

21.03.23

12 Connétable A.S. Crowcroft of St. Helier of the Minister for the Environment regarding the public inquiry in respect of the proposed redevelopment of the Ann Street Brewery and Mayfair Hotel sites (OQ.68/2021):

Will the Minister provide the timetable for the public inquiry in respect of the proposed redevelopment of the Ann Street Brewery and Mayfair Hotel sites?

Deputy J.H. Young (The Minister for the Environment):

At the present time, I am discussing the terms of reference for the planning inspectors for the inquiry for these 2 developments. It would be my intention to publish the terms of reference and to take that forward. Once the inspector has been appointed, the inspector will decide and publish the timescale the inspector plans, in accordance with the requirements of the Planning and Building Public Inquiries (Jersey) Order 2008. They are entirely responsible for that. My intention would be that inquiry would have an opportunity to consider the draft Island Plan, which is due for publication on 19th April. That draft Island Plan is a material consideration in the matter.

3.12.1 The Connétable of St. Helier:

The Minister has not given much in terms of the timetable. What month this year does he expect the inquiry to get underway? When would he expect there to be a conclusion to the inquiry?

Deputy J.H. Young:

It is difficult because, under the law of course, the inspector, once the inspector is instructed, has the duty in the law to set the timescale and has the responsibility for running the inquiry. But of course there is a mobilisation time. That process of course cannot start until the terms of reference of the inquiry have been drafted and ready. That will be done within a month. Then after that you have the Assembly time for the inspector, probably a minimum of 4 weeks, might be more, 6. Then the inquiry time and then the time to report. So I am afraid public inquiries are not short processes, which is why not many of them are called.

3.12.2 Deputy K.F. Morel:

Would the Minister advise the Assembly as to what matters or what facts or new facts came to his attention to motivate him to call these public inquiries into the Mayfair site and the Ann Street Brewery site?

Deputy J.H. Young:

Good question. Certainly of course it is a material development; 475 new residential dwellings in that area. Of course, I am conscious of the fact that the law requires that, where the Minister may call in where there is a very significant development that has major effects on a large number of people. In the north of town area that is the case, it meets those criteria. The new issues arising are the issues raised as part of the St. Helier character appraisal and the Island Plan, which has identified issues such as open space, amenity space, the size and the quality of the dwelling units, and all these things. Particularly, the availability of community facilities. That area of town at the present time is very severely short of open space and amenities. A development to put in an additional 475 units in that area is quite significant. Therefore, those issues need to be looked at in great depth.

3.12.3 Deputy K.F. Morel:

Would the Minister clarify to the Assembly as to whether he had received any information or had any conversations with either individuals or concerned groups that raised this matter in his mind and therefore helped convince him of the need for these inquiries?

Deputy J.H. Young:

Not in any systematic way. I certainly did not have any direct lobbying. Certainly, I do remember reading some press reports. Part of my regular procedure in my weekly meetings with the regulation team is to go through the applications list and try to identify anything that may meet the criteria. So I could not say I was not influenced by anything I read in the newspaper but I do not recall I had any direct lobbying. No, one has to operate independently and objectively. I can tell the Deputy that I had considered others, which were reasonable-sized developments but I decided against on advice from the officers. But this was another, which the advice was entirely positive that this is definitely appropriate for a planning inquiry.

3.12.4 Senator S.Y. Mézec:

The Minister mentioned the north of St. Helier and he will be aware of the humungous development currently going on at the Le Masurier site and also another huge one planned for the Play.com warehouse site. Does the Minister understand the frustrations that some people will feel that he takes action for a planning inquiry for a development from a Government-owned housing provider, providing homes at below market value, which we desperately need more of to try to tackle inflation in the housing market and going out of their way to provide open amenity space and for premises for Autism Jersey? Yet this standard does not apply to some of the private sector schemes in the area that, when push comes to shove, are ultimately about cramming as much in there as possible to make money for their shareholders. How does he address those frustrations that some of us feel that well-intentioned developments have these obstacles put in their way, whereas other ones do not?

Deputy J.H. Young:

In the planning world, it is the applications and the nature of them that are subject to scrutiny and decision-making, and not the applicants. The identity of the applicants is immaterial. But of course the public interest is a matter that gets taken on board as part of the planning inquiry process. So I have to accept, I am not saying that the situation is perfect. One has to make the best possible reasoned judgment when calling in a matter for inquiry. I can recall there have been issues where one gets criticised and that goes with the planning territory I am afraid. My overall concern is a bigger one. My overall concern is that all the developments in the town area, particularly in the north or town area, which is taking a huge amount of development, what is necessary is the community facilities and the open space provision to go with it. That is why I put so much emphasis on the new draft Island Plan that will put in place a framework for policies that will help those decision making to achieve that. I am afraid it is only a framework. The only way out for this is for the States to act and provide those facilities of open space and community facilities, which that part of town has lacked for so long. Sorry, but that means other interventions, other than mine.

