

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011): TENTH AMENDMENT

Lodged au Greffe on 20th April 2011
by Senator J.L. Perchard

STATES GREFFE

PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words “except that –

- (a) in Chapter 5: Economy, after paragraph 5.119 (on page 200) insert the following paragraphs, and re-number the later paragraphs accordingly –

‘Extension to Thistlegrove

- 5.120 Land adjacent to the existing Thistlegrove industrial site is considered suitable to provide additional land for light industrial/warehouse use resulting in an extended site of approximately 5.4 acres (12.5 vergées) in total.
- 5.121 The current uses on the site identified for extension include a mix of industrial, commercial or quasi-industrial activities which have been developed, over time, in a piecemeal and uncoordinated manner. The site includes North End Vineries, The Fencing Centre and Bienvenue Farm, together with 2 dwellings and some workers’ accommodation related to existing operations. These uses are accommodated in a range of buildings which are generally sub-standard, in terms of the requirements of modern commercial floor-space.
- 5.122 There are 6 access points to/from the current complex of buildings comprising the existing Thistlegrove industrial estate and the buildings and uses sited on the land proposed for the extension of the industrial park. Three of these connect to La Grande Route de St. Laurent and three to La Rue de la Scellerie, the latter being a small country lane with very limited visibility at its junction with La Grande Route de St. Laurent.
- 5.123 The extension of the designation of land for light industrial/warehouse use at Thistlegrove provides an opportunity to comprehensively address and improve the quality of buildings, floor-space and access arrangements that currently exist on this land. This could be achieved without adverse impact upon the countryside given the existing landscape features which surround the land, and indeed there is potential to improve the visual quality of the area through the replacement of some of the poor buildings which presently exist.
- 5.124 The comprehensive development of the site would be managed within the context of a development brief, which would address issues such as boundary treatment, layout, landscaping, access and traffic. Any development brief for this site, which would be reviewed and adopted by the Minister as supplementary planning guidance, would need to be prepared in advance of planning applications for the proposed extension of the light industrial/warehouse land.’

- (b) there be inserted a new Policy EIW1, (on page 202), immediately after paragraph numbers 5.120–5.124,) as follows, and re-number the later EIW policies, with relevant consequential amendments, accordingly –

‘Policy EIW1: Provision of light industrial and warehouse land

Land to the north and east of the existing industrial site known as ‘Thistlegrove’, as shown on the [Proposals](#) Map, is zoned for light industrial and warehouse use.

Proposals for other commercial uses, including retailing, will not be permitted on the site unless related and ancillary to the primary industrial, storage or warehousing use and provided they are in accordance with other principles and policies of the Plan.

A development brief will be prepared, for approval and adoption by the Minister as supplementary planning guidance, prior to the submission of any planning applications for the site to ensure that development takes place in a co-ordinated manner and that proposals are satisfactory in terms of design, layout, landscaping, service infrastructure, access and parking.’; and

- (c) ‘the Proposals Map be amended accordingly’.

SENATOR J.L. PERCHARD

REPORT

The existing Thistlegrove light industrial warehousing site is situated immediately east of La Grande Route de St. Laurent, approximately 500 metres north of Glencoe auction rooms. The site includes a complex of sheds (some very old and impractical and no longer meeting modern requirements) and Regals Construction. The site has been operated for many years without harm to neighbouring properties.

The site I propose as an extension to this existing industrial estate, as outlined on the attached aerial photograph (see Appendix 2), has on it commercial buildings, redundant glasshouses, outdoor commercial storage and some agricultural buildings. This area of land covers 5.4 acres and already effectively operates as a quasi-light industrial area, providing services such as the manufacture of goods, storage, vehicle repair, agricultural buildings, glasshouses and retailing. The present activity is described by the Planning Inspectors who conducted the "Examination in Public" of the Draft Island Plan as '*a mix of industrial, commercial or quasi industrial uses*'. Therefore, any upgrading and modernising of the site would not give rise to any substantial change to the operation of the site. The aerial photograph illustrates the long-established uses, poorly-planned layout, and related areas of outside storage and parking.

The strictly defined enclosure of the site by 2 roads and established boundary planting means that it would not be possible or reasonable to extend the site further into open countryside. Therefore, for the avoidance of doubt, the proposed modernisation and upgrading of these already quasi-industrial sites would not result in the loss of any green fields, but only utilize existing commercially developed land.

This site, without any expansion or encroachment into the countryside, would be ideally suited to provide for benign emerging industries, disaster recovery, e-commerce and data storage, businesses that can take advantage of the existing I.T. infrastructure (Jersey Telecom already have a high-spec Communication Room on the site). I believe that this site could provide for a much-needed, low-impact business park development, and the industrial tag attached to the policy does not do it any favours and has caused unnecessary, but understandable, fear from the neighbours.

