



Chartered Architects, Planning and Design Consultants

Our Ref: PWH/1871

22<sup>nd</sup> March 2012

Mr A. Coates  
Senior Planning Officer  
Planning & Environment Department  
South Hill  
St Helier  
JE2 4US

Dear Alistair,

**Plémont Holiday Village – P/2011/1673  
Responses to Environment division consultations**

Yesterday I received from your Department copies of three consultation responses from your Environment division to which I respond as below:-

**Land Controls dated 19<sup>th</sup> March 2011 (we presume this should be 2012)**

The area of Field 48 comes to 5,004 m<sup>2</sup> and area that would be taken by the passing place is 20.2 m<sup>2</sup>, representing just 0.4% of the total overall Field 48 size. The passing place is a totally insignificant portion of the total field size and cannot have any impact whatsoever on the agricultural viability of Field 48. Considering these facts it appears Land Controls position is unreasonable as there is no rationale for being "opposed" to the passing place being created.

**Natural Environment dated 16<sup>th</sup> January 2012**

It seems, possibly due to the passage of time, previous consultations I undertook and mitigation / conservation strategy that has already been agreed with John Pinel have been overlooked or forgotten. Please see enclosed copy of my e-mail to him dated 9<sup>th</sup> November 2009, providing Minutes of the meeting I held with John Pinel on 6<sup>th</sup> November 2009, together with his reply of 30<sup>th</sup> November 2009 when he confirmed agreement with my notes.

During that meeting John Pinel agreed that "The really positive aspect of the 30 House scheme is extent of land being returned to nature" (reference 7.5) and also "The result of this would produce a substantial beneficial environmental improvement" (reference 7.6).

In response to his specific comments:-

Basis of Comment

- a) The submitted Landscape Strategy Report revision 3 dated 27<sup>th</sup> May 2009; Landscape Management & Maintenance Schedule of Work revision 4 dated 29<sup>th</sup> June 2010; together with the Soft Landscape Management Plan MFL Drwg. No. 1456/202/P3 dated 25<sup>th</sup> June 2010 sets out how the substantial area of the site will be 'returned to nature', what the landscape will become and also the proposed ongoing management procedures and methodology. These have previously been submitted to the Environment Division and agreed with them.

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- b) Details of proposals for conservation of protected species were submitted to John Pinel during our meeting with him on 6<sup>th</sup> November 2009, see attached Minutes that have been agreed with him.
- c) Survey of the proposed receptor site for trans-locating protected species into during the works and agreeing suitability with Natural Environment can form subject of a Planning Condition.
- d) The method statement for trans-locating protected species to the receptor site is set out in the Minutes of our meeting with John Pinel on 6<sup>th</sup> November 2009, which he has agreed.

Information already Provided on Habitat Restoration

- e) Full details of the "Habitat restoration" (for clarity please note the proposals for the "returned to nature" areas principally comprises creating coastal grassland from an existing substantially developed area, not "habitat restoration" in the truest sense) are included within the submitted in the Landscape Strategy Report revision 3 dated 27<sup>th</sup> May 2009; Landscape Management & Maintenance Schedule of Work revision 4 dated 29<sup>th</sup> June 2010; together with the Soft Landscape Management Plan MFL Drwg. No. 1456/202/P3 dated 25<sup>th</sup> June 2010.

Information already Provided on Species Protection

- f) Proposals for conservation of the protected species identified in the submitted Durrell report dated October 2009 (Green Lizards, Slow Worms & Heath Grasshoppers) were established with John Pinel during our meeting with him on 6<sup>th</sup> November 2009, see attached Minutes that he agreed.
- g) Toads – There was no earlier requirement to undertake a survey for these species, which were outside scope of the 2009 Durrell survey. It is accepted a large number of toads were found in the swimming pool early 2011 all of which were kindly removed by Natural Environment section to another site. The submitted proposals include creating two reed bed ponds towards south-west edge of the site which will provide far more suitable, appropriate and beneficial habitat for toads. A survey for any toads that might possibly remain and, should any be found, submitting and agreeing a methodology for their translocation to a suitable receptor can form subject of a Planning Condition.
- h) Jersey Grasshopper – On 6<sup>th</sup> November 2009 John Pinel advised because numbers were so low he agreed that translocation would be unnecessary (see Minutes item 11.5).
- i) Green Lizards - The Durrell 2009 survey did report finding a juvenile green lizard within the built up area and two more around periphery of built up area. The single green lizard seen amongst the buildings in 2010 reflects the 2009 survey findings, which does not provide any basis for suggesting these are more widespread than the 2009 survey established.

