

STATES OF JERSEY

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ISLAND PLAN 2002, POLICY H2: FIELDS 848, 851, 853, AND 854

Lodged au Greffe on 20th April 2006
by the Connétable of St. Lawrence

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to refer to their Act dated 11th July 2002 in which they approved the Island Plan 2002 and, in particular, in which they approved the zoning of land for Category A housing listed in Policy H2 of the Plan including Fields 848, 851, 853 and 854, Bel Royal, St. Lawrence, and –

to request the Minister of Planning and Environment to bring forward for approval by the Assembly an amendment to paragraph 8.71 of Island Plan 2002 which relates to the above fields so that the words *“The site could accommodate approximately 97 homes with 1.5 acres (3.4 vergées) of public open space/landscape area as part of the development”* in the said paragraph be amended to read *“The site will accommodate a maximum of 97 homes (comprising two, three or four bedrooms or any combination thereof) with 1.5 acres (3.4 vergées) of public open space/landscape area as part of the development.”*

CONNÉTABLE OF ST. LAWRENCE

REPORT

1. Standing Orders do not allow a proposition to be brought in the name of more than one private member but I must stress that this proposition is brought with the full support of both of the Deputies of St. Lawrence and the Deputy of St. Peter.
2. This site has proved the most controversial of all of the H2 Island Plan sites. It is affected by, or has an impact upon, flooding, traffic, neighbouring businesses and noise issues.
3. In 2003, as part of the initial consultation by the Planning Department, the Parish of St. Lawrence was asked for comments in respect of this site and the proposed development. In my written reply we expressed significant concerns and specifically commented on the 97 units identified in the Island Plan. The Planning and Environment Department did not at that time correct the presumption that the number of units involved was 97, and therefore the consultation with the Parish never even mentioned the possibility that the development would be for more than 97 units.
4. It is my opinion that any member of the Public (or indeed any Member of the States) would quite naturally assume, upon reading the Island Plan, that the development would consist of the 97 units mentioned in paragraph 8.71. Many of the initial concerns of the Parishioners of St. Lawrence and St. Peter (and other members of the Public) were based upon 97 units. During the whole planning process to date, many hundreds of written representations have been received by the Department, and all public meetings at St. Lawrence Parish Hall have been very well attended; the most recent meeting on 24th October 2005 was attended by approximately 180 people.
5. From day 1, many residents of both St. Peter and St. Lawrence have objected to various aspects of this proposed development, generally to no avail.
6. As has been the case with a number of other H2 sites, the actual proposals for the development are entirely different to the original details in the States approved Island Plan. The first formal application was for 150 units, which was subsequently modified to approximately 140. Neither of these were approved. The present application (which has not yet been determined) is for 129 units.
7. Many Island residents do wonder what was the purpose of the Island Plan given that various aspects in respect of the H2 sites appear to have been disregarded (by the Planning Department) since the Island Plan was approved by the States Assembly. Essentially residents feel entirely let down by the whole situation, and do question the integrity of the consultation process.
8. The aim of this proposition is to request the Minister for Planning and Environment to bring back part of the Island Plan to the States. The development is item 1 of Island Plan Policy H2 and is referred to in paragraphs 8.71, 8.72 and 8.73 of that document. I wish to achieve clarification of what paragraph 8.71 of the Island Plan actually means.
9. I believe that by giving the opportunity to the States to confirm and clarify this part of the Island Plan we can begin the process of reengagement with the Public of this Island. It will be recognised as a positive signal that we are indeed prepared to listen to their concerns and are willing to consider and address them at the highest level.
10. A brief outline of some of the issues surrounding the site are as follows –
11. The traffic implications of this one site are horrific. By placing it on one of the two key routes in from the West of the Island it is impacting upon an already congested area. The projections for delays are not just on the St. Peter's Valley Road. For example, traffic delays on Mont Felard are projected to increase by over 50% (thus impacting on anyone from St. Mary, St. John or St. Lawrence who use this road for the morning commute). These projections exclude any other development occurring in the West of the Island.
12. The office of the Deputy Prime Minister in the United Kingdom has recently completed public

consultation on Planning Policy Statement 25 (Development and Flood Risk) (PPS25) (it will replace Planning Policy Guidance 25 when issued). Broadly speaking it seeks to encourage development in areas with a lower flood risk, to shift development from areas of higher risk to areas of lower risk, and appears to indicate that one should not build on a flood plain. Whilst the UK guidance is not applicable to Jersey (as a separate jurisdiction), it is my opinion that both the current and the proposed flood guidance would not support this development, which appears to fail the proposed 'Exception Test' on at least one count. However the consultants employed by the developer have indicated that they are satisfied that the development will not be at risk from flooding. They have based their modelling on a site in the United Kingdom (which they consider to be similar to the one in Jersey). It is fair to say that many residents remain unconvinced by their views.

13. The site is directly opposite Jersey Steel, and whilst Jersey Steel could be considered to be a 'bad neighbour' the company has been at its present location since the 1950's and generally has operated with few complaints. This is primarily because the noise from its operations is directed out across the marsh, generally only disturbing grazing cows or horses. The company employs 60 people and is one of the principal suppliers of steel in the Island. In the same way that one or two residents near the harbour have complained about the noise of port operations, there is serious concern that complaints from residents of the new estate could detrimentally curtail the operations of the company.
14. A number of the community facilities that made the site attractive (due to reduced vehicle trips) have gone (Sandybrook Parade used to have a 'corner shop', a hairdresser and a laundry – these have all been replaced by a stationers, and the Britannia Pub is being developed into apartments).
15. There are a whole variety of design issues associated with the site, but these are a matter for the Department. However, for example, all of the earlier proposals had no garages (estimated area 147 ft² or 13.72 m²), with the developer providing the alternative of a small garden shed (approximately 34 ft² or 3.2 m²) to cope with the general clobber that comes with family living and children. The homes themselves are just above the minimum standards.
16. Ultimately the main concern can be summarised as the sheer size of the development. The Parishes and the residents had already expressed significant concerns at 97 units. They were aghast at proposals for 150 homes. A development smaller than that proposed in the present application would provide a better quality of life for the new residents of the estate; it could be moved further away from Jersey Steel and the areas prone to flooding, and would have less of a traffic impact. Even on a smaller estate the requisite proportions of first-time buyer homes and social rented homes can be retained, and this may also allow the Minister to enforce his views on design, spatial requirements and all the other elements that could improve the design of this estate and its approach towards sustainability.
17. Detailed understanding of the problems of the site could not have been reached by the House when it accepted the development principle in the Island Plan. In addition members could not have envisaged the concerns of residents and how they feel they have been treated. The (draft) Strategic Plan specifically refers to engagement with the Public as being one of the issues that needs to be addressed. I believe that by supporting this proposition we can begin the slow process of reconstructing the Public belief in this Assembly. I hope you will understand the reasons for bringing this proposition, the logic behind it, and trust you will support it.
18. There are no manpower implications arising from this proposition. There are no obvious financial implications arising from this proposition. Any other financial implications will depend upon the actions of the Planning Department and the outcome of any subsequent proposition and debate.