Moreover, my amendment requires the owner to agree with the Minister a Development Brief as Supplementary Planning Guidance prior to any planning application. Therefore, the Minister retains complete control of the uses, buildings, infrastructure and landscaping proposed, and therefore can ensure a comprehensive and benign development. If approved, this amendment would re-instate this "Brown Field" site for commercial uses, important to the Island's economy and for local jobs.

This site was withdrawn, at the 11th hour (after the end of the comprehensive public consultation period), by the Minister following a meeting with several States Members in January 2011 and which prompted additional anecdotal evidence of the *current* economic conditions.

During the period of "Public Examination" there were, I understand, some objections to the proposed rezoning, including one from the Connétable of St. Lawrence and the Deputy of St. John, who argued that the site was an inappropriate location and that issues of design and access, amongst others, should be addressed prior to receiving States consideration. However, I maintain that the Development Brief and application

process would ensure scrutiny of all material planning considerations, so as to ensure it would not have an adverse landscape impact; would be an appropriate use, and would secure improved public and vehicular safety.

I remind Members that the merits and objections of this proposal were subject to the rigours of a meticulous Independent Enquiry, where expert scrutiny and analysis of all the facts by means of 'Examination in Public' were undertaken by 2 Independent Planning Inspectors.

Despite the limited number of objections, it is noteworthy that the Independent Inspectors recommended to the Minister and the States in Volume 1, Chapter 7 of their report, *'that the Minister does not amend Policy EIWI'*, in other words the Island Plan should retain the proposed extension of Thistlegrove.

Chronology of events

July to November 2008 – Green Paper public consultation process that acknowledged the *'requirement for warehouse land elsewhere on the Island'* other than existing industrial estates, the harbours and the Airport.

September 2009 to March 2010 – White Paper public consultation process soliciting both support and objection to the extension of Thistlegrove. The Minister responded: *'This industrial site is the only one of those protected on the island that can be extended in this manner and there is an evidenced need for this type of development on the Island'* and that he was *'not to support removal of Thistlegrove light industrial extension from Plan'*.

September to November 2010 – Public Examination into the (Draft) Island Plan. Extract from the Inspectors' Report, Volume 1, paragraph 7.35 concluded that: *'on uncontested evidence there is a clear and pressing need for modern light industrial premises on the island. There may be difficulties at La Collette because of revised safety zones required post Buncefield, and in the longer term because of possible harbour relocations. Also it is now clear (para 6.16) that the Airport regeneration zone is to be tightly defined; and in any event it is likely to be most attractive to aviation related businesses. This leads us to conclude that there is unmet need for light industrial and distribution units which the Thistlegrove extension would go a good way towards meeting'*.

Further, in paragraph 7.39: *'although any future planning application would need to be considered on its merits, and might be refused accordingly, the current illustrative layouts, Traffic Impact Assessment and further information provided by MS Planning convince us that a satisfactory scheme ought potentially to be possible, subject doubtless to a number of planning conditions. We **recommend** that the Minister does not amend Policy EIWI'*.

Included in the additional information provided by MS Planning Ltd. was a landscaping plan and method statement, which shows that 30% of the site could be set aside for landscaping, giving the Inspector the confidence to support the rezoning, and which can be made a requirement in the Development Brief.

20th January 2011 – Site owner’s representatives were notified that the Minister met States Members objecting to the extension of Thistlegrove. This meeting took place outside of the otherwise carefully managed public consultation period.

March 2011 – Minister publishes Revised draft Island Plan Schedule of Amendments removing the previously supported extension of Thistlegrove.

The removal has been justified by citing failing demand for space and the site’s location relative to the Plan’s Spatial Strategy.

The site’s location relative Spatial Strategy was considered by the Independent Inspector, but the Minister was advised to retain the site. At no time previously had the Minister publicly sought to withdraw the extension to Thistlegrove on this basis.

The changes in economic conditions may have reduced demand, but the Minister cannot produce a Plan based on planning for a temporary recession. The Plan should be based on the need for a diverse and strong economy as required by the States Strategic Plan.

Moreover, BNP Paribas provided the Minister with a report (February 2011) that, whilst based on anecdotal evidence, concludes that there: *‘remains a lack of good quality light industrial and warehousing accommodation . . . there would still appear to be a desire to diversify the Island’s economy and therefore the supply of suitable premises would seem to be fundamental to this’*. This conclusion has also been supported by Sarre & Company and CB Richard Ellis.

The draft Plan presented by the Minister states that evidential demand remains for 20 acres of light industrial and warehouse land, mainly arising from the relocation of town businesses to enable housing – the principal objective of the draft Island Plan, and without which green land would need to be rezoned for housing.

The Minister therefore appears to have misdirected himself in light of the information provided.

