

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – NINETY-SIXTH AMENDMENT TRAVEL AND TRANSPORT POLICIES CONSOLIDATED

Lodged au Greffe on 11th February 2022
by the Minister for the Environment

STATES GREFFE

PAGE 2 –

After the words “the draft Island Plan 2022-25” insert the words “except that –

- (a) in the preamble to Policy TT1 – Integrated safe and inclusive travel –
 - (i) in the first paragraph, under the heading Jersey mobility hierarchy (on page 251), after the words “different modes of travel.” there should be inserted the words “Access to travel and transport is also affected by other forms of disability and not just those related to mobility and sensory impairment.”; and
 - (ii) in the second paragraph, after the words “all users of the development” there should be inserted the words “– including those of people with all forms of disability –”;
- (b) in Policy TT1 – Integrated safe and inclusive travel. section 2.a., after the words “sensory or mobility impairments” there should be inserted the words, “and other forms of disability”;
- (c) in the first paragraph of the preamble to Proposal 27 – Active travel network (page 253), after the words “islanders of all abilities,” there should be inserted the words “including people with disabilities.”;
- (d) in Proposal 27 – Active travel network, after the words “the relevant parish(es); stakeholders,” there should be inserted the words “including the Disability Inclusion Group.”;
- (e) in Policy TT4 – Provision of off-street parking, in the first paragraph, after the words “convenient off-street” the words “motor vehicle” should be substituted for the word “car” and a new paragraph at the end of Policy TT4 should be inserted as follows –
 - (i) “Development involving the loss of front gardens and their boundary features to provide parking with direct access to/from the highway will not be supported where this would harm the character and appearance of the street scene or compromise highway safety.”;
- (f) in Policy H2 – Housing density, after the third bullet point there should be inserted an additional bullet point – -
 - “the quantity and quality of amenity space and parking, including visitor parking.”; and
- (g) in Proposal 29 – Sustainable transport zones, after the words “including residential,” there should be inserted the words “to meet all users’ needs, including those of visitors”.

MINISTER FOR THE ENVIRONMENT

Note: After this amendment, the proposition would read as follows –

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

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25 **except that –**

(a) in the preamble to Policy TT1 – Integrated safe and inclusive travel –

(i) in the first paragraph, under the heading Jersey mobility hierarchy (on page 251), after the words “different modes of travel.” there should be inserted the words “Access to travel and transport is also affected by other forms of disability and not just those related to mobility and sensory impairment.”; and

(ii) in the second paragraph, after the words “all users of the development” there should be inserted the words “– including those of people with all forms of disability –”;

(b) in Policy TT1 – Integrated safe and inclusive travel. section 2.a., after the words “sensory or mobility impairments” there should be inserted the words, “and other forms of disability”;

(c) in the first paragraph of the preamble to Proposal 27 – Active travel network (page 253), after the words “islanders of all abilities,” there should be inserted the words “including people with disabilities.”;

(d) in Proposal 27 – Active travel network, after the words “the relevant parish(es); stakeholders,” there should be inserted the words “including the Disability Inclusion Group;”;

(e) in Policy TT4 – Provision of off-street parking, in the first paragraph, after the words “convenient off-street” the words “motor vehicle” should be substituted for the word “car” and a new paragraph at the end of Policy TT4 should be inserted as follows –

(i) “Development involving the loss of front gardens and their boundary features to provide parking with direct access to/from the highway will not be supported where this would harm the character and appearance of the street scene or compromise highway safety.”;

(f) in Policy H2 – Housing density, after the third bullet point there should be inserted an additional bullet point – -

• “the quantity and quality of amenity space and parking, including visitor parking.”; and

(g) in Proposal 29 – Sustainable transport zones, after the words “including residential,” there should be inserted the words “to meet all users’ needs, including those of visitors”.

REPORT

Policies in the draft bridging Island Plan seek to promote safe and sustainable forms of transport to support the delivery of the Sustainable Transport Policy.