Considering the above we submit the information already provided has addressed the "suggested conditions and reasons" making them redundant and unnecessary, with exception of the two conditions tabled in paras (c) and (g) above.

**Environmental Protection dated 29<sup>th</sup> February 2012**

The recommended Conditions align with the submitted Contaminated Land Phase 1 Risk Assessment report dated 19<sup>th</sup> December 2008 and the & Outline Construction Environmental Management Plan (CEMP) dated May 2009 Issue A.

Best Regards,

**For and on Behalf of  
BDK Architects**

  
**Paul W. Harding BA DipArch RIBA  
Director**

cc. Mr M. Grindrod – Northern Trust Group Ltd

From: "John Pinel \P&E" <[REDACTED]>  
Subject: **RE: Plemont - Durrell Grasshopper & Reptile Survey, Oct 09 - Mitigation**  
Date: 30 November 2009 15:32:23 GMT  
To: "Paul Harding" <[REDACTED]>  
1 Attachment, 8.2 KB

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Dear Paul

My apologies for not responding sooner.

Thanks for the attached, I agree with your notes, and look forward to developing the issues in the future.

regards

John

John Pinel  
Head of Countryside Management  
**States of Jersey | Planning and Environment Department |**

[REDACTED] Web: [www.gov.je](http://www.gov.je)

The content of this email is without prejudice to a future decision made by the Minister for Planning and Environment.

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-----Original Message-----

**From:** Paul Harding [mailto:[p.harding@statesofjersey.gov.je](mailto:p.harding@statesofjersey.gov.je)]  
**Sent:** 09 November 2009 07:58  
**To:** John Pinel (P&E)  
**Cc:** Glyn Young, Hemminge Patrick, Riding Mike, Michel Hughes, Felter, Michael, Leithgoe Architects  
**Subject:** Plemont - Durrell Grasshopper & Reptile Survey, Oct 09 - Mitigation

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Dear John,

Thanks for your time yesterday and further to our meeting with Glyn Young regarding the above I am pleased to confirm the matters discussed and agreed.

I have set this out in the form of Meeting Minutes which, following your agreement to them as an accurate record, I will append to the Durrell report recording the mitigation actions agreed between us.

**Meeting Subject - To review Durrell Grasshopper & Reptile Survey, Oct 09, and to agree Mitigation Strategy**

**Venue & Date - SoJ Environment Department, Howard Davis Farm, St John. Held on Friday 6th November 2009 at 11.00am**

**Attendees -**

John Pinel, SoJ Environment Department - Head of Countryside Management (JP)  
Glyn Young, Durrell Wildlife Conservation Trust - Survey Co-ordinator (GY)  
Paul Harding, BDK Architects - Project Architects (PH)

**Introduction**

1) PH noted the Durrell Grasshopper & Reptile Survey (Species Report) had been commissioned pursuant to the EIA

Scoping Consultation response in a letter from JP dated 16th April 2009 to Kelly Johnson when JP reported sighting of two green lizards *Lacerta bilineata* to north of the existing staff bungalow. JP had requested an adequate site survey was carried out and mitigation agreed with Environment Department before any activity takes place on the site. The EIA Scoping Opinion issued on 1st May 2009 therefore required a new ecological baseline survey for species protected under the Conservation of Wildlife (Jersey) Law 2000 including green lizards, slow worms and heath grasshoppers to be undertaken.

2) Following issue of the EIA Scoping Opinion PH had arranged for Durrell to be commissioned for undertaking this survey and preparing a baseline report.

3) Durrell had agreed the survey methodology and Durrell's personnel undertaking the survey with JP of SoJ Environment Department prior to commencing the survey.

4) Durrell had issued their Species Report to JP by e-mail on 3rd November 2009. Prior to this meeting JP had read and reviewed the Species Report.

5) PH suggested the 30 House scheme was the best solution all round. Reverting 67% of the site to nature would provide substantial environmental benefits at no cost to the Island. The scheme also realised a 43% reduction in built floor area and significant improvement in the Visual and Landscape quality of the site and surrounding area. PH advised the 30 House scheme was being submitted as a formal planning application Tuesday next week. PH noted the Durrell Species Report concluded the very low number of green lizards, slow worms and heath grasshoppers actually present on the site were mainly found around the site perimeter. PH noted the habitats extant within the site were unsuitable for these species and suggested the individuals found were likely to have originated from across other side of La Route de Petit Plemont.

