

PLANNING & ENVIRONMENT DEPARTMENT



# Draft Island Plan – White Paper

Minister's Response to Strategic Environmental Assessment

13 August 2010

Draft Plan Policy	SEA Report Recommendation	Planning & Environment Department Response
<b>Island Plan Strategic Policies</b>		
Policy SP2 – Efficient Use of Resources	This policy should make reference to the need for water resources to be conserved and effective water management techniques incorporated into new development.	<b>Accepted:</b> this objective is already addressed by Policy NR1 and Proposal 20 but should be included in Policy SP2 for consistency;
Policy SP4 – Protecting the Natural and Historic Environment	This policy could be strengthened to make it more proactive such that it encourages the delivery of biodiversity enhancement measures rather than focusing solely upon protection.	<b>Accepted:</b> reference is already made to this in para 2.51 and is already dealt with by Policy NE1 but should be included here for consistency;
Policy SP7 – Better by Design	This policy could be improved by including a clause highlighting the need for 'safety by design' principles to be part of achieving high design quality.	<b>Accepted:</b> this objective is already addressed by Policy GD7(7) but should be included in Policy SP7 for consistency;
<b>General Development Policies</b>		
Proposal 1	Strengthen this policy to ensure that any Supplementary Planning Guidance, Masterplans or Site Briefs follow the principles contained in the Island Plan to ensure the key sustainability requirements are carried through to development.	<b>Not accepted:</b> this is already addressed and made clear in Proposals 11, 12 and 14.
Policy GD2 – Demolition and Replacement of Buildings	A clause should be added to the policy addressing the need for the demolition of buildings to not adversely affect protected species and for suitable mitigation to be included as necessary.	<b>Accepted:</b> this is already addressed by Policy NE2 but should be included in Policy GD2 for consistency;
Policy GD6 – Contaminated Land	It would be beneficial to include a clause which states that the biodiversity potential of contaminated sites should be assessed before permission to remediate a site is granted, as these sites can support protected species.	<b>Not accepted:</b> this issue is considered generic to all potential development sites and is already addressed by Policy NE1 and would thus already fall to be a material consideration where relevant.
Policy GD7 – Design Quality	This policy could be strengthened to include the provision for developments to link to the cycle network where possible and for the provision of secure cycle facilities to be an integral part of new developments	<b>Not accepted:</b> this issue is considered generic to all potential development sites and is already addressed by Policy NE1 and would thus already fall to be a material consideration where relevant.
<b>Natural Resources Policies</b>		
NE1 – Conservation and Enhancement of Biological Diversity	It is recommended that this policy makes specific reference to Environmentally Sensitive Areas, Sites of Special Interest and Ramsar sites, rather than just using the term 'protected site'.	<b>Not accepted</b> – the definition of a protected site may change over the Plan period. The policy justification already makes it clear that RAMSAR, SSI's and ESA's are currently protected sites (at 2.23 – 2.25).
NE2 – Species Protection	The policy refers to the need for appropriate assessment for development proposals that could affect species. It would be beneficial to outline within the supporting text exactly what would be expected of a developer to meet this requirement, as the procedure that has to be followed in the UK is very onerous to ensure the highest levels of protection to species and their habitats. Clarity on this matter would ensure that prospective developers factor sufficient time into their programmes to ensure that they can meet this requirement of the policy.	<b>Not accepted:</b> this is not considered to be most appropriately included in the development plan and is more appropriately dealt with through supplementary planning guidance.
NE3 – Wildlife Corridors	There would be some merit in encouraging wildlife corridor enhancements to take into consideration specific opportunities that would benefit Biodiversity Action Plan Species.	<b>Noted:</b> BAPs can inform enhancements through the development control, involving consultation and liaison with the Environmental Management and Rural Economy Team of the Planning and Environment Department, as appropriate. Reference to this is not considered to be necessary within the development plan.

