

19-21 Broad Street | St Helier  
Jersey | JE2 4WE

Constable Mike Jackson  
Chair, EHI Panel  
**BY EMAIL**

10 June 2021

Dear Mike

## **Questions following Public Quarterly Hearing with the Minister for the Environment held on 1 June 2021**

Further to our Quarterly Public Hearing, last week, I have sought to set out responses to those questions that we were unable to get to during the session.

There are a considerable number of these, some of which are very specific, targeted, and technical for which no prior notice was given. Considering the complexity and various factors which need to be considered in responding to each of these questions, the responses should not be considered as 'complete'.

Should the Panel wish to explore an issue in this level of detail in future, it may be more beneficial if appropriate notice is provided to ensure that I am best able to provide the Panel with the information that it seeks; and that appropriate time is given to ensure that those areas that the Panel wishes to be explored can be satisfactorily accommodated during a session. Alternatively, a bespoke meeting could be arranged to discuss a topic in such detail.

- 1. Minister, in addition to the challenges that Jersey faces regarding the supply and delivery of affordable housing, the challenge exists regarding housing for the elderly, in particular the provisioning of care/nursing homes. At our previous quarterly hearing you suggested that the private sector, in the main, provisioned care homes, however that the plan should address those needs. Have discussions been undertaken with the Minister for Health and Social Services on ways to provision such homes as part of the Island Plan policies and, if so, what were the outcomes from those discussions?**

The Minister for the Environment recognises the challenges of the ageing society and specifically the challenges that this brings to ensure that older members of society are appropriately housed and are able to remain in their own homes for as long as possible. That is why, in 2008, changes to the island's building byelaws were made to ensure that all new homes built in the island since that time meet Lifetime Homes standards.

The Jersey care model is also based on a person, family and home-centred care model reflecting a move away from an institutional-based care model.

The draft bridging Island Plan, however, recognises that there may still be a need for the provision of some residential care and extra-care homes and a policy framework is provided at draft policy H6-Supported housing, against which proposals for any such uses might be considered.

The Minister for Health and Social Services was engaged, along with all other ministers, throughout the preparation of the draft Island Plan, however, I have not had individual discussions with the relevant Minister

- 2. Minister, does the Bridging Island Plan ensure the correct balance is achieved for meeting housing supply and demand while safeguarding and provisioning greenspace for Islanders and, if so, how is this achieved through the proposed policies?**

As Minister, I am charged with bringing forward a plan for the sustainable development for the island and I believe that the draft Island Plan enables this to be achieved. The Sustainability Appraisal of the draft Island Plan, which has been undertaken alongside the preparation of the draft Island Plan, provides an independent view of the overall sustainability of the draft plan.

The strategy to meet the island's housing needs is, I believe, a balanced one, which seeks to focus most of the delivery of homes within the island's existing built-up area and on those places in the island with best access to services and facilities; together with a limited release of greenfield land to help meet the need for affordable homes and to support local communities across the island.

I have also sought to ensure that the draft plan provides better protection for the island's most valued and special landscapes and seascapes; to promote placemaking and the quality of urban environment in particular; and to protect and enhance the provision of and access to open space.

It will, however, be for the States Assembly to determine whether the draft plan presents the correct balance when it considers the approval of the draft plan.

**3. Minister, you will be aware from recent [media coverage](#) of the outcry from some residents in the parish of St. Saviour, regarding the potential development of 212 new homes, as proposed in the Draft Plan. Can you talk us through the proposed rationale of the spatial strategy which determines where development, in this case housing, should be focused?**

As stated, the spatial strategy set out in the draft plan seeks to meet most of the island's development needs, particularly for new homes, from within the existing built-up area.

To help meet the need for affordable homes, the draft plan does propose, however, the release of a number of fields on the edge of some of the island's built-up areas, to contribute toward the overall need for homes: this represent approximately 450 homes or about 11% of the overall supply.

Proposed rezoning of land for affordable homes is spread across the island and currently affects the parishes of St Ouen, St Peter, St John, St Martin, Grouville, St Helier and St Saviour.

The sites put forward here are those which are considered to be the most suitable for the development of homes following their assessment, relative to the submission of over 300 sites submitted for consideration, as set out in the [housing land availability and sites assessment report](#).

