

MICHEL  
HUGHES  
ASSOCIATES



**PLÉMONT BAY HOLIDAY VILLAGE**  
ST. OUEN, JERSEY

**Plémont**  
**30 House Development**

**ENVIRONMENTAL**  
**IMPACT**  
**STATEMENT**  
**MAIN REPORT**

This File excludes Annexes -  
refer to file *1B-Plemont Env Impact Statement*  
*Annexes (EIS-A)* for Annexes

**Report submitted to:**  
Plémont Estates Ltd

**Report produced by:**  
Michel Hughes Associates  
33 Fore Street  
Chudleigh  
Devon  
TQ13 0HX

**author:** Michel Ragody Hughes  
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**Plémont 30 House Development  
Environmental Impact Statement (EIS)**

Michel Hughes Associates, May 2009

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**SUPPORTING SEPARATE REPORTS FORMING PART OF THIS EIS:**

**ECOLOGICAL STATEMENT**

Michel Hughes Associates, May 2009

**LANDSCAPE AND VISUAL ASSESSMENT**

Leithgoe Landscape Architects, May 2009

**TRANSPORT ASSESSMENT**

Parsons Brinckerhoff, May 2009

**ARCHAEOLOGICAL ASSESSMENT**

Museum of London Archaeology Service, August 2006

**ATLANTIC PUFFIN & OTHER SEABIRDS REPORT**

Durrell Wildlife Conservation Trust, January 2008

**PRELIMINARY RISK ASSESSMENT (PHASE 1 SITE CONTAMINATION REPORT)**

Strata Surveys, December 2008

**SITE WASTE MANAGEMENT PLAN**

BDK Architects, May 2009 Revision B

**CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (OUTLINE)**

BDK Architects, May 2009

**Plémont 30 House Development  
Environmental Impact Statement (EIS)**

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**Non-technical Summary**

1. The proposed development is identified not to comprise a class of development specified in Schedule 1 by reference to Article 2(1) of the Planning and Building (Environmental Impact) (Jersey) Order 2006 (the EIA Order) and as such is not deemed to constitute *prescribed development*. However, Article 3(c) of the EIA Order permits the Planning Minister to indicate if an EIS is required because of other factors such as nature, size or location of any proposed development. In pursuance of necessary procedures, the Applicant submitted an EIA Scoping request, letter dated 24 March 2009, to the SoJ Environment Department who assessed it does constitute a project requiring an Environmental Impact Assessment (EIA) to be carried out by virtue of the nature and sensitive location of the proposal. To that end this Environmental Impact Statement (EIS), taken together with the identified accompanying supporting reports, examines all potential environmental impact issues arising as a result of the development. The EIA has been carried out generally in accordance with current good practice and has been informed by guidance provided by the States of Jersey, the UK Government and professional bodies. The findings from a number of complementary disciplines that have contributed to the EIA have additionally served to inform the process.
2. For the purpose of this EIS the assessment of the redevelopment proposal has considered both the Plémont Holiday Village site (the *Core Survey Area*) and also the wider geographic context (the *Extended Survey Area*). The process has, in the light of the redevelopment proposal and the findings of the surveys and evaluations detailed within the supporting reports, given consideration to: i). the baseline context of the site at a local and European level; ii). the potential environmental effects of the development; iii). the environmental design of the development with a view to identifying potential mitigation measures which may be incorporated in the proposals where environmental effects have been identified; and iv). the implications of any identified residual effects further to proposed mitigation measures.

**Planning Policy & Land Use Aspects**

3. Further to the Jersey Countryside Character Appraisal (SoJ, 1999) the *Agricultural landscapes of the north coast* have been afforded a level of protection through inclusion in the *Green Zone Countryside Planning Zone* of the Island Plan. The Plan recognises that the Zone comprises a *landscape largely created by human intervention* and that it would be *unreasonable to preclude all forms of development, with exceptions to the general presumption against development but only where this does not serve to detract from or harm the distinctiveness of the landscape character type of this zone*. Of particular relevance, the redevelopment of commercial buildings may be approved where there are *substantial environmental gains and a significant contribution to the character of the area*, particularly where this may result in *changes in the nature and intensity of use and careful consideration of siting and design*.
4. The proposal would produce substantial environmental gains from massively increasing the amount of natural landscape within the site with the ensuing benefits to the natural environment identified in this EIS, and a significant contribution to the character of the area through demolition of the derelict holiday camp (recognised to be a significant eye-sore in a highly valued landscape area) and design of replacement houses reflecting the traditional form of development within the surrounding area of St Ouen. The design proposal demonstrates respect for the objectives of this policy and the Planning Department has confirmed this scheme complies with objectives of the Green Zone policy.
5. This EIS together with the supporting studies and reports show the proposal (i) will improve the character of the area by replacing existing buildings alien to the location with more appropriate

design; (ii) will reduce impact on neighbouring uses and the local environment as a result of improved ecological and natural environment conditions, mitigation of existing impacts on ecology and the natural environment, reduction of visual intrusion, and accompanying amenity improvements; (iii) will not have any adverse impact on a site of Special Interest, Building of Local Interest, or a Conservation Area but will improve the setting of the SSI listed German WWII bunker; (iv) compared to the existing authorised use of the site will reduce traffic generation; (v) will be accessible by pedestrians, cyclists and public transport users including those with mobility impairments; (vi) is not appropriate or practical to re-use existing buildings; (vii) is appropriate in scale, form, massing, density and design to the site and its context; (viii) takes into account the need to design out crime and facilitate personal safety and security; and (ix) is in accordance with other principles and policies of the Jersey Island Plan 2002.

6. The Planning Department's Case Officer's report of April 2008 determined this proposal constitutes "*a significant environmental and visual improvement compared to the existing situation and, as such, would be in accordance with the requirements referred to under Island Plan Policy C5 (Green Zone) to justify an exception to the presumption against development in the Green Zone vis-a-vis redevelopment of existing commercial buildings. The recommended reduction in the scale / extent of development would result in a (total) 45% reduction in built floorspace area compared to existing.*"
7. His report went on to confirm "*The resultant floorspace area would be 57,758sq.ft, which equates to 55% of the existing built floorspace (i.e. 45% reduction). Within the context of Policy C5, this is a 'significant' reduction.*"
8. The Planning Case Officer's report concluded "*It is considered preferable in planning terms to 'move' any replacement development further away from the headland. Whilst this results in encroachment into the playing fields area (albeit within the same planning unit), it is considered reasonably justified, as a suitable exception to policy, on the basis of the wider environmental gain; indeed the whole rationale under C5 for allowing redevelopment of commercial buildings in this zone is to secure an environmental gain.*"
9. The redevelopment proposal is considered to be compatible with the aims, objectives and policies of the Jersey Island Plan 2002 by reference to Policies G1 (Sustainable development), G2 (General development considerations), G3 (Quality of design), G4 (Design Statements), G5 (Environmental Impact Assessments), G12 (Archaeological Resources), G15 (Replacement buildings), G16 (Demolition of buildings), G20 (Light pollution), C2 (Countryside Character), C3 (Biodiversity), C4 (Zone of Outstanding Character), C5 (Green Zone), C10 (Walls, Fosses, Banques and Hedgerows), M1 (Marine Protection Zone), WM1 (Waste Minimisation and Recycling) and WM2 (Construction and Demolition Wastes Plan).

### **Biodiversity and Nature Conservation Aspects**

6. The supporting Biodiversity and Nature Conservation specific study report (Hughes, May 2009) identifies the *Core Survey Area* supports only a limited diversity of essentially common and widespread habitats and species, reflecting the intensive use of the site as a holiday village over a long period of time.
7. The coastal sections of the *Extended Survey Area* were identified in the same report to support an outstanding assemblage of vegetation communities, flora and breeding sea birds. The redevelopment proposal is identified not to impinge directly on the *Extended Survey Area*.
8. The supporting Atlantic Puffin and other Seabird specific study report (Young, January 2008) expresses concern over the long-term viability of the declining breeding puffin colony on the cliffs below the existing holiday village. Specific causes of the decline are not known but various factors may be implicated including sea-based activities in proximity to the cliffs and brown rats widespread across surrounding countryside and within the holiday village buildings and site. Within the holiday village site prior to demolition of the buildings a programme of rat eradication and control is proposed through to the end of the construction phases. An outright

ban on cats is considered not feasible or enforceable and it is recognised that control of any species outside of the proposal site is beyond the control of the site's owner and applicant.

9. The biodiversity and nature conservation appraisals, evaluations and assessments have informed the design process, identifying areas where potential negative change needed to be addressed or designed out of the scheme and where positive change to the local environment could be reinforced.
10. The proposal is identified not to result in direct impact on local wildlife features and species. The fully mitigated redevelopment proposals, including significant habitat enhancement measures, are considered capable of supporting and maintaining a balanced, integrated, adaptive community of species.

### **Landscape and Visual Aspects**

11. The supporting Landscape and Visual Assessment specific study report (Leithgoe, May 2009) concludes this redevelopment proposal will have immediate positive impact on the *Extended Survey Area* environment through the removal of large, unsightly buildings from the highly valued landscape of the Island's north coast. Integration of open areas of the site into the wider countryside are identified as important contributions to the enhancement of this sensitive coastal locality.
12. There are no negative indirect or cumulative effects. Overall the redevelopment is considered to have substantial positive impact on the existing physical landscape setting and a substantial positive impact on the existing visual setting in the locality.
13. The redevelopment proposal demonstrates the potential to improve the integration of the built and natural environments and further demonstrates that a well designed high quality scheme can be acceptable in the countryside.

### **Traffic, Transport and Access Aspects**

14. The supporting Transport Assessment specific study report (Parsons Brinkerhoff, May 2009) concludes traffic flows from the new development will not significantly vary from the traffic flows previously recorded during peak periods. Traffic volumes are predicted to be low with no significant adverse impact on the network. There would be a reduction in commercial vehicle movements. The road junction at Portinfer provides greater capacity than will be imposed by existing traffic added together with traffic from the proposal site. La Route de Plémont is assessed to contain adequate passing places for maximum traffic flow and a new passing place will be created along the final lane leading to the development. It is concluded in terms of transport impact the proposal is acceptable.

### **Noise and Vibration Aspects**

15. It is recognised demolition works will be conducted outside of the breeding season to avoid disturbance to wildlife. During construction it is considered wildlife are unlikely to be overtly affected by noise associated with this phase of the proposal providing noise is limited by use of mufflers on mechanical equipment. Full details are found within the outline Construction Environmental Management Plan (BDK Architects, May 2009). It is considered less noise will emanate from the new buildings than the existing building when in use due to improved sound insulation from modern, tightly sealed external walls and roofs compared to the un-insulated building fabric of the existing holiday village.

### **Water Resources Aspects**

16. The proposal site is currently served by a modern SoJ maintained foul pumping station that has more than adequate capacity to dispose of foul drainage from the site. Replacement of the old drainage system with modern sealed pipework will reduce risk of contamination from accidental leakage. Surface water will be filtered in two reedbed ponds, providing enhanced vegetation and wildlife habitats within the site, and this water reused within the development. No groundwater or hydrogeological impacts are predicted.

### **Ground Conditions / Contamination Aspects**

17. The supporting Site Contamination Report (Strata Surveys, December 2008); comprising a Phase 1 preliminary risk assessment in accordance with the criteria detailed in Planning Advice Note 2 – Development of Potentially Contaminated Land; establishes there is a risk of contamination from an historic oil leak, oil distribution pipes within the site; asbestos within the existing buildings; an existing electrical sub-station within the site and old sewage tanks. It is considered these contaminants can be successfully remediated during the re-development phases.

### **Waste Management Aspects**

18. The supporting Site Waste Management Plan (BDK Architects, May 2009) concludes 100% of all materials arising from demolition can be either re-used on site or removed from site for re-cycling with the exception of hazardous materials. During construction the objective will be to salvage 75% of site generated waste for re-cycling or re-use.

### **Archaeological Aspects**

19. The supporting Archaeological Assessment specific study report (MOLAS, August 2006) concludes the proposals do not impact on any Sites of Special Interest. There is a high potential to for archaeology dated to the prehistoric period in the southern half of the site but construction of holiday camp buildings in the 20th century is likely to have damaged, or completely removed, any archaeological remains within the northern half of the site. An area of prehistoric flint-manufacture was first identified in the centre of the site in the early 20th century, although its exact location is uncertain. There is an uncertain but probably low potential to contain previously unrecorded archaeology dated to the Roman and early medieval periods. The site's peripheral location on the Island, above steep cliffs, suggests that it was not a focus of settlement. There are extant German WWII structures on the site which are SSI listed and will be unaffected by the development.
20. Further investigation by archaeological trenching evaluation is recommended in order to clarify the likely impacts of any development. The aim of this evaluation would be to assess and define the presence or nature of any archaeological remains within the site.

### **Sustainability Considerations**

21. The Sustainability Appraisal concludes that this proposal comprises sustainable development because it will realise:
  - i). Major to moderate positive Economic and Social impact;
  - ii). Major positive Environmental impact; and
  - iii). Major positive Landscape and Visual impact.

## Construction Environmental Management Plan Aspects

22. The supporting outline Construction Environmental Management Plan *CEMP* (BDK Architects, May 2009) provides the link between mitigation measures identified in this Environmental Impact Statement, together with the other supporting reports, and implementation of these mitigation measures during the construction phases of preparation, demolition / site clearance and construction. This requires the Contractor appoint a Site Environmental Manager who will be responsible for the final *CEMP* co-ordination, implementation and compliance with good environmental practice. The applicant will be required to appoint an Environmental Verification Manager who will undertake monthly environmental inspections to monitor and audit compliance by the Contractors with requirements of the *CEMP*. The mitigation works to be undertaken identified during the EIA and listed within this EIS are taken forward into mitigation activities detailed within this Plan.

## Conclusions

23. The overall conclusions of this EIS are that this development proposal will, with implementation of identified mitigation measures, result in a very high positive environmental impact on the *Core Survey Area* and also a moderate positive environmental impact on the *Extended Survey Area*. *These beneficial effects constitute substantial environmental gains and a significant contribution to the character of the immediate and wider areas* by virtue of the following considerations:
- a) Planning Policy & Land Use Aspects – Use of an existing brownfield site for residential purposes with 43% reduction of built floorspace and 71% reduced average occupancy capacity.
  - b) Landscape and Visual Aspects – Very High beneficial effect on landscape character in both the Green Zone and Zone of Outstanding Character.
  - c) Traffic, Transport and Access Aspects – Adequate highway access with low traffic volumes and no significant adverse impact on the network. Beneficial impact from reduction in commercial vehicles, particularly coaches, serving the development.
  - d) Noise and Vibration Aspects – Moderate beneficial impact from replacing poorly sealed buildings with more highly insulated envelopes.
  - e) Water Resources Aspects – Moderate beneficial impact from reduced risk of accidental leakage and ecological benefits of reed bed surface water filtration system.
  - f) Ground Conditions / Contamination Aspects – Remediation of potential historic site contamination from old installations and asbestos.
  - g) Waste Management Aspects – Re-use or re-cycling of majority of materials arising from demolition and construction.
  - h) Biodiversity and Nature Conservation Aspects – Minor to Major beneficial impacts reflecting new and enhanced habitat conditions. Substantial beneficial impact provided mitigation measures from existing rat population during demolition and construction phases are implemented.
  - i) Archaeological Aspects – Limited potential for extant archaeology within the site itself.
  - j) Sustainability Considerations –Major overall positive substantial impacts across the balance of considerations.



## 1.0 INTRODUCTION

### Outline

- 1.1 The proposal has been assessed by the States of Jersey Environment Division (SoJ) of the Planning and Environment Department to constitute a project which requires an Environmental Impact Assessment (EIA) to be carried out by the Applicant in compliance with the requirements of the Planning and Building (Environmental Impact) (Jersey) Order 2006 (the EIA Order). This Environmental Impact Statement (EIS) is being submitted as part of the application to the Planning Minister for development consent, by reference to Policy G5 of the Jersey Island Plan 2002 (*developments of a scale, type or location that could have a significant impact on the environment*); the provisions of Article 13 of the Planning and Building (Jersey) Law 2002; and the Planning and Building (Environmental Impact) (Jersey) Order 2006 (the EIA Order).
- 1.2 The proposed development is identified not to comprise a class of development specified in Schedule 1 by reference to Article 2(1) of the EIA Order. Article 2(1) of the EIA Order establishes “*prescribed development*” for which an EIS is required and Schedule 1 lists “*Descriptions of development in respect of which an Environmental Impact Statement is required*”, identifying categories of development by type and size which constitute *prescribed development*. This proposal does not come within the types and sizes of development given in Schedule 1 of the EIA Order and as such is not deemed to constitute *prescribed development*.
- 1.3 However, Article 3(c) of the EIA Order permits the Planning Minister to indicate if an EIS is required because of other factors such as nature, size or location of any proposed development. In pursuance of necessary procedures, the Applicant submitted an EIA Scoping request to the SoJ, letter dated 24 March 2009. The range of issues, significant effects, or areas of concern required to be addressed were identified through an *EIA Scoping Opinion* and *EIA Scoping Checklist* issued by the SoJ on the 1<sup>st</sup> May 2009, following consultation with statutory consultees and other interested parties (correspondence relative to the Scoping process can be found in Annex 3 of this EIS).
- 1.4 The findings from a number of complementary disciplines which have contributed to this EIS have additionally served to inform the process. These are identified herein with their principal findings, conclusions and outcomes being referenced and brought forward within this EIS. These accompanying and supporting reports, taken and read together with this EIS, comprise the complete EIA for this application.
- 1.5 The States of Jersey Planning and Environment Department’s *Supplementary Planning Guidance titled Environmental Impact Assessment: A Guide to Procedures* (SoJ, 2008b) closely reflects the principles of the European Union *Council Directive 85/337/EEC on the Assessment of effects of certain public and private projects on the environment*, as amended by *Council Directive 97/11/EC*, as well as the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999* which interprets the European Directives in England and Wales for projects requiring planning permission under the town and country planning system.
- 1.6 The following principles, recommended by the Royal Town Planning Institute (RTPI, 1999) which are endorsed by UK Government (ODPM, 2006) and the Institute of Ecology and Environmental Management (IEEM, 2006) have been followed for optimising the environmental outcomes of the proposal:

Information: Obtain sufficient information on the environmental resources and natural processes to assess the impacts of the project.

Avoidance: Consider options that avoid harm to environmental resources or natural processes.

**Reduction:** Where adverse effects are unavoidable then these should be mitigated either through the design of the project or through measures that can be subsequently guaranteed – for example, through a condition or planning obligation.

**Compensation:** Where, despite the mitigation proposed, there are significant residual adverse environmental effects, these must be offset by appropriate compensatory measures nearby/elsewhere.

**New Benefits:** Seek to provide net benefits for biodiversity over and above requirements for mitigation or compensation.

## **The Proposal**

- 1.7 The proposed redevelopment of the Plémont site entails the demolition of all existing holiday village buildings and structures (except for a WWII German bunker and all other such structures) and removal of all hard standings. It is proposed to construct 30 new houses, namely 15 no. three bedroom houses, 11 no. four bedroom houses and 4 no. five bedroom houses, together with access roads, garden areas next to the houses and associated landscaping.
- 1.8 The proposed new houses are grouped into two principal clusters, conceived as traditional 'hamlets' echoing groupings of dwellings elsewhere in the St. Ouen countryside. In the south-west of the site is proposed a group of 11 houses with a group of 16 houses in the south-east cluster. A further 3 houses are proposed on the site currently occupied by the existing site manager's bungalow. All houses are of traditional Jersey design as is frequently found throughout the countryside of this part of the Island.
- 1.9 The proposal additionally includes the provision of footpaths into and through the site, with a link to the coastal path. In total it is proposed to offer 0.93ha (equates to 19% of the site) as Publicly Accessible open land with a further 2.33ha (48% of the site) offered as nature conservation land. A total 3.26ha comprising 67.6% of site area will become publicly accessible land reverted to nature.
- 1.10 Technical details of the proposal are provided in BDK Architects Design Statement with the site layout shown on BDK Architects Drawing No. 1871/8/02/vD.

