

2019.11.12

**13 Deputy R.J. Ward of the Minister for the Environment regarding the encouragement and facilitation of more greenery in the Island's urban areas: (OQ.279/2019)**

Given the welcome announcement of the intention to plant 6,000 trees in the north of the Island, what action, if any, is the Minister taking to encourage and facilitate more greening in our urban areas and to prevent the removal of mature trees as housing developments become more centralised in St. Helier?

**Deputy J.H. Young of St. Brelade (The Minister for the Environment):**

I am already committed, as part of our Island Plan and Future St. Helier work, to plan for more green landscaping and trees in our urban areas, in particular using planning agreements and new Island Plan policies. But the question gives me an opportunity to announce new work. The team is formulating a practice note to allow more tree planting on marginal agricultural land where it can be demonstrated the benefit to the wider environment, landscape and public access. Also, we do lose too many trees at the moment and, therefore, in terms of that I will be coming forward shortly with changes to the Planning and Building (Jersey) Law, seeking to provide greater control on the removal of trees, particularly in the urban area. Of course, looking after trees is fundamental to climate change, well-being, landscape and biodiversity and I will keep the Deputy updated as that work continues.

**3.13.1 Senator S.C. Ferguson:**

For some years not only has the Island Plan been concerned with trees, but also landscape. Will the Minister confirm that he will, in fact, be employing a landscape specialist, so that proper landscape designs can be assessed when planning applications go in?

**Deputy J.H. Young:**

We do not have a landscape architect on the planning team. Obviously, the whole trend has been to keep the budgets tight and we tend to use outside specialists where it is required. What I can say is that, as part of the planning work that I said about, the Island Plan and assessing landscapes, I can confirm that there is a professional partner on board to do that work as part of the Island Plan. As far as assessing applications later on, I think it is intended if not landscape, certainly the intention is to have an arboriculturalist available to the team, which is part of the positive things in the G.H.E.'s (Growth, Housing and Environment) structure.

**3.13.2 Senator S.C. Ferguson:**

Will the Minister be ensuring that there is proper observation and application of the green backdrop zone policy?

**Deputy J.H. Young:**

Absolutely. I think the green backdrop zone has been very much not given sufficient emphasis and I certainly have been critical, as a Member, of planning decisions that have not given adequate weight and allowed developments that I think rather mar those areas. As Minister, I have been very pleased to deal with a few appeals when that situation has not been allowed to continue. I think people should see trees and a green backdrop area and their maintenance as fundamental to our well-being.

[11:00]

### **3.13.3 Deputy S.M. Wickenden of St. Helier:**

Could the Minister confirm that his Department has been working with the Men of the Trees company up at Howard Davis farm to help them propagate trees and land around the Howard Davis farm area?

### **Deputy J.H. Young:**

I think the Deputy has got the advantage on me. I would be very interested to hear more about this, but I have met Men of the Trees and I am very inspired by them and generally, as a principle, I am very keen on Government working with community bodies that are geared up and expert in these fields. If we have got the resources to do things with them, we will. I am not sure where the funding stream is, but in the Government Plan ... I hope for the Government Plan and there is some money in there that helps do this.

### **3.13.4 The Deputy of St. Martin:**

I welcome very much the news from the Minister that he will be issuing a planning note about planting of trees in agricultural fields. Can I just assume that, in waiting for that planning note to come out, that any other farmers who apply to plant trees in fields will receive proper approval?

### **Deputy J.H. Young:**

Well, I could not give a guarantee, but I think there is no question that, in the change in the public mood about climate change, certainly people do see there is no question, trees are maintained and that carbon-fixing vegetation is an important element in that. Obviously, we had a particular project that came forward, which I think on the record I have been advised should have made a planning application, but nonetheless what we decided to do is to, in fact, issue some guidance to give clarification of where marginal land is and so on. A qualified yes, I suppose, is the answer, but please wait for the practice note, which will be out pretty soon.

### **3.13.5 Deputy G.J. Truscott of St. Brelade:**

I do welcome what the Minister reiterated earlier, that trees are so important to everybody. It is just an off-the-cuff suggestion: what about a T.P.O. (tree preservation order) on all trees in St. Helier? I would like you to respond to that. I think it is something that could practically be done, but also are the fines sufficient? If somebody breaks a T.P.O, are they sufficient as they currently stand?

### **Deputy J.H. Young:**

That is an excellent question. I will take the second part first. Deputy Guida and I have worked on this with our officers for months trying to get there and I think we have, at last, made a breakthrough that we should be controlling these. What we see at the moment, I am afraid, is the moment anybody gets hold of a site and thinks about it, the first thing that happens is the trees are gone. I am afraid it is too late and you cannot put them back and planning conditions plainly do not work, which is why we have come to the conclusion, Deputy Guida and I, that we have to be strong. Could we have a blanket T.P.O.? We are told no at the moment, but nonetheless we are going to try and find ways of amending that planning law that will give us a greater measure. I think the message to people is please look after our trees, please think. Mature trees in the urban area are vital for us to look after.

### **3.13.6 Deputy K.F. Morel:**

The Minister did not answer the previous question fully and that was the part about are fines of a sufficiently high value to stop people cutting down the trees as their first action when they get to a new site?

**Deputy J.H. Young:**

Well, no. In fact, it is worse than that. The current situation where a tree is not listed - and we do not have many trees listed at all, because it is massively resource intensive to do a tree listing and there are all sorts of legal obligations in doing that - we rely on planning conditions that say: "Look after these trees, do not alter them." But when there is a breach of condition, which happens all the time, there is very little in practice we have been able to do to enforce and the issue of fines does not arise. Deputy Guida and I are determined that in those law changes we will tighten up on this and I think it will be for this Assembly to hopefully go with that if we get it right.

**3.13.7 The Connétable of St. Brelade:**

Would the Minister agree that if applying T.P.O.s to private owners that there should be some consideration of support in maintaining trees, which anyone who owns trees will know is an extremely expensive business?

**Deputy J.H. Young:**

I think the Constable puts his finger on the big legal issue about having a blanket T.P.O. Many of those T.P.O.s will be on privately owned land and there is a duty to notify the owners and many owners would object and say: "I do not want this tree looked after. If I have got to maintain it and so on, who is going to pay?" At the moment you know my position. We spend half a per cent of our budget on the environment. There are no funds in this area, there are no funds to look after our heritage in conserving listed buildings. I think as we start and these things become more recognised by the public we are going to have to look at some of those systems, but in the end the resources are dependent on the Members here and, of course, the past history has been that Members are not keen to raise money in order to pay for such systems.

**3.13.8 Deputy R.J. Ward:**

I did not get my original supplementary, which was about monitoring trees being removed and I think it has been covered. I will just finish off with this one. It is good to see how trees bring people from across the Assembly together. What consideration has been given to other areas, such as green roofs and other creative measures in urban developments, which we see around Europe and the world, which make such a significant impact on the well-being of communities, the environment and the quality of air in urban areas?

**Deputy J.H. Young:**

I think the realm is getting into design issues and design issues require design guidance. There is no getting around it. If we are to accommodate, or have to have developments to accommodate more people in our built areas, we are going to have to have design advice on the sort of techniques that will help people do that. Green roofs and so on are just one and, of course, what I am not personally very keen on is one has seen almost green roofs in some places being used as green wash and I am not very keen on that. I take the point and we will look at, as part of the Island Plan work, coming out with designed supplementary guidance to help do that.