6) PH noted the 30 house scheme would create 12.96 verges of natural landscape across the northern and western part of the site, totalling 48% of total site area, creating habitat of value to these species.

## **Discussion**

7) JP agreed that:-

7.1 - It is evident these species are resident within the site.

7.2 - The existing habitat within the site is not suitable for these species.

7.3 - The very low numbers of these species found are not of importance.

7.4 - However we must have regard to the protected status of the green lizards and slow worms.

7.5 - The really positive aspect of the 30 House scheme is extent of land being returned to nature.

7.6 - The result of this would produce a substantial beneficial environmental improvement.

It was agreed the Durrell Species report would be relevant to all future uses of this site.

8) The timing of undertaking mitigation was discussed. This would have to be undertaken when the species were active during hot weather, during months of July / August. PH advised it was unlikely the 30 House Planning Application would be determined before February 2010 and there was a range of enabling works that had to be undertaken prior to any demolition works commencing. In particular a rat eradication programme had to be implemented, archaeological site investigations (probably by trenching) were required and asbestos had to be removed. Further no demolition works can be undertaken between April - August to prevent any disturbance during the Puffin and Seabird breeding season. Assuming a Planning Permit is received by late February 2010 there would be insufficient time to complete enabling works prior to April 2010, so it would not be possible for demolition to commence prior to early September 2010. It was agreed this timetable gave the perfect period for mitigation during July / August 2010.

9) The mitigation method/s were discussed. JP advised it would be inappropriate to translocate these species to a receptor site on La Tete de Plemont because green lizards (particularly males) are very territorial and removing donor site population to there runs risk of two colonies fighting each other. JP recommended an area should be found within the donor site for creating a receptor reservation. PH suggested the most appropriate area was on west side of site, to north of T&TS foul drainage pumping station and to west of the western chalet block. This land of tussocky grass was concentric between where the species individuals had been found. JP pointed out male lizards require larger territory than females (Durrell Species report did not identify males / females found) and he would prefer to arrange site visit to agree receptor site location, which could be in area PH suggested or to north of existing buildings in an area of bramble / bracken that could be cleared. PH to arrange with JP date for site visit w/c 1st December.

10) GY queried if moving the species to a receptor location would pose risk of cat predation from an identifiable concentration of the reptiles in one area. PH pointed out there was an existing likelihood of cat predated these species but they are co-existing with such threats. It was clarified and agreed that containment of the receptor reservation (enclosing with suitable cat-proof fencing) would only be undertaken on the interface with remainder of the site where demolition / construction will take place, with the side/s facing towards existing natural landscape on the cliffs left open so the species were not fully contained and could move into adjacent suitable areas.

## **Agreed Mitigation Strategy**

11) The mitigation preparation, programme and methods were agreed by all as follows:-

11.1 - JP & PH to arrange site visit to identify and agree receptor reservation area w/c 1st December.

11.2 - The receptor site would be prepared prior to translocation. In case of tussocky grassland community this would comprise discreet mowing during Spring / early Summer 2010. In case of bramble / bracken community this would comprise

flailing over winter period followed by discreet mowing during Spring / early Summer 2010.

11.3 - Suitable containment fencing would be erected between receptor site and remainder of the site where demolition / construction will occur, details to be agreed at later date, before July 2010.

11.4 - During hot weather over July / August 2010 the protected species would be translocated to the receptor site. In case of green lizards JP advised a couple of days noosing around heads (not tails) would suffice for transporting them to receptor site. For catching slow worms Durrell would relay their rubber tiles across the site for a two week period then remove the species to receptor site.

11.5 - Regarding the heath grasshopper JP concluded the numbers were so low that translocation was unnecessary, but noted the substantial area of natural landscape across the northern and western part of the site being created would provide them with significantly increased habitat opportunity.

**AOB**

12) JP advised PH he will attend the presentation next Monday 9th November at 10.30am.

I would appreciate receiving your confirmation these Minutes of our meeting are an accurate record, or any corrections you would like to make.

Best Regards,  
For and on Behalf of  
BDK Architects

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