limited the debate strictly to those. We did not allow debate on the matters which the Minister had determined were not before us; nor did we permit parties to re-open matters on which we had previously reported in full.
6. Invitations were extended to Members who had promoted amendments to attend the EiP, and many did so. In addition we received some 677 comments from 149 individuals and organisations and again many accepted our invitation to address us at the EiP. In other cases we dealt with matters on the basis of the Member’s written amendments and explanatory material and on any views expressed by the public; as always we gave no less weight to those who expressed their views in writing than to those who appeared at the EiP. We also visited all of the sites or locations which were the subject of amendments, maintaining the principle which we had adopted previously that we would not report on sites without having seen them.
7. This report needs to be considered alongside our previous report. A list of documents which we took into account, in addition to those we had previously, is to be found on the website [www.gov.je/Government/PublicInquiries/Pages/IPRInquiry](http://www.gov.je/Government/PublicInquiries/Pages/IPRInquiry)
8. A crucial set of information is to be found in the Minister’s Initial Response to States Members’ Amendments, Doc No RIP8, which was tabled at the EiP and is to be found at [www.gov.je/PlanningBuilding/LawsRegs/IslandPlan/IslandPlanReview/Pages/RevDraftIslandPlan](http://www.gov.je/PlanningBuilding/LawsRegs/IslandPlan/IslandPlanReview/Pages/RevDraftIslandPlan)

### *States Members*

9. A number of States Members took an active part in the first EiP in the autumn. We were grateful for their contributions and took them fully into account. There were other States Members who did not take part in that process but who have now submitted amendments – as they have every right to do of course. But it would have been more useful and efficient to have had the benefit of their views in the autumn, when they could have been considered “in the round”, along with all the other representations we were examining. This is a matter which might be considered in future reviews of the IP.
10. Members may like to look at paras 1.25-1.31 of our previous report where we commented on this issue. One of the points we made there was that “...we don’t claim infallibility; but we do claim objectivity”. We urge States Members to respect, if not us, then at least the process

which, to his credit, the Minister has put in place – which may well be as uncomfortable for him as for any other Member. We hope that Members will understand, where we have made recommendations which we know some will dislike, that we have done so after careful thought and because we believe these are right in all the circumstances.

#### *Format of this report*

11. For the most part we have simply responded – fairly briefly – to each of the amendments we were asked to consider; this is set out in the schedule in part 2 of the report (which is based on the Minister’s own schedule summarising the amendments). In the case of housing the issues were too complicated to deal with in that way and our views are set out more fully below.

## **Housing**

*In this section we deal with amendment 27 and amendment 37 part 5.*

### **Summary**

12. It is usual for Inspectors to write in a cautious and circumspect manner but in this case, having heard extensive evidence at the earlier EiP and at the further EiP about the housing situation in Jersey, we feel the need to make three very direct points at the outset.

**There is a housing crisis in Jersey.** In our previous report we concluded that “we have no doubt at all that the problem of affordability in Jersey is serious and that it is getting worse”. We put it more strongly this time, using words which several parties used in evidence – and which were not seriously challenged.

**There is a serious danger that States Members risk failing in their collective responsibility to deal with this crisis.** There is a responsibility set out in the States Strategic Plan to provide adequate housing – but a responsibility which goes further; as Senator Le Main put it in the autumn, “I live in the real world and real people need real houses”.

**Deferring the problem will do nothing to solve it and indeed will only make it worse.** We recommend strongly that the Minister rejects amendment 27 and amendment 37 (5).

### **Our remit**

13. As we indicated in the introduction, our remit in this further EiP was limited. The Minister asked us to consider certain amendments which raised new issues and not to repeat previous debates. As a result we did not go over the whole of the ground regarding the various forecasts and estimates of the need for housing. Nor did we repeat, for example, our examination of the merits of policies such as H3. We are entirely content to stand by our conclusions on those matters set out in our previous report and there is nothing we heard or read on this occasion which leads us to doubt those conclusions; indeed in some cases – as we report below – they may have been reinforced.

14. We hope that Members participating in the debate will take account of both reports, which are based on the contributions of many parties from within and outside the States, including both professional experts and members of the public, together with a great deal of written research material.

### **The scale of the problem**

15. Though we did not repeat the debate on need and demand, we were nonetheless given further information (some of it set out in support of Deputy Power’s amendment 27). Several parties referred to an increased rate of inward migration, for example, and others to indications from the Housing Department of increased pressure on social housing. We did not test this information in detail. But we heard enough to convince us not just that the problem is not being solved but that in all likelihood it is becoming (and will continue to become) worse. It is easy to talk about a “crisis” – maybe it is an over-used word. But in this context we think it does convey the severity of the situation for many in Jersey, particularly young people, who are struggling to find acceptable accommodation.

16. The objective in the States Strategic Plan that all the Island’s residents are adequately housed is not being met (in the qualified sector: we did not consider the non-qualified sector, which was not before us, but were reminded again of the need for future reviews of the IP to consider this issue).

17. We heard that further information is likely to become available shortly from the 2011 Census and this was one of the reasons put forward for deferring this section of the Plan. In our experience there is always new information about to become available and it is dangerous to use it as a reason for delay. It is of course true that Census information is rather more significant than most information; but the IP is not simply based on the last Census – there has been updating in the intermediate period. We agree with the Minister that the way to deal with the forthcoming Census – if it shows any different trends – is by later review. There were no parties at the EiP who thought the Census would show that the housing problem had disappeared. There is also to be a further housing needs survey in 2012, but again we think that to delay the IP to wait for that information could only exacerbate the problem.

### **Amendment 27 – removal of the Housing Chapter**

#### *Views expressed at the EiP*

18. Amendment 27, from Deputy Power, seeks essentially to remove the whole of the housing chapter from the IP and to require the Minister to bring forward a revised chapter – in the meantime falling back on the housing section of the 2002 Plan. (Amendment 37 (5) from Deputy Le Fondré seeks the removal only of the part of the Chapter dealing with affordable housing (policy H3) and we return to that later).

19. Members will have Deputy Power’s reasoning before them and we do not repeat it in full. At the EiP he indicated that he proposed it with regret; he would rather deal with the problem now. Deputy Power’s genuine concern for those in need of housing was very clear. There is a need to build more houses, and as he put it to “push out beyond St Helier”. But he argued that the information base is out of date and the plan is inadequate.

20. He was strongly supported by Deputy Le Claire; he too demonstrated a serious concern for people in housing need. We were impressed by the willingness of both Deputies to express views which may not be popular. Deputy Le Claire felt that if sites such as Samarès were not supported then the whole of this section of the IP was not supportable. The situation is getting worse, he thought, and the IP as now presented will not deal with it.

21. Others also supported the proposition. Mr Dun for example was very critical of the housing policies and indeed of the IP as a whole; he expressed particular concern about the non-qualified sector. Mr Stein felt that inadequate land supplies were included in the IP, especially following the removal of Samarès and Longueville. He pointed out that the 1987 and 1992 Plans had also under-provided (Deputy Le Claire made the same point). Mr Harding (AJA) and Mr Parker (JCC) also expressed support for deferral, though they were primarily concerned with Policy H3.

22. Others however took a different view. The Housing Minister said that if the housing chapter were removed then the whole framework within which the Housing Department would operate was removed. He agreed that there were questions to be raised about the chapter but nonetheless felt that it was necessary to “stop talking and get on”. He did not believe the Department could move forward in tackling the problem on the basis of the 2002 Plan.

23. The Minister also opposed the amendment and his initial response was set out in quite stark terms (“...offers absolutely nothing at all constructive to solve this most serious problem.....the Deputy simply seeks to defer the matter for another day, which does little to address this most pressing of challenges”). The Minister sets out a very full and (we think) persuasive and reasoned response to the amendment.

24. He had been charged with producing a plan within the framework of the States Strategic Plan. It was a plan which had responded to the tasks given to the Minister and it was a plan which covered a ten year period. There was quite clearly a housing problem and the question was whether it was tackled now or whether it was thought about for a further period before being tackled.

25. There were, he argued, various strands to the housing chapter and these came into play over the ten year period. In the earlier years the re-zonings and the use of States land were to the fore but over a period of time these would be supplemented by provision via policy H3. It was not a static plan but tried to provide a framework of policy tools. The Minister strongly resisted the amendment.

### *The IP as a whole*

26. There was some debate at the EiP as to whether the removal of the housing chapter was so fundamental that it would in effect mean that the whole of the IP would fall. Briefly, we believe that it would render the remainder of the IP so denuded and inconsistent as to be of little value. This was the Minister's view too.
27. We also note at this point that the housing chapter of the 2002 Plan is – not surprisingly – no longer fit for purpose. It is based on a different strategy, which did not give the same emphasis to concentrating development within the Built-up Areas or to the avoidance of development on greenfield land. It contains sites which either have been developed or are now unlikely to be developed; and policies (on a variety of matters which are not always contentious – such as rural housing) which would and should be superseded by the new plan.

### *Length of the delay*

28. We sought advice as to how long it would take, should the chapter be removed from the IP, to provide a replacement. There were different views on this, with some suggesting that it might be done in six months. It was pointed out that the 2008 additions (of sites for dwellings for older people) had been handled quickly, though the Minister said there had been a very great deal of preparatory work before the proposition came to the States. In any event the replacement of the entire chapter, especially given the controversy surrounding it, would be likely to take significantly longer than that relatively limited addition to it.
29. The Minister felt that it would be at least late 2012 and probably 2013 before any new chapter could be brought to the States. Quite apart from political considerations such as the election, and the creation of a new States Assembly, there were legal requirements to be met, and there would need to be considerable consultation on such a sensitive topic. This, from our experience and observation, seems more realistic – indeed probably optimistic.

### *Conclusions on delay*

30. We come to a very clear conclusion following this discussion. **We recommend firmly that the Minister rejects amendment 27.**

31. The following points are clear to us.

- There is a serious problem *now*.
- Any delay is likely to be lengthy.
- There is no reason to suppose that, when the matter eventually returned to the States, it would be any less contentious or any easier to bring to a satisfactory conclusion.
- The removal of this chapter would place in peril the whole of the plan.
- Though there are to be new statistics, this is likely to be the case at any point in time; and it is unlikely that these figures will show that the problem is no longer serious.

32. We agree with the Minister's initial response and believe that the problems of housing in Jersey is such that there is no room for delay in progressing the IP and bringing forward proposals now – even if they need to be modified and improved in relatively short order.

### **Sites**

33. As we have indicated we did not repeat in full the debate on individual sites which took place at the previous EiP. In particular we have (as required) not looked again at Samarès and Longueville; we stand by our previous recommendations on those. However we were asked to look at a number of other sites during the further EiP, and to consider States-owned sites. It is necessary in order to do that to consider briefly the overall quantum of provision of category A housing sites.
34. It is not surprising that there is opposition to most individual housing sites and we respect the view of those who express that opposition. However, the Minister and the States have a duty to look beyond that and to consider the needs not just of their own Parishes (where relevant) but the policies in their own Strategic Plan, and the needs of the people of Jersey as a whole.

35. The situation may be summarised. At our previous EiP, there was opposition to H1 sites at Samarès, Longueville and Cooke's Rose Farm. On their respective planning merits we recommended against Cooke's Rose Farm, which has been deleted and is not now subject to any amendment seeking its reinstatement. Contrary to our recommendations, Samarès and Longueville have also been deleted though each is now subject to an amendment, seeking their reinstatement. There is now opposition to one of the remaining H1 sites at Field 1219, and in part 2 of our report we consider the amendment to remove it. There is opposition to Field 1248, which we also consider in part 2. There is some opposition (though at this stage less – maybe because there has been little public debate about them) to housing at D'Hautrée School and at Le Quesne Nurseries. There was opposition at the previous EiP to developing more densely in St Helier itself, and to a number of other sites which we specifically considered in part 2 of our previous report.
36. As a result the number of new houses now proposed to be developed via policy H1 is only about 100; and if Field 1219 were to be removed it would reduce to little more than 50. For a ten year period, when there is at least a serious housing problem, if not a crisis. This, in the context we have described, seems to us to be something that States Members ought not to be willing to accept. It is the reason we said at the start of this section of the report that *“there is a serious danger that States Members risk failing in their collective responsibility to deal with this crisis”*. Continued objections from States Members to virtually any site which is put forward for development, arguing for their exclusion from the IP, have put the Minister in what seems to be a very difficult position in trying to provide a solution to the housing problems of Jersey. Delay will not help in this situation; it will make things worse. Members need the strength to balance more evenly the problems and controversy attending the development of particular pieces of land against the evidence, overwhelming in our view, that action needs to be taken now to deal with the housing needs of Jersey people.

#### *States-owned sites<sup>1</sup>*

37. The Minister has put forward as part of the revised draft IP a number of States-owned sites which may be suitable for category A housing, and indicated that there may be further sites coming forward later. It was indicated to us that there had been a change in the approach of the States to the disposal of its land – though to say that we received an unequivocal statement to the effect that the States was no longer seeking the highest value for the disposal of its sites would be to exaggerate. There were different shades of opinion on this point.
38. With one exception these States sites were not specifically before us. In the case of D'Hautrée School, which we consider in part 2 of this report, we were unconvinced that this land would come forward quickly, or even within the lifetime of the draft IP. It may do – but Education still have a use for it (we saw that it is well used at present) and already there were signs of objections to housing use on traffic grounds. We do not have details of the other sites but parties at the EiP cast doubt on their imminent availability. We were told that the former JCG site is vacant – but had constraints. And that the South Hill site and Ambulance HQ could only be released if and when alternative sites were found (none have been identified at present).
39. We heard insufficient evidence to place much reliance on these sites at this stage. No doubt some or all of them will come forward at some time in the future; and there may be other sites in the wings. But as we have said the housing problem is now – not at some time later in the plan period. The conclusion in our previous report was that in the earlier period of the IP provision is now tight – because of the delay in the Waterfront scheme (on which the original draft IP placed considerable reliance) and the consequent delay to other sites in St Helier which it had been assumed would be vacated as movement to the Waterfront took place. So in our view something more immediate than reliance on the possible future release of States-owned land is needed.

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<sup>1</sup> **Please note – subsequent to the completion of this report we were asked to consider further evidence and this is dealt with as an addendum to this report**

### *Other sites*

40. We deal with the other sites before us at the further EiP below, and in part 2 of the report. Some of them, such as Field 1248 and Le Quesne Nurseries, come strongly into play as a direct result of the exclusion of other sites.
41. It may be helpful to the Minister and to Members if we indicate our overall views on the sites which have been raised in the two EiPs, in the context of our conclusion that, in some way, further sites will need to be allocated for housing if the aims of the Strategic Plan are to be met and Jersey people adequately housed. As we have said we think there is not at present a sufficient basis to place much reliance on the States-owned sites, though they will no doubt play a part in the future. We think that, of the sites we have considered, Samarès and Longueville remain the most suitable; the Minister made the right choices in the first place. Samarès in particular, being much the larger of the two, seems to us to offer the greatest potential. We think that Le Quesne Nursery (being somewhat less close to St Helier) and Field 1248 (being greenfield land, though well located) are somewhat less suitable but nonetheless do offer potential. If Samarès and Longueville are not re-instated in the IP we recommend that those two other sites (which we consider in more detail in part 2) are included

### **Amendment 37 (5)**

42. As we have said, we were not asked to re-open the contentious debate about the merits or otherwise of policy H3. Though some parties, in writing and at the EiP, repeated arguments they had made against it in the autumn, we stand by our previous conclusions. We respect the views of Mr Parker, Mr Harding and others who opposed the policy, but we think that there has been no essential change since we considered the matter previously and that it should remain as part of the IP framework – see our previous report (paras 8.89-8.115) for our reasoning and recommendations.
43. The Minister has again set out his thoughts on this amendment in forthright terms in his initial response: "...offers absolutely nothing at all constructive to address this most serious problem...simply seeks to

- defer the matter for another day...". We agree with this assessment, and the remainder of the Minister's response; and we can see no reason whatsoever to suppose that by dealing with it in a year or two's time, rather than now, the debate will somehow be easier or the solution more effective. We believe that both the States itself, and users of the plan, need to start to gain experience in the use of the policy (which is to be introduced gradually) as soon as possible. It can then start to make a contribution to the provision of affordable housing.
44. Having said that, there was one matter of contention which needs to be reported and that is the lack of progress on the preparation of the Supplementary Planning Guidance (SPG) dealing with the mechanics of the policy, and especially with viability. Mr Parker and others were very critical of this.
45. We agree that this needs to be in place before the policy is implemented (indeed we said so in our previous report). The Minister indicated at the further EiP that he would not introduce the policy before the SPG had been fully consulted upon and introduced. We would have so recommended had this not been said, and we were pleased to hear this undertaking.