**4. Minister, what is your view regarding the re-purposing of derelict sites, properties, greenhouses and agricultural buildings for housing where possible, considering many of them are not benefiting the community in their current state, and do policies in the bridging Island plan facilitate this and, if so, how?**

As already stated, to promote the most sustainable form of development in the island, the draft Island Plan seeks to ensure that the majority of homes are provided within the existing built-up area with only a small number of sites proposed for rezoning.

There are, however, considered to be circumstances where buildings outside the built-up area might be re-purposed for the provision of homes, including traditional farm buildings and listed buildings, where their conversion to homes might provide a viable and sustainable form of use, and the draft plan makes specific policy provision for this at policy H8 – housing outside the built-up area; policy ERE3 – conversion or re-use of traditional farm buildings; and policy HE – protecting listed buildings and places, and their settings.

The redevelopment of the redundant and derelict glasshouses for non-agricultural uses is not supported by the draft plan. Policy ERE6 – derelict and redundant glasshouses does enable, in exceptional circumstances, a limited amount of development to secure their removal and restoration of the land.

- 5. Minister, in your view, in areas where the environmental impact would be limited, could land reclamation provide an opportunity to provision further homes and, if so, which areas are being considered for this purpose?**

The draft Island Plan sets out a proposed policy framework for land reclamation at Policy WER4-land reclamation, where land reclamation will only be supported where it can be demonstrated that that it represents an appropriate response to future coastal flood risk, where it represents the best strategic option.

The Shoreline Management Plan sets out policy options for the island's coastline, relative to the assessment of flood risk, over the short-, medium- and long-term. The policy options for areas to the east and west of the Town of St Helier include an 'advance the line' option in the short- medium-term.

Any proposed land reclamation scheme would need to be the subject of an environmental impact assessment.

The extent to which any land reclamation proposal offered other development opportunities would need to be the subject of part of the development and assessment of alternative options, relative to the environmental impacts and benefits of any such proposal.

- 6. Have the proposed policies considered how to balance the impacts of housing development and development practices with initiatives that would promote a more sustainable and environmentally friendly approach while supporting Jersey's roadmap to becoming carbon neutral and, if so, could you briefly explain how the policies intend to facilitate this?**

The draft plan sets out policies which seek to ensure that all new affordable homes, and homes built outside the built-up area meet Passivhaus standards (see Policy ME2), which seek to dramatically reduce the requirement for space heating and cooling, and thus energy use.

In the built-up area, residential development of five or more homes will only be supported where the target energy rate – which is the minimum energy performance requirement for new buildings established by the by the building byelaws – is reduced by 20%.

- 7. Minister, please can you outline how the proposed policy NE2 'Green infrastructure and networks' will serve to suitably protect the Island's trees from future development? Specifically, what requirements developers will need to fulfil to ensure adequate protection?**

The detailed requirements of Policy NE2 – green infrastructure and networks, are set out in the substance of the policy, as follows:

Development must protect and improve existing green infrastructure assets, and contribute towards the delivery of new green infrastructure assets and wider green infrastructure networks by:

- a. retaining and improving existing green infrastructure, including trees, hedgerows, wetlands, ponds and watercourses, as far as is practicable;
- b. incorporating the provision of new green infrastructure assets, which contribute to the creation of the island's green infrastructure network and are appropriate in nature and scale, taking into account the site-specific context and proposed use; and
- c. ensuring green infrastructure assets, including tree root zones, are adequately protected during construction works.

Any development that would have an adverse impact on existing green infrastructure assets will be required to demonstrate that the benefit will outweigh the harm and provide

details of how the features will be protected as far as practicable, and that measures are in place to minimise and/or mitigate their loss on-site, or will be otherwise compensated for.

**8. In relation to Policy UI2 of the Draft Island Plan, please can you outline how this policy will facilitate future provision for a new reservoir and to meet the Island's needs in terms of adequate water supply?**

Policy UI2 – utilities infrastructure facilities provides a policy framework against which any proposal for utility infrastructure that might emerge during the bridging plan period to be considered.