## 2.0 METHODOLOGY

### Introduction

- 2.1 This EIS brings together the supporting assessments of the Ecological, Landscape and Visual, Transport and Archaeological resources within and adjacent to the Plémont Holiday Village site. For the purpose of the EIA the study area is considered as two entities, namely that area comprising the 'red line' planning application boundary which is here referred to as the *Core Survey Area* (a distinct area of land, the subject of a long history of development, including the extant holiday village site), and a wider area outside of the application site (the "setting of the site" which has regard to potential wider environmental sensitivities, including the Plémont Headland, adjoining coastal areas and agricultural land), herein referred to as the *Extended Survey Area*. Of necessity the *Extended Survey Area* has had to be considered separately as it comprises land outside of the application boundary, over the majority of which the applicant exercises no legal control. Nevertheless, equal consideration has been given to both areas.
- 2.2 An appropriate baseline condition for this EIS and all supporting assessments was identified by reference to authoritative UK guidance on selecting Baseline Conditions. The Jersey EIA Supplementary Planning Guidance (SoJ, 2008) acknowledges the authority of UK EIA guidance within the local context stating on page 34 "*Further guidance on the content and presentation of an ES is provided in most of the general guidance EIA texts listed in Appendix D. As the requirements in Jersey do not differ from those in the UK it is suggested that reference is made to these comprehensive guidance documents.*"
- 2.3 The Department for Communities and Local Government (DCLG) Circular 02/99: Environmental Impact Assessment, Clause 46, advises where the project involves "*Changes or extensions to existing or approved development*" the "*significance of any effects must be considered in the context of the existing development*". This is reinforced by subsequent DCLG advice in their *Environmental impact assessment: guide to procedures* (January 2000) which on page 47 stipulates that "*The environmental sensitivity of geographical areas likely to be affected by projects must be considered, having regard, in particular, to the existing land use*". This position on what constitutes Baseline Conditions is further supported in the Institute of Environmental Management & Assessment promoted legal textbook *Environmental Impact Assessment – Law and Practice* (Tromans and Fuller, 2003) which states that "*The baseline conditions describe the environment that exists before the changes that are brought about by the proposed project. It provides a benchmark against which the impact of the project can be compared. In most cases this will be consistent with the existing conditions, but it is still necessary to account for changes in environmental conditions that are likely to occur in the absence of the project.....Some of these changes may be predictable by extrapolation from existing trends, or the application of scientific knowledge about environmental change Consented projects or land use plans may also indicate the likely changes to environmental conditions.....The requirement to predict the baseline conditions is likely to increase where a project has a long lead in time and may not commence or be completed for some years.....Where there is a significant predictive element to the baseline, judgements will have to be made about what it is reasonable to assume*".
- 2.4 It is recognised in the context of this site there is an established, existing authorised use, of the site for tourism purposes containing a substantial complex of existing buildings that could be refurbished, re-opened and operations continued as a holiday village complex at any time without the need for obtaining any further planning consent. Taking these material factors into consideration and applying the above guidance it is evident the applicable Baseline Condition comprises the existing holiday village buildings in operation being used for their existing authorised use as tourism accommodation. The Baseline Condition adopted in this EIS and subsequent assessments are therefore based on survey data collected between 1999 and 2008 (operation of the holiday village was suspended in September 2000), together with additional historic data that has subsequently been sourced.
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### **The 'as is' or 'do-nothing' scenario**

- 2.5 The SoJ Planning and Environment Department recognises guidance given in *Environmental Impact Assessment: A guide to good practice and procedures* (DCLG, June 2006) meets the requirements of the Jersey EIA Order (R. Glover, pers. comm.<sup>1</sup>). Paragraph. 142 stipulates “*Studies need to take account not just of the existing baseline, but also as projected forward under a 'do-nothing' scenario. This essentially has to take account of all 'committed development' and environmental trends taking place over time without specific intervention.*”, proceeding to explain in footnote 13 that “*In the context of EIA, 'committed development' conventionally refers to development for which consent has been granted.*” It has been shown the proposal site contains ‘committed development’ with a substantial complex of existing buildings with an authorised use for tourism purposes; which could be re-started without Planning Permission. It is apparent in the context of this proposal site there is no practical difference between the baseline condition and the ‘as is’ or ‘do-nothing’ scenario and therefore this EIS considers them as one and the same condition.

### **Biodiversity and Nature Conservation**

- 2.6 Formal survey work was conducted on the 8 and 9 of June 2006 with follow-up site visits on the 31 August 2006, 26 April 2007 and 3 May 2008. In respect of the *Extended Survey Area* the flora and plant communities of the Plémont Headland were surveyed for the SoJ in 1997 (Penny Anderson Associates, 1997) which a walk-over survey in 2006 confirmed remains relevant. Habitats were mapped using the nationally recognised Phase 1 Habitat Survey methodology (Nature Conservancy Council, 1990). Vegetation communities were mapped using the National Vegetation Classification (NVC) (Rodwell, 1991, 1992) and cross-referenced to Corine Biotope categories (Bissardon *et al.*, 1997). An acceptable understanding of the diversity and nature of the population of breeding birds was determined through the registration of species, noting their songs and/or calls and observing their activities and/or behaviour. Information from Jersey Bird Reports and provided by the SoJ Environment Department has also been used. Bat, brown rat; reptile, amphibian and invertebrate surveys was undertaken in June 2006. A study of puffins and other breeding seabirds at Plémont was commissioned and produced during 2008 and has informed the Ecological Statement and the EIS process. A survey of protected reptiles is to be conducted during 2009 and the report of findings will additionally inform the EIS process. It has been agreed with the Planning Case Officer that submission of this additional work can follow submission of the planning application.

### **Landscape and Visual**

- 2.7 This study was based on the methodologies contained in *Guidelines for Landscape and Visual Impact Assessment* (The Landscape Institute & Institute for Environmental Management and Assessment, 2002). Reference is made to the landscape character designations established in the *Jersey Countryside Character Appraisal* (SoJ, 1999) and acknowledges the Countryside Agency (now Natural England) *Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity* (Swanwick, 2004). A photographic and visual survey (including identifying zone of visual influence) has been undertaken from Grosnez in the west across to Sorel Point in the east.

### **Traffic, Transport and Access**

- 2.8 Existing traffic flows were calculated from data obtained during two weeks in both August and October 1999 using automatic traffic counters at three locations: a). access road to the

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<sup>1</sup> Meeting between R. Glover (Principal Planner), K. Johnson (Environmental Policy Manager), and Paul Harding (BDK Architects) on the 13 February 2009.

Holiday Village; b). access road to Plémont beach; and c). Portinfer Crossroads 30 metres to east of "Candlecraft". Personal injury accident information for the five-year period January 2004 to December 2008 was obtained from States of Jersey Transport and Technical Services Department. Traffic assessment of the proposed development was calculated for three time periods comprising a). Morning peak hour 08:00 – 09:00; b). Afternoon peak hour 17:00 – 18:00; and c). Saturday peak hour 12:00 – 13:00 for both August and October demand conditions using industry standard traffic prediction software.

### **Noise and Vibration**

- 2.9 Due to lack of any data or measurements from the period when the Holiday Village was in operation it has not been possible to undertake specific noise or vibration specialist studies. Previous applications for the site never required a noise survey to be undertaken and Environment's Scoping Opinion of July 2007, identifying environmental issues that needed to be addressed by the EIA, did not cover this as an issue of any environmental concern; apart from during the construction phase which has been addressed in the outline Construction Environmental Management Plan.

### **Water Resources**

- 2.10 Enquiries were made with the States of Jersey Transport and Technical Services Department in November 1998 regarding capacity of the existing foul drainage Public Pumping Station. It was confirmed there was adequate capacity to serve the existing development containing over 200 bathrooms. Technical information about reed beds was obtained from MMG Civil Engineering Systems Ltd.

### **Ground Conditions / Contamination**

- 2.11 A contaminated land phase 1 risk assessment has been undertaken in accordance with Planning Advice Note No.2 (Supplementary Planning Guidance) – Development of Potentially Contaminated Land (SoJ, 2005). Historical and environmental data was referenced; in particular Environment's records of a 1999 oil spillage and an asbestos survey report (Normandie Analytical Services Ltd, 2004); together with information gathered during a site walkover.

### **Archaeology**

- 2.12 Consultations regarding the archaeological and historical background of the site were undertaken with Jersey Heritage Trusts Archaeologist and members of the Jersey Archaeological Society who provided an annotated map showing location of known sites and finds within a c. 250m 'study area' around the site. Historic maps and other published sources including archaeological journals were consulted at the Société Jersiaise library, Jersey Archive, Jersey Local Studies Library, British Library and British Geological Survey. The assessment included a site visit carried out on the 24 April 2004.

### 3.0 BASELINE CONDITIONS

#### Site description

- 3.1 The proposal site (the *Core Survey Area*) (refer to Drawing No. MHA-16343-1) is located on the north-west side of La Route de Plémont at Plémont, Cueillette de Vinchelez, in the Parish of St. Ouen, Jersey. The property, which is centred on NGR WV/564565, extends to some 4.82ha and is situated between 67m and 75m above mean sea level.
- 3.2 The solid geology of the site comprises coarse-grained granite of the St. Mary's type (BGS, 1989). The granite occurs close to the surface in the northern part of the site and is exposed in a number of places in proximity to the coastal path to the north. The drift geology comprises generally thin loess, with soils becoming deeper southwards away from the coast.
- 3.3 The site is approached via the C105 secondary road forming part of the eastern site boundary and which today terminates at the north-east site boundary. The western site boundary is defined by a narrow 'Parish road', metalled for the most part, and identified as the Rue de Petit Plémont, which extends to a small informal car park (12 parking places) and turning area at Plémont Headland at the north-western margin of the proposal site. The lane was established and the land ceded to the Parish of St. Ouen in the late 1960s, by the site owner at that time, to enable the part closure of the C105 for redevelopment of the site.
- 3.4 The site has been used as a visitor or holiday resource since 1874 with the opening of the Plémont Hotel, in proximity to the headland. It was still used as a hotel until at least 1934 but the buildings (then used for storage and as a hostel) were destroyed by fire a few years later (an aerial photo seen by the author dated 1947 shows the building destroyed). In 1935 the 'Jubilee Holiday Camp Hotel' was built on the site of the present buildings. The facility was considerably damaged by fire in 1937 but was rebuilt and re-opened in 1946 as the Parkin's Holiday Camp, after the hiatus of the war years. In 1961 the site was acquired by Pontin's and re-developed in the late 1960s. Although such 'holiday camp' venues started falling out of fashion in the late 1970s-early 1980s, it struggled to continue, was re-branded as the 'Plémont Bay Holiday Village' in 1998, but finally closed in 2000. The holiday village was able to accommodate up to 488 guests in 200 rooms in 8 residential blocks (Rozel, Bouley, Gorey, Sorel, Grosnez, Grouville, Brelade, Corbière). Up to 60 staff were accommodated in 60 rooms in 2 residential blocks (A and B), as well as a staff cottage and Manager's bungalow. The site also comprised a large building with kitchen, dining hall, ballroom and bar, a shop, swimming pool, and a number of ancillary buildings. Two tennis courts, lawns, a play ground and large playing field were also provided for visitors (for details of site layout refer to BDK Architects Drawing No. 1812/8/01). The holiday village has been disused as a public facility since its closure, although the bungalow remains occupied by a site manager and the grounds and buildings have at times been used for training Jersey police dogs.
- 3.5 The *Extended Survey Area* extends around the *Core Survey Area* and includes the cliffs and cliff tops to the north and north-west including the Plémont Headland (La Tête de Plémont, La Pièce Michel, Le Petit Plémont), the remains of the Fort and World War II German emplacement, Le Creux de la Hougue, Le Betier, east to La Grève es Bantchets (refer to Drawing No. MHA-16343-1), over which the owners of the holiday village retain legal rights. To the east and south are a number of small arable fields in private ownership. An SoJ official car park is located to the south-west margin of the site and provides up to 39 parking places for visitors to the beach at Plémont Bay and the coastal path. To the north of the SoJ car park boundary and west of the Rue de Petit Plémont is a parcel of land extending to 0.23ha, which is in the same ownership as the holiday village site, and also forms part of the *Core Survey Area*. The coastal path, which was opened in 1981, extends around the northern margin of the proposal site, only abutting the site boundary along a section of the 'Parish Road' and the informal car park.

### **Countryside Planning Zones**

- 3.6 Development control zones supported by policies have been determined by the SoJ (SoJ, 2002b), to reflect the sensitivity, significance or scarcity of the countryside resource comprising each zone. The *Core Survey Area* lies within the *Green Zone* (Policy C5) whereas the *Extended Survey Area* seaward of the coastal path lies within the *Zone of Outstanding Character* (Policy C4). In addition, a *Marine Protection Zone* (Policy M1) extends from Mean High Water to the territorial limit.

### **Nature conservation and geological designations**

- 3.7 Through the provisions of Part 6 of the Planning and Building (Jersey) Law 2002 Sites of Special Interest (SSI) may be designated by the Minister for Planning and Environment to protect places of *public importance* by virtue of their special zoological, botanical, geological or scientific interest. No area of land within the *Core* or *Extended Survey Areas* have been so designated.

### **Archaeological designations**

- 3.8 Through Article 2 of the Planning and Building (Jersey) Law 2002 there is a requirement for the Minister for Planning and Environment to protect sites, buildings, structures and places that have a special value or importance to the Island. No designated archaeological SSI's are identified from the *Core* or *Extended Survey Areas*. The closest are at *La Cotte à la Chèvre*, *La Hougue de Gros Nez* and *Chateau de Gros Nez*, variously 1.1-1.4km to the west of the Plémont proposal site and *Dolmen des Geonnais* some 1.1km to the south-east of the site.
- 3.9 *Archaeological Sites*, are a second tier archaeological category defined as sites *where there exists specific information about the nature and location of archaeological artefacts or remains, including any building, historic landscape feature, structure, archaeological/environmental deposit or work, whether above or below the surface of the land or sea, and any cave or excavation, or the remains thereof...which is judged to be of value* (SoJ, 2008a). An Archaeological Site identified as *Plémont Flint Scatter Area* (site ref. AS12) is located predominantly within the southern part of the *Core Survey Area*<sup>2</sup>. A further site *Plémont Promontory Fort* (site ref. AS128) is located to the north of the proposal site within the *Extended Survey Area* [for Archaeological research report of the area refer to MOLAS Archaeological Assessment, 2004].

## **Biodiversity and Nature Conservation Conditions**

### **Habitats and Vegetation Communities**

#### **Core Survey Area**

- 3.10 The 4.82ha site comprises 2.46ha (51%) of built land and hard standings and 2.36ha (49%) of amenity and species-poor grassland, gorse-dominated and bracken-dominated vegetation communities. Grassland is the overwhelmingly dominant vegetation type and extends to some 1.63ha (35.5%). It occurs as unmanaged amenity grassland around most of the holiday village buildings and associated structures as well as a large expanse to the south of the buildings, previously used as a playing field.
- 3.11 The southern and eastern site boundaries are defined by hedgebanks (banques). They support a diversity of flowering plants including agricultural 'weeds', typical of the Island's hedgebanks found within the agricultural landscape of the north coast.

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<sup>2</sup> The Archaeological Site is identified to extend over Fields 44-49. Fields 44-47 are within the proposal site and comprise the grassland between the Plémont Holiday Village buildings and La Route de Plémont; Field 48 lies outside of the proposal site to the east of the site access road and Field 49 has not been identified on any map.

### **Extended Survey Area**

- 3.12 Bracken is the overwhelmingly dominant vegetation type extending to the margin of the cliffs. The cliffs west and east over many kilometres were seen to be similarly cloaked by this vegetation type. This supports a relatively limited diversity of plant species due to the density of growth. Greatest diversity is associated with more open conditions especially to the higher margin of the coastal path, which is evidently maintained cut regularly, and in the vicinity of rock outcrops.
- 3.13 There is a patchy distribution of gorse within the survey area that appears to be most closely associated with shallow soils, areas of disturbance or rock outcrops. It is particularly abundant on the visibility bunds that were constructed around the SoJ car park. The community is recognised to be frequent and widespread in coastal areas of Jersey.
- 3.14 Plémont Headland, which extends to 4.96ha (including the splash zone), was surveyed for the States of Jersey in 1997 (Penny Anderson Associates, 1997). A walk-over survey in June 2006 concluded that previously identified vegetation communities, their distribution and character remained valid. This 1997 survey evaluated the Plémont Headland to be “...*typical but, at the same time, with special character which differentiates it from the average coastal cliff site. This small-scale and local distinctiveness, together with the scarce plants and animals, give the site a significant nature conservation value within the Jersey context. This does not equate to the specially high value of the larger heathland and coastal sites, but does merit the heathland being considered in the second tier of sites of nature conservation value on the island, or as part of the more extensive north coast heathland and bracken covered sites*” (Penny Anderson Associates, 1997).
- 3.15 The southern and eastern extent of the *Extended Survey Area* comprises small arable fields defined by hedgebanks. The hedgebanks are reasonably diverse in flowering plant species, including ‘weed’ species, but virtually devoid of shrub and tree species.

## **Flora**

### **Core Survey Area**

- 3.16 None of the species identified within the *Core Survey Area* are recognised as Plant Species of Conservation Concern on Jersey (States of Jersey, 2004). A range of ornamental shrubs, trees and flowering plants associated with the formal planted areas of the holiday village were also noted but not specifically identified.

### **Extended Survey Area**

- 3.17 The *Extended Survey Area* was found to support a range of plant species typically associated with coastal grasslands, scrub communities, agricultural land and other habitats and as such may be considered to be common and/or widespread.

## **Birds**

### **Core Survey Area**

- 3.18 The *Core Survey Area* is identified to support a limited assemblage of breeding bird species, comprising essentially widespread and/or common or abundant species in a Jersey context (Société Jersiaise Annual Bird Reports), typically associated with the habitats and features of the site.

### **Extended Survey Area**

- 3.19 During the last national breeding bird survey (survey data collected 1988-1991) a total of 83 species were recorded breeding on Jersey, of which 70 species were specifically recorded from 10km square WV55 (Gibbons, *et al.*, 1993), within which are located the *Core* and *Extended Survey Areas*. The assemblage of cliff-breeding and associated cliff-top breeding bird species



within the survey area is assessed to be of great importance in a Channel Island context. Species identified to be of particular significance comprise:

#### **Atlantic Puffin**

- 3.20 Puffins are a northern Atlantic species with the British Isles on the southern fringes of its range, holding some 10% of the world population. The most southerly extant European populations are located around the English Channel coasts. Channel Island colonies are found in Jersey (Plémont and Grand Becquet), Guernsey (Jethou, Herm and Les Amfroques), Sark (L'Etac, Moie de Brenière and Moie Fano) and Alderney (Burhou and Hannaine Bay). It is recognised to be something of an iconic species in Jersey and the other Channel Islands.
- 3.21 The Jersey population is identified as a *scarce breeding species and rare migrant* (Jersey Bird Reports). Numbers on Jersey are thought to have declined from some 200-300 pairs during the period 1911-1914 (Dobson, 1952) to 20 pairs by 1992 (Pritchard, *et al.*, 1992), with only 10-20 pairs identified in Veron (1997). An SoJ internal consultation letter from M. Freeman (dated 23 October 2006) states the maximum number of puffins seen in 2006 was 18 individuals in the coastal section between Plémont and Le Grand Becquet with around 4-5 at Plémont. It is, however, more difficult to determine the actual numbers of pairs successfully breeding. Working on the principle that late season counts (ie. July) include non-breeding birds, Young (2008) advances that *a population of 10-50 pairs is likely*. By whatever means of calculation it is recognised that numbers of breeding puffins are now very small, possibly reduced to an unsustainable level (M. Freeman, pers. comm.). The lack of information on the age and sex structure, survival and recruitment of the Jersey population only serves to compound determination of the true status of the species on the Island.
- 3.22 Various causes for the decline of puffins on Jersey have been proposed including human disturbance from walkers along the North Coastal footpath, clay pigeon shooting, sea fishing and boat activity in the vicinity of the Plémont seabird colony, decline in sandeel food stocks, oil pollution, rodent and cat predation, gull predation, kleptoparasitism (theft of food by gulls, from puffins carrying fish to the nest), and changes in habitat due to cessation of grazing on the Plémont cliff tops resulting in establishment of dense bracken-bramble scrub depriving puffins of potential burrow sites. However, no exact cause for historical declines has been determined and it is considered most likely that the causes are multiple.

#### **Northern Fulmar**

- 3.23 The northern fulmar, which is described as a *common resident and migrant* (Jersey Bird Reports), first bred on Jersey in 1975. In 2006 M. Dryden estimated *30 pairs in the area, which means something between 7-10% of the Island population breed here*, whereas T. Paintin in the same year identified there to be 70+ Fulmar nests between Plémont and Grève de Lecq with *at least 40 pairs in the Plémont area* (M. Dryden and T. Paintin, quoted in SoJ internal consultation letter from M. Freeman, dated 23 October 2006). The presence over many decades of a holiday village, potential predators, as well as a range of other perceived threats would appear not to have inhibited the species from becoming established nor evidently thrive in close proximity to Plémont and they would appear to be tolerant of human activity nearby (Young, 2008). The species is identified as an *Amber List species of medium conservation concern* (Eaton *et al.*, 2007).

#### **Eurasian Stonechat**

- 3.24 Stonechats are identified as a *scarce resident species* (Jersey Bird Reports), essentially restricted to coastal areas (Handschuh, 2004). Serious declines were first noticed in the mid-1980s with no more than 5-10 pairs recorded each year during the early 1990s. Recent breeding numbers on the Island have generally fluctuated during the 12 years from 1996-2007, though the species would appear to be currently experiencing a decline. Several possible causes for the decline have been mooted including loss of habitat, deterioration of preferred habitat through the spread of bracken, resulting in reduction in the availability of food both during the breeding season and winter, disturbance from humans and dogs and predation by cats and ferrets (SoJ, 2007). The breeding pair with two young seen at the time of the MHA survey in June 2006 on the Plémont Headland is understood to have provided a new breeding

location for the species, although a pair is known to have bred in 2005 within 1 km of this location to the west (M. Freeman, pers. comm.). The species is identified as an *Amber List species of medium conservation concern* (Eaton *et al.*, 2007) and is afforded full protection under the Conservation of Wildlife (Jersey) Law 2000.

Other notable species recorded from the Plémont area but not specifically recorded from the *Extended Survey Area* at the time of the MHA survey in 2006 include:

#### **Razorbill**

- 3.25 The species is identified as a rare breeding species, although a common winter visitor and common, occasionally abundant, autumn migrant (Société Jersiaise, 2008). A maximum of 6 breeding birds were seen along the Island's north coast in May 2007 with 8 at Plémont in June 2007 (Société Jersiaise, 2008). Overall, numbers of this species on Jersey would appear to fairly stable at around 10-20 pairs with breeding recorded each year in the Plémont-Grand Becquet and Wolf's Caves area of coastline (Young, 2008).