No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
1.	<a href="#">Amendment (P48./2011) - Policy H3: Affordable Housing</a>	Policy H3: Affordable Housing	Amendment from Senator Le Main to limit planning permission for affordable housing under draft Policy H3 (Affordable Housing) to 3 years with any permit extension limited to completing the ground works within 3 years.	Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment subject to his further amendment.</b></p> <p>There was little dissent concerning the intentions behind this amendment. The AJA would prefer to move to a five year period for the validity of development proposals affected by Policy H3 but are prepared to support this amendment, which in effect increases it from two to three years, for the time being.</p> <p>The Minister put forward a number of further amendments, altering the wording proposed by Senator Le Main in respect of Policy H3 and also proposing an amendment to para 6.129 which deals with the same issue. He recommended changing the word “normally” to “initially” and deleting “with any extension being conditional upon the full ground works being completed during the three year period”; and in para 6.129 p 253 changing “but which is likely to be initially set at two years” to “but which will initially be set at three years, and reviewed thereafter over the Plan period”.</p> <p>We agree with the principle that three years should be adopted. We accept the view that two years is insufficient for the necessary preparatory work to be carried out in many cases. But we note the Minister's intention to keep the matter under review and to take action should there be evidence that developers are seeking to “sit on” land in order to avoid more onerous requirements in respect of affordable housing.</p> <p>We agree with the Minister's proposed amendment to the amendment, including his argument that extending the duration of a permit where ground works are complete would be a flawed approach for the reasons given in his initial response.</p>
2.	<a href="#">2nd Amendment (P48./2011) - Netherlee, Chemin des Maltieres, Grouville</a>	Proposals Map	Amendment by Connétable of Grouville to zone the garden of Netherlee, Chemin des Maltieres, Grouville as built up area.	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.
3.	<a href="#">3rd Amendment (P48./2011) - Policy GD7 Design Quality</a>	Policy GD1 General Development Considerations & GD7 Design Quality	Amendment by Deputy B.J. Fox of St Helier to insert the words “except that in Policy GD 1, General development considerations (on pages 54–55), paragraph 3.d, after the words ‘in accordance with the principles of safety by design,’ insert the words ‘by way of a	Minister Minded to accept	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
			<p><i>crime impact statement if required;</i>; and:</p> <p>In Policy GD 7, Design quality (on pages 66–67), paragraph 7, after the words 'in accord with the principles of safety by design,' <i>insert the words 'by way of a crime impact statement if required,'.</i>"</p>		
4.	<a href="#">4<sup>th</sup> Amendment (P48./2011) - Longueville Nurseries, New York Lane, St. Saviour</a>	<b>Policy H1- Category A Homes &amp; Proposals Map</b>	<p>Amendment by Senator J.L. Perchard to add to the list of sites to be zoned for Category A housing at Policy H1: Category A housing sites (on page 246):</p> <p><i>'4. Longueville Nurseries, New York Lane, St. Saviour (2.1 acres/4.75 vergées).';</i></p>	<p>Minister Minded to reject</p>	<p>We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.</p>
5.	<a href="#">5<sup>th</sup> Amendment (P48./2011) - Policy SCO2 Healthcare Facilities</a>	<b>Policy SCO2 Healthcare Facilities</b>	<p>Amendment from Deputy of St. Martin to amend Policy SCO2 Healthcare Facilities to allow in exceptional circumstances facilities to be built outside of the built up area or existing health facility sites.</p>	<p>Minister Minded to accept subject to an amendment</p>	<p><b>Recommendation: that the Minister accepts this amendment subject to his further amendment.</b></p> <p>The Minister's further amendment requires that any such proposal, potentially leading to the loss of greenfield land or erosion of the countryside, would be subject to full approval of the States Assembly. Deputy Hill confirmed his agreement.</p> <p>Amendment 5 echoes a recommendation in our previous report (Vol 1 para 9.10; Vol 2 p 23 site reference MN6) regarding proposals for an Elderly Mentally Infirm Unit at Quéruée Lodge, St Martin. We concluded then that although all participants had been supportive of such a unit, we were concerned (as was the Minister) regarding its location on greenfield land in the Green Zone. Acknowledging the risk that exceptions to policy – for the best of reasons – can sometimes lead to loopholes through which other less desirable facilities can proceed, we nonetheless recommended a third criterion to Policy SCO2 along the lines now proposed in Amendment 5. The Minister did not accept this recommendation when preparing the Revised IP (page 277), but is now minded to do so subject to his further amendment. The Minister's revision would, desirably, underscore the fact that such proposals would be permitted only exceptionally, to meet demonstrable need that could not be met within the grounds of existing facilities or within the Built Up Area.</p>

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6.	<a href="#">6th Amendment (P48./2011) - Local Development Plans (Five Oaks)</a>	Local Development Plans	Amendment from Deputy R.G. Le Herissier to revise paragraph 4.83 on Local Development Plans (Five Oaks) to make provision for adequate youth facilities and consider the traffic issues.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There was support for this amendment both at the EiP and in written representations. Five Oaks is, as one respondent said, an area with the likelihood of rapid changes and we were told it has a shortage of youth facilities; the preparation of a plan would be justified. It should be accepted subject to the further amendment below.
6a.	<b><u>Amendment to 6th amendment by Deputy of St Mary</u></b>	<i>After the words "highway improvements" insert the words "or other solutions to the traffic problems of the area."</i>		Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment to the amendment.</b> There was support for this further amendment both at the EiP and in written representations. There may be a variety of solutions to the undoubted traffic problems in the area and any development plan should consider all of these.
7.	<a href="#">7th Amendment (P48./2011) - Southern part of field 387A, Clos des Raisies, St. Martin</a>	Proposals Map	An amendment from the Connétable of St. Martin to re-zone the southern part of field 387A, Clos des Raisies, St. Martin within the Built-up Area.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> This small site is currently part of an agricultural field just outside the Built Up Area (BUA) and within the Green Zone as defined by the Proposals Map forming part of the Draft IP. Residential development would ordinarily be contrary to the strategic aims of the Plan and more particularly contrary to Policy NE7 Green Zone. We accord little weight to the site's inclusion within the BUA defined by the 2002 Plan since the emerging replacement Plan is based on a different strategy. However, Draft Policy SP, Spatial strategy, recognises that planning permission may "be given for 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." Subject to important caveats regarding impact and location, Policy NE7 also exceptionally recognises the potential need for "staff accommodation, where it can be demonstrated that the development is essential to meet economic needs and cannot reasonably be met within the BUA or from the conversion/modification of an existing building ...". In this case the rezoning is sought to provide a new home for the Parish Rector, complying with standards set by the Church of England with regard to such matters as accessibility and separation of ecclesiastic and domestic accommodation. It would release the nearby existing rectory, which is on the Historic Buildings Register but is dilapidated and would require substantial expenditure by the Parish. The site abuts the BUA and is quite well contained by existing buildings. A well designed house there would have little impact on the countryside and displace only a minimal area of agricultural land. It is crucial that any exception to normal policy for the Green Zone should indeed be exceptional. Accordingly, and having regard to a written objection, we thought it right to press Connétable Yates regarding his justification for Amendment 7. We are satisfied that he was able to make that case.
8.	<a href="#">8th Amendment</a>	Local Development	Amendment from Deputy A.E. Jeune to revise paragraph 4.83	Minister Minded to	<b>Recommendation: that the Minister accepts this amendment.</b> There was support for this amendment both at the EiP and in written representations. St

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
	<a href="#">(P48./2011) - Local Development Plans (St Aubin)</a>	<b>Plans</b>	on Local Development Plans to include St Aubin as a Local Development Plan area.	accept	Aubin is, as one respondent said, a special place and the preparation of a plan would be justified.
9.	<a href="#">9th Amendment, part (a) (P48./2011) - Coastal National Park (Mourier Valley)</a>	<b>Proposals Map</b>	Amendment from Senator F. Du H. Le Gresley to include Mourier Valley in the Coastal National Park zone on the Island Plan Proposals map. Please	Minister Minded to accept	<b>Recommendation: that the Minister accepts part (a) of this amendment.</b> There was widespread support for part (a) of this amendment and no submission made against it. Mourier is a North Coast Valley, which are defined as Character Type D4 in the Countryside Character Appraisal (CCA - Doc BT12). Unlike the other D4 valleys, only the lowest part of the Mourier Valley has been included in the Coastal National Park as defined by the Proposals Map. We do not accept, as the AJA suggested, that the upper parts were excluded by an oversight; the CCA does rightly refer to a degree of residential development in the upper arms of the valley. However, we saw that this is quite sporadic and traditional in character (including restored former water utility stone buildings). Overall the well wooded upper arms of the valley retain special qualities of natural beauty, wildlife and cultural heritage, making a clear case for inclusion with the Coastal National Park.
10.	<a href="#">9th Amendment, part (b) (P48./2011) - Coastal National Park (Gorey Common)</a>	<b>Proposals Map</b>	Amendment from Senator F. Du H. Le Gresley to include 'La Commune de Gouray' in the Coastal National Park zone on the Island Plan Proposals map.	Minister Minded to accept	<b>Recommendation: that the Minister rejects part (b) of this amendment.</b> As with part (a), there was widespread support and no submission against part (b). We can readily see why including La Commune de Gouray within the Park appears attractive. However, as in our previous report (paras 4.29, 4.30) there are two primary purposes linked to the special qualities of a National Park: conservation and enhancement of natural beauty, wildlife and cultural heritage; promotion of opportunities for the understanding and enjoyment of the special qualities of the national park by the public. La Commune de Gouray mainly comprises the Royal Jersey Golf Club together with a public car park and small area of undeveloped dunes. This stretch of land is in no sense unattractive but we do question whether it has the special qualities, including high levels of natural beauty, exhibited elsewhere around the Park as currently defined. The wider area including the common is defined by the CCA as Character Area B1: Grouville Coastal Plain. The CCA outlines this area's characteristics and highlights its limited capacity for development, but neither in the description nor from what we saw do we conclude that the area has the special qualities needed for inclusion in the National Park. The whole open area is defined as Green Zone by the emerging Plan, within which both the strategic policies and more specifically Policy NE7 accord a high level of protection to any but a very limited range of 'rural' developments (IP page 101). The Golf Course is additionally defined as Protected Open Space, according it an additional layer of protection by Policy SCO4 Protection of open space (page 284 <sup>2</sup> ). As the CCA suggests, much depends on how the golf course is managed, for wildlife and landscape, but there is no suggestion that the Royal Jersey is other than a responsible custodian in these regards; we

<sup>2</sup>This policy is subject to a small but important correction in the IP corrigendum

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					<p>do not see how rezoning the Course and other pockets of land would achieve significant benefit in practice.</p> <p>Fort Henry, as a Listed Building, is already safeguarded through Policy HE1 Protecting Listed Buildings and places (page 112) and would not be further protected by inclusion within the Park. The protection of listed buildings is not one of the Park's intended aims.</p> <p>We see no inconsistency with the inclusion of La Moye and Les Mielles golf courses (subject to Policy SCO4) on the western coast within the proposed Park. Those courses comprise only relatively small proportions of the Quennevais Dunes and St Ouen's Bay (CCA Character Areas B4 &amp; B5), which themselves are only part of this most extensive area of Coastal Park. The two courses reflect their wider setting within the Park; in contrast Amendment 9(b) would see the Royal Jersey effectively comprising and defining the Park along that stretch of coast. A similar point can be made regarding the Race Course as an SCO4 area within the lengthy North Coast Heathland extent of the Park (CCA Character Area A1).</p> <p>Inasmuch as adding La Commune de Gouray to the Park has been seen as a precursor to also adding Grouville Marsh, we see the latter also as lacking the qualities of a Coastal National Park. It has of course high ecological value, which needs to continue to be the basis of its protection.</p>
11.	<a href="#">9th Amendment, part (c) (P48./2011) - Coastal National Park (Plémont Holiday Village)</a>	Proposals Map	Amendment from Senator F. Du H. Le Gresley to include Plémont Holiday Village ' in the Coastal National Park zone on the Island Plan Proposals map. Please note: part (c) of the 9th amendment - Site of former Plémont Holiday Village, has already previously been consulted upon and therefore does not require any further public consultation.	Minister Minded to accept	We were not requested by the Minister to consider this part of the amendment, having considered the matter in full at the previous EiP and reported on it.
12.	<a href="#">9th Amendment, part (d) (P48./2011) - Coastal National Park (North Coast)</a>	Proposals Map	Amendment from Senator F. Le Gresley to include the area described as "Interior Agricultural land - E4 North Coast", in the 1999 Countryside Character Appraisal in the Coastal National Park zone on the Island Plan Proposals map.	Minister Minded to reject	<p><b>Recommendation: that the Minister rejects part (d) of this amendment.</b></p> <p>In our previous report (para 4.32) we recommended against enlarging the National Park to include the Main Interior Valleys (CCA Character Area D1) and three areas within the Interior Agricultural Land typography (E1, E3 &amp; E4).</p> <p>Senator Le Gresley is now strongly supported by National Trust for Jersey and others in promoting the inclusion of area E4. We listened carefully to these points but also to objections raised for Ronez Ltd, Jersey Motor Cycle &amp; Light Car Club and Association of Jersey Architects. Jersey Farmers Union were equivocal; they wish to see the highest level of protection for all agricultural land but are concerned about the creation of two tiers of such land, within and without the National Park. We also made another visit to the locality.</p>

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					<p>The CCA states that Character Area E4 “comprises the agricultural land extending along the short northern watershed from the valley of Greve de Lecq in the west to the east side of Bouley Bay in the east. To the south the boundary is formed by the main north coast road and to the north by the coastal heathlands along the cliff top.” We add the obvious points that the area, in the context of this amendment, excludes the whole BUA at St John; it also excludes the north coast valleys (including the Mourier Valley) which are, or are proposed to be, within the Park.</p> <p>There is little doubt that this area includes some of the most attractive agricultural landscape on the Island. The CCA (page 175) rightly highlights the variety of field boundaries, patchwork of small fields, narrow, winding, sunken lanes and, to the extent that there are buildings, these exhibit vernacular character. However, it is working agricultural land.</p> <p>The CCA goes on to suggest, rightly in our view, that the area has no capacity to accept new development and should have high levels of protection. It suggests that generally the only developments that can be allowed are buildings essential for agriculture and renewals, extensions or conversions of existing buildings. These are to be subject to careful attention to location, scale and design, while even minor development should be discouraged within the wholly undeveloped areas at Crabbe and east of Sorel Point, as should any further northward extension of St John’s Village.</p> <p>The emerging IP designates the area as Green Zone, subject to Policy NE7 (page 101), which is precisely in line with what is required. The Amendment disparages the fact that along the north coast the Park is (aside from the valleys) limited to the relatively narrow CCA Character Area A1 North Coast Heathland (CCA page 40), where, as the Amendment puts it, “the reality is that most of the designated area is limited to cliffs and coastal footpaths with occasional larger areas of heathland. The majority is land that physically cannot be built on due to rough and steep terrain.”</p> <p>This misses the important point that the underlying justification for the extent of the Park is not to prevent development. As we say above in relation to Amendment 9(b) there are two primary purposes linked to the special qualities of a National Park: conservation and enhancement of natural beauty, wildlife and cultural heritage; promotion of opportunities for the understanding and enjoyment of the special qualities of the national park by the public. The highest level of protection from development is an important underpinning of those aims but a desire for such protection is not, of itself, sufficient justification to include an area within the Park. Rather, as the Minister suggested to us, such an approach risks recreating something akin to the policy distinction in the 2002 Plan between a Green Zone and Countryside Zone. All concerned, whatever their perspective on rural Jersey, appear agreed that this two tier approach brought many problems for little discernible benefit.</p>
13.	<a href="#">10th Amendment (P48./2011)</a> -	<b>Policy EIW1: Provision of light industrial</b>	Amendment by Senator J.L. Perchard to amend the supporting text, Policy EIW	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.