As a result of consultation and proposed amendments, and their subsequent examination by independent planning inspectors, the Minister for the Environment is now proposing to make a number of changes to some of the travel and transport-related policies and proposals, along with the justification for them, to improve them, specifically:

- **Policy TT1 – Integrated safe and inclusive travel** (preamble and policy)
- **Proposal 27 – Active travel network**
- **Policy TT4 – Provision of off-street parking;** and
- **Policy H2 – Housing density** (and the need to explicitly consider parking provision)
- **Proposal 29 – Sustainable transport zones** (in relation to visitor parking)

Background information relating to most of these changes can be found in the [Minister's post-consultation report](#) (specifically statement responses 42 and 61), the [inspectors' report](#) (see p. 44 and section 10, pp.77-79), and the [Minister's response](#) to the inspectors' report.

Disability inclusion in active travel

The need to give explicit consideration for people with disability is already recognised throughout the plan. The pre-amble to the travel and transport section includes a section (on p.251) which sets out the Jersey mobility hierarchy – as set out in the Sustainable Transport Policy - at the top of which are children, elderly people, and people with sensory or mobility impairments.

The Minister recognises, however, that it is important that those aspects of the planning system, including all aspects of travel, which touch on the lives of islanders, need to be inclusive and should embrace and engage with those with experience of all forms of disability, and not just those with mobility or sensory impairments. This can be effected by engagement with the Disability Inclusion Group which has been established under the auspices of the Disability Strategy.

The plan already makes clear, as set out in Proposal 27 and 28: Active travel network and Public Realm Works Programme, that all public realm enhancement/active travel schemes will be the subject of stakeholder engagement which would include people with disabilities and their representative agencies.

The Minister is of the view, however, that the plan would benefit from more explicit recognition of this issue, in the preamble to Policy TT1 and Policy TT2, Policy TT1 itself, as well as Proposal 27 – Active travel network, as set out in his statement response ([Minister's post-consultation report](#): SR42), and endorsed by the planning inspectors ([inspectors' report](#) (see recommendation 54, section 10, pp.77-79)). These proposed changes align with the objectives of [P.36/2021 \(Amd. 21\)](#).

As a result of part (a) Policy TT1, and its preamble (on p.251); the preamble to Policy TT2 (on p.253); and Proposal 27 – Active travel network, will read as follows:

Jersey mobility hierarchy

The Jersey mobility hierarchy, shown in figure TT1, recognises that access to travel and

transport choices and priority in the use of road space is different for people with different needs, including children, the elderly and people with impairments, and for different modes of travel. [Access to travel and transport is also affected by other forms of disability and not just those related to mobility and sensory impairment.](#) This can create and exacerbate inequality and can undermine the safety and sustainability of the island's transport system.

Adoption and application of the mobility hierarchy in decision-making, to inform infrastructure priorities and to assess development proposals, can encourage safer and more sustainable travel options and reduce the need for private vehicle use. Development proposals will be required to demonstrate how they have sought to accommodate the travel and transport needs of all users of the development [– including those of people with all forms of disability](#) - either as part of a design statement, or through the specific preparation of a travel plan. It should also set out how it meets the needs of the most vulnerable users as a priority. Development should not be undertaken where there is a negative impact to those higher up the hierarchy by the introduction of an initiative for a lower-level user or mode.

Policy TT1 – Integrated safe and inclusive travel

The contribution to safe and integrated travel will be a consideration in all development proposals. Proposals will be supported where:

1. the development is safe, inclusive and accessible to all users and modes of transport, having regard to:
 - a. its integration with and connection to the existing transport network;
 - b. the requirements of the emergency services;
 - c. the need to ensure that all stages of a journey to and from the development can be undertaken safely, for all users, by ensuring the development complies with the road safety audit policy; and
 - d. the amount and type of traffic generation and the capacity of the local network to accommodate it.
2. it can be demonstrated that consideration has been given to, and provision made for:
 - a. the travel needs of children, elderly people and people with sensory or mobility impairments [and other forms of disability](#), as a priority; and
 - b. the promotion of walking and cycling in the design and use of the proposed development.

Development which compromises the physical integrity and / or proper functioning of the island highway network, comprising local routes (minor roads); secondary routes (B and C roads); and the primary route network (A and some B roads) will not be supported.