#### **European Storm Petrel**

- 3.26 The species is identified as an *Amber List species of medium conservation concern* (Eaton *et al.*, 2007). Storm petrels are known to breed at 7 sites in the Channel Islands with estimated numbers in the region of 49-83 apparently occupied sites (Mitchell *et al.*, 2004). To date there is no proven breeding on Jersey, where the species is described as a *scarce summer visitor and autumn migrant* (Société Jersiaise, 2008). Night netting and ringing of storm petrels has taken place at the Plémont headland (La Tête de Plémont) for a number of years with a total of 35 caught over four nights in 2001, 25 on five nights in 2003, 33 on three nights in 2004, 24 on three nights in 2005, 17 in June 2006, 25 in 2007 (Jersey Bird Reports) and 12 on three nights in 2008 ([www.jerseybirds.co.uk](http://www.jerseybirds.co.uk)). T. Paintin (quoted in an SoJ internal consultation letter from M. Freeman, dated 23 October 2006), identifies that some re-trapping of storm petrels had occurred suggesting a possible colony in the area, *but we have not been able to prove this yet*. Suitable burrow breeding habitat may be a key constraint to colony establishment, although in that respect, the Plémont headland may, in the absence of predators and disturbance, offer the most suitable conditions. In the absence of records of birds calling at night from potential nest sites it is not, however, possible to make any assumptions on their breeding status.

#### **Manx Shearwater**

- 3.27 The species is identified as an *Amber List species of medium conservation concern* (Eaton *et al.*, 2007) and described as a common, spring and autumn migrant and summer visitor to Channel Island waters (Société Jersiaise, 2008). There are no known colonies of this species on Jersey, although since 2002 small numbers of the species has been caught and ringed at La Tête de Plémont in the course of night netting of storm petrels (refer to paragraph 3.26). M. Dryden indicates *six to eight Manx Shearwaters* during the five year period (quoted in an SoJ internal consultation letter from M. Freeman, dated 23 October 2006) and that *these birds appear to be flying low over the headland at night, and coming from or going to the area below the Holiday Camp. We believe, but have no proof yet, that there may be a small colony in the vicinity*. The status of this species on Jersey remains unclear. In similar fashion to that stated for the storm petrel, in the absence of records of birds calling at night from potential nest sites it is not possible to make any assumptions on their breeding status.

### **Mammals**

#### **Bats**

- 3.28 A survey of bats was conducted to determine the presence of bats and bat roosts within the site buildings, the presence of foraging bats within the boundaries of the site, identify the species present and to appraise the site's present value to roosting and/or foraging bats. No bats or evidence of bat use, either current or historical, was noted for any of the buildings entered and inspected, although a single common pipistrelle bat was detected by ultrasound at emergence time from the area of the swimming pool. From the results of the survey, the existing building complex and the immediate habitats are considered to have a low conservation value for bats

due to their exposed and isolated position, lack of suitable habitat features to provide sheltered flight lines and reduced levels of insect abundance..

#### **Brown rat**

- 3.29 The species was identified from a number of the holiday village buildings as well as peripheral hedgebanks. They were identified as widespread and common within the *Core* and *Extended Survey Areas*, reflecting the Island-wide status of the species.

#### **Domestic cat**

- 3.30 A single domestic cat was observed in the vicinity of the SoJ car park. The appearance of the cat suggested that it was not a feral animal but probably belonging to a property in proximity. At the present time cats are considered likely to be scarce within the *Core* and *Extended Survey Areas*.

#### **Rabbit**

- 3.31 The species was identified in considerable numbers throughout the survey area and is considered to be widespread and common on Jersey.

### **Reptiles and Amphibians**

#### **Green Lizard**

- 3.32 A single female green lizard *Lacerta viridis* was identified from the boundary of the *Core Survey Area* with the *Extended Survey Area*. No other reptile species were observed. The green lizard is found over much of Europe but in Britain it is currently only found in the Channel Islands. There is an historical record of the species being found within the 1 km grid square within which is located the Plémont Holiday Village (SoJ, 2007). Across Jersey they are categorised as 'common' being found in more than 16 km grid squares. All lizard species and their nests are protected from damage or disturbance under the Conservation of Wildlife (Jersey) Law 2000.

#### **Common Toad**

- 3.33 A single common toad *Bufo bufo* was identified within the *Core Survey Area* as a road casualty on the C105 site access road. No other amphibian species were recorded in the course of the present survey. The common toad (also known on Jersey as *Crapaud*) is the unofficial symbol of Jersey (SoJ, 2007). Formerly very common on the Island it declined substantially during the latter half of the 20<sup>th</sup> century and is now restricted to as few as three natural breeding sites in the west of the Island and a single re-introduction site, although the vast majority of breeding sites are found in ponds within private gardens (SoJ, 2007; Freeman, 2008). The reasons for decline are poorly understood but would appear to mirror the pattern found in the UK and continental Europe. The species is afforded full protection under the Conservation of Wildlife (Jersey) Law 2000.

### **Invertebrates**

#### **Butterflies**

- 3.34 A total of 12 species of butterflies were recorded from the *Core* and *Extended Survey Areas* of which 10 species may be expected to breed given the range of necessary larval food plants, nectar sources and habitat niches present. The species recorded are all identified as common and widespread in a Jersey context. None are identified by Butterfly Conservation as being other than of Low Conservation Priority and none are considered threatened in a European context.

#### ***Formica pratensis***

- 3.35 A single nest of the wood-ant species *Formica pratensis* was identified within the *Extended Survey Area*, from the northern margin of the informal car park at the end of La Petite Route de

Plémont<sup>3</sup>. A relatively recent record of a nest at the margin of the private car park at the holiday village was not re-found. However, the nest found during the current survey provides a further north coast location for the species. The species is identified by the International Union for the Conservation of Nature (IUCN) as a Red Data Book Species ('Vulnerable to extinction'). However, it should be noted that all mound-building *Formica* ant species have been included as a group in this category.

## Conclusion

### **Core Survey Area**

- 3.36 The *Core Survey Area* is identified to support only a relatively small diversity of habitats and species, closely reflecting the historical use of the site. The sighting of green lizard is, however, of significance, suggesting the likelihood of a population in the general area.

### **Extended Survey Area**

- 3.37 The *Extended Survey Area*, more particularly the area seaward of the holiday village, is identified to be of considerable nature conservation significance for its breeding bird populations, short maritime grassland communities and associated flora, and the presence of the ant species *Formica pratensis*.

## Landscape and Visual Conditions

### **Core Survey Area**

- 3.38 Under the classifications established by the 1999 Jersey Countryside Character Appraisal the site lies within Character Type E "Interior Agricultural Land" and the Character Area is designated E1: Northwest Headland (St Ouen). The landscape character boundaries were carried forward into the 2002 Jersey Island Plan which established three Countryside Planning Zones. The site lies within the Green Zone. (Policy C5).
- 3.39 Most of the Character Area E1 is not visible from the site, and not all of the characteristics apply to the proposals at Plémont. Moreover it is noted the character within Area E1 changes as one moves from west to east. The wind swept coastal fields near Les Landes are different in character to those lying on the more sheltered, undulating land, adjacent to the site.
- 3.40 The holiday complex has evolved from the original Parkins Holiday Camp. The current buildings mostly date from the 1960s and comprise eight accommodation blocks and two staff blocks, arranged around two courtyards. The main Amenity building, with its highly reflective sheet clad roof, is the dominant element on the skyline and is out of scale, even with the bulk of the accommodation blocks. This building and a fenced tennis court on the crestline of the cliffs are particularly visible from the Cliff Path. There is also a shop and two bungalows, together with the various outdoor leisure facilities scattered around the development.

### **Extended Survey Area**

- 3.41 The Countryside Character Appraisal identified the Island's Cliffs and Headlands as Character Type A with the area around the site being Landscape Character Area A1 "North Coast Heathland". In the 2002 Jersey Island Plan the North Coast Cliffs are designated as being within The Zone of Outstanding Character (Policy C4). The site is partly visible from this adjacent landscape.
- 3.42 The Countryside Character Appraisal specifically comments on adjacent development, including the shooting range at Crabbé, the holiday camp at Plémont, and the model aircraft site at Les Landes and their potential to impact on the wildness of Character Area A1. These sites involve human activity and are, at least in part, related to the tourism on which the Island's economy depends. In a compact and multi-faceted place, such as Jersey, the

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<sup>3</sup> The land is thought to be owned and managed by the Parish of St. Ouen. The location is outside the control of the Applicant.

simplistic division of land into character areas and zones has its limitations, when being translated into best practice in considering planning issues.

3.43 Offshore views

In the summer season there are pleasure craft passing by. The site lies beyond the cliff top and will be seen against the backdrop of the cliff face, when viewed from inshore. From further offshore it is usually difficult to make out any detail, the entire coastline appearing as a unified landmass in which only very tall structures such as church spires and radio masts are landmarks.

3.44 Onshore views

A series of site visits, at varying times of the day and in various atmospheric conditions, was made to assess the visibility of the site. From the tour during which a photographic survey was taken it has been possible to define the visual boundary to the site. The receptors (those having a view of the site) will mostly be walkers along the Cliff Path, local residents, and passengers in passing cars.

3.45 The principal visual boundary of the existing holiday camp at Plémont extends from around Les Landes in the west, to around La Gabourellerie in the east. This is not an absolute definition, as the boundary can vary slightly depending on the particular viewpoint. The visual boundary comprises an arc of around 3 km in length, extending no more than 1 km inland.

3.46 The principal impacts are twofold. Firstly there is the appearance of the relatively large-scale group of buildings on the site, when viewed from within the agricultural interior of the Island. Secondly, and closer to the site, the physical appearance of the façade of the buildings is visible, in more detail, from the surrounding lanes and paths.

### **Traffic, Transport and Access Conditions**

3.47 From the Automatic Traffic Counter (ATC) counts taken during August and October 1999 the existing average weekday traffic in the AM and PM peak hours were calculated for weekdays and Saturday respectively. Data was obtained for traffic passing along the main B55 road La Rue de Val Bachelier (both sides of Portinfer junction), along La Route de Plémont, along the holiday village access road C105, and the beach road beyond C105 to the west prior to the public car park.

3.48 These readings show, on average, La Route de Plémont carried 25 two-way movements between 08:00 and 09:00 and 98 two-way movements between 17:00 and 18:00 during August. The existing holiday village generated 56% of this total traffic between 08:00 and 09:00 and 34% of this total traffic between 17:00 and 18:00. In October the total traffic along La Route de Plémont substantially reduces to a very low 14 two-way movements between 08:00 and 09:00 and 11 two-way movements between 17:00 and 18:00 of which the existing holiday village generated 57% between 08:00 and 09:00 (probably due to service and delivery vehicles) and only 18% between 17:00 and 18:00.

3.49 Adjacent to the holiday village is Plémont beach. The beach is a particularly attractive tourist resort and consequently there is a substantial public car park accommodating approximately 30 cars at the top of the cliff adjacent to the beach. The nature of the beach is such that it is submerged at high tide, meaning that trips made to the site are influenced by the tidal characteristics throughout the year. During summer the public car park occasionally reaches capacity and in recent years the Parish of St. Ouen has arranged for an overspill car park in a field opposite. There are also limited parking spaces available along side of the lower access road and at the top of steps leading down to the beach.

3.50 There is a public bus service during the summer period (25 May to 27 September) from St. Helier direct to the proposal site, terminating at the Plémont public car park, providing eight service stops during Monday to Saturday between 07:48 and 19:29 plus six service stops on

Sundays between 09:37 and 18:02, generally spread across hourly / two hourly intervals. The winter bus service from St. Helier to Grosnez passes through nearby Portinfer providing eight service stops between 06:55 and 18:18.

- 3.51 La Route de Plémont is accessed from Portinfer Crossroads, which is the junction between La Rue du Val Bachelier, La Rue de la Porte and La Route de Plémont. There are no verges and three of the corners of this junction have stone walls, while a building forms the fourth, limiting visibility out of this junction. Despite restricted visibility at this junction there are no historic records of any accidents at this junction and therefore in that context it is considered no further analysis of accidents is required.
- 3.52 The existing holiday village generated a significant density of coaches, service, utility and refuse vehicles often over durations. During a sample change-over day on 24 August 1998 a total of 96 coach movements were recorded throughout the day and there was also a twice daily coach tour departing from the proposal site. In addition to this there were daily refuse collections and other deliveries.

### **Noise and Vibration Conditions**

- 3.53 No data or measurements are available to establish relevant Baseline Conditions for the reasons outlined in paragraph 2.9. Empirical knowledge of the site and existing buildings suggests over periods the holiday village operated (between April – October) there would have been intermittent noise disturbance within close proximity to the *Core Survey Area*. Poorly insulated rooms with large areas of single glazed windows, particularly when bands were playing inside the main Amenity building, is likely to have raised external ambient noise levels. External activities will have been even more noticeable. Noise intrusion from the development will have fluctuated dependant upon occupancy and activities at any one time. Between November to March each year when the premises were closed the site will have been relatively quiet with ambient noise levels similar to that within the surrounding countryside.

### **Water Resources Conditions**

- 3.54 The existing foul drainage Public Pumping Station is a relatively modern installation having been constructed in late 1996 / early 1997 to the former Public Services Department's specification and supervision. Since then the installation has been maintained by the Public Service Department (latterly Transport and Technical Services Department) to their standards. It is therefore reasonable to expect this installation is in good working order and free from any leaks. Prior to this foul sewage disposal was taken through on-site blockwork / concrete filtration tank treatment system before discharging to a sea outfall.
- 3.55 During re-development of the site in the late 1960s the majority of the existing site drainage will have been installed, although it is possible parts of the drainage system dates back to the 1946 rebuilding. This predates the advent of modern drainage system with flexible sleeve connectors and it is likely the inflexible, rigid, jointing methods used during that period have deteriorated and/or cracked, resulting in leakage from the underground drainage pipework systems currently installed at the site.

### **Ground Contamination Conditions**

- 3.56 The supporting Site Contamination Report (Strata Surveys; 2008) establishes there is a risk of contamination from an historic oil leak, oil distribution pipes within the site; asbestos within the existing buildings; an existing electrical sub-station within the site; and old sewage tanks.

## Archaeological Conditions

- 3.57 Approximately half of the site is covered with buildings set on typically c. 0.3m-thick concrete slab foundations. Considering the likely depth of soil on the northern half of the site it is likely that construction of the existing buildings and swimming pool has completely removed any archaeological remains within the overall footprint of each building. From historic maps it appears the southern half of the site has never been developed. The survival of any archaeological remains in these areas is potentially good.
- 3.58 There is an uncertain but possibly high potential for the site to contain archaeology dated to the prehistoric period. In the first half of the 20<sup>th</sup> century, a flint tool manufacture site was identified within the site and although its exact location is uncertain this may have been within the central part of the site where the soils are thin. A number of worked flints have been recovered from the fields immediately to the east of (outside) the proposal site.
- 3.59 There is an uncertain but probably low potential for the site to contain archaeology dated to the Roman to Early Medieval periods. The surrounding study area contains no known sites or finds dated to this period. The site's peripheral location on the Island, above steep cliffs, suggests that it was not a focus of settlement.
- 3.60 There are three, possibly four, sections of extant field boundaries (although this is by no means certain) of possible later medieval origin. These appear on a map dated to 1795 and survive as banks or dry stone walls. Other than these boundaries, there is a low potential for previously unrecorded archaeology dated to the later medieval period. The site was located at the edge of the parish, and its peripheral location suggests that it was not a focus for settlement, and in all likelihood was heathland, possibly used for rough pasture.
- 3.61 There are extant SSI listed WWII German occupation structures within the site including the base of a mortar position and an ammunition bunker. There is potential for the site to contain below ground remains of other German defences.

## 4.0 PLANNING POLICY AND LAND USE CONTEXT

- 4.1 This section addresses the legislative and policy framework in which the proposal is considered, as it relates to environmental and land use designations and policies.

### International

- 4.2 The States of Jersey has extended to Jersey over the last few decades, following ratification by the UK Government, a number of significant inter-governmental Conventions and Directives that has put in place a legislative framework relating to the environment, habitats and species. These have confirmed the importance of environmental issues on the wider political agenda through recognition of such factors as the fragility and significant diminishment of global natural heritage, the importance of protecting the environment, the cross-border movement of species, and the conservation of habitats and species for this and future generations. Additionally, there are several Conventions and Directives which have either not been extended to Jersey or which are not yet effective.

#### Convention on Biological Diversity

- 4.3 Signed by 150 states at the United Nations Conference on Environment and Development [the 'Earth Summit'] in Rio De Janeiro in June 1992, the UK ratified the Convention in 1994. Through Article 6A of the Convention each contracting party is required to '*develop national strategies, plans or programmes for the conservation and sustainable use of biological diversity, or adapt for this purpose existing strategies, plans or programmes which shall reflect, inter alia, the measures set out in the Convention*'. Major outputs from the Earth Summit included the Rio Declaration, a Statement of Principles which addressed the need to balance the protection of the environment with the need for sustainable development and Agenda 21, an Action Plan with the aim of integrating environmental concerns across a broad range of activities such as industry, agriculture, energy, transport, recreation and tourism, land use and fisheries. The Convention was extended to the States of Jersey effective on the 1 September 1994.

#### Convention on the Conservation of European Wildlife and Natural Habitats

- 4.4 The UK ratified the '*Bern Convention*' in 1982. It seeks to conserve wild plants, birds and animals, particularly those that are endangered and vulnerable, together with their habitats. The Bern Convention was extended to the States of Jersey and became effective on the 25 October 2002.

#### Convention on the Conservation of Migratory Species of Wild Animals

- 4.5 The '*Bonn Convention*' was adopted in 1979, entered into force in 1983 and the UK ratified it in 1985. The UK has ratified several agreements relative to the Convention including the Agreement on the Conservation of Bats in Europe (EUROBATS) in 1994, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) in 1993 and the Agreement on the Conservation of African-Eurasian Migratory Waterbird Agreement (AEWA) in 1999. The Convention aims to conserve terrestrial, marine and avian migratory species throughout their range. The Bonn Convention was extended to the States of Jersey and became effective on the 1 October 1985. The Eurobats Agreement was extended and became effective from the 29 October 2001 (with amendments on the 9 May 2002).

#### Convention on Wetlands of International Importance especially as Waterfowl Habitat

- 4.6 The '*Ramsar Convention*' was signed in 1971 and ratified by the UK in 1976. The official name of the treaty reflects its original emphasis on the conservation and wise use of wetlands primarily to provide habitat for waterbirds. Over the years the Convention has broadened its scope to cover all aspects of wetland conservation and wise use, recognising wetlands as ecosystems that are extremely important for biodiversity conservation and for the well-being of human communities. The Ramsar Convention was extended to the States of Jersey on the 1



May 1976 and became effective on the 5 May 1976. The proposal site is not in immediate proximity to any designated Ramsar sites.

The two most important protection and conservation measures at a European level are the Birds and Habitats Directives.

#### **Directive on the conservation of wild birds (79/409/EEC)**

- 4.7 The '*Birds Directive*' provides for the protection of all species of birds naturally occurring wild in the European Union and it applies also to their eggs, nests and habitats. Measures are identified to preserve a sufficient diversity of habitats for all species in order to maintain populations at ecologically and scientifically sound levels. The provisions of the Birds Directive are delivered in part in the UK through the Wildlife and Countryside Act 1981 (as amended) and formally transposed into law through The Conservation (Natural Habitats, &c.) Regulations 1994 (the '*Habitats Regulations*') (as amended).

#### **Directive on the conservation of natural habitats and wild fauna and flora (92/43/EEC)**

- 4.8 The '*Habitats Directive*' aims to contribute towards biodiversity by conserving natural habitats and wild fauna and flora of Community importance. The Directive requires Member States to take appropriate steps to avoid deterioration of designated natural habitats as well as give protection to designated species. The requirements of the Habitats Directive are formally transposed into UK law through The Conservation (Natural Habitats, &c.) Regulations 1994 (the '*Habitats Regulations*') (as amended).

- 4.9 **The States of Jersey are not represented in the UK Parliament and Acts of Parliament do not apply automatically to it. The States of Jersey are not bound by European legislation and as such these two Directives and enabling UK legislation currently have no basis in law on the island. However, the underlying principles of the two Directives are used as guidelines for best practice by the States of Jersey in the conduct of its environmental duties and responsibilities (M. Freeman, pers. comm.).**

#### **Important Bird Areas**

- 4.10 A designation applicable to special sites recognised to be of international or national importance for populations of a particular bird species or an assemblage of species, variously during migration, breeding or wintering periods. The importance of the Channel Islands for their bird populations and assemblages, including Jersey, has been identified in Pritchard *et al.* (1992), which lists IBAs in the UK. IBAs can include sites which qualify for designation as Ramsar sites or as SPAs through the Birds Directive. IBAs specifically listed for the Channel Islands are given in Veron (1997). The closest IBAs to the proposal site are identified at *Les Landes* (some 0.5km to the west at the nearest point) and the coastal headland at *Crabbé* (2.5km to the east-south-east).

### **Jersey Legislation and Policies**

The following legislative, policy and other considerations have relevance or directly apply.

#### **Biodiversity Strategy**

- 4.11 A Biodiversity Strategy for Jersey has been produced (SoJ, 2002a) and Habitat Action Plans are to be produced for a number of Key habitat types<sup>4</sup> (ie. of International importance) and habitats of Local importance<sup>5</sup> (ie. important in a Jersey context) [source: States of Jersey, 2002a; M. Freeman, pers. comm.]. Species Action Plans to enable the future conservation of identified species have been produced (SoJ, 2007).

**Of the habitats identified specifically from the proposal site (the Core Survey Area) only Walls and Banques would be the subject of a Habitat Action Plan on account of their Local importance in a Jersey context. Species Action Plans have been produced for**

<sup>4</sup> Coastal heathland; Sea cliff and slope; Sand dunes; Intertidal zone (various habitats); and Marine (various habitats).

<sup>5</sup> Wet meadows; Semi-natural broadleaved woodland; Marsh and Freshwater; Walls and Banques.