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	<a href="#">Policy EIW1: Provision of light industrial and warehouse land</a>	and warehouse land & proposals Map	Provision of light industrial and warehouse land and the proposals map to rezone land to the north and east of Thistlegrove as light industrial land.	Minister requested Inspectors to review current overall supply and demand.	<p><b>We report on this item without making a recommendation.</b></p> <p>We reported previously on the 2009 Draft IP Policy EIW1, Provision of Light Industrial and Warehouse Land and with respect to Thistlegrove (paras 7.32 – 7.39). As noted immediately above and more generally in our Introduction, paragraph 5, this topic is outside the scope of the Further EiP. The Minister did, however, ask us to review the overall position. We received and read a number of documents and chaired an oral discussion. All concerned were aware that there was to be no written submission or discussion concerning Thistlegrove, which was adhered to. We caution that our findings are necessarily based on the limited evidence available to us, at short notice, and should not be elevated to anything in the nature of a comprehensive review.</p> <p>As regards demand, the Draft Plan relied heavily on a BNP Paribas report of May 2009 (doc BT9); the Revised IP now also has regard to a BNP Paribas report of February 2011 (doc RBT1), prepared since the EiP last autumn. Based on market surveys, the earlier report described a 2002 requirement for some 270,000 sq ft of floorspace, which remained largely constant to 2007 followed by a dip which was believed to be short term. The bulk of interest was for larger premises (over 20,000 sq ft) but with strong demand also in the mid range and anecdotal evidence of unmet demand for small start up premises. Rental inflation had been high, and quality, as well as well as quantity, was described as important. Time constraints limited the more recent report to solely anecdotal evidence from the Island's leading commercial property companies. It describes the market as having weakened post 'credit-crunch' to an unsatisfied requirement of between 50,000 to 75,000 sq ft, including reduced demand for the largest premises. The report did, however, refer to 'hidden demand' from firms currently occupying outdated or outgrown premises.</p> <p>On supply, the Draft IP (September 2009) identified potential new provision at La Collette and surrounding harbour areas, on non-operational land at the airport and by the development of existing agricultural premises. It listed 7 existing industrial sites zoned in the 2002 Plan (including the existing Thistlegrove) but asserted that "A review of these has revealed that most of the sites are operating at near capacity and are unsuitable for any form of expansion." There were problems forecasting the likely new provision at La Collette post the Buncefield disaster; we received assurances that the masterplan for the airport would not encroach onto agricultural land and there are evident restraints on the conversion of agricultural buildings, especially for 'high end' businesses.</p> <p>The Revised Draft IP (March 2011) again identifies La Collette and surrounding harbour areas, but subject to severe restraint and considerable uncertainty on safety grounds. The airport is retained and 'Other States-owned land' introduced though not identified. The 7 existing sites are retained subject to the same caveat that most are operating at near capacity and are unsuitable for any form of expansion. As well, again, as existing agricultural premises the IP now looks to possible windfall sites (by definition these cannot be identified) and to proposed changes to permitted development rights allowing a 5% increase in floorspace without requiring express planning permission. These options are collated in a new Proposal 15 (page 201) which also gives an undertaking to monitor</p>

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					<p>demand and keep it under review during the plan period.</p> <p>Written and oral evidence from Senator Perchard, Mr B Sarre (of CBRE) and Mr A Farman (of MS Planning Ltd) described the existing sites as 'chock-a-block', high rentals, some firms expending capital on freeholds to secure premises; they were sceptical about the IP provisions. Mr A Sugden (of EDD) in large measure confirmed these descriptions of existing conditions but was supportive of the IP provisions. The Minister understandably reminded us that the Plan is over a 10 year period and that not everything can be identified at the outset.</p> <p>On the limited information that could be produced in the time, our conclusions are first that demand probably has reduced significantly, which is not surprising with prevailing economic conditions. Hidden demand is likely to have remained a constant factor and should not be treated as offsetting a fall in 'declared' demand, known to agents in this property market. We are, however, dubious regarding the IP provision. Restraints around La Collette should not be understated and may well remain over the life of the IP. We would be more sanguine about the airport if there was so much as preliminary layout, but for the present it remains to be seen how much can actually be achieved there. As with the housing provision, we are very dubious about reliance on something as vague as States-owned property; these might not become available, might not be suitable for light industry and might be seen a preferable for housing. We have mentioned elsewhere the uncertain and inconsistent evidence regarding the degree to which the States will be prepared to compromise the sale price of assets in order to meet IP objectives. Former agricultural buildings and occasional windfall opportunities are hardly a sound basis for attracting investment, especially high end international businesses looking for good quality and able to choose their country of location. Finally, the 5% permitted enlargements facility will doubtless prove useful to some firms, by reducing red tape, but the impressive looking additional 75,000 sq ft, referred to in the IP is hypothetical, based on a total existing floorspace of about 1.5 million sq ft. In reality, no more than a small minority of firms will expand when they would not otherwise have done so. The provision will in any event do little to attract new companies to locate in Jersey.</p> <p>Overall we think that the IP is right to reflect reduced quantitative demand but risks under-providing for higher quality businesses.</p>
14.	<a href="#">11th Amendment (P48./2011) - Green Zone boundaries within Built-up Areas</a>	Proposals Map	Amendment by Deputy I.J. Gorst to amend the Proposals Map in order to make clear that a number of fields zoned as Green Zone within the Built-up Area boundary are clearly shown to be excluded from the Built-up Area .	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>As the Minister acknowledges in his initial response, this is a technical amendment – a matter of clarification as to which parcels of land are within the Green Zone and which are not. These parcels are intended to be part of the Green Zone. There is, as the Minister indicates, no right or wrong way of presenting these on the Proposals Map. He is prepared, as are we, to accept however that the amendment makes the allocation clear and we therefore recommend that it is accepted.</p>
14a	<a href="#">Amendment</a>	Delete field numbers 21A, 38, 38A, 39 and 59A.		Minister	We were not requested by the Minister to consider this amendment, having considered the



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	<a href="#">to 11th amendment by Deputy Le Claire of St Helier</a>			Minded to reject	matter in full at the previous EiP and reported on it.
15.	<a href="#">12th Amendment (P48./2011) - Samarès Nursery, La Grande Route de St. Clément</a>	Policy H1- Category A Homes & Proposals Map	Amendment by Deputy P.V.F. le Claire of St. Helier to add to the list of sites to be zoned for Category A housing at Policy H1: Category A housing sites (on page 246): <i>'4. Samarès Nursery, La Grande Route de St. Clément, St. Clement (9.8 acres/22 vergées)';</i>	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.
16.	<a href="#">13th Amendment (P48./2011) - Local Development Plans (St. Brelade's Bay)</a>	Local Development Plans	Amendment by Deputy A.E. Jeune to amend the supporting text and Proposal 13 (Local Development Plans) to include St. Brelade's Bay as one of the areas to be the subject of a Local Development Plan.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There was support for this amendment both at the EiP and in written representations. St Brelade's Bay is, as one respondent said, under a degree of pressure and the preparation of a plan would be justified.
17.	<a href="#">14th Amendment (P48./2011) - Snow Hill Car Park</a>	Public Parking	Amendment by Deputy A.T. Dupre to include a Proposal to carry out a feasibility study of increasing the capacity of Snow Hill Car Park.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment subject to a further amendment, to add the words "subject to availability of funding for feasibility studies".</b>  We make this recommendation hesitantly and solely having regard to an amendment approved by the States on adoption of the Jersey Sustainable Transport Policy "to carry out a review of the proposal for increased shopper car parking at Snow Hill in conjunction with Jersey Property Holdings, subject to availability of funding for feasibility studies, and bring recommendations to the States by the end of 2012" (States Debate 30 Nov-1 Dec 2010). We think it important that the IP is consistent with the JSTP, and should accordingly incorporate amendment 14, but subject to funding for the study being available.  Were we approaching this amendment in the first instance, it is likely that we would recommend against. Even on a superficial appraisal, the car park's constrained location, its access to underground storm water tanks and likely listed building constraints under Fort Regent, all suggest that the most likely outcome of any feasibility study is that only a limited number of new spaces would be achievable and then only at a high unit cost. The IP and JSTP share a strategic aim to reduce the flow of commuter traffic entering St Helier. One aspect of that aim, incorporated in Policy TT10 (IP page 322) is to cap the total number of public off-street parking space, which is intended to operate in conjunction with a

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					rebalancing of provision towards short term (shoppers/visitors) parking at the expense of long term (commuters) spaces. It is difficult to see how costly new provision at Snow Hill is needed to further these aims.
17a	<a href="#">Amendment to 14th amendment by Deputy Wimberley</a>		After the word "feasibility" insert the words "and desirability"	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment to amendment 14.</b> Strictly speaking this further amendment takes amendment 14 beyond the terms of that governing the JSTP. We believe however, that any study must implicitly consider the desirability of options, including with regard to cost, and not simply whether a particular set of proposals might be feasible.
18.	<a href="#">15th Amendment Policy H1:(P48./2011)- Category A housing sites - (d'Hautrée)</a>	Category A housing sites	Amendment by Minister for Education, Sport and Culture to amend Policy H1: Category A housing sites to clarify that the D'Hautrée School site, in particular, will only be considered for housing if and when it is deemed to be surplus to requirements.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> We consider in relation to amendment 27 the extent to which housing provision should be reliant on States owned property providing future sites. (Report introduction para 36). In the context of amendment 15 we record that, although no longer a school (which has relocated to the Haute Vallée School) the D'Hautrée land and buildings evidently remain occupied in a variety of educational uses. As it stands there is an apparent inconsistency between Policy H1 Category A housing sites (IP page 246) which includes the site for possible housing, and Policy SCO1 Educational facilities (page 275) which safeguards the site for educational use, stating that alternative development will not be permitted unless it can be demonstrated that it is no longer required for educational purposes. The amendment resolves any doubt between the two policies. The words "in particular" in the amendment usefully also confirm that similar consideration would be given with respect to any other education site that might be considered for housing.
18a	<a href="#">Amendment to 15th amendment by Deputy Lewis of St Saviour</a>		Delete the words "former D'Hautrée School site, St. Saviour's Hill; and.".	Minister Minded to reject	<b>Recommendation; that the Minister rejects this amendment.</b> The effect of this amendment would remove the D'Hautrée site from future consideration for housing even if no longer needed for education. The amendment describes this part of St Saviour as already saturated by the former dairy site and retirement village developments. A participant at the EiP, Mrs Alison Taylor, also opposed any possible switch to housing at D'Hautrée and urged that the site remain in educational use. We understand this preference but consider that, subject to amendment 15, the IP goes as far as it reasonably can to safeguard educational use. The IP cannot positively require the site to remain in educational use indefinitely. Should DESC conclude it is no longer needed for their purposes then nothing would be served by continued safeguarding for that use, other than that is than the risk of dereliction. We consider the wider issue of reliance on States property to provide for future housing in our introduction above.
19.	<a href="#">16th Amendment (P48./2011) - New Policy IM2 -</a>	Governance	Amendment by Deputy J.A.N. Le Fondré to add new policy about governance and the separation of duties to the Plan.	Minister Minded to accept subject to an	<b>Recommendation: that the Minister rejects this amendment.</b> <b>Should he accept the amendment, this should be done only subject to his further amendment.</b> This amendment concerns the separation of duties between policy planning and

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	<a href="#">Governance</a>			amendment	<p>development control. We believe it is, as the Minister himself suggests inter alia in his initial response, "...flawed because of a failure to understand the planning process and procedures which operate....". All our experience tells us that in the planning process it is the need to bring together and align policy and control which may be important – not their separation. Development control officers should have an involvement in policy – in order to ensure that it is practical and workable. Policy officers should have an involvement in control – in order to ensure that policy is being implemented as intended and to monitor the effectiveness and practicability of their policies. The Minister in his response makes, and elaborates upon, a similar point and we agree with all of his views – except that we do not think that the amendment should be accepted. We certainly understand the Deputy's concern about integrity and independence but we see no evidence (and the Deputy produces none) to suggest that there have been any problems in practice; or that the safeguards and separations which already exist (described by the Minister) are inadequate. We also believe that this is a wholly inappropriate topic to be dealt with in a land use plan. It is a matter of management. We believe that the inclusion of matters of this kind clutters the IP with unnecessary detail and that should problems emerge in this area there will be many other ways of dealing with them without disturbing the plan making process.</p> <p>In the event that the matter is taken further, the Minister suggests a further amendment as follows: "Delete "Policy Planning – development of policy; site identification; production of development briefs; and Development Control – interpretation of policy as applied to individual applications" and replace with "The formulation of planning policy, planning proposals and planning guidance and the objective assessment of development proposals (informally or as part of a planning application); and the decision making of the Minister and/or his delegated representatives in deciding the outcome of planning applications". We believe that this would be preferable to the original amendment.</p>
20.	<a href="#">17th Amendment (P48./2011) - Glasshouse site, Fields 252A and 252B, La Rue de Jambart, St Clement</a>	Category A housing sites	<p>An amendment made by Deputy P.V.F Le Claire to add to the list of sites to be zoned for Category A housing at</p> <p>Policy H1: Category A housing sites (on page 246):</p> <p><i>'4. Glasshouse site, Fields 252A and 252B, La Rue de Jambart, St. Clement (approx. 4 acres/9 vergées);</i></p>	Minister Minded to reject	<p><b>Recommendation: that the Minister accepts the amendment but only in the event that amendment 12 (to reinstate Samarès) is rejected.</b></p> <p>This site, the former, derelict, Le Quesne Nursery, was one of the several dozen locations suggested for housing in response to the Draft Island Plan and considered at our previous EIP, when we assigned it reference C4. Volume 2 of our subsequent report considered each site in turn on its individual merits. In this case we wrote:</p> <p>"We note that this site ... scores 'Good' on all 4 criteria for Suitability for Housing Assessment. We were advised of a scheme, together with adjacent land, that would include facilities for the village though we are not aware of the full details. Given the shortage of affordable housing, this site merits reappraisal. Should the sites proposed for deletion from Policy H1 not proceed, this site would provide an alternative.</p> <p>Recommendation: that the Minister does not amend the Plan but that this site is considered for Category A housing should the need arise."</p> <p>In Volume 1 of that report, where we considered the broader issues of supply and demand, we listed 6 of the sites put forward in response to the Draft Plan which may have potential,</p>