Development which has the potential to generate significant amounts of movement must be supported by a transport assessment and a travel plan, as appropriate.

Active travel

This Island Plan encourages active travel, to support more walking and cycling and similar active forms of travel and requires development to make provision for it through design and delivery. This will further support the vision of the STP active travel plan, which will set out how we will make active walking and cycling journeys safer and easier for islanders of all abilities, [including people with disabilities](#).

Proposal – Active travel network

The Minister for the Environment will develop and publish supplementary planning guidance (SPG) for the active travel network (ATN) to determine where development proposals might be required to contribute directly or indirectly to the development of the network.

As part of the development of any supplementary planning guidance for the active travel network, the Minister for the Environment will consult the Minister for Infrastructure; the relevant parish(es); stakeholders [including the Disability Inclusion Group](#); and members of the public.

Provision of off-street parking

There are several parts of the draft plan where the Minister is proposing to make changes to provide clarity in relation to the provision of off-street parking provision.

First, the Minister wishes to make changes to Policy TT4 – Provision of off-street parking, to make it clear, on the face of the policy, that this is focused on the provision of parking for all forms of motor vehicles, and not just cars, and that it is also distinct from cycle parking (provisions for cycle parking are already dealt with at TT2 – Active Travel).

Second, the Minister wishes to add a provision to the draft plan to be able to deal with the issue of the loss of front gardens to provide off-street parking spaces. This type of change can have a number of implications including an impact upon the nature and character of the street, particularly in those parts of Town where there is a concentration of nineteenth century architecture where the front gardens of terraces are often of a uniform design and form part of the architectural composition of the street. The loss of these front gardens for the use of car parking can result in the loss of ornate architectural features such as walls, railings and tiling or formal planting, as well as introducing parked cars as a visual intrusion affecting building frontages and the street. The creation of individual private vehicular accesses along a street can also pose greater risk for highway safety, particularly pedestrians.

These proposed changes are set out in the Minister's statement response ([Minister's post-consultation report: SR61](#)), and is endorsed by the planning inspectors ([inspectors' report](#) (see recommendation 55, section 10, p.79)).

As a result of part (b), Policy TT4 – Provision of off-street parking, would read as follows:

Policy TT4: Provision of off-street parking

Development that has the potential to generate vehicular movements and a requirement for car and other forms of parking will be supported only where it provides an appropriate level of accessible, secure and convenient off-street ~~car~~ motor vehicle parking, that is well-integrated with the development, and which accords with adopted parking standards in terms of number, type, quality, security and accessibility, to meet all users' needs, with priority given to parking for people with mobility impairments.

To encourage a shift to more sustainable modes of transport, support may be given for development that does not meet adopted minimum standards, where contributions towards alternative parking elsewhere, or sustainable transport infrastructure or services, is secured, and where it can be demonstrated that any deviation will not lead to problems of indiscriminate parking in the locality. Any such contribution would need to be secured through a planning obligation agreement.

The development of land for the provision of off-street car parking space in Town will not be supported except where it is provisioned as a "meanwhile use" against agreed timeframes for use as short-stay (shopper) parking.

Development involving the loss of front gardens and their boundary features to provide frontage parking with direct access to/from the public highway will not be supported where this would harm the character or appearance of the street scene or compromise highway safety

To encourage the more efficient use of land and to enhance environmental quality, the redevelopment of off-street parking provision in the built-up area will be encouraged and supported

Parking and development

The draft Island Plan needs to make provision for the provision of parking in association with different forms of development. In relation to the matter of density, as set out at Policy H2: Housing density, the policy makes clear that the appropriate density for an individual development site will be informed by matters such as the quality of the design and the level of accessibility of the site's location which influence how much parking space, as well as amenity space, will be provided. These factors, whilst implicit in the consideration of design and accessibility, are not explicitly referenced in the policy as currently drafted, and the Minister considers that it is helpful to make specific reference to them.

The Minister considers, however, that this is not just an issue of quantity of parking and amenity space, but also its quality. It is important that amenity space is of value and utility; and also that parking is provided for both motor and non-motor vehicles, as appropriate, and that it is well-integrated into the design of a site.