The draft Plan acknowledges the limitations of La Collette (due to the Buncefield incident) and that other sources of supply need to be relied upon. It then states that the non-operational land at the airport offers potential, but has no figures on what this might be. It then refers to other States-owned land and then says that any such land would need to be appropriate in planning terms and accord with the criteria used to assess light industrial uses. It then does not name any sites, presumably because the initial draft recognized that no such land exists. Finally, it recognizes that the existing Industrial sites are operating at near capacity, and most are unsuitable for any form of expansion or meeting modern expectations, meaning the proposed 5% increase on these sites without the need for planning permission is not realistic.

The extension to Thistlegrove remains crucial to delivering a realistic Island Plan that serves the best interests of the Island, as recommended after the exhaustive Public Enquiry process

Financial and manpower implications

There are no financial or manpower implications for the States arising from this amendment.

Objective EIW 1**Light Industrial & Warehousing Policy Objectives**

1. protect existing industrial estates and sites from development for non-Industrial uses;
2. ensure that sufficient land is available to provide for the relocation of inappropriately located industry;
3. allow for the expansion of existing industries and the formation of emerging industries;
4. support the provision of small scale workshops and industrial premises within key settlements, where they can provide local employment; and
5. ensure that light industrial development is concentrated in locations where the impact on the landscape, agriculture, adjacent land-uses and transport and utilities infrastructure is minimised.

EIW: Policies**Provision of Light Industrial and Warehouse Land****Summary of Demand Findings**

5.97 At present it is estimated that the current stock of industrial accommodation is in the region of 1.5 million sq.ft (139,354 sq.m). This is situated on a diverse array of sites throughout the Island with the main locations being La Collette, Elizabeth Harbour, Rue des Pres Trading Estate, St Peter's Technical Park, Rue du Bechet, Springside and Five Oaks. In addition, there are a number of smaller secondary locations such as Thistlegrove, Landes du Marche and the Barrettes site in St John.

5.98 The quality of the existing stock ranges considerably from new purpose built accommodation with high eaves and good access at La Collette to former farm buildings. Much of the existing stock has evolved over the years and is now constrained by planning or geographical restrictions. Many of the sites therefore suffer from very poor circulation and parking provision. Access to many sites is also poor, particularly for larger vehicles where premises are situated in rural locations.

5.99 The approximate size range of the requirements for new premises can be summarised as follows;

Size Range (Sq.ft)	%
20,000+	55%
10,000 to 19,999	12%
5,000 to 9,999	28%
1,000 to 4,999	5%
Total	100%

5.100 It is clear from the above that the bulk of the interest is for accommodation in excess of 20,000 sq.ft and for accommodation in the 5,000 to 9,999 sq.ft range.

5.101 There is anecdotal evidence that demand is particularly strong for premises suitable for "start-up" businesses in the 1,000 to 4,999 sq.ft category and there is strong demand for accommodation for archiving and disaster recovery. The local fulfilment sector is also continuing to generate some demand for suitable accommodation.

5.102 At present there are unsatisfied requirements for up to 125,000 sq.ft of warehousing and light industrial accommodation, which represents approximately 8.3% of the existing light industrial / warehousing stock. Based on an approximate ratio of floor space to site area of 1:2 the current level of demand equates to approximately 5.73 acres or 2.32 hectares of land.

5.103 The majority of the current demand is being driven by businesses wishing to expand or obtain improved operational capabilities through the use of more efficient premises. Almost without exception the occupiers seeking accommodation require:

- Internal eaves height of 8 metres or more to achieve the best possible cubic capacity.
- Premises should be of a clear span portal frame construction with, insulated external cladding and a floor slab capable of supporting a loading of 50 kn/sq.m or 1,000lb / sq.ft
- Loading doors of approximately 4.8m x 4m.
- Good parking, circulation and access for larger vehicles.

5.104 In response to a Chamber of Commerce survey in December 2006, 22% of respondents stated that they had been seeking premises for over 1 year and in May 2008 this had increased to 43%. 62% agreed that the provisions of the existing Island Plan, which allocated land at La Collette for further industrial development, which

has been used instead for waste management and latterly the new Energy from waste plant, were restricting access to appropriate facilities to meet their requirements.

5.105 In December 2006 46% had stated that the lack of available facilities was having a negative impact on the development of their business and in 2008 this increased to 79%.

5.106 At the time the Island Plan was published in July 2002 it was noted that there were requirements for some 25,000 sq.m or (270,000 sq.ft) of "industrial floor space". Therefore since the adoption of the Island Plan, the level of demand remained fairly constant and had not been reduced by a significant proportion up to 2007.

5.107 It is clear that the current global economic situation and decline in demand from the fulfilment sector has led to a reduction in the current overall level of demand but it is likely that the level of demand will remain strong particularly from occupiers wishing to relocate from unsuitable sites and premises.