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					<p>broadly in order of suitability as we then saw it (page 57 para 8.41). Le Quesne Nursery headed that list. We went on to say that we were reluctant to propose that these sites should be put forward for immediate inclusion in the IP because this would mean delay while the consultation and investigation was carried out. But in the event that monitoring over the IP period as a whole suggests that further sites might be required, these are the directions in which the Minister should look.</p> <p>The Report supporting amendment 17 now provides further details of what is envisaged by way of affordable housing provision and the associated community benefits, including the offer of a public car park to the north to serve the Church and Caldwell Hall. We also received confirmation at the EiP that any development brief for housing on the brownfield glasshouse land would make provision to ensure that the setting of greenfield land to the north, east and south would be retained and enhanced.</p> <p>Written comments on the amendment were predominantly supportive but included objections to the principle of not returning derelict glasshouses to open agricultural use.</p> <p>Our conclusions remain much as previously. The Suitability for Housing Assessment (Doc BT/18) referred to above rated each site in the Draft Plan and those put forward in response during the consultation period. Of those put forward, this is one of the better sites and arguably the best. The site's possible inclusion in the IP has now been subject to public consultation, overcoming one of our previous reservations.</p> <p>Whether or not it should be allocated at this stage, however, depends on decisions made in response to other amendments regarding future affordable housing provision.</p>
21.	<a href="#">18th Amendment (P48./2011) - Field 1248, Highview Lane, St Helier</a>	Category A housing sites	<p>An amendment made by Deputy P.V.F Le Claire to add to the list of sites to be zoned for Category A housing at</p> <p>Policy H1: Category A housing sites (on page 246):</p> <p><i>'4. Field 1248, Highview Lane, St. Helier (approx 3 acres/7 vergées);</i></p>	Minister Minded to reject	<p><b>Recommendation: that the Minister accepts the amendment but only in the event that amendment 12 (to reinstate Samarès) is rejected.</b></p> <p>This amendment led to a very substantial public response, with very many residents from the local area objecting to the proposed development. We are aware of the public meetings which have taken place. We considered the amendment very carefully. We had visited the site in the autumn but we went again, during the morning peak hour. We were told that the site could accommodate around 54 Category A dwellings.</p> <p>As with all of the sites we considered in both EiPs, we start with the strategy of the IP, and with the Minister's "Suitability for Housing Assessment" (Doc no BT18). In this case the site scored high in terms of the spatial strategy, in terms of its relationship to local services, and in terms of its relatively limited landscape effects – but low in terms of the existing use of the site – because it is greenfield land.</p> <p>It is relatively close to the centre of St Helier, compared with many of the other sites we considered; and close to schools, local shops and services, and public transport routes. We know there is a history to the site – including its position as a potential Category A site in the 2002 Plan and also a previous application and appeal; but we now treat it on its merits as a potential site in the context of the current IP.</p> <p>As we have said there was much opposition to the development of this land (though also it must be said quite a number of representations in support). We understand that Deputy Le</p>

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					<p>Claire has been subject to a certain amount of abuse as a result of making this and other amendments; this does not reflect well on those concerned and whatever the merits or otherwise of this particular site we think his concern, expressed at the EiP, for the housing problems of Jersey residents should be recognised.</p> <p>We deal with the points briefly but have considered them carefully.</p> <p>One of the key issues concerned traffic. We observed the junction of La Pouquelaye and Queens Road, which had caused concern, and could see that it was a difficult junction which would be difficult to improve. At the time of our morning visit, there were no signs of major problems, although we do not question that at other times the traffic situation can be difficult. We note that TTS have indicated that they would not object to the development of the site on traffic grounds. We do understand the residents' concerns on this point, and clearly traffic (with or without this development) is a significant problem, especially in school term times. However we do not consider it to be an overriding justification for recommending against the site, especially in view of the TTS response. We were told that access would be through the CTV site; this would be a matter for the detailed stage if the development were to proceed, but it did not appear to present serious problems. If approved the development would also lead to the need for improvements to local roads and pavements, and possibly some traffic calming measures but these also are for the detailed stage.</p> <p>There was concern about the felling of trees on Highview Lane but these were not on the site in question. Obviously this appears a regrettable act, but not a matter for our consideration in the present context. There was concern from residents about the proposal that a number of dwellings for first time buyers and lifelong homes were to be gifted to the Parish; this was seen as a "bribe". However such a requirement and procedure is not in our view unusual or suspicious and the provision of these homes for local needs seems to us to be a potential benefit if the development went ahead. We do not allow it to influence our view one way or the other however, and concentrate on land use considerations.</p> <p>We do sympathise with the residents' view that this site is capable of being farmed. It appears to have been left fallow for a number of years and we were told of no reason why it could not be cultivated. We deal with it on that basis. We also accept that there is some obvious environmental impact on some of those who live locally. But in this case it does not seem obvious or even likely to us that further fields in the vicinity would be threatened if this development were to go ahead; we saw no evidence or proposals threatening these fields, and there are other places around St Helier and in surrounding Parishes where future pressure is likely to fall.</p> <p>Our conclusion is as follows. We think that in most respects this site represents a potential Category A housing site. It is well located from a strategic point of view; close to a range of services and to the town centre; capable of being developed quickly; and though - like any site - it will have traffic and visual impacts we think these are no more serious than in many other places. However it is greenfield land. For this reason, as we indicated in part 1 of this report, it is less satisfactory than other sites despite its advantages, and it conflicts with the</p>

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					strategy in the IP and the States Strategic Plan. It comes into play because of the proposals to omit from the IP sites which appear more suitable in strategic terms. Our view is that, if the exclusion of those sites is confirmed, then in order to meet the needs of the Island for housing, this amendment should be accepted. But if other sites (notably the large site at Samarès) were to go ahead then this site should be rejected.
22.	<a href="#">19th Amendment (P48./2011) - Eastern Cycle Area Network (Policy TT3)</a>	Eastern Cycle Area Network	Amendment by Deputy of Grouville to extend the Eastern Cycle Area Network.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> Policy TT3 (IP page 307) promotes the development of off-road cycle facilities, including those that contribute towards a strategic cycle route linking the east of the Island with St Helier. The Proposals Map defines a corridor, broadly speaking around the south east of the Island, within which applications for major developments will be assessed to determine their potential to contribute either directly by providing a section of route or by way of a financial contribution. Amendment 19 would widen that corridor, and revise the text supporting TT3, so as to offer the potential for a more direct route, or routes, between Gorey and St Helier without necessarily following the coastline. The existing corridor desirably takes in population centres along the coast, but the amendment does not inhibit a cycle route linking these centres one to another and to St Helier but rather widens the opportunities for a route or routes, particularly for anyone wishing to cycle between St Helier and the eastern coast. There was general support with no opposition. We see it as a commendable improvement to the Plan.
22a	<a href="#">Amendment to 19th amendment by Deputy of St Mary</a>	1 PAGE 2, PARAGRAPH (a) - <i>In Appendix 1 on page 4 of the amendment, in paragraph 8.55, for the word "provide" substitute the word "include" and for the first bullet point substitute the following bullet point -</i> · <i>'safe facilities, both on and off-road, which link centres of population and community facilities, particularly schools, in the east of the Island with each other and which provide a linear route to St. Helier; and'.</i>  2 PAGE 2, PARAGRAPH (a) - <i>In Appendix 1 on page 4 of the amendment, in paragraph 8.58, for the words "enhancement of the route" substitute the words "enhancement of the network".</i>  3 PAGE 2, PARAGRAPH (a) - <i>In Appendix 1 on page 4 of the amendment, in paragraph 8.59, for the words "cycle path" substitute the words "cycle network".</i>		Minister Minded to accept	<b>That the Minister accepts this amendment to amendment 19.</b> As acknowledged by participants at the EiP, this further amendment reinforces rather than undermines amendment 19. It too attracted support and no opposition. As it stands the IP aims for off-road cycle facilities, as does amendment 19 albeit within a wider corridor. The first part of this amendment gives support additionally to on-road measures to assist cyclists. As the Minister cautioned, most such measures could be implemented as highway works outwith the provisions of the IP; however neither he nor anyone else suggested that this could be a reason not to recognise the potential for on-road measures as a component of creating an eastern route. The second part recognises that an eastern cycle route is likely to be achieved piecemeal as opportunities arise. Even while the aspiration is a strategic route, there would also be benefits from a network of improvements, even if not contiguous, across the corridor. We support each of the components of this further amendment.

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			<p><b>4 PAGE 2, PARAGRAPH (b) -</b>  <i>After the words "insert the word 'network'" insert the words "and for the words "development or enhancement of the route" substitute the words "development or enhancement of the network".</i></p>		
23.	<a href="#">20th Amendment (P48./2011) - Part 1 – policy E1</a>	<b>Policy E1 Employment Land</b>	An amendment made by Deputy of St Mary to delete the words '2. the existing development is predominantly office or tourist accommodation, or;' ".	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.
24.	<a href="#">20th Amendment (P48./2011) - Part 2 – policy ERE3</a>	<b>Policy ERE3 - Enabling or Linked Development</b>	An amendment made by Deputy of St Mary to require applications for enabling or linked development to be publicised.	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this amendment subject to his own substantial further amendment.</b></p> <p>This further amendment would instead add the following to the text preceding Policy ERE3:          "The Minister is also concerned to ensure that applications for enabling development are advertised in a way that ensure that the nature of the proposal is brought to the attention of the public of the Island and will review the Planning and Building (Application Publication) (Jersey) Order to give effect to this."          And follow Policy ERE3 with:          "Proposal 17 Advertising enabling development proposals.          The Minister for Planning and Environment will review the Planning and Building (Application Publication) (Jersey) Order to ensure that applications for enabling development are advertised in a way that ensures that the nature of the proposal is brought to the attention of the public if the Island."          Enabling or linked development refers to proposals permitted at least in part in order to fund some other, worthwhile scheme in the public interest. Policy ERE3 sets criteria in respect of rural proposals. Enabling or linked developments are a recognised and legitimate approach to achieving desirable ends but can be open to abuse and are frequently controversial. We are sympathetic to the aims of amendment 20.2, as was the Minister, but it is not something to add to the Policy ERE3 criteria, which are aimed at applicants, but rather progressed in the manner that the Minister suggests.</p>
25.	<a href="#">20th Amendment (P48./2011) - Part 3 – Indicators SCO1</a>	<b>Indicators SCO1</b>	An amendment made by Deputy of St Mary to insert a new indicator to identify where deficiencies identified in the open space strategy are made good.	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>Specific indicators are used to measure the stated objectives and ultimately the success of the detailed policies within the Plan. Indicator SCO1 (IP page 271) includes: area of new open space, and area of open space lost to development. Part 3 of this amendment would add to these. Policy IM1 Plan, monitor, manage (page 459) requires that compliance with the Plan be monitored and, if needs be, remedial actions. The monitoring regime is sub-divided under 17 objectives, the 6th being: to improve physical and mental health for all and reduce health inequalities. Monitoring indicators under this head include the amount of open space lost to new development, and the area of open space enhancement delivered</p>

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					by new developments. There is a clear and desirable synergy between monitoring these indicators and, as sought by the amendment, expressly monitoring where known deficiencies in open space are made good.
26.	<a href="#">20th Amendment (P48./2011) - Part 4 – Proposal 18</a>	Proposal 18 - Open space Strategy	An amendment made by Deputy of St Mary to amend proposal 18 (Open space Strategy) to include a reference to mobility impaired and elderly living communally.	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment as well as his own suggested alternative.</b></p> <p>At present the relevant clause in the IP open space strategy states: “develop Jersey standards for the provision, quality and accessibility of open space”.</p> <p>To which the Deputy for St Mary seeks to add: “including for the mobility impaired and the elderly when living communally”.</p> <p>The Minister’s suggested alternative would instead add:”which include considerations of safely, convenience and ease of access”.</p> <p>At the EiP the Minister confirmed his support for the intent of the Deputy’s amendment but suggested that the aims should be general, across all sections of society, rather than focussed on particular groups, and include all elderly people rather than just those living communally.</p> <p>Deputy Wimberley made the point that occupants of an elderly persons’ home may have less choice in the location of where they live than others, and that access to open space may be particularly valuable to someone living in a communal home.</p> <p>We are sympathetic to both aspects of this and recommend that both are accepted. It is not always wise to add specific aims to broadly expressed policies (it can distort the general application) but we recorded in our previous report the need to ensure that the Plan properly recognises the needs of people with restricted mobility and we accept the Deputy’s points regarding elderly communal homes. We therefore recommend adding the words: “which include considerations of safely, convenience and ease of access, with particular regard given to the mobility impaired and the elderly when living communally”.</p>
27.	<a href="#">20th Amendment (P48./2011) - Part 5 – Proposal 18</a>	Proposal 18 - Open space Strategy	An amendment made by Deputy of St Mary to amend proposal 18 (Open space Strategy) to include review of States owned land to contribute towards open space provision, particularly in St Helier.	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>We heard oral evidence, in relation to this and other sessions of the EiP that Jersey Property Holdings current business plan now recognises that social as well as financial returns can be sought in the disposal or reuse of States owned property. We feel bound to mention, as we have elsewhere, the evident uncertainty about how firm this policy is. There is, however, an excellent example in the creation of the Town Park. Part 5 of this amendment would add a further aim to the development and adoption of an Open Space Strategy set out in Proposal 18 (IP page 283), which would also be reflected in supporting text to Policy TT1 Private car parks in St Helier (page 325) to clarify that redevelopment of private car parks need not necessarily be by building works but may be to open space provision.</p>
28.	<a href="#">20th Amendment (P48./2011) -</a>	Policy SCO6 - Allotments	An amendment made by Deputy of St Mary to Policy SCO6 – Allotments to delete criteria..	Minister Minded to	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>Part 6 of this amendment is we think, with respect, based on two misapprehensions. First,</p>



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	<a href="#">Part 6 – SCO6</a>		'not on land required for agriculture...'	reject	<p>that allotments are a “genuine horticultural use” of land. The enjoyment and benefits of running an allotment cannot be questioned. But they are in fact and degree very different from a commercial agricultural use of land. A primary purpose of an agricultural holding is the production of food. The amount of food, and its seasonal availability, is likely to be much more uncertain and less cost effective from an allotment run essentially for pleasure. We are sceptical about the potential for allotment holding being a significant route to individuals entering an agricultural career. The visual and perhaps traffic impacts of an allotment site may also need to be assessed. As on a number of issues during the EiP we found the contribution by the Jersey Farmers Union to be balanced and cogently put.</p> <p>Second, the relevant clause in Policy SCO6 Allotments (IP page 290) is not a blanket ban on the reuse of agricultural land for allotments but requires an assessment of any proposal to do so under the terms of Policy ERE1 Safeguarding agricultural land (page 209).</p> <p>We consider that when these policies are taken together the Plan strikes the right balance between a presumption against the loss of agricultural land but with some exceptions that might, in the right circumstances, include a switch to allotments.</p>
29.	<a href="#">20th Amendment (P48./2011) - Part 7 NR7</a>	Policy NR7 - Renewable energy in new developments	An amendment made by Deputy of St Mary to Policy NR7 - Renewable energy in new developments to insert a new criteria ' <i>at least an equivalent impact on carbon emissions can be met by alternative means</i> '.	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>This amendment would allow greater flexibility in the achievement of low carbon developments without in any way diluting the underlying policy objective.</p>
30.	<a href="#">21st Amendment Part 1 (P48./2011)</a>	Amend para 8.31	An amendment made by Deputy of St Mary to amend paragraph 8.31 (page 299), after the words 'the Institution of Highways and Transportation guidelines' insert the words ' <i>interpreted and modified as necessary to Jersey conditions, with such adaptations to be consulted on with users.</i> ' "	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>This amendment is entirely appropriate in relation to Jersey, to take account of the generally narrow and frequently twisty highway network.</p>