**species identified from the Core Survey Area, namely common toad, green lizard and bat species as well as the Extended Survey Area, namely heath grasshopper (*Chorthippus vagans*) and stonechat.**

#### **Sites of Channel Islands Importance for Birds**

- 4.12 These are sites identified in Veron (1997) which are important for birds in the context of the Channel Islands but which do not meet the criteria for designation as internationally or nationally Important Bird Areas.

**The cliff area at Plémont is included in the North Coast Cliffs Site of Channel Islands Importance for Birds. The proposal site is situated in proximity to but outside of the designated area.**

#### **Jersey Wildlife Law**

- 4.13 Through the provisions of Article 2 of the Conservation of Wildlife (Jersey) Law 2000 protection is afforded to certain wild animals, wild birds, special protected wild birds and wild plants. Amendments to the 2000 law have conferred the status of protected wild bird on the house sparrow through the provisions of the Conservation of Wildlife (Amendment) (Jersey) Order 2001 and removed the feral pigeon from the protected wild bird schedule through the provisions of the Conservation of Wildlife (Amendment No. 2) (Jersey) Order 2003.

**Several species of birds and animals identified from the proposal site (the Core Survey Area) and adjacent land (the Extended Survey Area) are afforded legal protection through the provisions of Jersey wildlife legislation. No plant species identified from the proposal site is afforded legal protection through the legislation.**

#### **Jersey Planning Law**

- 4.14 Through the provisions of Part 6, Chapter 1 of the Planning and Building (Jersey) Law 2002, the States of Jersey is able to designate and protect as Sites of Special Interest (SSIs) *places of public importance* by reason of their special zoological, botanical, geological or scientific interest.

**Neither the proposal site nor the immediate coastal land at Plémont are identified for designation as a SSI (M. Freeman, pers. comm.). The closest designated biological SSI is at *Les Landes* and the closest designated geological SSI is at *La Cotte à la Chèvre*, both to the west of the proposal site.**

#### **Jersey Countryside Character Appraisal**

- 4.15 The Appraisal (States of Jersey, 1999) was produced as part of the review process for the Jersey Island Plan. The specific purposes of the study included:

- \* *to assist in ensuring that the planning policies formulated for the revised Island Plan are appropriate for the future protection and enhancement of the Island's countryside;*
- \* *to inform development control decisions;*
- \* *to avoid the countryside being detrimentally affected by poorly located development;*  
and
- \* *to help ensure that any necessary new development respects or enhances the distinctive character of the countryside.*

The project brief included the need to *establish the relative capacity of the various character areas to accept new development without undue detrimental impact on their character.*

**The Appraisal identifies the entire north coast of Jersey within the North Coast Heathland Character Area (A1) and the Cliff edge with Deep Sea Character Area (F). The North-West Headland (St Ouen) Character Area (E1) extends to the southern agricultural hinterland of the proposal site.**

#### **The Jersey Island Plan 2002**

- 4.16 The Island Plan (States of Jersey, 2002b) was produced in accordance with the Island Plan objectives and is driven by economic, community, environmental and transport policies with sustainability a key strategic policy. The following selective policies are of relevance to the present application and have been taken into account in the context of the proposal<sup>6</sup>:

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<sup>6</sup> Refer to Annex 2 for a comprehensive analysis of the proposals compliance with all Jersey Island Plan 2002 Policies.

**4.17 Policy G1: Sustainable development**

Development proposals which do not support the principles of sustainability will not normally be permitted. It is identified that development proposals should in particular seek to:

- (iii) re-use already developed land;*
- (v) conserves or enhances the natural environment; and*
- (vi) minimises impact on the Island environment.*

**The proposal is considered to appropriately reflect the requirements of the policy.**

**4.18 Policy G2: General development considerations**

It is necessary to demonstrate that the proposed development (selective list):

- (i) will not unreasonably affect the character and amenity of the area;*
- (ii) will not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;*
- (iv) will not have an unreasonable impact on the landscape, ecology, archaeological remains or architectural features and includes measures for the enhancement of such features and the landscaping of the site;*
- (v) incorporates satisfactory provision of amenity and public open space where appropriate;*
- (vi) will not have an unreasonable impact on important open space to natural or built features, including trees, hedgerows, banks, walls and fosses;*
- (vii) provides a satisfactory means of access, manoeuvring space within the site and adequate space for parking;*
- (viii) will not lead to unacceptable problems of traffic generation, safety or parking;*
- (ix) is accessible by pedestrians, cyclists and public transport users, including those with mobility impairments;*
- (x) will not have an unreasonable impact on public health, safety and the environment by virtue of noise, vibration, dust, light, odour, fumes, electro-magnetic fields or effluent;*
- (xii) where possible makes efficient use of construction and demolition materials to avoid generation of waste and to ensure the efficient use of resources;*
- (xv) encourages energy efficiency through building design, materials, layout and orientation; and*
- (xvi) includes the provision of satisfactory mains drainage and other service infrastructure.*

**The proposal is considered to satisfy the requirements of the Policy.**

**4.19 Policy G3: Quality of design**

Development proposals are required to take into account, as appropriate, factors such as: scale, form, massing, orientation, siting and density, relationship to existing buildings, settlement form and character, topography, landscape features and wider landscape setting, design details, materials and finishes and the incorporation of existing site features. The local character of the area is identified as an important consideration, recognising that *Good design will respect, re-interpret and be in harmony with the local context.*

**The proposal is considered to appropriately reflect the requirements of the Policy.**

**4.20 Policy G4: Design Statements**

A design statement is required to accompany a planning application where a development proposal is considered likely to have a significant impact on the quality and character of the physical and visual environment due to its location and scale or type of development.

**A Design Statement has been produced and submitted with the planning application.**

**4.21 Policy G6: Transport Impact Assessments**

A Transport Assessment is required to be carried out for proposed development that is likely to have significant transport implications.

**A Transport Assessment has been produced and submitted with the planning application.**

4.22 **Policy G11: Sites of Special Interest**

Sites are so designated by virtue of their public importance in terms of *special zoological, ecological, botanical or geological interest; or architectural, archaeological, artistic, historical, scientific, or traditional interest that attaches to a building or place*. There is a presumption against development that would have an adverse impact on the special character of the sites.

**There are German WWII Structures designated as SSIs within the proposal site that will not be adversely impacted by the proposal. It is proposed these are retained and renovated within the scheme. There are no other designated or proposed SSIs in proximity to the proposal site.**

4.23 **Policy G12: Archaeological Resources**

An archaeological evaluation is required to be carried out for development proposals which may affect archaeological remains.

**An Archaeological Evaluation has been produced and submitted with the planning application.**

4.24 **Policy G15: Replacement Buildings**

The Planning and Environment Department promote the re-use of buildings rather than demolition and rebuilding and will normally only permit their replacement where it would:

- (i) *enhance the appearance of the site and its surroundings;*
- (ii) *replace a building that it is not appropriate to repair or refurbish;*
- (iii) *not have an unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;*
- (iv) *involve loss of an existing building that is unsympathetic to the character and amenity of the area; and*
- (v) *be in accordance with other principles and policies of the Plan.*

The existing site buildings have effectively fallen into dereliction since the Plémont Holiday Village complex closed in 2000. The existing holiday complex is well-recognised as having been an inappropriate form of development by virtue of scale, mass and design at this locality.

**The redevelopment proposal at this site is considered to meet the objectives of the Policy.**

4.25 **Policy G16: Demolition of Buildings**

The demolition of a building will normally only be permitted where the proposal:

- (i) *involves the demolition of a building or part of a building that is not appropriate to repair or refurbish;*
- (ii) *would not have an unacceptable impact on a Site of Special Interest, Building of Local Interest or a Conservation Area;*
- (iii) *would not have an unacceptable impact on the character and amenity of the area;*
- (iv) *makes adequate provision for the management of waste material arising from demolition as required by Policy WM2; and*
- (v) *is in accordance with other principles and policies of the Plan.*

**The redevelopment proposal at this site is considered to meet the requirements of the Policy. A Waste Management Plan has been produced and submitted with the planning application.**

**Policy G20: Light Pollution**

4.26 Lighting of new developments is required to be designed to minimise the effect of sky glow whilst providing adequate illumination levels. Planning permission will not normally be granted where lighting would:

- (i) *cause harm to the occupants of nearby properties by virtue of the intensity, direction and hours of lighting;*
- (ii) *result in road safety problems from dazzle or distraction to drivers;*
- (iii) *unreasonably affect the character and amenity of the area; and*
- (iv) *not be in accordance with other principles and policies of the Plan.*

**The lighting design for the redevelopment proposal takes full account of the Policy.**

- Policy C2: Countryside Character**
- 4.27 The development control process seeks to promote the conservation, management, enhancement and restoration of the Island's countryside character. The Countryside Character Appraisal (SoJ, 1999) emphasises the need to relate planning decisions to the landscape context of the site, and wherever possible, to link planning consents with measures to conserve or enhance the local landscape character, recognising that this will, over time, add to the Island's environmental capital.  
**The proposal seeks to remove what, by common-consent, is considered to be an eyesore in one of the Island's most important coastal landscape areas, to provide a more appropriate development by virtue of scale, massing and design, set back from the visually sensitive cliff top, which is to be restored and 'returned to nature'. The proposal incorporates restoration and enhancement of the site's countryside character and landscape.**
- Policy C3: Biodiversity**
- 4.28 In the interests of sustaining and enhancing biodiversity it is proposed to integrate the aims of the Biodiversity Strategy with the aims of enhancing landscape character and stewardship set out in the countryside and agricultural policies.  
**The proposal substantially enhances the site's biodiversity potential and is not considered to negate the objectives of this policy.**
- Policy C4: Zone of Outstanding Character**
- 4.29 The Zone of Outstanding Character is given the highest level of protection due to the exceptional quality of the natural environment. It is given priority over all other planning considerations. There is the strongest possible presumption against new development and the redevelopment of existing buildings will only be permissible where environmental benefit is secured.  
**The proposal site lies outside of the zone. The limit of the zone is defined by the coastal path and extends seaward of it. The proposal will effectively move the development further from the zone than the present Plémont Holiday Village complex and significantly decreases the built envelope within the site.**
- Policy C5: Green Zone**
- 4.30 Further to the Jersey Countryside Character Appraisal (SoJ, 1999) the *Agricultural landscapes of the north coast* have been afforded a level of protection through inclusion in the *Green Zone* Countryside Planning Zone of the Island Plan. The Plan recognises that the Zone comprises a *landscape largely created by human intervention* and that it would be *unreasonable to preclude all forms of development, with exceptions to the general presumption against development but only where this does not serve to detract from or harm the distinctiveness of the landscape character type of this zone*. Of particular relevance, the redevelopment of commercial buildings may be approved where there are *substantial environmental gains and a significant contribution to the character of the area*, particularly where this may result in *changes in the nature and intensity of use and careful consideration of siting and design*.  
**The proposal would produce substantial environmental gains from massively increasing the amount of natural landscape within the site with the ensuing benefits to the natural environment identified in this EIS, and a significant contribution to the character of the area through demolition of the derelict holiday camp (recognised to be a significant eyesore in a highly valued landscape area) and design of replacement houses reflecting the traditional form of development within the surrounding area of St Ouen. The design proposal demonstrates respect for the objectives of this policy and the Planning Department has confirmed this scheme complies with objectives of the Green Zone policy.<sup>7</sup>**

<sup>7</sup> States of Jersey (2008d) Plémont Bay Holiday Village, St Ouen, Jersey: Planning and Environment Department Report by Planning Case Officer on Planning Application Ref. P/2006/1868 for 36 House Development issued 29<sup>th</sup> April 2008, recommending Planning Approval for 30 houses.

- Policy C10: Walls, Fosses, Banques and Hedgerows**
- 4.31 Where a development site contains, or is bounded by historic field boundary features, whatever their condition, every effort should be made to retain them.  
**It is proposed to retain existing features within the design scheme.**
- Policy M1: Marine Protection Zone**
- 4.32 A Marine Protection Zone has been established around the coast of Jersey which is aimed at maintaining and enhancing the Jersey seascape. The zone extends from Mean High Water to the territorial limit and sets a presumption against development in the zone.  
**The existing holiday village complex is set back from the Zone of Outstanding Character (Policy C4), which in turn is landward of the Marine Protection Zone. The proposed development would be further landward from the zone than the present holiday village complex.**
- Policy M2: Coastal Zone Management Strategy**
- 4.33 *The Coastal Zone includes the terrestrial parts of the Island having a direct influence on the shores, the inter-tidal areas and waters out to the limits of the Marine Protection Zone (refer to Policy M1). The need for an Integrated Coastal Zone Management Strategy is recognised through this policy to realise the purpose of the Marine Protection Zone (refer to paragraph 4.42). It would address such issues as archaeology, marine ecology, recreation, fishing and other economic interests with a view to formulating an integral plan and programme to achieve objectives.*  
**The existing holiday village complex is set back from the Zone of Outstanding Character (Policy C4), which in turn is landward of the Marine Protection Zone. The proposed development would be further landward from the zone than the present holiday village complex. The proposal is considered to appropriately reflect the objectives of the policy.**
- Policy WM1: Waste Minimisation and Recycling**
- 4.34 Recognising the need to reduce the production of waste the Policy identifies the requirement for waste minimisation, recycling, re-use and recovery of resources in consideration of new development proposals.  
**A Waste Management Plan has been produced and submitted with the planning application.**
- Policy WM2: Construction and Demolition Wastes Plan**
- 4.35 Any development proposal which involves the demolition of major structures or removal of significant quantities of waste material will require a Waste Management Plan to be submitted.  
**A Waste Management Plan has been produced and submitted with the planning application.**
- 'State of Jersey' Report**
- 4.36 The report (SoJ, 2005) lays the basis for a cohesive environmental strategy for Jersey in fulfilment of a commitment made in the Strategic Plan 2006-2011 (refer to paragraphs 4.38-4.40), namely to *maintain and enhance the natural and built environment*. Of twelve environmental perspectives identified in the report are included '*The biodiversity of Jersey's natural and semi-natural habitats*' and '*The conservation status of key biological populations*'. From these perspectives are developed environmental priorities, including *Changes in the countryside and our natural history*, with the key action of developing *robust, long-term scientific evidence* to explain the causes of change, which are identified as *Encroaching development*, *Changes through habitat succession* and *Changes to the local economy*.  
**The proposal is considered not to conflict with the identified priorities and key actions.**
- Strategic Plan 2006-2011**
- 4.37 A 'road map' produced by the Council of Ministers which sets out the direction that the government of Jersey wishes to follow. Six commitments are identified, including *Maintain a*

*strong, successful and environmentally sustainable economy* (Commitment 1) and *Maintain and enhance the natural and built environment* (Commitment 4).

4.38 In Commitment 1 an outcome identified to be achieved includes *Show the world that economic and environmental success can work together*, with an indicator required to be measured being the *Conservation and enhancement of biological diversity locally and contribution towards the conservation of global biodiversity where appropriate*, to be achieved within the stated timescale by implementing the five Environmental Priorities set out in the State of Jersey Report (SoJ, 2005) and adopting the overall goal and pursuing the five objectives for conserving biodiversity set out in the draft Biodiversity Strategy for Jersey (SoJ, 2002a).

4.39 In Commitment 4 the need to protect the Island's coast, countryside and natural habitats is identified as an issue, recognising that this needs to be achieved at the same time as maintaining a diverse, working countryside. An outcome identified to be achieved is *Jersey's natural and built heritage is sympathetically managed*, with indicators required to be measured include increasing the area of natural habitats achieving favourable conservation status, no loss of indigenous species and reintroduction of those that have been lost, increasing the number of registered Sites of Special Interest (SSI) and ensuring that conservation sites are protected from damage and development. The designation of additional ecological and geological SSI's is identified.

**The proposal is considered not to conflict with the identified Commitments.**

#### **Integrated Coastal Zone Management Strategy**

4.40 A report entitled *Making the Most of Jersey's Coast* (SoJ, 2008c) was submitted for debate, in fulfilment of Policy M2 of the Jersey Island Plan 2002 and objectives stated in the Strategic Plan 2006-2011 (SoJ, 2006). It sets out a management strategy whose aim is to bring together all parties that develop, manage or use the coast to ensure that the coast is sustainably managed in an integrated way.

**The proposal is considered not to conflict with the strategy.**

#### **Strategic Plan 2009 to 2014**

4.41 The 1<sup>st</sup> draft of the States of Jersey new Strategic Plan (SoJ, 2009), which is sub-titled "Working together to meet the needs of the community", addresses a range of social, environmental and economic priorities which are required to maintain the special way of life that exists within the Island. It seeks to do this through focusing on five areas of activity which include: *Meeting our health, housing and education challenges* and *Protecting the countryside and our environment*. These are translated into plan priorities, one of which is identified as:

##### **Priority 13: Protect and enhance our natural and built environment**

The priority recognises that the challenge is to *Protect and enhance these most valuable assets whilst remaining economically viable and housing our population* and *We must continue to protect our environment, countryside, agricultural land, marine environment and coastal areas now and for future generations*.

**The proposal is considered not to conflict with the strategy.**

### **Résumé of findings**

4.42 International and Island legislative and policy considerations as they relate to the environment and which are pertinent to the proposal lead to the following conclusions:

- That there is an inseparable link between habitats, biodiversity, landscape character and man's historic and on-going influence in moulding those interests.
- That the countryside and coastal zones are the Island's environmental '*capital*'.

- That it is essential that biodiversity, countryside and community considerations are appropriately addressed in relation to development proposals.
- That development should be conducted in accordance with sustainability principles.
- That development proposals which are likely to have an adverse impact on biodiversity, landscape and community interests will be subject to the most rigorous examination.
- That protection of the natural environment and development need not be incompatible and may through appropriate design result in significant benefits.



## 5.0 POTENTIAL ENVIRONMENTAL EFFECTS

### Assessment of Effects

- 5.1 This section of the Environmental Impact Statement identifies how the proposed redevelopment scheme may affect the natural and physical environment of the proposal site (*Core Survey Area*) and adjoining land (*Extended Survey Area*) with reference to the supporting reports covering biodiversity and nature conservation (including ecology and the natural environment), landscape appearance, visual appearance, traffic and transport, access, noise and vibration, water resources and archaeological considerations. The outcomes and conclusions from these supporting reports are brought together and précised in this chapter without repeating each individual assessment that can be found within the supporting reports.
- 5.2 In considering the potential effects on the integrity of the site and wider surrounding areas the precautionary approach is recommended, in line with the UK Government's principles for sustainable development (DoE, 1994b; DEFRA, 2005). This approach accords with The Jersey Island Plan 2002.
- 5.3 The nature of the potential effects on the environmental interest of both the proposal site and adjoining land are brought together from all the supporting reports into this section, together with the significance of the effects prior to mitigation measures to avoid or reduce any identified effects. The 'significance' of effects is defined as impacts that are significant in environmental terms to the integrity of a defined site or ecosystem and/or to the conservation status of habitats or species within a given geographical area, including any cumulative impacts. The subsequent 'consequences' of effects for decision-making (in terms of legal requirements and policy objectives, and implications for design and implementation) are covered. The following terminology for significance of effects has been adopted:

*None:* Effects would be irrelevant.  
Benefits of improvements or losses due to damage would be negligible.

*Minor:* Effects would be small or restricted.  
Benefits of improvements or losses due to damage would be small but identifiable.

*Moderate:* Effects would be generally noticeable and substantial.  
Benefits of improvements or losses due to damage would be distinct but limited.

*Major:* Effects would be very conspicuous and significant.  
Benefits of improvements or losses due to damage would be important.

*Very High:* Effects would be dramatic.  
Benefits of improvements or losses due to damage would be extremely important.

*Uncertain:* Where there is uncertainty over the degree of significance.

The nature of effects are identified as being *Direct* or *Indirect*, *Reversible* or *Irreversible*, as appropriate.

- 5.4 The following terminology in reference to the degree of confidence in predicting an impact is given as:

*Certain/near-Certain:* Probability estimated at 95% chance or higher;

*Probable:* Probability estimated between near-certain and 50:50;

*Unlikely:* Probability less than 50:50 but above 5%; and

*Extremely Unlikely:* Probability estimated at less than 5%.