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NE8 – Access and Awareness	Whilst the policy is considered beneficial, it would also be useful if it included a bullet point which encouraged the improved interpretation and understanding of biodiversity across the Island through any improved access schemes e.g. through notice boards.	<b>Not accepted:</b> this is not considered to be a specific planning policy requirement and is already referred to in the policy justification under the generic reference to interpretation.
<b>Built Environment Policies</b>		
General Recommendations	Whilst no specific recommendations are proposed for individual policies, there are some issues that need to be taken into consideration during the Plan period relating to the implementation of these policies.  It will be very important to ensure that the Masterplans developed for each of the Regeneration Zones in St. Helier are compatible i.e. that proposals in one location do not have the potential to undermine the viability of development in other areas. This is critical to ensure that maximum benefits are achieved in the long-term.	<b>Noted</b>
<b>Economy Policies</b>		
General Comments Relating to the Light Industry and Warehousing Policies	Whilst the focus of these policies is not upon energy efficiency and renewable energy use, they could be strengthened to suggest that sustainable design principles should be incorporated into new industrial developments including incorporating renewable energy systems into the design.	<b>Noted:</b> The requirement for energy efficiency and renewable energy use in new buildings is already set out in Policy SP2 and Policy GD1 and would thus be material considerations for new industrial buildings. It is also proposed to introduce a new policy to the draft Plan requiring the incorporation of renewable energy production for development above a specified threshold, and to produce new supplementary planning guidance which seeks to promote and encourage the more energy efficient design and construction of buildings,
Policy - ERE8 – Fishing and Fish Farming	This policy could be strengthened by the policy specifically referencing the policies which protect the marine environment.	<b>Accepted:</b> reference to Policy NE5 should be included in Policy ERE8 for consistency
General Comments for the Visitor Economy Policies	Policy NE5 ‘Marine Zone’ should be referred to in the tourism policies, as there is potential for new tourism development to adversely affect the marine environment. Making reference to this policy would strengthen these policies although it is acknowledged that there is a cross reference to Policy GD1 which does cover this issue.	<b>Accepted:</b> reference to Policy NE5 should be included in EVE policies for consistency.
<b>Housing Policies</b>		
General Comments for the Housing Policies	There is scope for energy efficient design to be a key element of new housing development and this could be more clearly encouraged in the policies.  Whilst no significant weaknesses have been identified it is strongly recommended that new development outside of the built up area is avoided to reduce the risk of a cumulative encroachment into the countryside.	<b>Noted:</b> The requirement for energy efficiency and renewable energy use in new buildings is already set out in Policy SP2 and Policy GD1 and would thus be material considerations for new housing. It is also proposed to introduce a new policy to the draft Plan requiring the incorporation of renewable energy production for development above a specified threshold, and to produce new supplementary planning guidance which seeks to promote and encourage the more energy efficient design and construction of buildings, particularly homes.

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<b>Social, Community and Open Space Policies</b>		
SC01 – Educational Facilities	These policies could be improved by making reference to the need for landscaping and enhanced areas for biodiversity to be incorporated into facilities and their grounds.	<b>Noted:</b> this is already referenced at 7.3 and addressed by Policy NE1, which would be a material consideration.
SCO2 – Healthcare Facilities		
SCO3 – Community Facilities		
<b>Transport Policies</b>		
TT10 – Off-Street Public Parking Provision in St. Helier	This policy should include a clause stating that porous pavements and sustainable drainage systems should be considered as part of new car parking proposals.	<b>Accepted:</b> this is already addressed by Policy LWM3 but should be included in Policy TT10 for consistency;
TT12 – Parking Provision Outside St. Helier	This policy could be more explicit in its requirement for new car parks to have porous surfaces that promote infiltration. The policy currently states that a high standard of design will be required with regards surfaces but it is not explicit.	<b>Accepted:</b> this is already addressed by Policy LWM3 but should be included in Policy TT11 for consistency;
TT15 – Operational Development at the Port of St. Helier and Jersey Airport	A clause should be added to this policy highlighting that new development within the operational areas of the port and the airport will only be permitted if potential environmental effects have been assessed and mitigated, particularly with regards to potential effects on the marine environment and also potential effects upon birds at the airport.	<b>Not accepted:</b> Policy NE5 would fall to be considered as a material consideration for development within the operational area of the Port of St Helier. Policy NE1 and NE2 would fall to be considered as a material considerations for development within the operational area of Jersey Airport, however, it is considered that the weight likely to be given to the operational safety risk posed by birds is likely to outweigh that related to the impact of development upon the habitat and presence of birds within the operational area of the airport.
<b>Natural Resources and Utilities Policies</b>		
NR1 – Protection of Water Resources	The term significant adverse effects rather than ‘unacceptable impact’ could be used as an alternative wording as this is recognised terminology in the environmental assessment field.	<b>Accepted:</b> policy wording to be amended from unacceptable impact’ to ‘significant adverse effects’.
NR2 – Exploratory, appraisal or prototype off-shore utility scale renewable energy proposals		
NR3 – Off-shore utility scale renewable energy development		
NR4 – Proposals for Onshore Renewable Energy Production		
NR9 – Restoration, Aftercare and After Use	Policy NR9 addresses restoration of mineral sites and this clearly promotes environmental enhancements which should benefit terrestrial ecology. It will be important for restoration plans to be carefully scrutinised to ensure that they complement the BAP.	<b>Noted:</b> BAPs can inform enhancements through the development control, involving consultation and liaison with the Environmental Management and Rural Economy Team of the Planning and Environment Department, as appropriate. Reference to this is not considered to be necessary within the development plan.

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<b>Waste Policies</b>		
WM6 – Inert Waste Recycling	The types of unacceptable environmental effects that would not be appropriate should be more explicitly defined as part of the policy to reduce any ambiguity for future developers, for example adverse effects on noise, nature conservation, drainage.	<b>Not accepted:</b> the wording is considered to be adequate and it would be unreasonable to list all potential environmental effects.
WM10 – Restoration of Land Reclamation and Landfill Sites	This policy could be improved by making specific reference to the Jersey BAP and seeking to ensure that wildlife creation opportunities associated with the restoration process contribute to the BAP's targets and objectives.	<b>Noted:</b> BAPs can inform enhancements through the development control, involving consultation and liaison with the Environmental Management and Rural Economy Team of the Planning and Environment Department, as appropriate. Reference to this is not considered to be necessary within the development plan.