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31.	<a href="#">21st Amendment Part 2 (P48./2011)</a>	Policy TT1	An amendment made by Deputy of St Mary to Policy TT1 - Protection of the Island's footpaths and cycle network (page 299), after the words 'other rights of way' insert the words ' <i>or future development of these networks</i> ' .	Minister Minded to accept	<p><b>Recommendation: that the Minister rejects this amendment as it stands but instead amends Policy TT1 Protection of the island's footpath and cycle network (Revised Draft IP page 299) simply to delete the word 'existing'.</b></p> <p>The relevant passage would then read: "..., development proposals that would result in the loss, or prevent the use, of any part of the pedestrian or cycle network or other rights of way, or compromise the safety of users thereon, will not be approved, unless ...".</p> <p>We do not accept the reasoning supporting this amendment, in essence that the word 'existing' limits the policy to the network as it stands now. On any reasonable reading, and in line with standard planning practice, the intention of the policy is to safeguard the network as it exists at the time when a future development proposal is being assessed.</p> <p>The amendment would make the policy ambiguous. It might then be equally read as referring also to changes to the network envisaged but not implemented at the time when a development proposal is being assessed. Although minded to accept the amendment, the Minister rightly sounded a caution that any such safeguarding could apply only to a future definitive proposed change to the network. We agree. There could otherwise be issues of blight or compensation. Conversely, where there is a firm definitive proposal to improve the network, the policy as it stands would not safeguard those proposals from an incompatible planning application. Omitting the word 'existing' achieves what is needed.</p>
32.	<a href="#">21st Amendment Part 3 (P48./2011)</a>	Para 8.60 & Policy TT3 - Cycle routes	An amendment made by Deputy of St Mary to and insert 'on-road treatments' to both the supporting text and to Policy TT3 -Cycle routes	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>Part 3 of Amendment 21 relates closely to the Deputy for St Mary's further amendment to amendment 19, relating to the Eastern Cycle Route, considered above. Policy TT3 Cycle routes (IP page 307) is rightly directed to off-road facilities because on-road measures to assist cyclists can generally be undertaken by the highway authorities outwith the scope of the Plan. Nonetheless we think it is right for the Plan to give support for such measures, not least for any scheme that might require both on and off street measures for its achievement.</p>
33.	<a href="#">21st Amendment Part 4 (P48./2011)</a>	Policy TT5 - Road safety	An amendment made by Deputy of St Mary to delete the words 'where possible' " to Policy TT5 - Road safety	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts the amendment.</b></p> <p>We think that the phrase 'where possible' sets the wrong tone for a policy promoting road safety, inadvertently downplaying the objective. We accept the Minister's response that this was not the intention, which was simply recognition that such things as access for emergency vehicles may sometimes need to be taken into account. Even so, simply omitting the words would enhance the policy without in any sense making it difficult to apply.</p>
34.	<a href="#">21st Amendment Part 5 (P48./2011)</a>	Policy TT6 - Park and ride	An amendment made by Deputy of St Mary to insert the words - "except that in Policy TT6 - Park and ride (page 312) - (a) in the first paragraph for the word 'will' substitute the word 'may';	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister rejects Amendment 21 Part 5 (a), and accepts Part 5 (b) only subject to his own further amendment.</b></p> <p>This further amendment states: "The Minister for Planning and Environment would expect that an appropriate evaluation of options for the provision of park and ride facilities is made in the development of any emergent proposals during the Plan period, to ensure that they are genuinely accessible by a choice of means of transport; and provide the greatest value and benefit relative to the objectives of the Sustainable Transport Policy (2010)."</p> <p>Part (a) is a question of terminology. Jersey has by law a 'plan led' system of planning</p>

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			(b) after criterion 2 insert a new criterion as follows - '3 is better than other existing or possible sites for hubs' ".		<p>control. The word 'may' tells potential applicants nothing. The word 'will' is therefore generally employed to give a degree of confidence to those preparing a planning application but with the proviso (in relation to Policy TT6) that their scheme needs to meet tests relating to travel and the environment. It is likely also to need to satisfy other requirements, such as those set by TTS.</p> <p>Part (b) as it stands sets requirements beyond the powers of the Minister. The duty of a planning authority is to consider each planning application on its merits. It is, however, open to the Minister to look to an applicant to demonstrate that a process of site evaluation and selection had been undertaken when preparing the scheme, and have regard to that as part of his assessment of the application.</p>
35.	<a href="#">22nd Amendment (P48./2011) - Policy TT10 - Off-street public parking provision in St. Helier</a>	Policy TT10	An amendment by Deputy of St. Mary to insert the words - "except that in Policy TT10 - Off-street public parking provision in St. Helier (page 322), in the paragraph beginning 'All development proposals' delete the words 'and to reflect the need and desire for parking at the time of implementation, which will be reviewed on a bi-annual basis' ".	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this amendment but only subject to his own further amendment and subject to one small correction.</b></p> <p>The correction is that bi-annual (twice a year) should be replaced by biennial (every 2 years) which is the intended frequency to review parking standards.</p> <p>The Minister's further amendment would then go on to state: "in order that long-stay off-street public parking can be limited or reduced and/or the proportion of short-stay off-street parking increased, in accord with the objectives and performance of the Sustainable Transport Policy (2010).</p> <p>Policy TT10 as it stands implies that parking standards for the North St Helier Masterplan might be driven by motorists' and pressure groups' desire for more spaces – something that is likely to be open ended and upwards. This would be contrary to the Plan strategy and that in the JSTP, both of which look to check and reduce the peak of flow of vehicles in and out of St Helier. The Minister's further amendment clarifies that the intention is review standards in the light of the Plan and JSTP strategic aims.</p>
36.	<a href="#">23rd Amendment (P48./2011) - Coastal National Park (Wolf's Caves)</a>	Proposals Map	Amendment by Deputy of St. Mary to include Wolf's Caves car park and former cafe/bar site in the Coastal National Park (Policy NE6).	Minister Minded to accept	<p><b>Recommendation: the Minister rejects this amendment.</b></p> <p>The outcome of this amendment would be a small but contrived enlargement of the Coastal Park. This small parcel of land has an extant planning permission for the former cafe/bar to be replaced by a private house, subject to conditions requiring the provision of public car parking, landscaping and the rerouting of a footpath. Redrawing the Coastal Park boundary so that it takes in this site would have no effect on the continued implementation of that permission, and in other regards the safeguards accorded by inclusion within the Green Zone are appropriate and adequate.</p>
37.	<a href="#">24th Amendment (P48./2011) Part 1</a>	Jersey Homebuy Refs	Amendment from Senator A. Breckon to make various amendments to the Housing chapter to substitute references to Jersey Home Buy with 'a shared equity scheme established by law'	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment subject to a further amendment agreed between the main parties and set out below.</b></p> <p>There was a substantial debate about this issue at the EiP. There had been few representations on the issue, and there was no real disagreement that the IP needed to be made somewhat more flexible so that it referred not just to the Jersey Homebuy scheme but allowed for alternative forms of shared equity housing schemes. While it was clear that there was a lively debate going on elsewhere about the Homebuy scheme (which was</p>

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					<p>strongly defended by the Housing Minister), this was not directly relevant to the IP itself. While there was general agreement on the aim, it was not felt that the wording put forward by Senator Breckon or the alternative from the Minister in his initial response dealt adequately with the point. We asked for the parties to discuss the matter outside the EiP and to let us have an agreed form of words; this reached us shortly after the closure of the EiP.</p> <p>We are content to recommend the following words, to be inserted in para 6.11 of the IP (and the accompanying footnote), and for other consequential amendments to be made elsewhere in the IP:</p> <p>"a form of intermediate housing, be that Homebuy or another/alternative form of shared equity housing(1)"</p> <p>(1) The Jersey Homebuy scheme is the subject of review. Whatever the form of intermediate housing ultimately adopted following that review it must be soundly based, robust and have clear operating guidelines, which will be approved by the States.</p>
38.	<a href="#">24th Amendment (P48./2011) Part 2</a>	Life long Homes	Amendment from Senator A. Breckon to make various amendments to the Housing chapter to substitute references to 'lifelong homes (for people over 55)' with ' <i>lifelong homes (for people over 65)</i> ';	Minister Minded to accept	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>Though the Minister is minded to accept this amendment, the burden of the debate at the EiP was that such a move would be unhelpful and we found ourselves in support of those arguments.</p> <p>There was much sympathy for Senator Breckon's views, which are set out in his amendment. The Senator referred to certain schemes where the policy may have been abused.</p> <p>However we, and others, felt that there may be a confusion between the need on the one hand for sheltered housing and on the other for lifelong homes. These are not the same thing of course, and the policy had been drawn up in order to provide for the needs of those over 55 – downsizing or not – who wanted to make provision for housing during the remainder of their lives. The policy had arisen from, and was founded on, a major study of the housing needs of older people carried out in the middle of the last decade and was clearly soundly based.</p> <p>Deputy Green supported leaving the limit at 55. He felt that this was not just a matter of downsizing but of people establishing themselves in a new community and building up new networks – before the real onset of old age or certainly of special needs. Mr Gallichan felt that increasing the age limit would further limit the market for lifelong homes; it would give developers a greater opportunity to seek to convert the use of sites to other forms of housing, arguing that there was no demand. Mr Harding (AJA) was concerned that there may be people aged between 55 and 65, in poorer health or with special needs, who might be excluded.</p> <p>We are convinced by these arguments. We think that the provision of lifelong homes is to</p>

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					be encouraged and that they are not, and should not be, designed simply for those over the age of 65 (for whom sheltered housing may sometimes, though not always, be appropriate). As Mr Gallichan said the delivery of lifelong homes may as yet have been "woeful": but we think the policy itself is right and recommend that it should remain unaltered – while greater effort is put into its implementation.
39.	<a href="#">25th Amendment (P48./2011) - Les Galots, Old South Pier, St. Helier</a>	<b>Policy SCO3 Community Facilities</b>	Amendment from Deputy I.J. Gorst to safeguard Les Galots, Old South Pier, St. Helier for community use.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b>  Two issues arose. This parcel of land is currently used to store boats belonging to Jersey Rowing Club, who are understandably concerned at the possibility of being displaced by a Headquarters building. In fact the report supporting the amendment describes the Headquarters not merely as a possible use but the primary use. The other main consideration is that the land is straddled by safety zones (themselves amended post the Buncefield explosion/fire).  The Minister's written response to the amendment went a long way to addressing both issues. He foresaw any Headquarters use as being alongside other community uses such as the storage and launching of boats. On this basis he, rightly in our view, envisages the detailed future of this site to be addressed under the auspices of a masterplan for the area, to be prepared under Proposal 11 St Helier Regeneration Zone (IP page 148). From the preliminary information we have it seems unlikely that the level of safety zone here need necessarily rule out a headquarters but much would depend on size, precise location and any future revisions to the safety regime. Amendment 25 would safeguard the land from non community uses and flag up the location as one for a possibly Sea Cadets HQ, but leave the details and the balance with other uses for future consideration.
40.	<a href="#">26th Amendment (P48./2011) - Climate Change</a>	<b>Climate change</b>	Amendment by Senator S.C. Ferguson to remove all references to climate change and carbon emissions.	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EIP and reported on it.
41.	<a href="#">27th Amendment (P48./2011) Housing Chapter</a>	<b>Housing chapter</b>	Amendment by Deputy S. Power to delete the Housing chapter; re-introduce the 2002 Island Plan Housing chapter; and insert a revised Proposal (Housing supply and demand) that will require the Minister to review bring back a further proposition on this matter to the States at a later date.	Minister Minded to reject	<b>Recommendation: that the Minister rejects this amendment.</b>  Please see part 1 of our report
42.	<a href="#">28th Amendment</a>	<b>Proposals Map</b>	Amendment from Deputy J.A.N Le Fondré to amend the	Minister Minded to	<b>Recommendation: that the Minister rejects this amendment.</b>

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	<a href="#">(P48./2011) - La Providence, La Vallée de St. Pierre, St. Lawrence (community facilities)</a>		Proposals Map to rezone the community building at La Providence, La Vallée de St. Pierre, St. Lawrence, and surrounding land from the Built-up Area to the Green Zone. Also to amend Policy SCO3 (Community facilities) to protect community facilities outside of the Built-up Area from alternative uses.	accept part (a) and to reject part (b)	<p>The Built Up Area (BUA) boundary at La Providence, as defined by the Proposals Map, tightly encloses the extent of existing built up development. This is the approach throughout the Plan, reflecting its strategic aim to protect greenfield land and only exceptionally facilitate further development beyond existing development limits. The extent of BUA reflects what exists in reality, not the circumstances in which development came into existence. Those circumstances will vary from the many buildings erected prior to modern planning controls, together with those permitted more recently, either in accordance with Island Plans current at the relevant times or, in some cases, as exceptions to those Plans. The Community Centre building at La Providence was such an exception, constructed just beyond what were the intended development limits at that time. Be that as it may, it occupies a fully developed parcel of land, which is in every sense integral to the La Providence development. It would be a wholly illogical pretence to attach this site to the adjoining Green Zone, making it subject to policies which have no relevance within the BUA.</p> <p>The second element of this amendment would amend Policy SCO3 Community facilities (IP page 278). This currently includes "The alternative development of community facilities will only be permitted where it can be demonstrated that they are no longer required to meet the needs of the local community." That is a high barrier to any proposal for reuse to a non community purpose. In the particular case of the centre at La Providence there is no evidence other than that it serves much needed community activities, with further safeguards by way of planning conditions and obligations. The Plan strikes the right balance both in this particular case and more generally regarding the protection of community facilities whether in the Green Zone or not.</p>
43.	<a href="#">29th Amendment (P48./2011) - Field 189, St Peter &amp; Field 287, St. Peter</a>	Policy H1 Category A Housing sites	Amendment by Connétable of St. Peter to add to the list of sites to be zoned for Category A housing at Policy H1: Category A housing sites (on page 246): <i>i. '4. Field 189, Le Rue de L'Eglise, St. Peter (1 acre/2.25 vergées).';</i> <i>ii. '5. Field 287, Saut Falluet, St. Peter (0.7 acres/1.6 vergées).';</i>	Minister Minded to reject	We were not requested by the Minister to consider this amendment, having considered the matter in full at the previous EiP and reported on it.
44.	<a href="#">30th Amendment (P48./2011) - Coastal National Park (NE6) and Green</a>	Policies NE6 (Coastal National Park) & NE7 (Green zone)	Amendment by Senator T.J. Le Main to amend Coastal National Park (NE6) and Green Zone (NE7) policies to require all developments of two or more units of residential accommodation to be taken to	Minister Minded to reject	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>We endorse elsewhere the desirability of applications for health facilities in the Green Zone, to be put before the States. In that case, the IP includes (or would include on the adoption of Amendment 5) express provision to facilitate development where it would not normally be permitted. The exceptional nature of such permissions, and the need to avoid them being misused by applicants, would be underscored and safeguarded by a need to refer the matter to the States.</p>