## Effects on Biodiversity and Nature Conservation

### Effects on habitats and flora

#### **Core Survey Area**

- 5.5 The *Core Survey Area* was identified to support only a modest diversity of plant species typically associated with the habitats present, all of which are considered to be common and/or widespread in an Island context. Areas of unmanaged playing fields and peripheral bracken- or gorse-dominated areas extend to 2.36ha (49% of site area) within which improved grassland is identified as the overwhelmingly dominant vegetation type of generally low species diversity and assessed to be of low overall nature conservation significance. The smaller bracken- and gorse-dominated habitats are identified to be abundant and widespread in surrounding areas, particularly within the adjoining coastal zones. These small areas in themselves are assessed to be of probably only local nature conservation significance for a small diversity of common breeding birds and invertebrates.
- 5.6 The proposal would result in replacement of some areas of improved grassland which have previously been used as the holiday village playing fields. These areas would be lost for construction of the south-west and south-east clusters of dwellings, associated access, hard-standings and gardens, as well as linear reedbed filters and footpaths. This loss is not considered of ecological significance given the nature of the grassland vegetation, particularly as the replacement nature conservation grassland in the northern and western sectors of the site (replacing built footprint and hardstandings) substantially exceeds the extent of existing grassland. Some small loss of peripheral bracken-dominated habitat would occur to enable footpath access.
- 5.7 Existing banques would be retained as site boundaries. However, a short section of the low unvegetated banque which defines the western margin of the C105 access road would have a new opening made to enable vehicular access to the south-east cluster of dwellings; a short section of the unvegetated banque which defines the eastern margin of the C105 access road would be realigned to facilitate a vehicle passing place; and one small opening would be made in La Route de Plémont boundary wall to enable vehicular access to a property within the south-east cluster of dwellings. The overall impact of the proposed development on the site's flora would be minimal.
- 5.8 The proposal includes creating substantial new open landscape areas within the site, providing additional habitats giving enhanced opportunities for a more diverse flora. Nature conservation land within the site will be increased to 2.33ha (48.3% of the total site area) by removing all development from substantial tracts of the northern and western sections of the site. The total amount of undeveloped natural landscape will be increased to 3.26ha (67.6% of the total site area), plus another 0.62ha (12.7% of the total site area) comprising gardens within the housing clusters. Other measures such as incorporating reedbed ponds and open jointed granite walls will further increase the potential quality and diversity of available habitats.
- 5.9 **Summary of effects on habitats and flora of the *Core Survey Area*:**

Ecological significance of effects:	Major (Significant)
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Certain

### **Extended Survey Area**

5.10 A diversity of habitat types were identified from the *Extended Survey Area*, including bracken- and gorse-dominated communities, coastal grassland and associated communities, grass leys, arable fields and hedgebanks. The flora of these habitats is identified to be diverse. The coastal semi-natural habitats of the area are identified to be of considerable nature conservation significance. There is no evidence to suggest that habitats have been affected by the large numbers of the public who visit this part of the Island, for coastal views and access to the coastal path, nor from the significant numbers of holiday makers who used the Plémont Holiday Village and adjoining coastal facilities over decades (average guest occupancy 1991-2000 was 355, with a maximum of 548). The redevelopment proposal would remain wholly contained within the curtilage of the ownership boundary. The identified important habitats of the *Extended Survey Area* would remain unaffected by the proposal.

### **5.11 Summary of effects on habitats and flora of the *Extended Survey Area*:**

Ecological significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Probable

5.12 The proposed landscaping of the site has sought not only to reduce any visual impact, through appropriate restoration of the landscape character of the site disfigured by the holiday village complex, integration of the housing clusters with adjoining areas and defining the extent of the domestic curtilage, but also aiding the transition with semi-natural habitats around through creating new areas of ecologically more diverse grassland, planting new areas of native trees and shrubs and the creation of wetlands.

5.13 There is currently no public access to the development site land. However, the proposal includes the provision of footpaths into and through the site, with a link to the coastal path. In total it is proposed to offer 0.93ha (equates to 19% of the site) as Publicly Accessible open land with a further 2.33ha (48% of the site) offered as nature conservation land. The proposals are considered to provide a major ecological improvement to this part of the Island's north coast.

### **5.14 Summary of effects on local ecology:**

Ecological significance of effects:	Major (Significant)
Nature of Effects:	Direct, Indirect, Irreversible
Confidence in assessment:	Certain

### **Effects on birds**

#### **Core Survey Area**

5.12 The proposal site was identified to support only a limited assemblage of essentially common and widespread bird species typically associated with the habitats of the site. Most breeding bird species were identified from denser vegetation within peripheral zones. It is proposed to retain and enhance the vegetation of the peripheral zones. Species such as house sparrow were predictably found associated with the unoccupied buildings and structures. The planned demolition of the buildings would deprive the species of these potential nest sites. However, over time, the proposed enlarged nature conservation and publicly accessible open landscape with accompanying shrub and tree vegetation, together with the houses and accompanying gardens, offer the potential of an increase in the diversity of potential nest sites.

5.13 The potential consequences of noise disturbance to birds from the proposal during demolition and construction phases are difficult to determine as issues of noise in developments address potential impacts in relation to human disturbance based on legal definitions. However, from evidence of active quarries it appears birds are able to adapt to predictable or regular noise disturbance and remain seemingly unaffected. It is recognised that demolition works will be

conducted outside of the breeding season to ensure no disturbance. Breeding bird species utilising the *Core Survey Area* peripheries are considered unlikely to be overtly affected by noise associated with the construction phases of the proposal (which will be minimised by measures detailed in the Construction Environmental Management Plan) and their survival and reproduction is considered to remain ensured.

**5.14 Summary of effects on birds of the Core Survey Area:**

Ecological significance of effects:	Minor
Nature of effects:	Direct, Reversible in part
Confidence in assessment:	Certain

***Extended Survey Area***

5.15 The coastal zone of the *Extended Survey Area* was identified to support an outstanding assemblage of breeding birds. It has been previously identified that the habitats of the *Extended Survey Area* would be unaffected directly by the proposal. However, four potential impacts on nesting seabirds in proximity to the northern boundary of the site from the proposed development are identified.

**Demolition and construction effects**

5.16 Demolition and site clearance works (over a potential period of up to two months) would result in a localised increase in noise with possible attendant ground vibration in relative proximity to the breeding cliffs used by Atlantic puffin and other seabirds; with possible negative impact on the seabirds particularly if conducted during the puffin breeding season (April to August). Subsequent construction works could potentially also result in some level of disturbance (albeit less than during the demolition and site clearance phase) over an estimated period of eighteen months. Sudden loud noise and vibration will disturb nesting seabirds, with the puffin prone to desert nests and eggs if unduly disturbed when incubating. Potential noise and vibration levels would inevitably diminish the further away the activity takes place from the cliffs. The northern built margin of the extant holiday village is situated variously 70-130m from the seabird breeding cliffs with the furthest structure inland for demolition located some 200m from the cliffs. There is also a widely used public car park located a similar distance from the seabird breeding cliffs at the seaward margin of the holiday village. In contrast, the location of the nearest property for construction, within the north-east cluster of dwellings, would be some 110m from the cliffs with the furthest property for construction located some 280m from the cliffs.

**5.17 Summary of effects of demolition on seabirds:**

Ecological significance of effects:	Major (potentially Significant)
Nature of effects:	Indirect, Reversible
Confidence in assessment:	Certain

**5.18 Summary of effects of construction on seabirds:**

Ecological significance of effects:	Minor
Nature of effects:	Indirect, Reversible
Confidence in assessment:	Probable

**Human disturbance effects**

5.19 Uncontrolled human access can impact seabird colonies notably through disturbance to incubating birds at nesting colonies both through direct scaring by lone individuals approaching nests or by large numbers of visitors a further distance away. The desertion of sites by species, including Atlantic puffin, is a potential outcome.

5.20 The following land-based activities that could potentially have resulted in or continue to cause disturbance to breeding seabirds are identified: a). holiday-makers and staff from the holiday village (comprising up to 488 guests together with a compliment of 60 staff during periods when the holiday village operated) using recreational facilities within the site plus also accessing the

Plémont headland and coastal path; b). public use of the coastal path by hundreds of 'locals' and visitors each month (today a very popular walk extending seaward of the holiday village boundary, variously 22-75m from the breeding cliffs used by the seabirds); c). the general public and anglers accessing La Tête de Plémont (in particular many anglers fish in relative proximity to the breeding cliffs from rocks at La Tête de Plémont, Le Petit Plémont and Le Creux de la Hougue).

5.21 In respect of sea-based activities, the potential for watercraft to be a source of disturbance to breeding seabirds at this location may be considerable. Fishing boats set lobster and crab pots close in to the seabird cliffs with a single vessel also known to trawl in the bay. Kayakers and other boats (both individuals and operator-lead trips) increasingly visit the bay to observe the puffins and other seabirds. Jet-skiers and motor-boats have also been observed off the cliffs.

5.22 Although the breeding puffin population has declined over a period of approximately 100 years, numbers over the last decade, although low, suggest they may now have stabilised. Populations of other cliff nesting species in the Plémont area such as the razorbill would appear to be fairly stable (Young, 2008) and the fulmar, which first bred on the Island in 1975, now supports in excess of 170 pairs, with some 20 pairs nesting immediately below the holiday village site. The proposal for the former holiday village site is considered unlikely to result in an increase in levels and threats of disturbance from land-based activities.

5.23 **Summary of effects of human disturbance on seabirds:**

Ecological significance of effects:	Minor
Nature of effects:	Indirect, Reversible
Confidence in assessment:	Certain

**Rats**

5.24 The presence of brown rats have been implicated directly in the extinction or decline of many island seabird populations around the world. Burrow nesting seabirds such as the puffin are particularly vulnerable to rat predation of eggs and chicks. Concern has been expressed that the decline in Jersey's puffin numbers may be attributed, at least in part, to brown rats. It is also suggested that Jersey's puffins may have been restricted in their nest site choice to areas free of brown rats (ie. cliff crevices inaccessible to brown rats) (Young, 2008). Rats are known to have been present on the Island for a very long time, with the black rat introduced by the Romans (but now extinct on the Island) and the brown rat in the 18<sup>th</sup> century. Brown rats are known to be present in large numbers along the north coast of the Island (Young, 2008). The species is identified to be widespread in the extant holiday village buildings as well as banques of the site, surrounding potato fields, leys and scrub areas (Hughes, 2009). Attempts at control would appear to have been conducted around the holiday village buildings as a number of bait trays were noted.

5.25 The demolition of the existing buildings would effectively result in the mass eviction of the resident brown rat population into the local countryside and coastal areas, potentially resulting in further puffin predation. Equally, the proposed development when occupied could potentially attract numbers of rats; which in turn could predate the puffin colony sites in the course of foraging activity. However, it is considered extremely unlikely that the development proposed would result in any increased predatory pressure by brown rats on puffins given that rats are identified present on site, are likely to have been present over a long period of time and may be the biggest existing pressure on the Island's puffin numbers and distribution.

5.26 **Summary of effects of rats on seabirds:**

Ecological significance of effects:	probably None
Nature of effects:	Indirect, Reversible
Confidence in assessment:	Certain <b>Cats</b>

5.27 Similar concern has been expressed at possible puffin predation by domestic or feral cats. Feral cats are known to have had a devastating effect on island bird species world-wide. Most

cats are opportunistic hunters that will catch whatever they come across rather than actively hunting a particular species. They will thus catch whatever is most abundant or vulnerable and will also catch prey even if they are not hungry (RSPB, 2002).

- 5.28 The number of cats on Jersey is unknown but may be proportionally similar to that identified in Bristol where it has been estimated there are 0.28 cats per household (28 cats per 100 households; 229 cats/km<sup>2</sup>, Baker *et al.*, 2005)<sup>8</sup>. Young (2008) identifies that domestic cats may have a mean nocturnal home range<sup>9</sup> of 7.89ha while feral cats typically have larger home ranges, with a mean 24 hour range of 249.7ha determined in an Australian study. However, the exact range size will be dependent on overall habitat quality.
- 5.29 Hughes (2009) and Young (2008) identify that the seabird cliffs at Plémont and elsewhere on the north coast of the Island are within the typical home ranges of cats, both those resident in domestic situations and likely feral animals. Some 150 dwellings are identified within a typical cat's range of the Plémont seabird cliffs (eg. the Plémont Beach Café is some 0.4km away, Portinfer some 0.8km and the houses at West View some 1.6km away). By extrapolation this equates to at least 33.6 domestic cats and an unknown number of feral cats within range of the cliffs potentially having predated the seabird colonies over many years. However the Plémont puffin colony would appear to nest in cliff crevices inaccessible to cats.
- 5.30 Despite the presence of potentially significant numbers of cats from existing dwellings within roaming range of the cliffs and although forming a latent threat to the puffin population they evidently have minimal impact. Colonisation and significant expansion of the population of breeding fulmar in close proximity to Plémont would appear not to have been impeded by these predators. The introduction of further cats associated with the proposal is considered extremely unlikely to result in an increase in any potential impact to breeding seabirds.

5.31 **Summary of effects of cats on seabirds:**

Ecological significance of effects:	potentially Minor
Nature of effects:	Indirect, Reversible in part
Confidence in assessment:	Certain

**Effect on Bats**

- 5.32 A single *Pipistrellus pipistrellus* bat was detected at emergence time from the central open area, indicating emergence from a roost location within surrounding buildings, but there was no evidence of bat use within the buildings during an internal inspection. The former holiday village site is identified to be of low conservation value for bats due to its exposed and isolated position, lack of suitable habitat features providing sheltered flight lines and the buildings offering few suitable roost sites due to their construction. Demolition of the buildings would result in the loss of a roost site used by a single bat. There is the possibility that the site is used by a small number of individual bats. However, there is no evidence for the site supporting a breeding roost.
- 5.33 The immediate landscape of the site has little tree and shrub cover, with cover only occurring inland from the site in hedgebanks, correlating with the detection of bats during the post-emergence survey. The site is considered too exposed for effective feeding and extensive cover of buildings and hard-standings do not provide insects. The grassland areas by virtue of their composition, management state and exposure are not considered to be of particular value to feeding bats. Demolition of existing buildings and construction of the new dwellings will not result in loss of potential feeding areas, nor loss of existing features of value to bats.

<sup>8</sup> The number of cats in Great Britain in 1998 was estimated at 7.8 million living in domestic situations with a further 813,000 living ferally (Woods *et al.*, 2003).

<sup>9</sup> Domestic cats venture further at night.

5.34 Lighting of the holiday village whilst it was in operation involved external floodlighting with high level spillage. It is recognised illuminated areas create a barrier that bats will avoid which can also isolate bat roosts from feeding areas and other roost sites. Light spill beyond the illuminated area can affect the emergence of bats from local roosts, reducing the optimum feeding period following sunset and influence the seasonal timing of reproductive and hibernation cycles. The correlation between these effects on bats and similar effects on nocturnal insects that bats predate effects the seasonal presence and abundance of food resources for bats. Lighting of the proposed complex of dwellings, structures, hard-standings and paths within the housing clusters could result in restriction of areas that bats would enter, disrupt flight routes and feeding patterns (Outen, 1998; Jones, 2000).

5.35 Substantial new natural landscape proposed around and between the housing clusters with associated shrub and tree cover and wetland areas have, over time, the potential to provide improved habitat features for bats. This may be supplemented by incorporating new roost sites into a restricted number of house roofs.

5.36 **Summary of effects on recorded bats:**

Ecological significance of effects:	Moderate (Substantial)
Nature of effects:	Direct, Reversible
Confidence in assessment:	Certain

**Effect on Reptiles and Amphibians**

5.37 The study identified green lizard (a single female at the margin with agricultural land to the eastern site boundary) and common toad (a single animal as a road casualty on the access road). It is also feasible that slow-worm may use the site. The identified species are considered most likely to be using the less managed peripheries of the *Core Survey Area* as well as the adjoining *Extended Survey Area*. The design scheme for the proposal will ensure the retention of these areas. Proposed new landscape and nature conservation features, including open jointed granite walling, will provide further potential suitable habitat.

5.38 **Summary of effects on reptiles and amphibians:**

Ecological significance of effects:	Moderate (Substantial)
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Certain

5.39 However, it is not known what impact cats or brown rats may potentially have on local green lizard or other reptile populations.

5.40 **Summary of effects of cats and brown rats on reptiles:**

Ecological significance of effects:	Uncertain
Nature of effects:	Not known
Confidence in assessment:	-

**Effect on Invertebrates**

**Butterflies**

5.41 A small diversity of essentially common and widespread butterfly species was identified from both the *Core* and *Extended Survey Areas*. Within the *Core Survey Area* the diversity of breeding species is restricted by the range of necessary larval food plants, nectar sources and habitat niches. Substantial proposed species diverse and structurally complex new grassland areas and associated vegetation within the Plémont site have the potential of providing enhanced beneficial habitat conditions for the species group.

5.42 **Summary of effects on butterflies:**

Ecological significance of effects:	Minor
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Certain

***Formica pratensis***

5.43 A single nest of the ant species *Formica pratensis* was identified from the *Extended Survey Area* adjacent to the coastal path at the edge of the informal car park. A nest of this species previously identified from the holiday village staff car park was not refound. The location of the nest identified in 2006 is outside of the proposal site boundary. The proposed development is considered not to result in impact on the nest.

5.44 **Summary of effects on *Formica pratensis*:**

Ecological significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Certain

## Effects on Planning Policy and Land Use

### Effect on Countryside Planning Zones

5.45 *Development control zones are intended to give different levels of protection from potentially undesirable developments. The levels of protection reflect the sensitivity, significance or scarcity of the countryside resources comprising each zone (SoJ, 2002b). A separate landscape and visual assessment report relative to the proposal has been produced and has been submitted with the planning application<sup>10</sup>.*

### **Zone of Outstanding Character**

5.46 The Plémont headland and all that section of the *Extended Survey Area* which extends seaward of the coastal path to Mean High Water falls within the north coast *Zone of Outstanding Character*. This zone provides the highest level of protection and is subject to Policy C4. The proposal site is located landward of the coastal path and is outside of the zone. The proposal will effectively move the development further from the zone than the present Plémont Holiday Village complex and significantly decrease the built envelope within the site.

5.47 **Summary of effects on the Zone of Outstanding Character:**

Significance of effects:	Very High
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Certain

### **Green Zone**

5.48 The *Agricultural landscapes of the north coast* have been afforded a level of protection through inclusion in the *Green Zone* Countryside Planning Zone of the Island Plan, subject to Policy C5. The Plan recognises that the Zone comprises *a landscape largely created by human intervention* and that it would be *unreasonable to preclude all forms of development, with exceptions to the general presumption against development but only where this does not serve to detract from or harm the distinctiveness of the landscape character type of this zone.*

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<sup>10</sup> *Site Specific Landscape and Visual Assessment*, produced by Leithgoe (Urban & Landscape Planners and Landscape Architects).



5.49 The Planning Department's Case Officer's report of April 2008 (refer to footnote 7) determined this proposal constitutes "a significant environmental and visual improvement compared to the existing situation and, as such, would be in accordance with the requirements referred to under Island Plan Policy C5 (Green Zone) to justify an exception to the presumption against development in the Green Zone vis-a-vis redevelopment of existing commercial buildings. The recommended reduction in the scale / extent of development would result in a (total) 45% reduction in built floorspace area compared to existing."

5.50 His report went on to confirm "The resultant floorspace area would be 57,758sq.ft, which equates to 55% of the existing built floorspace (i.e. 45% reduction). Within the context of Policy C5, this is a 'significant' reduction."

The Planning Case Officer concluded that "It is considered preferable in planning terms to 'move' any replacement development further away from the headland. Whilst this results in encroachment into the playing fields area (albeit within the same planning unit), it is considered reasonably justified, as a suitable exception to policy, on the basis of the wider environmental gain; indeed the whole rationale under C5 for allowing redevelopment of commercial buildings in this zone is to secure an environmental gain." In view of these and other material considerations in April 2008 the Planning Case Officer recommended this proposal for 30 houses should be approved.

5.51 The proposal would produce immediate substantial environmental gains through demolition of the extant holiday village which is recognised to be a significant eye-sore in one of Jersey's most highly valued landscape areas, and significantly increases the amount of natural landscape within the site. The design proposal demonstrates respect for the objectives of the policy.

5.52 **Summary of effects on the Green Zone:**

Significance of effects:	Very High
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Certain

## **Effects on Landscape and Visual Environment**

### **Effects on Topography and landscape**

5.53 The Landscape and Visual Assessment (refer to footnote 9) examines the potential impact of the proposal and compares it with the existing holiday village complex. The existing holiday village complex can be seen from Les Landes (1.5km to the west) and Sorel Point (4.8km to the east), although the general visual boundary may be described as comprising an arc of some 3km in length extending to approximately 1km inland. The holiday village buildings are recognised to be a significant eyesore in an otherwise highly valued landscape and their removal is recognised to be a desirable objective<sup>11</sup>.

5.54 The existing holiday village is located in the visually most prominent part of the site overlooking the cliffs, between 67m and 75m above mean sea level and some 12m from the closest section of the coastal path. The overriding impression of the existing buildings is of their mass, by virtue of their scale, height (rising to three stories high) and design (flat roofed, factory-type buildings), quite apart from incongruous colour.

5.55 The proposed housing development has sought to counter this effect of mass through careful consideration of layout, height and design, such that the overall development area (gross

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<sup>11</sup> Stated in a number of consultation responses variously from States of Jersey, the National Trust for Jersey, La Société Jersiaise, Save Jersey's Heritage, Council for the Protection of Jersey's Heritage and Jersey Heritage Trust during the period 2006-2008.

building footprint and hardstandings) is reduced by 72% (24,558m<sup>2</sup> reduced to 6,847m<sup>2</sup>) and the average height of buildings within the south-east cluster will be some 3.3m lower than the existing central amenity block within the extant complex. Furthermore, the proposed new dwellings are of traditional Jersey design, grouped into two principal clusters, and are conceived as traditional 'hamlets' echoing groups of dwellings elsewhere in the St. Ouen countryside.

5.56 The proposed landscaping of the site (refer to Landscape Masterplan by Michael Felton Ltd Drawing No. 1456/201/P1) has also sought to reduce any visual impact, through appropriate restoration of the landscape character of the site disfigured by the holiday village complex and integration of the housing clusters with adjoining areas. It is proposed to restore and enhance the existing network of hedgebanks and banques as well as provide new buffer planting to effectively aid the transition with adjacent semi-natural habitats, create new areas of grassland<sup>12</sup> and enhance existing grassland areas on former agricultural land through appropriate management, create two wetland areas and clearly define the extent of the domestic curtilage. The setting for the new proposal is one that responds to coastal influences rather than to the dominant land use patterns of the interior.

5.57 There is currently no public access to the development site land. The proposal includes reverting 0.93ha (19% of the site) to Publicly Accessible open land, returning 2.33ha (48% of the site) to open nature conservation land as well as the provision of footpaths through the site linking to the coastal path. The proposals are considered to provide a significant visual and amenity improvement to this part of the Island's north coast.