The changes proposed are set out in the Minister's statement response ([Minister's post-consultation report](#): SR61); and accord, in part with [P.036/2021\(Part \(a\) Amd.42\)](#), and

is endorsed by the planning inspectors ([inspectors' report](#) (see recommendation 19, p.44)).

As a result of part (c), Policy H2 – Housing density, would read as follows:

Policy H2 – Housing density

A positive design-led approach for the provision of new homes will be encouraged at all sites in the island's built-up area to ensure optimum efficiency in the use of land.

Residential development will be supported where it meets or exceeds the adopted minimum residential density standards established for the island's built-up areas.

The appropriate density for any individual site will be informed by:

- the quality of design, relative to the nature of the site and its local context, and the character, capacity and sensitivity of the area to accommodate the development;
- the quality, type and mix of homes being created; and its contribution to the creation of sustainable communities; ~~and~~
- the level of accessibility by walking, cycling and public transport, to a range of services and facilities, including the capacity of existing local infrastructure to accommodate the development: ~~and~~
- the quantity and quality of amenity space and parking, including visitor parking.

Residential development below the minimum density will only be supported where it is essential to protect the special interest and character of the area, or where there is an overriding justification to provide a particular mix and type of homes.

Proposals involving five or more homes should be supported by a schedule of accommodation and density statement: proposals that are not accompanied by this information will not be supported.

Visitor parking

A late amendment to the draft plan (P.36/2021 (Amd.76)) seeks to add a wholly new policy and proposal to the plan dedicated to the need to provide visitor parking provision. This is both surprising and unnecessary.

The issue of the provision of visitor parking is already addressed in the draft plan. It is covered by Policy TT4 – Provision of off-street parking which states that (emphasis added) '*Development that has the potential to generate vehicular movements and a requirement for car and other forms of parking **will be supported only where it provides an appropriate level of accessible, secure and convenient off-street car parking, that is well-integrated with the development, and which accords with adopted parking standards in terms of number, type, quality, security and accessibility, to meet all users' needs, with priority given to parking for people with mobility impairments***'.

Members, and particularly those who serve on the Planning Committee, will be aware that when determining planning applications, it is a requirement in law, to have regard

to all relevant material considerations, and in particular, all relevant island Plan polices. On this basis, regard will already need to be had to Policy TT4 – Provision of off-street parking for all developments that have a requirement for the provision of parking space. On this basis, there is already a requirement to have specific regard to the need for parking provision for all users of a development, including that to meet the needs of visitors.

The draft plan already sets out a proposal for comprehensive parking standards to be reviewed and issued, which will set out standards for all users. Revised parking standards are long overdue. Work on their revision is well-advanced and they will be issued, as a draft for consultation, upon completion of the Island Plan Review process.

Efforts to ensure that appropriate standards for visitor parking are secured are more appropriately focused by engagement with the development of supplementary planning guidance, particularly as the Island Plan already addresses this issue in the policy framework, as drafted.

In order to ensure that emphasis is given to the specific needs of visitor parking to be addressed in parking standards, however, the Minister proposes to make amendment to the proposal which sets out the requirement for their revision – Proposal 29 – Sustainable transport zones – as follows:

Proposal – Sustainable transport zones

The Minister for the Environment will develop and publish supplementary planning guidance (SPG) for sustainable transport zones (STZ) to:

- establish standards for the provision of motorised and non-motorised vehicle parking:
 - for various forms of development, including residential, to meet all users' needs, including those of visitors; and / or
 - for the zone, or any part of the zone.
- set out any planning policy considerations and associated standards:
 - for the provision of associated facilities to support sustainable travel;
 - for the provision of electric vehicle charging infrastructure or services; or other low emission technologies, and / or
 - to advance other policies set out in the STP or a related policy plan.

As part of the development of any supplementary planning guidance for sustainable transport zones, the Minister for the Environment will consult the Minister for Infrastructure; the relevant parish(es); stakeholders and members of the public.

Financial and manpower implications

There are no direct financial and manpower implications.

CRIA statement

The effect of this amendment is in alignment with the Minister's published CRIA. It will not lead to adverse impacts upon the rights of children.