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	<a href="#">Zone (NE7) policies</a>		the States' Assembly for their views.		<p>However Policies NE6 Coastal National Park, and NE7 Green Zone set clear, stringent policy frameworks and high levels of protection, especially with regard to any proposal for residential development and to the very highest degree within the National Park. These policies were fully debated by a wide range of participants at our previous EiP, when some argued that they are too stringent and others insufficiently so. We concluded that the respective policies strike the right, very high, levels of protection while recognising that both encompass existing dwellings and other permanent buildings, where in some circumstances refurbishment or replacement may be a reasonable expectation and indeed the mechanism for wider environmental benefits. The only policy basis for new residential development, and then only within the Green Zone, is for essential staff accommodation subject to very particular circumstances when no other option can meet a demonstrable in accordance with Policy H9 Staff and Key Agricultural Worker Accommodation.</p> <p>All applications are publicised, providing scope for Members (and the general public) to comment. There are also legal provisions for public inquiries into applications contrary to the IP or having wide impacts. We do not consider that this amendment should be influenced by historic planning decisions which are now regretted. The IP itself, together with existing procedures, provide robust safeguards.</p>
44a	<a href="#">Amendment to 30th amendment by Deputy Wimberley</a>	<p><b>1. PAGE 2- Paragraph (a)</b> <i>Delete the words "in sensitive locations"</i></p> <p><b>2. PAGE 2- Paragraphs (a) and (b)</b> <i>For the words "more than two" where they appear in both paragraphs substitute the words "two or more".</i></p>		Minister Minded to reject	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>We agree that all areas within the Coastal National Park should be considered to be sensitive, however as we recommend against Amendment 30 it follows that we see no benefit from seeking to hone its drafting.</p>
45.	<a href="#">31st Amendment (P48./2011): Proposal 20 - Parking Guidelines</a>	<b>Proposal 20 - Parking Guidelines.</b>	Amendment by Deputy J.M Macon to the supporting text of Proposal 20 on parking guidelines. in paragraph 8.136 (page 327), after the words 'be excluded from using it' insert the following words - 'The Minister, thus, acknowledges that for some sections of the Island community the private vehicle remains the only practical transport option and that parking for commercial vehicles is also of significance to business..' b.) in paragraph	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts the amendment.</b></p> <p>The first part of this amendment is in essence the same as one approved by the States on adoption of the Jersey Sustainable Transport Policy (2010) (States Debate 30 Nov-1 Dec 2010). We think it important that the IP is consistent with the JSTP. The second part usefully enlarges on the range of circumstances in which different parking standard may be appropriate. The Minister has undertaken to seek to develop, consult upon and adopt Supplementary Planning Guidance related to parking standards, whilst having had regard to the issues raised in this amendment and the context provided by the approved JSTP.</p>

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			8.137 (page 327), after the words 'for broad classes of development' insert the following words ', including residential and commercial land uses and buildings, as well as for urban and rural parts of the Island.'		
46.	<a href="#">32nd Amendment (P48./2011) - Island Plan Strategic Policy Framework (relating to the Town of St. Helier)</a>	Island Plan Strategic Policy Framework	Amendment by Deputy D.J De Sousa of St Helier to the Island Plan Strategic Policy Framework (relating to the Town of St. Helier) At the end of paragraph 2.22, after the words 'its public realm and infrastructure.' insert the words ' <i>In particular, it is imperative that to create an acceptable urban living environment in the Town, adequate provision of good quality and accessible public open space must be planned for and made.</i> ' "	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There was general support for this amendment, which as the Minister indicated is in line with the objectives of the IP. The AJA observed – and we agree – that the implementation of this proposal would be of greater immediate benefit to residents of St Helier than the country park proposal at amendment 38 part 7, which we recommend against below. The provision of good quality open space in the town could only be beneficial, and may be of some comfort to those concerned about “town cramming”.
47.	<a href="#">33rd Amendment (P48./2011) - Tall Buildings (Policy BE5)</a>	Policy BE5: Tall buildings	Amendment by Deputy D.J De Sousa of St. Helier to Policy BE5: Tall buildings to replace the words 'Tall buildings, defined as those either above five storeys in height, or rising more than two storeys above their neighbours, will only be permitted where their exceptional height can be fully justified, in a Design Statement, in urban design terms.' with the following words <i>'Tall buildings, defined as those either above five storeys in height, will only be permitted where their exceptional height can be fully justified, in a Design</i>	Minister Minded to accept subject to an amendment	<b>Recommendation: that the Minister accepts this amendment, subject to his own substantial amendment to it as further enlarged at the EiP.</b> This matter raised a degree of controversy, with a number of disagreements in writing and at the EiP, where the AJA particularly expressed their concern. Deputy De Sousa was not alone in being concerned about tall buildings in St Helier – indeed we discussed this at the earlier EiP and her views would have been useful at that stage. The Minister expressed some sympathy with her point but at the EiP he suggested a different way of dealing with it, which relied on the very comprehensive urban character appraisal (the “Willie Miller” study), which had been carried out. Deputy De Sousa, though unfamiliar with the study, was not unhappy with the Minister's alternative. His proposal was: delete “development which exceeds the height of buildings in the immediate vicinity will not be approved” and replace with the following Proposal 15 after para 4.100 (p159) Proposal 15 Urban Character The Minister for Planning and Environment will have regard to the St Helier Urban Character Appraisal when determining proposals for development which affects the town, and particularly for the development of tall buildings. The primary consideration will be to protect and enhance the character of the town and the



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			<i>Statement, in urban design terms. Development which exceeds the height of buildings in the immediate vicinity will not be approved'</i>		<p>impact of development proposals on the distinct character of the different parts of the town will be assessed and determined against the St Helier Urban Character Appraisal, which will be issued by the Minister as Supplementary Planning Guidance".</p> <p>The AJA, though disagreeing with the original proposed amendment, were content with the Minister's alternative. However they proposed an addition, suggesting that the Willie Miller study should not be the only tool available and that schemes could alternatively be "fully justified in a design statement". Both the Minister and Deputy De Sousa were willing to accept this and if it is possible we recommend that this addition be made to the Minister's proposed alternative amendment.</p> <p>The Minister also pointed out that the Deputy's amendment could have certain unintended consequences and in some circumstances might make it difficult to resist taller buildings which were not well located. This is an important point.</p>
48.	<a href="#">34th Amendment (P48./2011): St. Mary's Village Development Plan</a>	Superseded Plans	Amendment by Connétable of St. Mary to exclude St. Mary's Village Development Plan from those plans to be superseded by the new Island Plan.	Minister Minded to accept	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>In making this recommendation we do not in any way seek to suggest that St Mary's is unimportant or that there is no need for a plan for the village. On the contrary. The problem, as the Minister explained, is that the plan to which the amendment refers is out of date, and superseded by the policies in the IP. Its retention could cause confusion. In the interests of clarity we recommend that this amendment is not accepted but that a new plan for the village is prepared using the mechanism set out for the purpose in the IP.</p>
49.	<a href="#">35th Amendment (P48./2011): Part Field 1219, Grande Route de Mont a l'Abbé, St Helier</a>	Proposals Map	Amendment by Deputy D.J De Sousa to remove Part Field 1219, Grande Route de Mont a l'Abbé, St Helier as a Category A housing site.	Minister Minded to reject	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>This was one of the sites we considered during our examination of the then Draft Plan, when we gave it reference H3. The whole parcel of land is a little over 6 acres. The intention for it was evolving at that time with the Minister minded to increase the proportion for housing to 50%, with the other half to provide facilities for Haute Vallée school immediately to its north. That remains the intention. The continued reference to some of the land being made available for allotments in the Site Assessment (IP Annex B) is an error that needs to be corrected.</p> <p>There were no submissions that we recall regarding this site at the time of the previous EiP; however both we and the Minister recognised the need for further consultation. The amendment now to delete the housing element has attracted both support, urging that the land be kept open, and objection to the loss of a housing site within the BUA and possible consequent pressure on Green Zone land.</p> <p>We fully understand the desire to avoid building on what is still greenfield land. However, the case for doing so here is compelling. Our starting point in considering sites is always their compatibility with the strategic aims of the IP, and in this case the site meets them well. The land is well inside the BUA, close to services and facilities, and now completely enclosed by development following the Clos Vaze development to its south. Its continued viability for agriculture must be doubtful. A well designed development on the eastern half, at no more than a moderate density, would provide some 40 to 50 much needed Category A homes. An illustrative layout of 47 has been submitted. The owner and developer are</p>

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					<p>willing to cede the remainder of the land to the school and to lay it out with a football pitch and all-weather astro pitch. We understand that the school is deficient in open play space, and we have been told that there are no public funds available to provide these facilities. The development would also create a pedestrian and cycle link, providing a traffic free route for the school's pupils living at Le Clos Vaze, those living on the Field 1219 development and those from further afield.</p> <p>Wherever the Island's housing needs are met, here and elsewhere, there will be traffic generated. However, this can be expected to be less in volume and typical journey length to and from a development such as this, close to services and no great distance from the town centre, than were the same housing provision to be made further out. As we have suggested in relation to other urban located sites, the residents here would be affected by passing traffic, as are existing local residents, but would themselves contribute only marginally to the flows. We have seen plans illustrating ways in which an improved access could be provided directly at the site. There is no objection from TTS to the development subject to a number of technical requirements.</p>
50.	<a href="#">36th Amendment (P48./2011): Glasshouse site, Field 244A, La Rue des Nouettes, St Clement.</a>	<b>Para 7.38 and Policy SCO3 Facilities</b>	Amendment by Deputy I.J Gorst of St Clement to safeguard glasshouse site, Field 244A, La Rue des Nouettes, St Clements for the development of community facilities.	Minister Minded to accept	<p><b>Recommendation: that the Minister accept this amendment but subject to clarification regarding the land concerned.</b></p> <p>The intention of this amendment is to facilitate expansion of the St Clement Sports Club, by displacing glasshouses occupied by Harmony Produce Ltd. The club was represented at the EiP by Mrs Collette Willmet. Currently the club uses Field 244 as its main playing field area with the clubhouse. This area is already protected by Policy SCO4 (IP page 284). The club also, perhaps less formally, make use of the nearby smaller Field 242/242A as junior pitches. The amendment as made seeks to safeguard 244A (currently glasshouses) under Policy SCO3 Community facilities (page 278); however the accompanying plan shows a wider area taking in two more areas of glasshouses and open land including a small agricultural reservoir.</p> <p>The club is evidently thriving, providing no doubt welcome facilities for local residents of all ages and from wider afield, and the land relates well to the development around St Clements Church. We stress the important point made by the Minister, and implicitly accepted in the report supporting the amendment, that safeguarding the land for community use would do no more than that. Any subsequent application for associated development would need to be considered on its merits. Subject to that and to the intended boundaries being confirmed we see merit in this community based proposal.</p>
51.	<a href="#">37th Amendment, Part 1 (P48./2011) = Supplementary Planning</a>	<b>Supplementary Planning Guidance (planning obligation agreements)</b>	An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to amend policy GD4 to insert : <i>"The Minister will update and publish guidance in relation to planning gain and planning obligation agreements,</i>	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>The Minister indicates in his initial response that it is in any event his intention to review planning obligation agreements. This is clearly stated in Appendix A of the IP on an un-numbered page following page 466. The amendment raises an important issue, but it is one which will and should be addressed through that review. On that basis we recommend that the amendment is accepted.</p>

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	<a href="#">Guidance</a>		<p><i>and such guidance shall, in particular, indicate by what point in the life of a development (in the normal course of events) planning gain should be provided, depending upon the nature of such gain."</i></p> <p>Changes to para 1.22 also amended to reflect policy amendment.</p>		
52.	<a href="#">37th Amendment, Part 2 (P48./2011)- Guidelines for Residential Development and Regeneration and Policy H6 - Housing Development within the Built-up Area.</a>	Proposal 10 - Guidelines for Residential Development and Policy H6 - Housing Development within the Built-up Area.	An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to various parts of the plan (Proposal 10 and Policy H6) to include references to internal space standards and internal noise insulation.	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts parts (a), (c) and (e) of this amendment as proposed in his own further amendment and rejects parts (b) (d) and (f).</b></p> <p>This amendment was itself in six parts. The Minister in his initial response indicated that in his view parts <b>(b), (d) and (f)</b>, which all related to noise standards, were a matter not for inclusion in the IP but for the building bye-laws. The Minister sympathised with the intentions behind these proposals but did not feel that the IP was the right route to achieve those aims. We accept the Minister's point; at the EiP he said that there was no point in including these references in the IP because they could not be regulated in that way, and we recommend that these three parts of the amendment are not pursued.</p> <p>As to parts <b>(a), (c) and (e)</b> of the amendment, which deal with internal space standards in dwellings, the Minister was happy to accept these, and he indicated that they would in any event be part of the Supplementary Planning Guidance which he intended to prepare on residential design standards as proposed in Appendix A of the IP. In their written response the AJA had expressed strong disagreement with the proposed amendment as a whole. At the EiP however they indicated that they were less concerned about the Minister's proposed reduced alternative. They pointed out however that space standards had to be balanced against affordability. This is a valid point. However we agree that, as the Minister proposes, parts (a), (c) and (e) of the amendment should be accepted.</p>
53.	<a href="#">37th Amendment, Part 3 (P48./2011) - Proposals 11 &amp; 12</a>	Proposals 11 (St. Helier Regeneration Zones) & 12 (Jersey Airport Regeneration Zone)	An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to various parts of the Plan -Proposal 11 - St. Helier Regeneration Zones, Proposal 12 - Jersey Airport Regeneration Zone, to require any States owned sites that is identified in a regeneration zone for development to be subject to a financial appraisal and risk analysis and final approval of	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts parts (a) and (e) of this amendment subject to his own further amendments and rejects parts (b)-(d), (f) and (g). And that he deals with part (h) in the same way as part (e) and accepts it subject to his own further amendment.</b></p> <p>This is a somewhat complex amendment with no less than eight parts. The Minister in his initial response proposed that two (in fact there are three) of these parts should be accepted but substantially amended; and that the remaining five should be rejected.</p> <p>The five which he proposed to reject were <b>(b)-(d), (f) and (g)</b>. All of these seek to identify the Regeneration Zones (RZs) in the IP as "Proposed" Regeneration Zones. The Minister does not consider this to be useful or substantive. There were no other comments. We agree with the Minister and do not propose that these are accepted.</p> <p>The Minister proposes amendments to parts <b>(a) and (e)</b> of the amendment; he does not</p>

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			the master plan by the States assembly.		<p>refer in his response to part (h) but in fact it is very similar to (e) and should be treated in the same way. The Deputy's amendments, in brief, bring into play financial considerations in respect of States-owned land; and they require masterplans to be approved by the States. The Minister was sympathetic to the purposes behind the proposals but believed (and we agree) that they were flawed. Firstly, they bring into a land use plan the financial details of the development and use of States-owned land. Important as that is, the IP is not the place where it should be considered. And secondly they (as the Minister put it at the EiP) "encumber" the IP and the RZ masterplans by requiring the involvement of the States on all occasions. As the Minister pointed out, in most cases the RZs go well beyond land which is owned by the States. The Minister's proposed amendments to the amendment are lengthy but in summary: in (a) he proposes to replace the Deputy's proposal in respect of para 4.71 from "In such cases" to the end, and insert ""Where these are key determinants to the delivery of the masterplan the Minister may refer masterplans to the States for consideration". In (e) (and (h)) he proposes to replace the whole of the Deputy's lengthy proposed addition to Proposal 11 (and Proposal 12) from "The States" to the end with "Where there are significant States-owned assets that are key determinants to the delivery of the masterplan the Minister may refer masterplans to the States for consideration"</p> <p>This seems to us to reflect the Deputy's concerns well by enabling the Minister to refer plans to the States where there are significant States owned assets but not requiring it in other cases. We think this is efficient and sensible, and so recommend.</p>
54.	<a href="#">37th Amendment, Part 4 (P48./2011) –Policy BE5 Tall Buildings</a>	Policy BE5 Tall Buildings	<p>An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to amend Policy BE5 - Tall buildings to substitute the words 'five storeys' where they appear in the first line and in the last paragraph, with the words '<i>approximately 18 metres</i>' and substitute the words 'two storeys' in the first paragraph with the words '<i>approximately 7 metres</i>".</p> <p>In addition insert the following paragraph at the end of the policy '<i>For the avoidance of doubt, for the purposes of the definition of a tall building as laid out in the first paragraph of this policy, where roof top plant is incorporated into the design of the building, there will be a</i></p>	Minister Minded to reject	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>In written representations the AJA and Mr Quinn had expressed disagreement with this proposal. At the EiP there was a lively debate. It is certainly true that the number of storeys does not always indicate the height of a building; but on the other hand, as the Minister pointed out, it has been used as the policy for nine years without difficulty. The Minister felt, and we agree, that the key issue in respect of a building proposal is not simply its height (though it is obviously relevant) but primarily its design and impact. Policy BE5 sets out criteria against which tall buildings (however defined) will be considered but does not state that buildings above or below a certain height will be approved or refused. Although in practical terms the amendment may have little effect, our conclusion is that the continued use of storeys rather than heights would be appropriate. The amendment refers also to roof plant. As the Minister said at the EiP we think this is a matter which should be dealt with as part of the detailed design in each case. It is important, and Mr Quinn's written comments made a good point about roof gardens which can be developed through design guidance.</p>