5.58 **Summary of effects on local topography and landscape:**

Significance of effects:	Very High
Nature of effects:	Direct, Indirect, Irreversible
Confidence in assessment:	Certain

**Effects of artificial lighting**

5.59 Excessive, poorly designed and badly aimed lighting is known to have adverse effects, particularly in countryside areas where skyglow can shut out the splendour of the night sky, excessively bright lights can cause dazzle with safety implications for motorists and pedestrians and impinge directly on neighbouring properties, destroying the sense of privacy. Furthermore, there is a subtle, cumulative effect on the character of rural landscapes, blurring the distinction between urban and rural areas (ERM *et al.*, 1997).

5.60 When the holiday village was operational the complex was illuminated by external floodlighting with high light-spill producing considerable light pollution. Additionally, there was no control over use of internal room lighting which would exacerbate light pollution levels. The existing holiday village buildings are calculated to have an approximate 48% glazed external envelope. The design scheme for 30 houses has been calculated to have a 10.58% glazed external envelope, equivalent to a 80% reduction in possible maximum light spill below that produced by the holiday village buildings. Further, residents of the houses would be expected to exert higher control over light spill through drawing curtains over windows during dusk which is less likely to have been undertaken by holiday makers within the holiday village. Low intensity background illumination placed at low level at intervals within the courtyards is proposed as part of the design scheme to ensure safety of movement and the security of properties. This will be designed to minimise the effect of skyglow. No road lighting is proposed. The proposed minimal lighting provision is considered to have appropriate regard for Policy G20.

5.61 **Summary of effects from artificial lighting:**

Significance of effects:	Minor
Nature of effects:	Direct, Indirect, Reversible in part

<sup>12</sup> Seeded with a coastal grassland mixture, the specification to be agreed with the States of Jersey Environment Dept.

Confidence in assessment: Certain

### Effects on Traffic, Transport and Access

- 5.62 The Transport Assessment<sup>13</sup> examines the likely traffic generation of the proposed development and its impact on the local road network. In August 1999 the Plémont holiday village and Plémont Bay beach traffic together generated 25 two-way movements during the morning peak (0800-0900 hours) and 97 two-way movements during the evening peak (1700-1800 hours).
- 5.63 Trip generation from residential developments are recognised to generally follow a pattern with the greatest flows during morning and evening peak hours. It is anticipated the proposal for the development of 30 dwellings will generate 30 two-way movements during the morning peak and 24 two-way movements during the evening peak. A reduction in commercial vehicle movements compared to that generated by the holiday village would also be expected due to the absence of food and drink deliveries, coach movements and fewer refuse collections. These traffic volumes are identified as low and it is considered the proposal will not result in any significant adverse impact on the existing road network.
- 5.64 The proposed residential development is not expected to have a severe effect on traffic on La Route de Plémont. The greatest amount of traffic is predicted to be 86 two-way movements (comprising traffic generated by both the proposal site and from Plémont Beach) between 1700 and 1800 hours during August. It is therefore predicted that the traffic flows from the proposal will not vary significantly from the flows previously recorded during peak periods.
- 5.65 The States of Jersey Technical Guide identifies there is a requirement for the road to be 5m wide with a 1.3m footpath. Even in the worst case scenario (a 99 vehicle two-way flow from the self-catering complex and Plémont Beach) each vehicle along the single-track road could expect to meet three cars or less coming in the opposite direction. The assessment identifies that vehicles would be able to travel safely along La Route de Plémont, taking into account flows, road width and three existing passing places. Widening of the road would result in considerable damage to walls, hedgerows and banques and would conflict with Island Policy C10. A scheme with minimal environmental consequences is the preferred option.
- 5.66 It is likely that many of the vehicle trips from the proposed development will be going to St. Helier for recreation, shopping and other purpose. Due to the various routes available the impact of traffic generated on such routes would be dissipated, with traffic entering St. Helier dispersed and therefore unlikely to add to congestion problems. Average trip lengths from the proposal site will be comparable with other residential developments within St. Ouen. An existing bus service additionally offers an alternative to the car for some trips from the proposal site to St. Helier.
- 5.67 The use of construction vehicles during the construction phase of the proposed development is assessed not to have an adverse impact on the surrounding road network. The proposed development when occupied will not cause a major increase in peak hour trips through the local road network. Generated traffic volumes are low both during peak hours and throughout the day. The proposed development is considered acceptable in terms of its transport impact upon the existing infrastructure.

5.68 **Summary of effects on local roads and transport:**

Significance of effects:	None
Nature of Effects:	(not applicable)
Confidence in assessment:	Certain

<sup>13</sup> The evaluation is taken from the Parsons Brinckerhoff Transport Assessment (May 2009) which accompanies this planning application.

## **Effects of Noise and Vibration**

### **Effects of demolition and construction**

5.69 It has previously been identified within this chapter (paragraphs 5.16 – 5.18) there is a high potential for impacts on Atlantic puffins and other seabirds arising from noise and vibration caused by activities during the demolition and construction phases. Without any mitigation action there is certainty of a Major impact on these species during demolitions although it is probable there would only be a Minor impact on these species during construction, particularly during the breeding season between April - August. There is also potential for noise to impact on neighbouring residential properties. Greatest noise levels are anticipated to be generated during demolition of the existing buildings with only low noise levels anticipated during construction of the dwellings.

5.70 **Summary of effects from noise during demolition on seabirds:**

Significance of effects:	Major (Significant)
Nature of effects:	Direct, Reversible
Confidence in assessment:	Certain

5.71 **Summary of effects from noise during construction on seabirds:**

Significance of effects:	Minor
Nature of effects:	Direct, Reversible
Confidence in assessment:	Probable

5.72 **Summary of effects from noise during demolition and construction on neighbouring properties:**

Significance of effects:	Moderate (Substantial)
Nature of effects:	Direct, Reversible
Confidence in assessment:	Certain

### **Effects during Operational Phase**

5.73 Replacement of the existing poorly insulated, leaky, structures with highly insulated and sealed modern buildings will reduce the potential for noise disturbance emanating from internal activities. No perceivable noise disturbance from external activities within the site is expected.

5.74 **Summary of effects from noise during operational phase:**

Significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Probable

## **Effects on Water Resources**

### **Effects of foul drainage**

5.75 Foul drainage generated by the proposed residential development would go to the existing States of Jersey pumping station (known as 'Pontin's Pumping Station') located on the western periphery of the proposal site. The pumping station met the requirements of the holiday village

when operational and has capacity well-exceeding requirements for the housing proposal<sup>14</sup>. It would be treated by the State's central network and to the Island's standard. No risk of local discharge or contamination is envisaged.

**5.76 Summary of effects on drainage:**

Significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Certain

**Effects on surface water**

5.77 Issues relative to the risk of accidental pollution during demolition and construction works is addressed through development and implementation of the outline Construction Environmental Management Plan (BDK Architects, May 2009) in support of this application and in compliance with the Waste Management (Jersey) Law 2005 and Planning Advice Note No.2.

5.78 Within the proposed residential development surface water from all roofs, roads, footpaths and hard-standings (irrespective of area) would be routed through new fuel interceptors and silt traps to two consecutive vertical flow reedbed filter ponds located to the southern site peripheries, in order to reduce the concentration of 'grey water' to an acceptable level.

**5.79 Summary of effects on surface water:**

Significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Certain

**Effects on groundwater**

5.80 There are no streams, watercourses or known boreholes within the proposal site. No impacts are predicted during demolition, construction or operational phases of the development. An existing well is to be removed.

**5.81 Summary of effects on groundwater:**

Significance of effects:	None
Nature of effects:	(not applicable)
Confidence in assessment:	Certain

**Effects on Ground Contamination**

5.82 Before any demolition works commence on site the supporting Site Contamination Report<sup>15</sup> recommends a Phase II intrusive site investigation is undertaken in accordance with PAN 2 to determine the extent of any site remediation that is required, followed by implementation of this remediation at start of the demolition phase. No impacts are predicted during demolition, construction or operational phases of the development.

**5.83 Summary of effects on ground contamination:**

Significance of effects:	None
Nature of effects:	(not applicable)

<sup>14</sup> This was confirmed in an SoJ internal letter (reference SJF/CR/6/32, of 15<sup>th</sup> October 2008) from the Waste Management Section of the Transport and Technical Services Dept. to the Environment and Planning Department.

<sup>15</sup> Refer to Site Contamination Report (Strata Surveys, 2008) for full details of the site investigation regime.

Confidence in assessment: Certain

### Effects on Archaeology

5.84 Construction of the dwellings is proposed within existing developed areas of the site as well as areas of grassland previously used as playing fields. There is unlikely to be any surviving archaeological remains over that part of the site occupied by the footprint of the existing holiday village complex and associated hardstandings. The German WWII defence structures within the site are unaffected by the proposal and will be preserved in-situ. Construction of the houses and associated works together with landscaping may affect a known archaeological site comprising a prehistoric flint tool manufacture site (within Fields 44, 45 and 47) and possibly below ground remains of a 17<sup>th</sup> century beacon and turf hut (within Field 50 - the existing eastern car parking).

5.85 **Summary of effects on archaeology:**

Significance of effects:	Minor
Nature of effects:	Direct, Irreversible
Confidence in assessment:	Probable

## 6.0 MITIGATED ENVIRONMENTAL DESIGN

### Introduction

- 6.1 The nature and potential effects of the proposal on the identified features, habitats, species, environment and physical characteristics of the *Core* and *Extended Survey Areas* have been considered in Section 5 of this report. The assessment process has enabled a refinement of the scheme design through the identification of mitigation measures that aim to avoid, reduce or remedy potential adverse effects.
- 6.2 The objectives of the design proposals are:
- i). To mitigate against any identified likely adverse effect upon ecological features of interest, or the environment and physical characteristics of the proposal site (*Core Survey Area*).
  - ii). To enhance the management condition of further areas within the proposal site.
  - iii). To mitigate against any likely additional adverse effect upon ecological features of Jersey or European interest, or the environment and physical characteristics of the *Extended Survey Area*.
- 6.3 The implementation of the mitigation proposals should result in the following outcomes:
- a). No adverse effect on the integrity of habitats or species of Jersey or European interest.
  - b). Habitats and species of Jersey or European interest maintained at *favourable conservation status*.
  - c). No adverse effect on the environmental and physical characteristics associated with the proposal site.
- 6.4 The duration of effects, including recreatability, further to mitigation are given below. It should be recognised, however, that in some instances a degree of uncertainty is inevitable in predicting outcome.
- Short Term:* Effects (0-5 years) will only be achieved by the retention of existing features of wildlife significance, or by advance nature conservation or environmental design and management to encourage re-establishment of features and species.
- Medium Term:* Effects would be those continuing five to fifteen years after the commencement of the proposal.
- Long Term:* Effects would be those remaining fifteen years after commencement of the proposal.
- 6.5 The approach accords fully with UK environmental assessment guidance (DCLG, 2006). The time-scales given accord with the UK Government's position on sustainable development (DoE, 1990), which suggests that 25 years (a human generation span) is an appropriate time scale within which to judge environmental sustainability.

## Mitigation proposals in respect of Biodiversity and Nature Conservation

### Habitats and flora

#### **Core Survey Area**

- 6.6 The ecological and landscape design proposals for the development site offer the opportunity for enhanced habitat conditions, integrating restored and new landscape and ecological features with those of the adjoining countryside. Provision of the reedbed system will particularly contribute to this enhanced habitat. (refer to Michael Felton Ltd. Landscape proposals).

6.7 **Duration of effects further to mitigation proposals:**

Habitats and flora: Short Term and Long Term

#### **Extended Survey Area**

- 6.8 Proposals for the *Core Survey Area* are identified not to impinge on valued habitats and plant species of the *Extended Survey Area* and would thus be unaffected by the development. Ownership of the proposal site does not accord any position of influence in the future management or ecological enhancement of those valued habitats and species of the *Extended Survey Area* not within the same control.

6.9 **Duration of effects further to mitigation proposals:**

Habitats and flora: Short Term and Long Term

### Birds

#### **Core Survey Area**

- 6.10 The proposal site was identified to support only a limited diversity of essentially common and widespread bird species, with breeding species primarily associated with peripheral habitats. The development offers the prospect of localised habitat enhancement of potential benefit to bird species.

6.11 **Duration of effects further to mitigation proposals:**

Birds: Short Term and Long Term

#### **Extended Survey Area**

- 6.12 The *Extended Survey Area* is recognised to support an important assemblage of coastal breeding bird species. The proposal itself is not considered likely to have any direct effect on that valued assemblage.

#### **Demolition and construction**

- 6.13 To avoid potential impact to seabirds breeding at the Plémont cliffs from noise and vibration it is proposed that demolition of the extant holiday village buildings and structures and construction of foundations associated with the proposed housing development should be undertaken between September and March (ie. outside of the seabird breeding season April to August). Further, during the construction phase noise levels will be limited through use of effective noise dampeners to all plant and machinery. These proposed measures are considered satisfactory mitigation to counter potential impacts (Pollock & Barton, 2007; Young, 2008; Freeman, 2008<sup>16</sup>) and are incorporated into the *Demolition and Construction Site Waste Management Plan* (SWMP) and outline *Construction Environmental Management Plan* (CEMP) produced by BDk Architects which accompany this application.

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<sup>16</sup> SoJ internal review of report by G. Young (2008) by SoJ Ecologist M. Freeman, dated 10 March 2008.



6.14 **Duration of effects further to mitigation proposals:**

Breeding seabirds: Short Term

**Human disturbance**

6.15 A number of potential human disturbance issues have been identified (refer to paragraphs 5.19-5.23). It is considered unlikely that past or existing land-based recreational activities have been a source of disturbance relative to breeding seabird success (Hughes, 2006; Young, 2008). The holiday village whilst in use catered for a maximum of 488 guests plus 60 staff. In contrast, the proposed residential development is for a total of 30 dwellings with a maximum of 199 residents, set considerably further back from the sensitive cliff margin than the extant holiday village. This is identified as a significant reduction in potential threat. The proposal is considered unlikely to result in an increase in the levels and threats of land-based disturbance. Increasing sea-based recreational and current commercial activities are considered likely to be a greater source of potential disturbance. As such, no specific mitigation measures are proposed relative to the proposal site. However, fencing set-back from the cliffs, which is proposed as a mitigation measure to counter the potential impacts to breeding seabirds from cats (refer below), would also mitigate against impacts from any future potential increase in land-based recreational activities by restricting access to sensitive areas.

6.16 **Duration of effects further to mitigation proposals:**

Breeding seabirds: Short Term and Long Term

**Rats**

6.17 Brown rats are found Island-wide and were identified in quantity during the present study within disused holiday village buildings and widespread in surrounding hedgebanks and banques, all in close or relative proximity to the seabird breeding cliffs. It has been suggested that the decline in Jersey's puffin numbers may be attributed, at least in part, to predation by brown rats (Hughes, 2006; Pollock & Barton, 2007; Young, 2008). Concern has been expressed that the mass eviction of brown rats into the local countryside consequent to demolition of the holiday village buildings may exacerbate an existing problem.

6.18 By way of mitigation it is proposed that a sustained programme of eradication is conducted within the proposal site (*the Core Survey Area*), both prior to the start of demolition and on-going through to completion of the proposed development. This approach has previously been considered satisfactory by the SoJ (source: refer to footnote 17). It will be necessary to design an eradication scheme which recognises the need to prevent impact to non-target species (ie. through bait station design and rat carcasses regularly collected) and deployment of second generation anti-coagulant poison (ie. Difenacoum) in order to minimise the risk to non-target species. Use of traps and exclusion fencing are further measures that could be deployed to ensure success. Protocols for successful control of rats are available and the mitigation will be professionally monitored to ensure effectiveness<sup>17</sup>. This is considered to be the only realistic scale of brown rat management that can be considered to mitigate against the mass eviction scenario. In addition, the design scheme, in particular the drainage system, will need to incorporate traps to prevent rats spreading into the development.

6.19 It should be recognised that these measures can only address the immediate brown rat problem of the proposal site. However, the control of brown rats in adjoining States of Jersey, Parish of St. Ouen or privately owned land is outside the immediate sphere of influence of the proposal site. To ensure the future safeguard of breeding seabirds from predation by brown rats would require a significantly more ambitious eradication scheme than that proposed for the holiday village site and on land over which the developer has no legal control or able to exert influence.

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<sup>17</sup> Refer to Construction Environmental Management Plan for full details of the management regime

6.20 **Duration of effects further to mitigation proposals:**

Breeding seabirds: Short Term and Long Term

**Cats**

6.21 Domestic and feral cats have also been identified as potential puffin predators. No cats were thought to be resident within the proposal site and only a single domestic cat was seen in the vicinity of the SoJ car park at the time of the study. It is considered likely that cats were resident when the holiday village was operational, which in turn could potentially have predated breeding seabirds on the Plémont cliffs. The presence of some 150 existing dwellings in proximity to the cliffs and within the roaming range of cats (including dwellings at Portinfer and the West View Farm development) could also have contributed a further source of cat predation over a long period.

6.22 Secure fencing has been found to be the most efficacious means of excluding cats from sensitive seabird colonies in many parts of the world (Young, 2008). The Plémont headland and adjoining cliff areas could be considered for permanent exclusion. However, such a measure would most likely be unpopular with certain recreational interests as well as for landscape considerations.

6.23 The proposal is for the construction of dwellings for freehold tenure. It is probably unrealistic (and probably unenforceable) to consider a ban on cat ownership by the residents of the development. However, even if it were considered feasible and enforceable such a mitigation measure may well be ineffective as it would not prevent domestic or feral cats from outside of the proposal site from roaming and potentially continuing to predate seabirds. In other words, to be effective such a measure would need to be policed over a very large area and on land predominantly outside of the legal control of the developer. The trapping and removal of all cats and the repatriation of household cats found in the vicinity of the seabird cliffs would be a permanent undertaking and would likely be unpopular.

6.24 **Duration of effects further to mitigation proposals:**

Breeding seabirds: Short Term and Long Term

**Bats**

6.25 A single *Pipistrellus pipistrellus* bat was detected at emergence time, indicating a potential roost location within surrounding buildings. A single bat of the same species was detected from a sheltered coastal section in proximity to the café at Plémont Bay. Bats of the same species were detected along the road between Plémont and La Grève de Lecq, preferentially associated with dwellings, treed hedgerows and under continuous tree cover. The proposal site was identified to be of only low conservation significance for bats by virtue of the exposed position of the site, lack of habitat features providing suitable foraging areas and sheltered flight lines and the buildings offering few suitable roost sites.

6.26 The timing of demolition of existing site buildings may coincide with the breeding season as no evidence of a breeding roost has been identified. The demolition process should adhere to the Island's good practice guidelines in relation to bats (SoJ, 2002c).

6.27 The ecological and landscape enhancement scheme offers, over time, some prospect for improved sheltered habitats for foraging, extended flight lines and greater integration into the surrounding countryside. The proposal could also offer the potential for bat roost provision in the new dwellings.

6.28 **Duration of effects further to mitigation proposals:**

Bats species: Short Term and Long Term

### **Reptiles and Amphibians**

- 6.29 Single individuals of green lizard and common toad were identified during the 2006 study with the former species also reported in 2008. The species are considered unlikely to be at risk during the demolition and construction phases, although it will be necessary to ensure that Island law is not infringed with regard to possible disturbance or damage to the species or their breeding sites. A study into the status of protected species within the proposal site has been commissioned and is to report during summer 2009. Necessary protection and mitigation measures will be proposed, as appropriate, in accordance with Island law. The proposed design scheme is considered to provide potential enhanced habitat conditions for reptile and amphibian species
- 6.30 The potential for predation of species by brown rats and domestic and feral cats has been identified. The brown rat control measures proposed for the *Core Survey Area* are considered likely to enhance the survival possibilities of these species.
- 6.31 **Duration of effects further to mitigation proposals:**
- Reptiles and Amphibians:            Short Term and Long Term

### **Invertebrates**

#### **Butterflies**

- 6.32 A small diversity of essentially common and widespread butterfly species were identified from the proposal site. Their diversity is considered restricted by the current availability of larval food plants, nectar sources and habitat niches. The proposed ecological and landscape design scheme is considered to provide enhanced habitat conditions.
- Formica pratensis***
- 6.33 The single nest site was identified from the *Extended Survey Area*, from a location outside of the immediate sphere of influence of the proposal site. The proposed ecological and landscape design scheme has the potential to provide enhanced habitat conditions which may favour the spread of this species.
- 6.34 **Duration of effects further to mitigation proposals:**
- Butterflies and *Formica pratensis*:            Short Term and Long Term

## **Mitigation proposals in respect of Planning Policy and Land Use**

### **Countryside Planning Zones**

#### **Zone of Outstanding Character**

- 6.35 The site lies outside the Zone of Outstanding Character but is visible, in part, from it. The redevelopment proposal demonstrates a respect for the objectives of the policy. The redevelopment of the existing facilities will produce an immediate substantial environmental benefit and significant contribution to the character of the wider area.
- 6.36 **Duration of effects further to mitigation proposals:**
- Zone of Outstanding Character:            Short Term and Long Term

#### **Green Zone**

- 6.37 The redevelopment proposal demonstrates a respect for the objectives of the policy. The redevelopment of the existing facilities will produce an immediate substantial environmental benefit. The new landscape proposals will further integrate the redeveloped buildings into their

surroundings and produce a substantial environmental benefit and significant contribution to the character of the immediate and wider area.

**6.38 Duration of effects further to mitigation proposals:**

Green Zone: Short Term and Long Term

**Mitigation proposals in respect of Landscape and Visual Environment**

**Topography and landscape**

6.39 The redevelopment proposal will produce immediate substantial landscape gains through demolition of the derelict holiday village which is recognised to be a significant eye-sore in a highly valued landscape area. The proposal re-uses an existing developed brown-field site in support of Policy G1 (*Sustainable development*), for which there is an extant planning consent for use as holiday accommodation. The proposed design scheme would provide a significant reduction in the scale, mass and extent of buildings, would substantially reduce the visual impact currently experienced and significantly enhance the overall countryside character and amenity of the area, in compliance with Policy C2 (*Countryside Character*), Policy C5 (*Green Zone*), Policy G2 (*General development considerations*) and Policy G15 (*Replacement buildings*).