Requirements for more significant water utility infrastructure development beyond the grounds of existing facilities may emerge during this, or in the subsequent plan period. The need for a water strategy for the island is recognised and will be prioritised during the plan period (see Proposal – water resource management strategy). This, coupled with other water resource policies, will be critical to ensuring the longer-term sustainability of water resources and the adequacy of the associated infrastructure.

In recognition of the longer-term supply challenges and the lead-in time for major utility infrastructure improvements, and in light of the findings of the Integrated Minerals, Waste and Water Study, the plan supports the principle of enhancing existing water infrastructure, specifically:

- increased capacity at Val de La Mare Reservoir;
- increased capacity at La Rosière desalination plant (or a new desalination plant); and
- continued leakage reduction works.

**9. Why was the potential development of a new reservoir at the La Gigoulande quarry rejected?**

Jersey Water identified in their 2019 Water Resource and Drought Management Plan (WRMP) that action needed to be taken to address a current and increasing supply and demand deficit. As part of their submission to the Island Plan Review Strategic Issues and Options Paper (2019) Jersey Water emphasised the need to act on both the supply-side and the demand side.

Jersey Water have undertaken an options appraisal for the assessment of unrestrained options to meet the future predicted deficit. The following were outlined as supply options for further optimal appraisal:

- Acquiring and transforming La Gigoulande Quarry into a new reservoir.
- Increasing the volume of water extracted from boreholes in the St Ouen's Bay area through onsite water treatment.
- Investigating sites for new boreholes/ catchments.
- Aquifer Storage Recovery.
- Increasing the storage capacity of the Val de la Mare Reservoir from 900 to 2,100 million litres.
- Further increasing capacity at the existing desalination plant at La Rosière.
- Introducing a new desalination plant on the east of the island.
- Recycling process water back into the reservoir system.

Granite Products, the owners of La Gigoulande Quarry, has separately commissioned work on the potential for use of the site for water storage – focussing on available storage volumes and any technical challenges and practicalities associated with water storage in the western void only. The conclusion of this work is that this option might provide a smaller storage volume than the Jersey Water assessment suggests and that water resource, environmental or viability issues remain to be considered.

In light of the identification for the use of La Gigoulande Quarry to be used for water storage as an option identified by Jersey Water, its potential for this purpose was specifically included as part of an integrated study to assess and identify strategic options to meet the island's need for minerals;

and the for the management and disposal of waste. The [Minerals, Waste and Water Study](#) was specifically commissioned to help inform the draft Island Plan.

This work explored a range of scenarios related to the strategic options available to the island to meets its needs relative to minerals, waste and water and recommended that an integrated approach was the best way forward, and it is this that has been taken forward in the draft plan.

With specific regard to the future of La Gigoulande Quarry it was recommended that, on balance this best served the island as an integrated minerals and waste asset, rather than as an additional reservoir. There are a number of reasons for this, including the existing permission at La Gigoulande which supports inert waste management uses, the environmental and economic impacts associated with a more aggregates import-focussed solution; and the other options available to meet future water demand without requiring La Gigoulande to be used as a reservoir.

Is should be noted that any commentary on La Gigoulande Quarry is based on information currently available.

**10. Minister, in light of recent public objection to plans to extend La Gigoulande quarry for future use as an overflow waste disposal site, can you outline the rationale for this loss of green space?**

The draft Island Plan, at Policy MW1 safeguards the use and extension of La Gigoulande Quarry for the extraction of minerals in order to help meet the island's needs for primary aggregates.

Planning permission has already been granted for waste management and disposal at the existing La Gigoulande Quarry.

**a. Can you talk us through the rationale to include this in the shorter 3-year Bridging Island Plan and not the next longer-term 10-year plan?**

Further mineral reserves will be necessary in the island to meet current and future demand even if further reserves are permitted at Ronez Quarry. In the absence of further reserves there will be a shortfall of mineral against the targets in the current adopted Island Plan of a 10-year landbank.

Based on the production of the three year bridging plan prior to the next 10 year plan it is evident that for the long term security of the supply of minerals in the Island it would be prudent to consider the landbank in the bridging plan.