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			<i>further 2 metres allowed in the calculation of the height of the building before it is defined as a tall building.'</i>		
55.	<a href="#">37th Amendment, Part 5 (P48./2011) – Policy H3 Affordable Housing</a>	<b>Policy H3 Affordable Housing</b>	An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to remove policy H3 from the draft Plan and request the Minister to....'bring forward for approval by the States a revision to this Plan to make new provision for the delivery of affordable homes, giving details at that time of the proposed supplementary planning guidance.'	Minister Minded to reject	<b>Recommendation: that the Minister rejects this amendment.</b> Please see part 1 of our report.
56.	<a href="#">37th Amendment, Part 6 (P48./2011) – Island path network</a>	<b>Island path network</b>	An amendment made by Deputy J.A.N Le Fondré of St. Lawrence to insert new text, a new proposal 20 (Island path network) and amendment to policy NE8 - Access and awareness to produce a holistic plan for the development of a comprehensive network of off road footpaths, bridle paths and cycle paths across the Island.	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There is plainly merit in the production of such a holistic plan. As the full text of the amendment recognises, and the Minister included in his response, this will require active engagement by the variety of stakeholders with responsibilities concerning rights of way.
56a	<a href="#">Amendment to 37th amendment by Deputy Wimberley</a>	<i>In the new Proposal 20 for the words "of a network of off-road footpaths, bridle paths and cycle routes across the Island, including the protection, improvement and expansion of the existing network" substitute the words "of networks for pedestrians, cyclists and horse-riders across the island, including the protection, improvement and expansion of existing networks or fragments".</i>		Minister Minded to accept	<b>Recommendation: that the Minister accepts this further amendment to amendment 37.</b> This further amendment enhances rather than detracts from the intentions of amendment 37 part 6.
57.	<a href="#">38th Amendment, Part 1</a>	<b>Policy GD1 - General Development</b>	An amendment made by Connétable of St. Helier to Policy GD1 - General	Minister Minded to accept	<b>Recommendation: that the Minister rejects this amendment.</b> Clause 5 (c) is one of a list of assessment criteria against which applications will be considered. It requires that the development "provides a satisfactory means of access,

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	<a href="#">(P48./2011) - Policy GD1 - General Development Considerations</a>	Considerations	Development Considerations (page 55), in paragraph 5c, after the words 'space for parking' insert the words ' <i>, including for visitors and servicing,</i> '		manoeuvring space within the site and adequate space for parking." The type of parking is not limited to any particular class of user, but will vary considerably with the development types: residential, retail, office, leisure etc. Nor does it single out any class of vehicle, which similarly will vary and may not be limited to motor vehicles but address bicycle provision at schools for example. By singling out just visitor and servicing parking the amendment would elevate these above other types of parking. We endorsed an amendment above requiring parking standards to be reviewed every two years and to reflect the locality, whether rural or urban. The Minister's consultations on his supplementary guidance on parking standards will be the opportunity to explore whether adequate provision is being made for visitors and servicing, together of course with the other categories of provision.
58.	<a href="#">38th Amendment, Part 2 (P48./2011) - Policy GD3 - Density of Development</a>	Policy GD3 - Density of Development	An amendment made by Connétable of St. Helier to Policy GD3 - Density of Development (page 59), after the words 'commensurate with good design' insert the words ' <i>, adequate amenity space and parking,</i> '	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> In the event, this issue was not debated at the EiP due to the unavoidable absence of Mr Palmer, who had made some very valuable comments on this and many other amendments and should be thanked for his contribution. In practice there was little disagreement with this issue (or with the further amendment below). The Minister felt that it highlighted issues to be considered in design in high density areas. We do think Deputy Wimberley's further amendment, which as the Minister said introduces a wider range of issues, is important and recommend that it is also accepted.
58a	<a href="#">Amendment to 38th amendment by Deputy Wimberley</a>	After the word "parking" insert the words "(bearing in mind the potential for reducing the need for car ownership by the creation of car pooling schemes and other methods)".		Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment to the amendment.</b> As indicated above, we believe that this further amendment usefully introduces a wider range of issues and should be accepted.
59.	<a href="#">38th Amendment, Part 3 (P48./2011) - Policy GD4 - Planning obligations</a>	Policy GD4 - Planning obligations	An amendment made by Connétable of St. Helier to Policy GD4 - Planning obligations (page 61), in the second paragraph, after the word, 'including' insert the words ' <i>the provision of amenity space, public parking</i> '	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> The provision of amenity space and public parking already fall well within the scope of the "additional infrastructure or amenities" that in appropriate circumstances may properly be required by way of a planning obligation in consequence of a development. However, it would add clarity to add the specific examples proposed by the amendment to those already referred to in the policy. They are issues that frequently arise with significant development proposals.
60.	<a href="#">38th Amendment, Part 4 (P48./2011) - Policy GD9 - Signs and advertisements</a>	Policy GD9 - Signs and advertisements	An amendment made by Connétable of St. Helier to Policy GD9 - Signs and advertisements (page 69) at the end of the Policy insert a new paragraph as follows- ' <i>The implementation of a network of pedestrian and cycle routes, particularly in</i>	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment subject to his own substantial further amendment.</b> That further amendment replaces the addition to the Plan suggested by the Connétable with a new supporting paragraph immediately after paragraph 1.52, immediately prior to Policy GD9. It reads: "Official signage displayed in relation to transport infrastructure, including pedestrian and cycle routes and facilities, is generally classed as a form of approved advertisement which does not require permission. Where new pedestrian and cycle transport infrastructure is provided, whether it is on-road; off-road; urban or rural, the Minister for Planning and Environment would expect to work closely with the highway

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			<i>urban areas, may require extensive signage to ensure awareness and safety. Transitional and/or time-limited signage may be approved that is larger and more intrusive than would otherwise be approved."</i>		<p>authorities to ensure that the need for the public awareness and promotion of the new facilities; the safety of all road users; quality and impact of signage on the character of the area, were taken into account, in accord with the spirit of this policy."</p> <p>This correctly recognises that street and other rights of way signing does not generally require express permission, but at the same time recognises (as do we) that newly implemented transport schemes may temporarily require additional or more intrusive signage at the outset but in a wider context taking into account potential problems of street clutter and the protection of public safety.</p>
61.	<a href="#">38th Amendment, Part 5 (P48./2011) - Policy NE8 - Access and awareness</a>	Policy NE8 - Access and awareness	An amendment made by Connétable of St. Helier to Policy NE8 - Access and awareness (page105) after the words, 'coast and countryside' insert the words ', and which assist in the provision of the Island's provision of off-road walking and cycling routes,'"	Minister Minded to accept	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>Policy NE8 Access and awareness, states: "Proposals for facilities that encourage and enhance access to and awareness of the coast and countryside will be permitted where they do not have a significant adverse impact on the biodiversity and character of the coast and countryside."</p> <p>The insertion is evidently intended after the first reference to coast and countryside, but would do no more than example the various types of facilities facilitated by the policy. Few would disagree with the spirit of what is being sought but there are numerous ways in which access and awareness of the coast and countryside can be enhanced. Singling out off-road rights of way would distort the wide scope of the policy.</p>
62.	<a href="#">38th Amendment, Part 6 (P48./2011) - Policy HE1 - Protecting listed buildings and places</a>	Policy HE1 - Protecting listed buildings and places	An amendment made by Connétable of St. Helier to Policy HE1 - Protecting listed buildings and places (page 112) at the end of the Policy insert a new paragraph as follows- <i>'Planning applications in respect of listed buildings or places will be exempt from planning fees where such fees would not have been payable were the building or place not listed.'</i>	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this amendment subject to his own substantial further amendment.</b></p> <p>The Minister's amendment would instead substitute a new paragraph in the supporting text to Policy HE1 as follows:</p> <p>"Listed buildings and places do not enjoy the same permitted development rights of other properties, as a consequence of the need for the greater regulation of change to historic fabric. To ensure that the owners of these properties are not treated unfairly and required to pay fees for works which would otherwise be deemed to exempt from planning control, the Minister for Planning and Environment will amend the planning fee schedule, which is regulated by order."</p> <p>The Minister would also introduce a new Proposal 7: Listed buildings and permitted development</p> <p>'The Minister for Planning and Environment will amend the Planning and Building (Fees) Order to ensure that planning applications in respect of listed buildings or places will be exempt from planning fees to the extent that such fees would not have been payable were the building or place not listed.'</p> <p>The Minister is sympathetic to the intent of the proposed amendment, as are we. However, fees are regulated through the Planning and Building (Fees) (Jersey) Order, which is revised annually by the Minister for Planning and Environment and tabled before the States.</p> <p>The loss of planning fees resulting from the original amendment would need to be recovered through the adjustment of other planning application fees levied by the Minister</p>

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
					for Planning and Environment by way of amendment to the Order.
62a	<a href="#">Amendment to 38th amendment by Deputy Wimberley</a>		For the words "where such fees" substitute the words "to the extent that such fees".	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this further amendment but in the context of his own amendment to amendment 38.6.</b></p> <p>This further amendment adds clarity without undermining the intentions of amendment 38.6.</p>
63.	<a href="#">38th Amendment, Part 7 (P48./2011) - St Helier Country Park.</a>	St Helier Country Park. Objective BE2 - Regeneration of St Helier and Proposal 9: Public Realm Strategy	An amendment made by Connétable of St. Helier to Objective BE2 - Regeneration of St Helier objectives (pages 128 - 129), after paragraph 5 insert a new paragraph as follows- <i>'Promote and enable access to the countryside for the residents of St Helier through the creation of a St Helier Country Park'</i> (b) in Proposal 9: Public Realm Strategy (page 135) after the words 'of St Helier's public realm.' insert a fifth bullet point as follows- <i>'Consult upon and develop the proposal to designate a St Helier Country Park in the countryside immediately to the north of the Town as shown on the Map attached at Appendix 1'.</i>	Minister Minded to accept	<p><b>Recommendation: that the Minister rejects this amendment.</b></p> <p>There was a mixed response to this amendment; while most people in writing and at the EiP supported it, there was opposition – particularly from the AJA. We are familiar with the area and we considered the justification for the proposal carefully.</p> <p>The proposal for a country park is based, in the Connétable's amendment, on the need to improve access for residents of St Helier to the countryside around the town. This is an objective which few would oppose. But in our view the designation of a country park is not necessary to achieve this aim.</p> <p>The very large area indicated on the plan accompanying the amendment consists of "Interior Agricultural Land" as defined by the Countryside Character Appraisal (doc BT/12). There is nothing in the CCA which suggests that a country park might be appropriate. It is of course pleasant countryside, but in the Jersey context it is not special. In our view the designation of a country park is something to be considered where there is a particular characteristic – perhaps of landscape or wildlife - which provides an attraction to the public and which needs to be managed carefully so as to promote access and public enjoyment while protecting the environment. A country park is generally a "honeypot" attracting significant numbers of visitors. In an area of agricultural land such as this, such an outcome would not be appropriate.</p> <p>We were told that it is not the intention of the proposal to add another layer of regulation to those already existing – the area is "Green Zone". We think it is inevitable that it would be so used – indeed in the discussion on Field 1248, which falls within the area, the country park was prayed in aid of those opposing the development even though it was as yet no more than a proposed amendment promoting a study. We consider the Green Zone protection to be adequate. Extensive development in this area is neither desirable nor likely. But over the decades there may be proposals emerging which are in line with the strategic aims of the IP and which might be frustrated by the designation (which in our eyes would be much more akin to a "Green Belt" in the UK context than a country park).</p> <p>In summary – we support the aim to improve access to the countryside; we would anticipate that the States would seek agreements with landowners to do that; but we think the area is quite unsuited to designation as a country park and that the designation would be likely to be used in a way which the Connétable does not anticipate as a means of seeking to frustrate development which might sometimes be in line with the strategic policies of the IP.</p>



No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
64.	<a href="#">38th Amendment, Part 8 (P48./2011) - Objective BE2 - Regeneration of St Helier objectives</a>	Objective BE2 - Regeneration of St Helier objectives	An amendment made by Connétable of St. Helier to in Objective BE2 - Regeneration of St Helier objectives (pages 128 - 129) for paragraph 8 substitute the following paragraph- <i>'8. Create a 'walkable' and 'cyclable' town - with a permanent and continuous network of safe and continuous routes for pedestrians and cyclists to help promote modal change in transport choices;'</i>	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There was general agreement with this amendment at the EiP and in written representations, though one respondent referred to the importance of motorcycles. This can be borne in mind as the policy develops but we think the amendment should be accepted.
65.	<a href="#">38th Amendment, Part 9 (P48./2011) - Policy BE1 - Town centre vitality</a>	Policy BE1 - Town centre vitality	An amendment made by Connétable of St. Helier to in Policy BE1 - Town centre vitality (page.136 - 137) a) after paragraph 6 insert new paragraphs as follows <i>'7. support the provision of improved cycling and public transport links serving the Core Retail Area</i> <i>8. support the provision of adequate off-street parking for shoppers and visitors to the Core Retail Area;'</i>  b) in paragraph 7(d) (as originally numbered) after the word 'pedestrians' insert the words <i>'and cyclists;''</i>	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> Though there was little dissent from this proposed amendment we do take particular note of a comment made by the Minister that it will be necessary in respect of point 8 (concerning parking) to comply with Policy TT10 of the Island Plan, which rightly in our view places a limit on the number of off street parking spaces. This is necessary in order to align the IP with the States Strategic Plan and the Sustainable Transport Policy. (We consider related aspects when reporting on Amendment 38 parts 19 and 21 below). That will need to be taken into account in implementation but subject to that point we recommend that the Minister accepts the amendment.
66.	<a href="#">38th Amendment, Part 10 (P48./2011) - Proposal 11 - St Helier Regeneration Zones</a>	Proposal 11 - St Helier Regeneration Zones	An amendment made by Connétable of St. Helier to Proposal 11 - St Helier Regeneration Zones (page 148) after the words <i>'5. Old Harbours'</i> insert a new area as follows <i>'6. Eastern gateway', and modify Map 4.1 accordingly as shown on the map attached at Appendix 2."</i>	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> There was general support for this amendment, which refers to an area which is likely to experience change, and its addition to the list of regeneration areas seems logical and helpful