3.12.5 Senator S.Y. Mézec:

The Minister referred to the public interest. So does he accept that it is in the public interest to support provision of housing that is being delivered for a below-market value that will have an impact on holding back inflation in the private sector? That perhaps, whether it is in an Island Plan or some other mechanism, having some sort of framework that promotes those sorts of developments is necessary because of the impact it will have on the housing market and perhaps a

different approach required to the bigger private sector developments that are taking place that make precisely no contribution to affordable housing?

Deputy J.H. Young:

As a principle, there is no question that we want to see more affordable homes. But if that means that we cram in high-density homes, which are too small, poor quality, without proper amenities and without proper open space, my personal view is that, because those buildings are there for a long time and we create that environment that people have to live their whole lifetimes in, we should get it right. That is why I put so much emphasis on the draft Island Plan. Because I am very positive about the draft Island Plan that there will be some very major opportunities coming forward from the Island Plan to do some real things about affordable homes. Particularly, on States-owned sites, because they are one of the biggest sources, and the detailed proposals that are going to be published on 19th April. In the meantime, just blanket approving, going with things and not placing proper processes in place, is not the way forward.

The Bailiff:

I will allow, for the various interventions so far, an extra 5 minutes, which means question period will end at 12.05.

3.12.6 Deputy H.C. Raymond of Trinity:

Can I just question the Minister for the Environment, as you know, we are very much looking at the centre of St. Helier with regard to affordable homes, with regard to the facilities that the people that go there, with regard to well-being, health and such like. Is it not the case in some situations where, if you look at the particular hotel in question and the inquiry you are asking, perhaps this is something that we should be looking at widening it further and perhaps moving some of these hotels out of St. Helier and into areas that could be better used and therefore use the facilities that we have within the centre of St. Helier? I am very much in favour of making sure that the people that move in there, and especially with housing, that are very well looked after.

[11:45]

Deputy J.H. Young:

In times gone by, the planning team, the Planning Committee, used to make those sort of judgments and try to factor in the States strategy on the public with planning decisions. But obviously now the planning decisions are made independently and the owners put them forward and they are judged on their merits and they stand or fall on their merits. Of course, it is open to the Minister for Infrastructure at any one time to intervene in these property issues and seek to have discussions and negotiations with regard to acquisition and different uses, which of course go through a planning process. But that is open. That is always there. What one cannot do, I do not think, is to say to a developer who puts in an application: "You have applied for X, we are not going to approve this, but we prefer you to have Y." I do not think the system can do that. Not without intervening and acquiring the property.

3.12.7 Deputy R.J. Ward:

It was just to ask the Minister whether he does recognise that a community centre was agreed for the north of St. Helier in the very first Common Strategic Policy but has not materialised. What is his view on the fact that often developments have been agreed with facilities that are there, such as

Millennium Park, but they are so reliant upon the small places that there is simply no more space unless more facilities are made?

Deputy J.H. Young:

I entirely agree with the need for more community facilities and open space and I take every opportunity to talk to my other Ministers who have responsibility for States-owned land. I am not a member of the Regeneration Steering Group so I do not get to put that view there. Generally I suppose I have to take no part in property decisions because my responsibility is regulation and the planning process. But, nonetheless, the draft Island Plan will make quite strong policy recommendations, which will help us get to a better place in this. But in the meantime I absolutely agree with the Deputy. Providing a site for that community sector is really essential.

3.12.8 The Connétable of St. Helier:

I make no criticism of the Minister for wanting to carry out the planning inquiry. That was not the purpose of my question. But it was to get some certainty for the hundreds of people who are desperate to have an affordable home, some certainty about when these developments will be released for development. The Minister has made several references to the Island Plan. Am I right in thinking that the inquiry will conclude before the States debate the Island Plan? Because, of course, while it is being published in April, it is not being debated until next year. To add a further year on the delay in providing these affordable homes would be unacceptable. Does the Minister agree?

Deputy J.H. Young:

Yes, I do agree. My expectation and understanding is that a planning inquiry is enabled to give consideration, as one factor, to what is called an emerging planning policy. So, yes, the expectation is the inspector will report before that. But the draft will be out there. It will be an emerging policy. How much weight is given to that factor is for the inspector to say. But I do undertake that report should be available before the States debate the Island Plan.