6.40 The proposed landscape design scheme seeks to integrate the new landscape with adjoining areas of coastal scrub and grassland as well as retain existing historic field boundary features<sup>18</sup>, in compliance with Policy C10 (*Walls, Fosses, Banques and Hedgerows*).

**6.41 Duration of effects further to mitigation proposals:**

Topography and landscape: Short Term and Long Term

**Artificial lighting**

6.42 The location and type of lighting for the redevelopment proposal will be designed to minimise sky glow, glare and light-spill.

**6.43 Duration of effects further to mitigation proposals:**

Artificial lighting: Short Term and Long Term

**Mitigation proposals in respect of Traffic, Transport and Access**

6.44 Concern that the proposal would result in an increase in traffic generation and in an impact to the local road network in terms of safety and capacity is not borne out by the Transport Assessment accompanying the planning application. Incorporation of a passing place half way along the C105 site approach road, will avoid increasing the overall width of this stretch of road and consequent damage to the hedgebank. It is considered there are adequate passing places already existing along La Route de Plémont. No significant adverse impact on the highway network is identified and the proposal is considered acceptable.

**6.45 Duration of effects further to mitigation proposals:**

Roads and transport: Long Term

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<sup>18</sup> This will include retention of the hedgerow and roadside banque defining the western margin of La Rue de Plémont, part of an historical field pattern identified on the Richmond map of 1795.

## Mitigation proposals in respect of Noise and Vibration

### Demolition and Construction phase

6.46 Greatest noise generation is predicted during the demolition phase of the redevelopment proposal. To avoid potential impact to seabirds breeding at the Plémont cliffs from noise and vibration it is proposed that demolition of the extant holiday village buildings and structures and construction of foundations associated with the proposed residential development should be undertaken between September and March (ie. outside of the seabird breeding season April to August). During the construction phase noise levels will be limited through use of effective noise mufflers on all plant and machinery and use of electrical generators (instead of petrol/diesel) as well as informing neighbouring properties of the time and duration of noisy activities. These measures are considered satisfactory mitigation to counter potential impacts (Pollock & Barton, 2007; Young, 2008; Freeman, 2008<sup>19</sup>) and are incorporated into the *Demolition and Construction Site Waste Management Plan* (SWMP) and outline *Construction Environmental Management Plan* (CEMP) produced by BDK Architects accompanying this application.

6.47 **Duration of effects further to mitigation proposals:**

Breeding seabirds:	Short Term
Neighbouring properties:	Short Term

### Operational phase

6.48 Once occupied the new dwellings are not considered to produce noise over standard limits<sup>20</sup>.

6.49 **Duration of effects further to mitigation proposals:**

Noise:	Short Term and Long Term
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## Mitigation proposals in respect of Water Resources

### Foul drainage

6.50 Replacement of the existing drainage system with a modern flexible coupler system will reduce risk of leakage from underground drainage system. The supporting CEMP (refer to footnote 12) stipulates measures that will be taken to avoid any discharges or contamination during the demolition and construction phase of the project. No risk of discharge or contamination is identified during demolition, construction and operational phases of the redevelopment.

6.51 **Duration of effects further to mitigation proposals:**

Foul drainage:	Long Term
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### Surface water

6.52 Water quality during demolition, construction and operational phases of the redevelopment is assured.

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<sup>19</sup> SoJ internal review of report by G. Young (2008) by SoJ Ecologist M. Freeman, dated 10 March 2008.

<sup>20</sup> This position is supported by measures which include improved sound insulation from modern, tightly sealed external walls and roofs when compared with the un-insulated building fabric of the existing holiday village.

6.53 **Duration of effects further to mitigation proposals:**

Surface water: Long Term

**Groundwater**

6.54 No impacts are predicted during demolition, construction or operational phases of the redevelopment.

6.55 **Duration of effects further to mitigation proposals:**

Groundwater: Long Term

**Mitigation proposals in respect of Ground Contamination**

6.56 Work will be undertaken to remove Asbestos from within the existing buildings and remove any other contamination found from an historic oil leak, oil distribution pipes within the site, an existing electrical sub-station within the site and old sewage tanks<sup>21</sup>, all of which can be successfully remediated during the re-development phase.

6.57 **Duration of effects further to mitigation proposals:**

Contamination: Short Term and Long Term

**Mitigation proposals in respect of Archaeology**

6.58 German WWII structures within the site will be retained with later additions such as the water tanks and accretions attached to the split-level artillery observation post being removed and the original WWII structures refurbished in consultation with Channel Islands Occupation Society. Prior to construction works commencing in Fields 44, 45 and 47 and the eastern car park, archaeological trenching evaluation will be undertaken to evaluate and define the presence and nature of any extant archaeology within the site.

6.59 **Duration of effects further to mitigation proposals:**

Archaeology: Long Term

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<sup>21</sup> Refer to Site Contamination Report (Strata Surveys, 2008) for full details of the remediation regime.

## 7.0 RESIDUAL ENVIRONMENTAL EFFECTS

### Introduction

- 7.1 The residual effects on the range of identified features, habitats, species, environment and physical characteristics, subsequent to the fully mitigated redevelopment proposals, are considered in this chapter. It should be recognised that in some instances a degree of uncertainty in predicting outcome is inevitable.

The following terminology of 'Residual Effects' further to mitigation measures, which would avoid or reduce those identified effects, has been adopted:

*None:* There would be no or negligible residual effects.

*Minor:* Residual effects would be small or restricted.

*Moderate:* Residual effects would be generally noticeable and substantial.

*Major:* Residual effects would be very conspicuous and significant.

*Very High:* Residual effects would be dramatic.

### Residual effects on Biodiversity and Nature Conservation

#### Habitats and flora

##### **Core Survey Area**

- 7.2 The fully mitigated landscape and ecological design proposals for the development are identified to provide enhanced habitat conditions, contributing to the overall ecology of the area.

7.3 **Residual Effect:**

Habitats and flora: Major (Significant), Positive

##### **Extended Survey Area**

- 7.4 The redevelopment proposals are identified not to impact on the habitats and flora of the *Extended Survey Area*. The fully mitigated landscape and ecological design proposals seek to integrate restored ecological features with those of the adjoining countryside.

7.5 **Residual Effect:**

Habitats and flora: Moderate (Substantial), Positive

#### Birds

##### **Core Survey Area**

- 7.6 The redevelopment proposal and fully mitigated landscape and ecological design proposals are identified to provide enhanced habitat conditions of potential value to birds.

7.7 **Residual Effect:**

Birds: Moderate (Substantial), Positive

**Extended Survey Area**

- 7.8 The redevelopment proposal is not considered to have any direct effect on the valued assemblage of breeding seabirds.

**Demolition and construction**

- 7.9 Demolition of the existing holiday village outside of the seabird breeding period would result in no impact from noise and vibration. During construction of the housing development noise and vibration would be limited through effective management of plant, machinery and the site. Appropriate procedures are detailed in the outline *Construction Environmental Management Plan* which accompanies the application. It is considered that with these measures in place it is extremely unlikely there would be any impact on the puffins or other breeding seabirds populations.

7.10 **Residual Effect:**

Breeding seabirds:                      None

**Human disturbance**

- 7.11 Sea-based recreational and commercial activity in proximity to the cliffs during the seabird breeding season is considered a potential source of disturbance. The need to address this issue is outside of the scope of this EIS. Past and current land-based recreational activities are not identified to be a source of disturbance to breeding seabirds. The proposal is not considered likely to result in an increase in levels and threats of disturbance. However, even adopting the precautionary principal, there are no specific measures that can be put in place directly as part of the development to off-set any potential increase in human disturbance, given the location of the cliffs in relation to the proposal site, the nature of adjoining ownerships and public access to the North Coast Footpath and surrounding lands. Exclusion fencing, which is proposed to ensure no land-based human disturbance or potential cat predation, would only be effective if set-back from the cliffs. This would be most appropriately considered as part of a concerted strategy for the conservation of the puffins and other seabirds and further to extensive consultation and debate.

7.12 **Residual Effect:**

Breeding seabirds:                      None

**Rats**

- 7.13 The potential for predation of the puffin population by brown rats is considered likely to have been a long-term issue, regardless of the history of developments and land use at Plémont. The Ecological Statement (Hughes, 2009) has identified that demolition of the existing holiday village buildings would result in the mass-eviction of brown rats into the local countryside with the potential for increased predation of puffins. A scheme for the eradication of brown rats within the development site is proposed during the demolition and construction phases. However, it is recognised that brown rats within the *Extended Survey Area* and elsewhere would continue to have access to the cliffs and potentially continue to predate the puffin colonies. The eradication of brown rats in the wider countryside, outside of the development site, is not a matter that can be specifically addressed by the developer given the pattern of land ownership. Rather it is an issue that can only be addressed as part of a concerted strategy for the conservation of the puffins and other seabirds.

7.14 **Residual Effect:**

Breeding seabirds:                      None

**Cats**

- 7.15 Possible predation of puffins by domestic and feral cats is identified, although at the time of the study no cats were thought to be currently resident at the holiday village site. However, given



the number of existing dwellings situated within the roaming range of cats in relation to the cliffs, there is the potential for a considerable number of cats in the general locality. An outright ban on cat ownership at the proposal site is considered unrealistic and unenforceable. Total exclusion of cats from the seabird cliffs through erection of appropriate fencing is, however, the only sure means of preventing predation. For reasons previously identified this could only be considered as part of a concerted strategy for the conservation of the puffins and other seabirds and further to extensive consultation and debate.

7.16 **Residual Effect:**

Breeding seabirds: None

7.17 The issue of Atlantic puffin and other breeding seabird conservation is complex and requires a collective initiative. Such an initiative has recently been put in place.

**Bats**

7.18 The overall design scheme for the proposal and its setting offers the potential for considerably enhanced habitat conditions for bats.

7.19 **Residual Effect:**

Bats: Moderate (Substantial), Positive

**Reptiles and Amphibians**

7.20 The overall design scheme for the proposal and its setting offers the potential for enhanced habitat conditions for the species. The brown rat control measures proposed for the development site are considered to enhance the survival possibilities of the species.

7.21 **Residual Effect:**

Reptiles and Amphibians: Moderate (Substantial), Positive

**Invertebrates**

7.22 **Butterflies**

The proposed ecological and landscape design scheme is considered to provide enhanced habitat conditions for butterfly species at this location.

7.23 **Residual Effect:**

Butterflies: Moderate (Substantial), Positive

7.24 ***Formica pratensis***

The proposed ecological and landscape design scheme offers the potential for enhanced habitat conditions which may favour the spread of this species.

7.25 **Residual Effect:**

*Formica pratensis*: Minor, Positive

## **Residual Effects on Planning Policy and Land Use**

### **Countryside Planning Zones**

**7.26 Zone of Outstanding Character**

The proposal is assessed to have no residual impact on the planning zone.

**7.27 Residual Effect:**

Zone of Outstanding Character: None

**7.28 Green Zone**

The proposal is assessed to have an immediate substantial environmental benefit. In time the new landscape proposals will further integrate the redeveloped buildings into their surroundings.

**7.29 Residual Effect:**

Green Zone: Very High, Positive

## **Residual effects on Landscape and Visual Environment**

### **Topography and landscape**

**7.30** The redevelopment proposal will produce immediate substantial landscape benefits through demolition of the derelict holiday village, recognised to be a significant eye-sore in a highly valued landscape area. Proposed new landscaped public access and nature conservation land will greatly enhance the overall amenity of the area.

**7.31 Residual Effect:**

Topography and Landscape: Major (Significant), Positive

### **Artificial lighting**

**7.32** The lighting scheme for the proposal will be entirely local to the site, designed to minimise sky glow, glare and light-spill. No road lighting is proposed.

**7.33 Residual Effect:**

Artificial lighting: Minor, Positive

## **Residual effects on Traffic, Transport and Access**

**7.34** The redevelopment proposal is assessed not to have any significant adverse impact on the local highway network, as well as in combination with traffic generated at peak periods by visitors to Plémont Bay. Generated traffic volumes are predicted to be low both during peak hours and throughout the day. There would be a reduction in commercial vehicle movements over that experienced when the holiday village was operational.

**7.35 Residual Effect:**

Roads and transport: Minor, Positive

### **Residual effects from Noise and Vibration**

7.36 Only short term noise is predicted, primarily associated with the demolition phase of the project.

7.37 **Residual Effect:**

Noise: None

### **Residual effects on Water Resources**

7.38 **Foul drainage**

No risk of discharge or contamination is identified.

7.39 **Residual Effect:**

Foul drainage: None

7.40 **Surface water**

Water quality is assured.

7.41 **Residual Effect:**

Surface water: None

7.42 **Groundwater**

No impacts are predicted.

7.43 **Residual Effect:**

Ground water: None

### **Residual effects on Ground Contamination**

7.44 No impacts are predicted.

7.45 **Residual Effect:**

Ground Contamination: None

### **Residual effects on Archaeology**

7.46 Preservation of the German WWII structures coupled with removing later additions and site investigations into other extant archaeology on the site will enhance interpretation and understanding of the sites historic environment.

7.47 **Residual Effect:**

Archaeology: Minor, Positive

## 8.0 SUSTAINABILITY APPRAISAL

8.1 This chapter assesses the sustainability of the redevelopment proposals as a whole scheme (comprising economic, social & environmental effects) against continued use of the existing site and buildings for tourism / commercial purposes (the existing authorised use of the site) and also against the “do nothing” scenario.

8.2 Sustainable development is a pattern of resource use that aims to meet human needs while preserving the environment so that these needs can be met not only in the present, but in the indefinite future. The term was used by the Brundtland Commission who coined what has become the most often-quoted definition of sustainable development as development that “*meets the needs of the present without compromising the ability of future generations to meet their own needs*”. Sustainable development does not focus solely on environmental issues. The United Nations 2005 World Summit Outcome Document refers to the “*interdependent and mutually reinforcing pillars of sustainable development as economic development, social development, and environmental protection*”.

8.3 The requirements of the EU ‘Strategic Environmental Assessment Directive’ (SEA) and UK Government guidance sets out a five-stage approach to undertaking a Sustainability Appraisal (SA). This SA has been organised around a series of questions reflecting the requirements of the SEA Directive:

- What is the objective of the proposal?
- What is the policy context?
- What are the key sustainability objectives we need to consider?
- What is the situation now? (including any existing problems)
- What will be the situation without this development? (the “do-nothing” scenario)
- What will be the situation with the development?
- Sustainability Appraisal Conclusion

8.4 These questions correspond to the key requirements of the SEA Directive, as set out in Annex I to the Directive. It should be noted that this question-based approach to undertaking SA is significantly different from standard approaches to SA. However, we have followed this approach because this assists in making the appraisal more engaging and accessible than the standard approach that tends to be dominated by matrices. The same approach has been adopted in the UK to prepare SAs for Regional and Local Plans and major new town developments.

8.5 Environmental effects of the scheme (encompassing Biodiversity, Nature Conservation, Environment and Planning Policy / Land Use) have been assessed in detail by preceding sections of this Environmental Statement. To avoid repetition the full content are referenced in this section by the outcome / effect followed by (in brackets) the relevant paragraph number/s. Similarly, separate supporting reports accompanying this Environmental Statement are referenced in this section by the outcome / effect followed by (in brackets) their subject title acronym (as listed below) and relevant paragraph number/s. These references are identified to be the principal outcomes from reports and are not exhaustive.

- |  |      |
|--|------|
| • BDK Design Statement (BDK Architects)                          | DS   |
| • Ecological Statement (Michel Hughes Associates)                | ES   |
| • Landscape and Visual Impact Assessment (Leithgoe)              | LV   |
| • Traffic, Access and Transport Assessment (Parsons Brinkerhoff) | TR   |
| • Ground Contamination (Strata Surveys)                          | GC   |
| • Site Waste Management Plan (BDK Architects)                    | SWMP |
| • Construction Environmental Management Plan (BDK Architects)    | CEMP |
| • Archaeological Assessment (MOLAS)                              | AA   |
| • Puffin and Seabird Report (Durrell Wildlife)                   | PS   |

### **What is the objective of the proposal?**

- 8.6 This proposal changes use of the existing site for tourism / commercial purposes (the existing authorised use of the site) to a residential development of 30 houses. This comprises dedicating 48.3% of the site (2.10ha or 11.66vergees) to nature conservation land, from the existing developed built footprint and hardstandings, plus 0.23ha (1.3 vergees) existing on the west side of La Petit Route de Plémont within this demise, allocating 19.3% of the site (0.93ha or 5.17 vergees) to publicly accessible open landscape on the southern side of the site, replacing the existing managers bungalow and staff cottage on the site with 2 no. four bedroom houses and constructing 15 no. three bedroom houses, 9 no. four bedroom houses and 4 no. five bedroom houses together with garden areas next to the houses, landscaping and access roads. The existing 1960s buildings totalling 9,660m<sup>2</sup> gross floor area with capacity to accommodate 488 guests plus 60 staff, designed for half / full board holiday accommodation, will be replaced with 5,506m<sup>2</sup> of domestic floorspace and garaging with capacity to accommodate 199 residents, designed for permanent residential accommodation.
- 8.7 The new buildings are grouped into three “clusters”. These comprise a “west cluster” containing 11 houses in the middle south of the site (generally over the footprint of the existing Staff bungalow, Brelade & Corbiere guest blocks and the north-western corner of Field 44 formerly comprising a small crazy golf course), a “south-east cluster” containing 16 houses in the bottom south-eastern corner of the site adjacent to the junction of the site’s access lane with La Route de Plémont (over the majority of Field 47 which is undeveloped and was formerly used for recreational purposes), and a “north-east cluster” containing 3 substantial houses on the far eastern side of the site (generally over the footprint of the existing Managers bungalow, part of the Main Amenity block and the southern part of both Staff blocks, with their gardens extending across most of the existing tarmac eastern car park). For more detail refer to paragraph 1.6 and also BDK Architects Design Statement accompanying the Planning Application containing the proposal Schedule of Accommodation).
- 8.8 The new housing is conceived as traditional ‘hamlets’ echoing groupings of dwellings elsewhere in St Ouens countryside. All of the houses are of the highest quality traditional Jersey design frequently found throughout the countryside nearby this site and further afield. Traditional ‘hamlets’ found within Jersey’s countryside are generally arranged around tight farmyard clusters or around road junctions. They are typically constructed in granite and/or rendered walls with pitched roofs covered in slate or pantiles. Generally they comprise groups of farmhouses, cottages and barns between two storey in height or two storey plus accommodation in roofs with dormers, enclosed by granite boundary walls and hedges.
- 8.9 These new buildings reflect existing pattern of development, tight clusters around road junctions, farmyard type courtyards, three and five bay farmhouses, barns converted to houses, granite and rendered walls and buildings. Boundaries are formed with granite/rendered walls, dry walling and planting.
- 8.10 The 30 houses will be constructed for sale on the open market in the middle to upper price brackets to Jersey residentially qualified purchasers. It is envisaged the Housing Department will issue consent for their sale as A-J Category houses, with possibly House nos. 16, 17, 18, 25, 26 & 30 being classified as A-K category. Under the Jersey Island Plan 2002 classification all the houses will be *Category B – Private Sector Housing* (Jersey Island Plan 2002 paragraphs. 8.14 – 8.19).