The operator advises us that there is a time critical relationship between the quarrying operations in the existing quarry at La Gigoulande (and the maintenance of mineral production) and the ability to secure access to Field MY966 from it (by the construction of a temporary haul road). It is estimated, by the quarry operator, that there is approximately two years of mineral reserves remaining in the deeper western quarry area at the existing site and one year of mineral extraction in the east of the existing quarry before the existing overburden mound and the rock beneath it will need to be removed in the eastern area of the existing quarry to maintain production. Consequently, after this time construction of the temporary haul road and access to Field MY966 may be precluded.

The recommendation to support and safeguard existing mineral extraction, and the extension of existing quarries at Ronez and La Gigoulande is set out in the [Minerals, Waste and Water Study](#).

**b. We are aware that the field in question already has planning permission for this development. Are there other locations which could be viable for this use, but do not yet have planning approval?**

Field MY966 does not have planning permission for the extraction of minerals, or for the management and disposal of waste.

As stated above, the proposed safeguarding of Field MY966, as set out in the draft bridging Island Plan, is for the extraction of minerals.

In the event that this proposal remains within the approved island Plan, a subsequent planning application would need to be submitted, accompanied by an environmental impacts statement, in order to secure planning permission to extract aggregate from this site. Any such environmental impact statement would need to set out consideration of alternative options for the extraction of minerals. It is relevant to note, however, that minerals can only be extracted where they exist.

It will be open to the Minister to call in any planning application which will include an Environmental Impact Assessment for a planning inquiry for detailed examination.

**11. We understand that the Draft Island Plan seeks to extend the Coastal National Park to provide protection from development of Jersey's most sensitive coast and countryside locations. Minister, what feedback have you had so far from stakeholders and the public on these proposals?**

This is an area of the draft Island Plan that has generated significant interest the outcome of which will be known at the end of the consultation period. It is clear that the policy proposal has been subject to a misunderstanding with regard to the intention of the policy – which is related to the regulation of development activity. Communications will continue with stakeholders and relevant members of the public to address this.

Responses to consultation are published online, once they have been received (and reviewed relative to data protection) and can be seen, and searched relative to policy area or keyword, here: [https://haveyoursay.gov.je/consult/islandplan/consultation/published\\_select\\_respondent](https://haveyoursay.gov.je/consult/islandplan/consultation/published_select_respondent)

**12. Minister, we are aware that the Draft Plan proposes that a marine spatial plan is developed in order to strengthen the planning and management regime for the marine environment. Is this something that is already in train? Or will this only be progressed once the Draft Plan is approved?**

Much work has already been undertaken to better understand the island's marine environment and the Marine Resources Team have, in particular, contributed significantly to the collection, collation and management of baseline data that will help to inform the development of a marine spatial plan.

Commissioning and developing an MSP will, however, be a specific task that will need to be undertaken outwith the draft Island Plan.

**'Call for sites' outcome ([Housing land availability and assessment of sites](#))**

**13. Minister, regarding the sites that were selected, could you briefly explain how those sites were decided upon from those identified as potential sites, and what criteria was used to select or reject a site?**

As set out in the published [Housing land availability and assessment of sites](#) report, a range of criteria were used to assess the objective planning merits of those sites submitted in response to the Island Plan Review 'call-for-sites'. An initial desk-top sift of the planning merits of each site was undertaken, using a geographic information system, to remove sites where they were affected by critical constraints and then a suitability analysis was undertaken and sites ascribed a red, amber, green (RAG) rating. The suitability of sites was measured in relation to four key characteristics, including:

- spatial strategy
- accessibility,
- landscape character, and
- existing land use.

To find the most suitable sites for potential rezoning further, more detailed site assessment and analysis of all the sites was undertaken. Suitable sites were only advanced to the next stage if they met the following criteria:

- were outside of the built-up area (needed rezoning)
- were able to deliver a minimum of five units (0.15 hectare)
- were put forward for affordable housing
- were able to be developed within five years.
- would support community needs in either number or type
- would not be required for other uses (e.g. community infrastructure, such as a new hospital)
- had a low flood risk

This resulted in a reduced list of sites. All of these sites were subjected to site visits and further assessments to determine their potential suitability for the provision of homes. The 'best-performing' sites were also subject to further, more detailed consideration of infrastructure requirements, with IHE (Drainage) and IHE (Transport). Further investigation was also undertaken in relation to the potential impact of the loss of these sites to the agricultural industry, where relevant, involving further review with IHE (Land Controls) and the Rural Economy Team.