5.108 It was also highlighted in the 2002 Island Plan that to assist with the relocation of businesses from the town centre in order to release land for housing and other more appropriate uses, there may be a requirement for a further 17.4 acres or hectares of industrial land. Based on an approximate ratio of floor space to site area of 1:2 this would equate to a further 379,000 sq.ft (35,210 sq.m) of industrial accommodation.

5.109 In summary the total (taking both the re-location and unsatisfied demand) for new light industrial land is of the order of 23 acres (9 hectares).

Summary of Supply Findings

5.110 The provision of potential additional industrial floorspace has been identified at the following locations:

La Collette & surrounding harbour areas

5.111 Potential future provision at La Collette and the surrounding harbour areas is currently being considered as part of detailed masterplanning exercise. It is not expected that this study will be completed and able to identify broad areas for potential light industrial development until after the consultation on the draft Island Plan. It is estimated that without recently introduced restrictions on development imposed by the Fuel Farm following the Buncefield explosion in the UK, and without encroaching into area affected by ash pits, La Collette could yield up 43,400 sq.m/467,158 sq.ft of land for mixed business use, light industrial and warehousing. However it is recognised that the potential re-location of the fuel farm together with unknowns such as the required harbour operational areas will significantly reduce this figure.



5.112 The area has been identified on the proposals map as a Regeneration Zone, and until the master planning is complete it is unknown what the realistic potential for industrial development may be and so other sources of supply will need to be relied upon.

Non-operational land at the airport

5.113 Potential future provision on non-operational land surrounding the airport is also currently being considered as part of a detailed master planning exercise. This site has been identified on the proposals map as a Regeneration Zone, although until the master planning is complete it is currently unknown what the realistic potential for such development is and so other sources of supply will need to be relied upon.

Development of existing agricultural premises

5.114 Other requirements for industry may be met by using redundant agricultural buildings for light industry and storage. Disused agricultural buildings are particularly important in providing small workshops although not all redundant agricultural buildings will be suitable: they will have to comply with the policies in the Rural Economy section (Policy ERE 5 'New Agricultural Buildings, Extensions, And Horticultural Structures). This source is not expected to be significant in meeting the future requirements of light industrial development and also cannot be predicted with accuracy.

Existing Light Industrial Sites

5.115 Seven existing industrial sites zoned in the 2002 Island plan are protected from alternative development by Policy EIW 2 Protection Of Existing Industrial Sites. They are;

- Rue des Pres Trading Estate, St Saviour;
- Jersey Steel, Beaumont, St Lawrence;
- St Peter's Technical Park, St Peter;
- Springside, Trinity;
- L.C. Pallot Properties, Trinity;
- Barrette Commercial Centre, Mont Mado, St John,
- Thistlegrove, St Lawrence.

5.116 A review of these has revealed that most of the sites are operating at near capacity and are unsuitable for any form of expansion .

Extension to Thistlegrove light industrial park

5.117 However, land adjacent to the existing Thistlegrove site has been identified as being suitable for extension. The extended site measures approximately 5.4 acres (12.5 verges) and includes the existing commercial operations of North End

Vineries (Glasshouse site), the Fencing Centre (commercial site) and Bienvenue Farm, together with 2 residential dwellings and workers accommodation related to the existing operations.

5.118 Due to the nature of the current uses and the landscape characteristics of the site and boundaries, it is expected the proposed use will not have any significant impact upon neighbouring uses and the local environment. The existing boundaries are well established with a number of mature trees and hedgerows that provide good screening around most of the site. The proposed boundary treatment and location of any new development within the proposed site will be subject to careful analysis as part of the approval of a development brief.

5.119 The existing access points on La Rue de la Scelletterie are considered unsuitable by the Transport and Technical Services Department as access to the proposed site. One of the benefits of extending Thistlegrove is that access to the whole site could be relocated to La Grande Route de la St. Laurent, which is a primary network road.

5.120 A full development brief, which will address issues such as boundary treatment, layout, landscaping, access and traffic, will be presented to the Minister for approval before the submission of a planning application.

Policy EIW 1

Provision of Light Industrial and Warehouse Land

In order to contribute to meeting the requirements for light industrial land, land to the north and east of the existing industrial site known as 'Thistlegrove', as shown on the [Proposals Map](#) is zoned for light industrial and warehouse use.

A development brief will be prepared by the applicant for approval by the Minister prior to the submission of a planning application for the site to ensure that development takes place in a co-ordinated manner and that proposals are satisfactory in terms of design, layout, landscaping, service infrastructure, access and parking.

Proposals for other commercial uses, including retailing, will not be permitted on the site unless related and ancillary to the primary industrial, storage or warehousing use and provided they are in accordance with other principles and policies of the Plan



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