### **What is the policy context?**

- 8.11 The over-arching International policy context in relation to sustainable development, climate change and other relevant issues (paragraphs 4.2 - 4.10; 8.2 and 8.3) together with the context of Jersey legislative and policy considerations (paragraphs 4.11 - 4.42) have already been

- covered in earlier sections of this Environmental Statement. This section considers the Jersey policy context specifically relating to sustainable development relevant to the proposal.
- 8.12 The States of Jersey Strategic Plan 2006 – 2011 makes six commitments, including *Maintain a strong, successful and environmentally sustainable economy* (Commitment 1), *Promote a safe, just and equitable society* (Commitment 3), and *Maintain and enhance the natural and built environment* (Commitment 4).
- 8.13 In Commitment 1 an outcome identified to be achieved includes *Show the world that economic and environmental success can work together*, with an indicator required to be measured being the *Conservation and enhancement of biological diversity locally and contribution towards the conservation of global biodiversity where appropriate* (paragraph 3.39).
- 8.14 In Commitment 3 one of the primary objectives is to provide a good standard of affordable accommodation for all, indicated with other measures by increased levels of home ownership and a supply of homes that better meets the Island's housing requirements (paragraph 3.8).
- 8.15 In Commitment 4 the need to protect the Island's coast, countryside and natural habitats is identified as an issue, recognising that this needs to be achieved at the same time as maintaining a diverse, working countryside. An outcome identified to be achieved is that *Jersey's natural and built heritage is sympathetically managed* (paragraph 4.40).
- 8.16 The States of Jersey Draft Strategic Plan 2009 – 2014, approved by the Council of Ministers, was issued in early March 2009 for public consultation which finishes on the 21<sup>st</sup> May 2009. Dependant on public consultation responses it will then be reviewed, the final version will be approved by the Council of Ministers, and in early June 2009 will be debated by the States Assembly before formal adoption.
- 8.17 Principal sections of the Draft Strategic Plan 2009 – 2014 relevant to the sustainability of this proposal identify the need to achieve:
- 8.18 **Sustainable population levels**  
*"The challenge for Jersey is to maintain a working age population which will deliver sustainable growth in our economy to generate enough funds to deliver future public services without increasing the population to the extent that it threatens our environment, essential infrastructures and way of life. Sustainable population levels are a matter of great public concern and interest and this should be addressed as part of this Strategic Plan. Attached at Appendix A is a paper which explains why the Council of Ministers are considering proposing a population policy which sets maximum inward migration at a rolling 5 year average of 200 heads of household per annum (an overall increase of c.430 people per annum)."*
- 8.19 **A strong, sustainable and diverse economy**  
*"We will strive to create a strong, sustainable and diverse economy as this creates the means for people to live and improves both our standard of living and the quality of public services."*
- 8.20 **Protecting and enhancing our natural and built environment**  
*"We need to develop plans to consider the long-term sustainability of the Island's natural resources, safeguard the rural environment, avoid piecemeal development and include an active programme of regeneration and development of St Helier – including the Waterfront and Port area - as a quality living and working environment.*
- *Implement a range of measures to reduce waste, energy use, pollution and traffic*
  - *A sustainable internal transport & communications infrastructure that supports economic and social prosperity*
  - *Improve bus service and persuade people out of cars*
  - *Through Island Plan/planning process, ensure that the Island's natural beauty & environment is protected, whilst making inventive use of urban areas to cater for future business/housing needs and increasing the quality of built design."*

8.21 **Adequately house the population**

*"Develop sufficient housing appropriate to the needs of the population whilst protecting the environment.*

- *Identify sufficient appropriate development sites for housing in the Island Plan*
- *It is fundamental that Island residents should be housed adequately*
- *Changing demographics will put pressure on certain types of accommodation*
- *We must try to meet the aspirations of Islanders to own their own homes"*

8.22 The implications of these proposed Strategic Plan 2009 – 2014 objectives - to counteract an ageing population and current economic conditions by allowing net inward migration of 200 households per annum; to provide a sustainable economy; to protect and enhance our natural and built environment; and to adequately house the population by identifying sufficient housing sites including those for sale to owner occupiers - results with a need for 1,000 housing units per annum to be found from either "Brownfield sites" - such as Plémont - or "Windfall development" from built up areas outside town. It becomes evident from Table 1 in Appendix A of the Strategic Plan 2009 – 2014 to achieve the objective of maintaining a sustainable population level the balance of housing supply & demand will be finely balanced over the next five years even if 1,000 homes per annum are secured.

8.23 Jersey Island Plan 2002 contains key policies relating to sustainable development all of which are relevant to this proposal, particularly Policy G1 – Sustainable Development (paragraph 4.18); Policy G15 – Replacement Buildings (paragraph 4.25); Policy G16 – Demolition of Buildings (paragraph 4.26); and Policy C3 – Biodiversity (paragraph 4.29). The principal sustainability objectives of these policies can be summarised as follows:

- *Re-using already developed land;*
- *Conserving or enhancing the natural environment;*
- *Minimising impact on the Island environment;*
- *Enhancing the appearance of sites and their surroundings;*
- *Replacing buildings that are not appropriate to repair or refurbish;*
- *Avoiding unreasonable impact on neighbouring uses and the local environment by reason of visual intrusion or other amenity considerations;*
- *Removing existing buildings unsympathetic to the character and amenity of the area;*
- *Avoiding unacceptable impacts on Sites of Special Interest, Building of Local Interest or a Conservation Area;*
- *Avoiding unacceptable impact on the character and amenity of the area;*
- *Making adequate provision for the management of waste material arising from demolition; and*
- *Enhancing landscape character and stewardship to sustain and improve biodiversity.*

8.24 The State of Jersey Report 2005 documented the condition of Jersey's environment and identified twelve environmental perspectives as critical themes that must be addressed if the Island is to maintain its local environmental quality (paragraph 4.37). These are listed, together with principal response actions where they are related to the proposal:

1. *Climate change (key priority) – reducing emissions through energy efficiency and renewables.*
2. *Air Quality – improving air quality and reducing (key priority) transport related emissions.*
3. *Contribution to global biodiversity – complying with Jersey's international obligations through conserving and enhancing natural habitats.*
4. *Land Use – making optimum use of land whilst protecting the Island's natural beauty and countryside.*
5. *Contaminated Land – identifying and remediating contaminated land prior to development.*
6. *Freshwater quality and availability (key priority) – protecting, monitoring and conserving water resources.*
7. *Marine Water Quality – avoiding pollution and reducing effluent discharges impacts.*

8. *Waste management (key priority) – preventing and reducing waste through re-use and recycling.*
9. *Biodiversity of Jersey’s natural and semi-natural habitats – protecting and conserving habitats, species, special places and buildings.*
10. *Land Management regimes (key priority) – diversified land use ensuring protection of green land.*
11. *Conservation status of key biological populations – conserving and managing wildlife and habitats.*
12. *Islanders quality of life – maintain and develop a high quality environment with facilities meeting needs of a sustainable population.*

**What are the key sustainability objectives we need to consider?**

- 8.25 The Policy context outlined in paragraphs 8.11 – 8.24 identifies relevant sustainability objectives to inform this appraisal. Key sustainability objectives providing the basis for this SA of the proposals are (no priority should be inferred from the ordering):

**Economic & Social Objectives**

- a. *Economic sustainability and future economic stability and success.*
- b. *Contribution to the economic well-being of the community.*
- c. *Contribution to the social well-being of the community.*
- d. *Contribution to employment of the community.*
- e. *Provision of adequate housing for the population.*
- f. *Meet Islander’s aspirations to own their own homes.*

**Environmental Objectives**

- a. *Re-use of already developed “brownfield” land.*
- b. *Contributions to and the maintenance of biodiversity.*
- c. *The use of renewable and non-renewable resources.*
- d. *Reductions in emissions of greenhouse gases.*
- e. *Conservation of energy usage.*
- f. *Air quality impacts of the proposal.*
- g. *Noise impacts of the proposal.*
- h. *Traffic generated by the proposal.*
- i. *Waste generated by the proposal.*

**Landscape & Visual Objectives**

- a. *Making optimum use of land whilst protecting the Island’s natural beauty and countryside.*
- b. *Enhancement of the natural and built environment.*
- c. *Enhancement of the site’s and surrounding areas appearance.*
- d. *Removing existing buildings unsympathetic to character and amenity of area.*

**What is the situation now? (including any existing problems)**

- 8.26 Economic & Social Objectives
- The existing Holiday Village was closed as a going concern in September 2000 and apart from the Manager’s bungalow has been unoccupied over the last 8 years.
  - Earlier reports have shown the Holiday Village as currently configured is an obsolete type of tourism provision with no future economic viability.
  - The existing premises make no contribution to economic well-being of the community nor contribute towards future economic stability and success.
  - Over recent years the buildings have been subjected to vandalism detracting from the social well-being of the community.
  - There is no contribution to employment of the community.



#### 8.27 Environmental Objectives

- There has been development on this site since 1874 and the full extent of current developed “brownfield” land has been present for over 60 years since the 1940s. (paragraph 3.4; ES paragraph 3.4 and LV paragraph 3.1.2).
- The site supports only a relatively small diversity of habitats and species closely reflecting its historical use (paragraph 3.36 and ES paragraph 3.87).
- Brown rats have been identified to be widespread within the buildings on the site with potential detrimental impacts on the surrounding natural environment (paragraph 3.29 and ES paragraph 3.56).
- There is contamination of the site from asbestos within the existing buildings (CEMP paragraphs 3.6.1 and 3.6.2) and an historic oil spill (GC page 24 and Appendix 3).
- The Manager’s bungalow is heated with an oil fired boiler producing greenhouse gas emissions.

#### 8.28 Landscape and Visual Objectives

- It has been shown the existing buildings on the site seriously detract from and have negative impacts on the surrounding natural environment outside of the site boundaries (paragraphs 5.53 – 5.58 and LV paragraphs 3.8.1 – 3.10.4).
- Existing buildings comprise a massive blot seriously detracting from the adjacent landscape and are extremely unsympathetic to character of the area (paragraph 3.46 and LV paragraph 3.8.1).

### **What will be the situation without this development? (the “do-nothing” scenario)**

#### 8.29 Economic & Social Objectives

- Negative contribution towards economic diversity and neutral contribution towards future economic stability and success.
- Neutral contribution to economic well-being of the community.
- Negative contribution to social well-being of the community from continued dilapidation and vandalism of the existing buildings leading towards dereliction.
- No contribution to employment of the community.
- No contribution to provision of adequate housing for the community.

#### 8.30 Environmental Objectives

- Increased negative impacts as the buildings become further dilapidated and eventually derelict. These negative effects will continue over a long period of time for although the buildings structure will become more exposed the structure will remain.
- Neutral contribution to, nor maintenance of, biodiversity.
- Potential on-going and increasing negative impacts from brown rats on the surrounding natural environment outside of the site.
- Increasing risk of negative impacts on the natural environment surrounding the site from asbestos contamination and the historic oil spill, particularly as the existing buildings structure becomes more exposed.

#### 8.31 Landscape and Visual Objectives

- Continuing and increasingly negative impacts from the visual damage of existing buildings on the site.

### **What will be the situation with the development?**

#### 8.32 Economic & Social Objectives

- Positive minor contribution towards provision of housing for the community in the mid market sector where there is a known excess of demand over supply. This will enable families to upgrade from starter housing having a beneficial effect on availability of cheaper affordable homes.

- Positive moderate contribution to economic well-being of the community through capital construction injecting £15 million into Jersey's economy over the next 12-18 months plus ensuing increased economic activity within the Island's economy in excess of £2 million per annum.
- Positive minor short-term increased employment of the community in constructing the development.
- Elimination of existing negative impact on social well-being of the community.
- Positive major effect on social well-being of the whole community from enhancement of the natural environment surrounding the site (paragraphs 7.26 – 7.31).
- Positive effect on social well-being of the community from enhancing appearance of the site from surrounding areas (LV paragraphs 5.6.1 – 5.6.2).

### 8.33 Environmental Objectives

- Major positive contribution to enhancing the natural environment and contributing to increased biodiversity from returning an area larger than Howard Davis Park to nature conservation land and removing all development from the northern part of the site.
- Positive re-use of already developed "brownfield" land.
- Major positive contribution to, and maintenance of, biodiversity from providing enhanced habitat conditions and restoring ecological features within the site (paragraphs 7.2 – 7.7 and 7.18 – 7.25).
- Moderate positive enhancement of surrounding natural environment from eradication of brown rats within the site and nature conservation measures (paragraphs 6.17 – 6.20; 7.13 – 7.14; ES paragraphs 6.17 - 6.20 and 7.13 - 7.14; PS pages 32 – 33).
- Major positive reduction in use of non-renewable resources by poorly built, un-insulated existing buildings replaced by modern highly insulated buildings (in excess of current standards) using renewable energy (DS paragraph 6.4).
- Positive reduction in emissions of greenhouse gases and energy usage through replacing oil fired boiler fed heating with highly insulated buildings principally heated by occupants and solar gain (DS paragraph 6.4).
- Neutral effect on air quality.
- Minor positive reduction in long-term noise impacts through replacement of existing buildings with tightly sealed highly insulated buildings (paragraphs 6.48 – 6.49).
- Minor positive reduction in traffic impacts (TR paragraphs 5.1.1 – 5.1.6).
- Majority of waste generated by the construction will be recycled (SWMP pages 2 and 3).
- Minor negative impact of increased vehicle emissions from residents travelling to St Helier, although all houses have sufficient space to make provision for home based working.

### 8.34 Landscape and Visual Objectives

- Major positive enhancement of the natural environment both within and surrounding the site (paragraphs 5.5 – 5.14; 7.3 – 7.7; 7.18 – 7.23; LV pages 36 & 37).
- Major positive enhancement to appearance of the site and surrounding areas (5.45 – 5.58; 7.28 – 7.31; LV paragraphs 5.4.3; 5.5.1 – 6.6).
- Major positive impact from removing buildings very unsympathetic to character and amenity of area and replacement with traditional housing clusters similar to those found in surrounding countryside.
- Major positive impact on visual appearance of the site from North costal areas and seascapes due to substantially eliminating views of any development.

## Sustainability Appraisal Conclusion

- 8.35 The introduction to this Section demonstrated that sustainability is about establishing and achieving balance between interdependent and mutually reinforcing pillars of economic development, social development, and environmental protection.
- 8.36 The basic question of does this development meet ***the needs of the present without compromising the ability of future generations to meet their own needs*** has been answered by establishing that overall the proposal will a). provide a major to moderate positive Economic and Social impact; b). provide a major positive Environmental impact; and c). provide a major positive Landscape and Visual impact. The proposal does contribute towards meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.37 A particularly important sustainability aspect of these proposals are the major combined beneficial effects of:
- a. Creating a substantial area of new nature conservation and publicly accessible open land amounting to 67.6% of total site area – at no cost to the public purse.
  - b. Significantly reducing by 71% the intensity of land-use on this site, in terms of predicted average occupancy, through permanent reduction in occupation and activity.
  - c. Providing mid-market housing, meeting existing and future shortages in this type of housing with an appropriate design relating to the context of the area.
  - d. Moving development substantially away from the north coast footpath and cliffs.
- 8.38 An overall conclusion has been established that this proposal comprises sustainable development because it will realise:
- A. Major to moderate positive Economic and Social impact;
  - B. Major positive Environmental impact; and
  - C. Major positive Landscape and Visual impact.

## 9.0 SUMMARY AND CONCLUSION

- 9.1 Surveys of the *Core Survey Area* (the proposal site) and adjoining *Extended Survey Area* have contributed to the Environmental Impact Statement submitted with the planning application. The scope of the survey work and methodologies employed has enabled a good understanding of the natural and physical diversity of the area and identified potential issues that required examination in the context of the proposal.
- 9.2 The process of the Environmental Impact Assessment has, in the light of the redevelopment proposals and the findings of the supporting surveys and evaluations, given consideration to:
- i. The environmental context of the site at a European and local level;
  - ii. The potential environmental effects of the development;
  - iii. The environmental design of the development with a view to identifying potential mitigation measures which may be incorporated in the proposals where environmental effects have been identified; and
  - iv. The implications of any identified residual effects further to proposed mitigation measures.
- 9.3 The assessment of the redevelopment proposals has identified that:
- a. The *Core Survey Area* supports only a limited diversity of essentially common and widespread habitats and species, reflecting the intensive use of the site as a holiday village over a long period of time.
  - b. Removing all the buildings from the northern part of the site closest to the North Coast; returning 67% of the site to natural landscape; a significant reduction of 45% in built floorspace and accompanying 71% reduction in predicted average occupancy have been identified to result in substantial environmental gains.
  - b. The coastal sections of the *Extended Survey Area* were identified to support an outstanding assemblage of vegetation communities, flora and breeding birds. The redevelopment proposal is identified not to impinge directly on the *Extended Survey Area*.
  - c. Concern is expressed at the long-term viability of the declining breeding puffin colony on the cliffs below the existing holiday village. The specific causes of the decline are not known but various factors may be implicated. Land-based human disturbance is not considered to impact on seabirds, although sea-based recreational and commercial activities in proximity to the cliffs during the breeding season are flagged-up as a potential source of disturbance. Brown rats and cats are identified as potential predators of the puffins. Brown rats were identified to be widespread in the holiday village buildings and peripheral hedgebanks as well as scrub, fields and banques in the surrounding countryside. A programme of control is proposed prior to demolition of the buildings through to the end of the construction phases. However the control of this species by the developer outside of the proposal site is recognised not to be feasible. A significant number of residential properties are considered to be within the roaming range of cats in relation to the cliffs. It is probably unrealistic (and probably unenforceable) to consider a ban on cat ownership by the residents of the development. However, even if it were considered, such a measure would not prevent cats from outside the proposal site from continuing to roam and potentially predate the puffins. Fencing set-back from the cliff top is considered the only assured means of excluding cats.
  - d. The proposal site was identified to be of only low conservation significance for bats by virtue of the exposed nature of the site, lack of habitat features providing suitable foraging

areas and sheltered flight lines and the buildings offering few suitable roost sites. The ecological and landscape enhancement measures proposed offer the prospect for improved sheltered habitats for foraging, extended flight lines and greater integration into the surrounding countryside as well as offering the potential for bat roost provision in the new dwellings.

- e. Green lizard and common toad were the sole reptile and amphibian species identified within peripheral habitat zones of the proposal site as well as habitats within the *Extended Survey Area*. Measures to control brown rats within the proposal site and habitat restoration and enhancement measures proposed in the design scheme are considered beneficial to these species.
  - f. The redevelopment proposal will have immediate significant positive impact on the local environment through the removal of large, unsightly buildings from the highly valued landscape of the Island's north coast. Integration of open areas of the site into the wider countryside are identified as important for the major enhancement of this sensitive coastal locality providing a significant contribution to improving the character of this area.
  - g. Matters relative to the physical environment such as foul drainage, surface water and groundwater, noise, artificial lighting, roads and transport, ground contamination and archaeology are addressed through this and supporting assessments.
- 9.4 The Biodiversity and Nature Conservation, Natural Environment, Traffic Transport and Access, Ground Contamination, Archaeological and Sustainability appraisals, evaluations and assessments have informed the design process, identifying areas where potential negative change needed to be addressed or designed out of the scheme and where positive change to the local environment could be reinforced.
- 9.5 The proposal is identified not to result in direct impact on local wildlife features and species. The fully mitigated redevelopment proposals are considered capable of supporting and maintaining a balanced, integrated, adaptive community of species.
- 9.6 The redevelopment proposal demonstrates the potential to improve the integration of the built and natural environments and further demonstrates that a well designed high quality scheme can be acceptable in the countryside.
- 9.7 The redevelopment proposal is considered to be compatible with the aims, objectives and policies of the Jersey Island Plan 2002 by reference to Policies G1, G2, G3, G4, G5, G12, G16, G20, C2, C3, C4, C5, C10, M1, WM1 and WM2.
- 9.8 The Sustainability Appraisal concludes that this proposal comprises sustainable development because it will realise:
- A. Major to moderate positive Economic and Social impact;
  - B. Major positive Environmental impact; and
  - C. Major positive Landscape and Visual impact.

## Summary of Assessment

### EFFECT ON THE NATURAL ENVIRONMENT

Feature	Significance of effects of proposal	Nature of effects	Confidence in assessment	Duration of effects further to mitigation proposals	Residual effects further to mitigation proposals
<b>Habitats and flora</b>					
<i>Core Survey Area</i>	Major	Direct, Irreversible	Certain	Short Term and Long Term	Major (Significant), Positive
<i>Extended Survey Area</i>	None	(not applicable)	Probable	Short Term and Long Term	Moderate (Substantial), Positive
Local ecology	Major	Direct/Indirect, Irreversible	Certain	Short Term and Long Term	Moderate (Substantial), Positive
<b>Birds</b>					
<i>Core Survey Area</i>	Minor	Direct, Reversible in part	Certain	Short Term and Long Term	Moderate (Substantial), Positive
<i>Extended Survey Area</i> (Seabirds incl. Puffins)	Major	Indirect, Reversible	Certain	Short Term	None
Demolition	Minor	Indirect, Reversible	Probable	Short Term	None
Construction	Minor	Indirect, Reversible	Certain	Short Term and Long Term	None
Human disturbance	Minor	Indirect, Reversible	Certain	Short Term and Long Term	None
Rats	probably None	Indirect, Reversible	Certain	Short Term and Long Term	None
Cats	potentially Minor	Indirect, Reversible in part	Certain	Short Term and Long Term	None
<b>Bats</b>					
	Moderate	Direct, Reversible	Certain	Short Term and Long Term	Moderate (Substantial), Positive
<b>Reptiles and Amphibians</b>					
Identified species	Moderate	Direct, Irreversible	Certain	Short Term and Long Term	Moderate (Substantial), Positive
Effect of cats & brown rats	Uncertain	Not known	-	Short Term and Long Term	Moderate (Substantial), Positive
<b>Invertebrates</b>					
Butterflies	Minor	Direct, Irreversible	Certain	Short Term and Long Term	Moderate (Substantial), Positive
<i>Formica pratensis</i>	None	(not applicable)	Certain	Short Term and Long Term	Minor, Positive
<b>Countryside Planning Zones</b>					
Zone of Outstanding Character	Very High	Direct, Irreversible	Certain	Short Term and Long Term	None
Green Zone	Very High	Direct, Irreversible	Certain	Short Term and Long Term	Major (Significant), Positive

## Summary of Assessment

### EFFECT ON THE PHYSICAL ENVIRONMENT

Feature	Significance of effects of proposal	Nature of effects	Confidence in assessment	Duration of effects further to mitigation proposals	Residual effects further to mitigation proposals
<b>Landscape &amp; Visual</b>					
Topography & Landscape	Very High	Direct/Indirect, Irreversible	Certain	Short Term and Long Term	Major (Significant), Positive
Artificial lighting	Minor	Direct, Indirect, Reversible in part	Certain	Short Term and Long Term	Minor, Positive
<b>Road and Transport</b>					
	None	(not applicable)	Certain	Long Term	Minor, Positive
<b>Noise &amp; Vibration</b>					
Demolition	Major	Direct, Reversible	Certain	Short Term	None
Construction	Minor	Direct, Reversible	Probable	Short Term	None
Neighbouring properties	Moderate	Direct, Reversible	Certain	Short Term	None
Operational phase	None	(not applicable)	Probable	Short Term and Long Term	None
<b>Water resources</b>					
Foul drainage	None	(not applicable)	Certain	Long Term	None
Surface water	None	(not applicable)	Certain	Long Term	None
Groundwater	None	(not applicable)	Certain	Long Term	None
<b>Ground contamination</b>					
	None	(not applicable)	Certain	Short Term and Long Term	None
<b>Archaeology</b>					
	Minor	Direct, Irreversible	Probable	Long Term	Minor, Positive

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