It is worth noting that the Minister did not have political input in the selection of the sites and only played a part in the formal sign off of the final list of sites.

**14. Could you briefly summarise any engagement the Government had with the Parishes during the site identification and selection process and whether the Parishes' input/concerns were taken on board in the decision process when the final site selection was made?**

As part of the preparation of the draft Island Plan, the Minister for the Environment offered to meet with all States Members in a series of briefings arranged through the parishes in January, involving the Connétable, local deputies and any senators who lived in the parish.

These sessions involved a briefing on all emerging policy issues that might be of relevance to the parish in question, along with wider policy issues associated with the draft plan.

Members were advised of the 'best-performing' housing sites, when assessed against objective planning criteria (described above at the response to Q13), that were under consideration as part of the strategy of developing a response in the draft plan to meet the island's need for homes. The aspiration and willingness of parishes to provide new homes to help meet the needs of their own communities, where this was provided, was noted.

Members were advised that work to assess the sites, and the plan's response to housing need, was still underway and, as such, all, or none of the sites under consideration might emerge in the draft plan. The purpose of the briefing was to appraise members of the work that was being undertaken and to highlight the sites under consideration.

Where members offered views, these were noted, but the final recommendation and decision of the Minister was based on the planning assessment of the sites.

It is relevant to note that some members declared an interest in relation to housing sites under consideration, which was duly recorded, and accordingly offered no comment in relation to any of the sites under consideration.

**15. What engagement has the Government had with the Jersey Farmers' Union and/or other agricultural industry representatives, during the process to determine the agricultural benefits/uses of the land prior to the land being identified for housing and was that aspect taken into consideration during the site identification and selection process?**

As stated above, and set out in the [Housing land availability and assessment of sites](#) report, further investigation was also undertaken in relation to the potential impact of the loss of sites to the agricultural industry, where relevant, involving further review with IHE (Land Controls) and the Rural Economy Team within the Government of Jersey.

The Minister for the Environment will actively seek to engage with stakeholders representing the island's agricultural industry, amongst others, during the consultation phase of the draft Island Plan in order to receive their views, on this aspect of the plan, and a range of other issues, and to encourage their formal engagement in the IPR process through the submission of representations, as appropriate.

**16. Minister, in your view, will the selected sites be adequate to provide suitable housing to meet the individual parishes housing requirements and demands?**

In setting out a plan to meet the island's housing needs, the draft Island Plan is seeking to do so in a way that represents the most sustainable pattern of development in the island. The outcome of this is that most development will be delivered in Town and that development opportunities in other parts of the island, especially the more rural parishes, will be more limited.

The Island Plan can only deliver land and development opportunities to help meet the need for homes and, where land is developed for the provision for affordable homes or other supported forms of housing, it will be the Minister for Housing and Communities who determines what specific part of the housing market the homes are available to and who might be able to access them. In this respect, it is important that the parishes appraise the Minister for Housing and Communities of their housing requirements and the evidence that supports it.

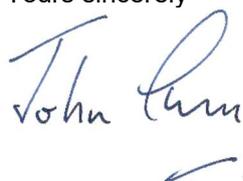
Comments so far indicate that members will be submitting amendments to the draft plan to either add or remove particular sites which will then be considered as part of the examination in public, before being considered by the Assembly.

**17. Were individual parishes consulted regarding their individual housing and community needs and, if so, were their contributions/concerns taken on board and considered during the site selection process?**

In seeking to set out a strategy to meet the island's overall housing needs in the most sustainable way reliance was placed on the objective planning assessment of sites, whilst recognising the aspiration of parishes, as expressed through the engagement during the preparation of the plan described above, to provide new homes to help the meet the needs of their own communities.

I hope this letter is of some assistance.

Yours sincerely



Deputy John Young  
Minister for the Environment  
D +44 (0)1534 440540  
E [j.young@gov.je](mailto:j.young@gov.je)