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
67.	<a href="#">38th Amendment, Part 11 (P48./2011) - Policy BE7 - Shop fronts</a>	Policy BE7 - Shop fronts	An amendment made by Connétable of St. Helier to Policy BE7 - Shop fronts (page 162) at the end of paragraph 1 delete the word 'and', and insert a new paragraph as follows '2. <i>it improves facilities for the storage and collection of refuse, including recyclables; and' and renumber the following paragraphs accordingly.</i> "	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this amendment subject to his own amendment to it.</b></p> <p>The Minister indicated to us at the EiP that he was entirely supportive of the Connétable's intentions in this case. However he felt that the proposal, which refers to the storage and collection of refuse, would more properly be placed in Policy GD1 of the IP. His amendment reads: Delete "except that in Policy BE7 – shop fronts (page 162)"; at the end of paragraph 1 delete "and"</p> <p>And replace with "except that in Policy GD1 – General Development considerations (page 54) after the words "and other service infrastructure" at para 1d insert the new paragraph as follows: "e. it improves facilities for the storage and collection of refuse, including recyclables (in accord with WM5)"</p> <p>That would enable the policy to refer not just to shops but to all forms of development. We agree completely with this; it gives effect to the Connétable's wishes but extends his proposal more widely and this can only be beneficial. There was general agreement at the EiP.</p>
68.	<a href="#">38th Amendment, Part 12 (P48./2011) - Policy BE9 - Street furniture and materials</a>	Policy BE9 - Street furniture and materials	An amendment made by Connétable of St. Helier to Policy BE9 - Street furniture and materials (page164) a) in paragraph 4, after the words 'street trees' insert the words ' <i>and benches</i> ' b) after paragraph 4 insert a new paragraph as follows- ' <i>5. street trees are planted in the ground rather than in planters wherever possible.</i> '"	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>There was general support for this amendment, which refers to an issue which is important to many people, and the addition of these clauses to the IP would in our opinion be beneficial.</p>
69.	<a href="#">38th Amendment, Part 13 (P48./2011) - Policy ER2 - Protection and promotion of St Helier for shopping</a>	Policy ER2 - Protection and promotion of St Helier for shopping	An amendment made by Connétable of St. Helier to Policy ER2 - Protection and promotion of St Helier for shopping (page 184) a) after the words, 'facilities for shoppers' in the first paragraph insert the words ' <i>, including provision of off-street parking for shoppers, and permeable access for cyclists, where possible,</i> ' b) after the second paragraph	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>Part (a) accords with Jersey Sustainable Transport Policy, although it should be noted that parking provision for shoppers is intended to part of a rebalancing between long term (commuter) parking provision and short term (shopper) provision.</p> <p>Part (b) correctly concludes with a requirement that such refurbishments or extensions must accord with other retail policies. There would otherwise be a loophole here facilitating large out-of-core retail developments in an uncontrolled manner.</p>

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
			insert a new paragraph as follows- <i>'Proposals for the refurbishment or extension of pre-existing retail premises outside the Core Retail Area will be permitted provided that the development accords with other retail policies of the Plan'</i>		
70.	<a href="#">38th Amendment, Part 14 (P48./2011) - Policy ER6 - Take-away food outlets</a>	Policy ER6 - Take-away food outlets	An amendment made by Connétable of St. Helier to Policy ER6 - Take-away food outlets (page 188) after the words 'General development considerations' at the end of the first paragraph, insert the words, ' <i>and having regard to their impact on neighbouring uses, especially residential accommodation.</i> '	Minister Minded to accept	<b>Recommendation: that the Minister rejects this amendment.</b> We understand the Connétable's reasons for seeking this amendment, as evidently does the Minister. Proposals for take-away food outlets are frequently controversial, and the likely effect on nearby residents is frequently, and rightly, a primary consideration. There are, however, other potential considerations. Traffic, parking and road safety for example. Policy ER6 Take away food outlets, requires that proposals accord with Policy GD1 General development considerations (IP page 54). This includes a whole range of safeguarding criteria, which certainly encompass residential amenity as well as matters such as road safety. Amendment 38.14 is compatible with the IP but adds nothing to the degree of control or likely consideration of an application for an outlet. Rather, and we have expressed this concern elsewhere, identifying just one regard to be taken into account might weaken the focus on other important material considerations.
71.	<a href="#">38th Amendment, Part 15 (P48./2011) - Policy EVE2 - Tourist Destination Areas</a>	Policy EVE2 - Tourist Destination Areas	An amendment made by Connétable of St. Helier to Policy EVE2 - Tourist Destination Areas (page 220) at the end of the third bullet point, after the words 'public transport users' insert the words ' <i>and associated signage</i> '	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment but within the context of his own amendment to amendment 38.4 endorsed by us above.</b> As with amendment 38.4 there is little to disagree with in the intentions but the regulation of signage falls outside the direct scope of the IP.
72.	<a href="#">38th Amendment, Part 16 (P48./2011) - Footpath provision and enhancement</a>	Paragraph 8.36 - Footpath provision and enhancement	An amendment made by Connétable of St. Helier to section 8.36 - Footpath provision and enhancement (page 300) delete from the list of improvement lines to be abandoned ' <i>La Pouquelaye</i> ' and ' <i>Tower Road</i> '	Minister Minded to accept	<b>Recommendation: that the Minister accepts the amendment.</b> The Minister has indicated that he is only too willing to support the Parish's proposals to provide footpaths on La Pouquelaye and Tower Road. We find no reason to question this.
73.	<a href="#">38th</a>	Policy TT2 -	An amendment made by	Minister	<b>Recommendation: that the Minister accepts the amendment.</b>

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
	<a href="#">Amendment Part 17 (P48./2011) - Policy TT2 - Footpath provision and enhancement</a>	Footpath provision and enhancement	Connétable of St. Helier to Policy TT2 - Footpath provision and enhancement (page 301)- a) In the title, after the word 'enhancement' insert the words ' <i>, and walking routes</i> '; b) after the first paragraph, insert a new paragraph as follows- <i>'The ability of development to contribute to the improvement of the Island's provision of off-road walking routes will be pursued, especially where safe routes between residential areas, schools, play space, sporting and cultural facilities, et cetera. can be identified.'</i>	Minded to accept	We agree with the Minister that amendment 38.17 accords with and supports other objectives of the IP and JSTP.
74.	<a href="#">38th Amendment Part 18 (P48./2011) - Policy TT5 - Road safety</a>	Policy TT5 - Road safety	An amendment made by Connétable of St. Helier to Policy TT5 - Road safety (page 309) after the words, 'pedestrian safety measures' in the first paragraph insert the words ' <i>, including improved pedestrian crossing facilities'</i>	Minister Minded to accept	<b>Recommendation: that the Minister accepts the amendment.</b> As previously, we agree with the Minister that this accords with and supports other objectives of the IP and JSTP.
75.	<a href="#">38th Amendment Part 19 (P48./2011) - Policy TT10 - Off-street public parking provision in St Helier</a>	Policy TT10 - Off-street public parking provision in St Helier	An amendment made by Connétable of St. Helier to Policy TT10 - Off-street public parking provision in St Helier (page 322)- a) in the first paragraph, for the words 'unless the total level of public off-street car provision falls below 4,000 spaces (2009 levels)' substitute the words, ' <i>unless the new spaces will be provided for the use of shoppers and visitors</i> ' b) in the second paragraph, after the words 'car parking space', insert the words, ' <i>at new</i>	Minister Minded to accept subject to an amendment	<b>Recommendation: that the Minister accepts this amendment but only subject to his own substantial further amendment to it.</b> The Minister's further amendment would replace the text of amendment 19 by a new paragraph inserted into Policy TT10 immediately after its existing first paragraph. The insert would state: "During the Plan period, the Minister for Planning and Environment will support proposals that increase the proportion of short-stay off-street public car parking and which limit or reduce the quantity of long-stay off-street public parking in St Helier, in accord with the objectives of the Sustainable Transport Policy (2010), and in accord with the overall level of off-street public parking provision permitted." There is widespread support for rebalancing public parking in St Helier from long stay (commuter) parking towards increased short stay (shopper/visitor) provision but within an overall cap on the number of spaces. This approach accords with aims of the JSTP and the strategic aims of the IP, each of which is founded on the approved States Strategic Plan (2009-14). The topic, including Policy TT10 in particular, was debated at some length by a wide range of participants at our EiP into the Draft Plan, leading us to report favourably on

No.	R&P Ref	Section / Policy	Minister's Summary of Amendment	Minister's intent	Inspectors' Conclusions & Recommendations
			<p><i>sites capable of providing parking for shoppers, visitors and residents, and at</i></p> <p>c) in the final paragraph, after the words 'will not be permitted' insert the words ', <i>except where parking for shoppers, visitors and residents can be provided on a temporary basis.</i>'</p>		<p>the approach (Inspectors' Report Vol 1 paras 10.45 – 10.49).</p> <p>Inasmuch as amendment 38.19 is not directed towards long stay public car parking it is in line with the strategy. However as submitted this amendment would provide a policy trigger for ever increasing parking provision, seemingly with no strategic cap on the total. This would be contrary to the States strategic aims, and would risk:</p> <ul style="list-style-type: none"> <li>• encouraging rather than discouraging car borne travel;</li> <li>• displacing more worthwhile urban development opportunities, such as residential, commercial, tourists etc by car parks;</li> <li>• undermining the character of St Helier by making it even more car dominated;</li> <li>• increasing pressure for Green Zone development as scarce BUA land became less available.</li> </ul> <p>Additionally, it would be well nigh impossible for planning control to deliver the aims of the amendment as submitted. The detailed day to day management of public car parking falls within the remit of TTS not the IP.</p> <p>The revised amendment above would, however, support the intent of the amendment but in a way that is compatible with the strategic aims of the IP and would also be achievable.</p>
76.	<a href="#">38th Amendment, Part 20 (P48./2011) - On-street public parking provision</a>	Paragraph 8.119, On-street public parking provision	An amendment made by Connétable of St. Helier to paragraph 8.119 (page 323) after the words 'the public realm' insert the words ', <i>including the provision of cycle routes</i> '"	Minister Minded to accept	<p><b>Recommendation: that the Minister accepts this amendment.</b></p> <p>This amendment accords with the aims of both the Jersey Sustainable Transport Policy and the strategic aims of the IP.</p>
77.	<a href="#">38th Amendment, Part 21 (P48./2011) - Policy TT11 - Private car parks in St Helier</a>	Policy TT11 - Private car parks in St Helier	An amendment made by Connétable of St. Helier to Policy TT11 - Private car parks in St Helier (page 325) after the word 'permitted' insert the words ' <i>except where the provision of such car parks will contribute to reducing vehicular penetration of, and congestion in, core areas</i> '	Minister Minded to accept subject to an amendment	<p><b>Recommendation: that the Minister accepts this amendment but only subject to his own substantial further amendment to it.</b></p> <p>The Minister's amendment would substitute the following:</p> <p>"except where:</p> <ul style="list-style-type: none"> <li>the provision of such car parks will contribute to reducing vehicular penetration of, and congestion in, core areas; and</li> <li>such car parks replace an existing private non-residential car park within the Ring Road; and</li> <li>there is no net increase in the provision of private non-residential car parking spaces."</li> </ul> <p>The issues here are similar to those we considered in relation to amendment 38.19. That is to say, achieving the underlying intent – in this case reducing vehicle penetration and congestion in core areas – but without opening the way to ever increasing car parking provision.</p>

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78.	<a href="#">38th Amendment Part 22 (P48./2011) - Proposal 20 - Parking guidelines</a>	Proposal 20 - Parking guidelines	An amendment made by Connétable of St. Helier to Proposal 20 - Parking guidelines (page 327) after the word 'develop' insert the words ' <i>consult upon</i> ,	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment.</b> The Minister has indicated previously his willing readiness to consult in the preparation of supplementary planning guidance on parking standards. This amendment is consistent with that undertaking.
79.	<a href="#">38th Amendment Part 23 (P48./2011) - Policy NR8 - Safety zones for hazardous installations</a>	Policy NR8 - Safety zones for hazardous installations	An amendment made by Connétable of St. Helier to Policy NR8 - Safety zones for hazardous installations (page 366) in the last paragraph,- a) after the word 'public', for the words 'will be the overriding consideration' substitute the words ' <i>and the extent to which any risks can be managed or mitigated will be the overriding considerations</i> '; b) before the word 'requirements', insert the word, ' <i>reasonable</i> '	Minister Minded to accept	<b>Recommendation: that the Minister accepts this amendment but subject to a consequent further amendment.</b> The further amendment would enlarge the Revised Draft IP at page 286 so that the final bullet point concludes: "On this basis, the area remains to be developed as open space, to provide an important visual feature and landscape buffer, but will not be publicly available. Public safety must remain the key consideration but the Minister for Planning and Environment will work with other stakeholders to achieve the maximum degree of public access that can be achieved without unacceptable risk." This topic too was discussed at our previous EiP. There was no doubting the palpable disappointment then by all concerned, including the Minister, at the prospect of losing public access to open space at La Collette because of safety zoning. We see considerable merit in the aims of amendment 38.23; our recommended further revision is intended to reinforce it.

**REVISED DRAFT JERSEY ISLAND PLAN: FURTHER EXAMINATION IN PUBLIC  
CORE DOCUMENTS LIST**

**REVISED ISLAND PLAN DOCUMENTS**

RIP1	Revised Draft Island Plan
RIP2	Island Proposals Map
RIP3	Town Proposals Map
RIP4	Corrigendum 1
RIP5	Corrigendum 2
RIP6	Revised Draft Island Plan – Schedule of Amendments
RIP7	States Members Proposed Amendments to the Revised Draft Island Plan
RIP8	Minister’s initial response to State’s Members’ Amendments (composite list)
RIP8a	Minister’s initial response to State’s Members’ Amendments, 23 May
RIP8b	Minister’s initial response to State’s Members’ Amendments, 24 May AM
RIP8c	Minister’s initial response to State’s Members’ Amendments, 24 May PM
RIP8d	Minister’s initial response to State’s Members’ Amendments, 25 May 10.00 -11.15 AM
RIP8e	Minister’s initial response to State’s Members’ Amendments, 25 May 11.15 -1.00 PM
RIP8f	Minister’s initial response to State’s Members’ Amendments, 25 May 1.45 - 4.00 PM

**PUBLIC CONSULTATION RELATED DOCUMENTS**

PC8	White Paper Draft Plan Amendment Schedule (from previous EiP list)
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**OTHER STATES’ DOCUMENTS**

ROS1	Sustainable Transport Policy – States Debate 30 November-1 December 2010
ROS2	2002 Jersey Island Plan
ROS3	2009 Draft Jersey Island Plan

**BACKGROUND TECHNICAL DOCUMENTS**

RBT1	Report on Light Industrial Sites, 11 February 2011, BNP Paribas
BT9	Light Industrial Report – BNP Paribas Real Estate Jersey – 2009 (from previous EiP list)
BT12	Countryside Character Appraisal – LUC – 1999 (from previous EiP list)
BT13	Sustainable Transport Plan – 2010 (from previous EiP list)
RBT2	Note on D’Hautrée
RBT3	Note on Field 1248
RBT4	Land Use Planning Risk Assessment for La Collette Fuel Depot and Jersey Gas Facility, Atkins 24 October 2007
RBT4a	Note from the Director of Health and Safety, Employment & Social Security Department regarding 25th Amendment

**SUPPORTING DOCUMENTS**

RSD1	Background Note on Field 1248
SD9	Draft Outline Supplementary Planning Guidance: Affordable Housing - August 2010 (from previous EiP list)