



JERSEY
Chamber of Commerce

Chamber House, 25 Pier Road, St. Helier, Jersey, Channel Islands, JE2 4XW.

Tel: 01534 724536

E-mail: admin@jerseychamber.com

Website: www.jerseychamber.com

Connétable Michael Jackson
Chairman
Scrutiny Office
States Greffe
Morier House
St Helier
JE1 1DD

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Dear Connétable,

The Building and Development sub-committee of the Chamber of Commerce are grateful for the consideration that your Scrutiny Committee are giving to our representations in respect of the proposed Bridging Island Plan and we are very appreciative of the attempts to facilitate a public hearing. Now that “events” have rendered that hearing impractical, we hope that these written responses to the questions sent to us on 19th November are helpful and will be given due consideration in your report and in subsequent decisions.

1. What consultation has there been, if any, between Government and Chamber of Commerce on the decision to bring forward a shorter 3 year Bridging Island Plan?

Chamber have not been engaged by Government on the decision, nor the logic, to bring a shorter Bridging Island Plan. In August 2020 the Planning Policy Department responded to a request from Chamber concerning the timeline and the process. This response described the timeline for preparing a Draft Island Plan and stated that there was an intent to engage informally with Stakeholders over the summer. The Policy Department conceded that the pressing timescales made it impossible to run a structured consultation at that time.

A number of Chamber Building and Development committee members have attended briefings and discussion groups in a personal business capacity and, latterly, the Planning Policy Department has confirmed an intend to meet Chamber when they are sufficiently advanced with the direction and skeleton framework of the bridging Island plan to explain how that point was reached.

In summary there has been cursory communication about the timeline and content of the Bridging Island Plan, but no consultation on the more substantial points, these being the merit and logic of a Bridging Island Plan as an interim solution.

2. Do you consider that the aims and rationale for having a shorter Bridging Island Plan has been made clear by the Minister for the Environment? (In your submission you state that you “ask for the intent of the bridging plan to be clarified.”

We completely understand that a full Island Plan review at this moment in time is not appropriate given the extraordinary current circumstances that have introduced uncertainties that will not be clarified in the immediate future. These need not be dwelled on here, but include population policy, the housing requirements arising therefrom, Impacts on working practices post-Covid, the direction of sustainability policies, carbon neutrality targets and, the pace and robustness of economic recovery.

So, given that we agree with the Minister that a full Island Plan is not deliverable, our confusion remains as to what are the significant differences between the Bridging Island Plan and a Full Island Plan? The content appears to be of very similar scope, but the timeframe for drafting, consultation, examination and approval are condensed.

The Minister has failed to explain the rationale of how, if a full Plan is inappropriate, can a full Plan, named a bridging plan be deliverable in a shorter time frame.

Furthermore, the rationale has not been explained by comparing the Bridging Plan concept with the option to extend the current Plan. Given that the current Plan was lodged in 2011 with the purpose “to provide a framework of policies and proposals as basis for land-use planning decisions up to the year 2020” and with the Bridging Plan due to be debated by the States Assembly in 2022, the existing Plan is, by definition, already extended. We therefore ask why has a further extension been summarily discarded?

The current 2011-2020 Plan is flawed in areas, and there are policies needing attention to reflect the current reality, but an extension with a targeted review of a limited number of policies would seem to be deliverable with much greater quality and robustness than the abbreviated full Island Plan review which is what the Bridging Plan appears to be.

3. In your submission to the Panel you highlight that you are in disagreement with an interim Bridging Island Plan and consider that the current Island Plan should be adapted/ revised and extended until a full 10 year plan can be produced. Could you expand further on:

a) Why you disagree with a shorter interim plan?

Further to the comments in point 2, above, the extension will cover a period of 2 or 3 years. This is a comparatively short period in the life of a project. When one considers the timeframe from feasibility study, through commercial assessment, design, planning and construction, a large proportion of projects could potentially span three different Island Plans. This simply won't work in terms of design/appeal processes etc.?

b) In what areas you consider that the current Island Plan would need to change or be adapted in order to bridge the gap until a new 10 year plan can be produced?

We attach as an appendix to this response a document prepared by the Committee to identify areas of the current Plan worthy of review once a particular path for the Island Plan review has been determined. This is, perhaps, too detailed for the purpose of this response, but it does provide useful background in the key areas.

c) In the Panel's recent public hearing with the Minister for the Environment, we questioned him on why they are proceeding with a shorter Bridging Plan and why the current Island Plan cannot be extended. His response, in summary, was that there were simply too many things that needed to be reviewed in the current Island Plan. What do you say to this?

Firstly, the current Plan is being extended to 2022 and planning decisions will still be made, so clearly elements of the current Plan are fit for purpose.

Secondly, by identifying only the high priorities, the issues needing the fullest attention can receive more attention in a reduced timeframe.

Thirdly, certain policy proposals for the Bridging Island Plan are perhaps best delayed until after 2020 because the debates are too significant (such as the extension of the Coastal National Park) or because there will not be sufficient clarity in 2021 to guarantee a decent decision (such as population growth, transport needs, home working trends etc.)

4. In your submission you state that: “the bridging plans purpose should be to deal with the issues brought about by Covid 19 and the delays it has created to the original plan. In other words, dealing with known problems with the existing plan which could be speeded up to help enable the delivery of stimulus projects and the like.”

Could you expand further on how a Bridging Plan should address these issues?

We refer again to the appendix.

5. What short or long term implications (including financial), if any, do you foresee with a new Bridging Island Plan?

We believe that there is a risk that decisions made under a Bridging Plan, which could be flawed due to the restricted timeframe and the circumstances of the time in which it is drafted, might endure beyond the anticipated timeframe of the Bridging plan, thereby embedding the consequences of a poor decision for the long term.

A further concern is that the status of a Bridging Plan may be seen to be slightly diminished and that decisions could be deferred pending the “full” Plan in 2026. This could impact investment negatively.

As an extension of this risk, the question will remain as to whether the Bridging Plan or the 2011-2020 Plan dominates if there are contradictions between the two documents and if the status of the Bridging Plan is not completely clear. If this is not believed to be a risk and the Bridging Plan must dominate, then it is a full Plan in all but name, and we return to the argument that an abbreviated Plan prepared too quickly is likely to be a flawed Plan.

6. If a Bridging Island Plan is approved by the States Assembly, what is your view on any projects and/or policies which should be prioritized?

One of the most pressing examples is the Hospital. This project is not accommodated in the current Island Plan so must have a planning Framework in the Bridging Plan. However, the planning application will be developed before the Bridging Island Plan is adopted.

The affordable housing policies pre-date the incorporation of Andium Homes, so this issue needs to be addressed in the Bridging Plan.

Uncertainty over the future of home working has consequences for transport policy, the provision of office space and, if less people are working at home, will there be a need for larger homes to accommodate home working?

The disconnect between carbon neutrality objectives and the Island Plan needs to be considered.

7. What is your view of how housing development should be prioritized over the next 3 years?

It is probably premature to state an opinion on priorities, but the debate needs to consider issues including;

Density and scale – A large proportion of recent developments are high density, medium rise apartments in St Helier. How will the need for individual houses be met and what will the rural Parish contribution be to this need?

The housing needs assessment presented by the Minister is a significant range. Can this be delivered both within the policies of the Bridging Plan and by the development sector?

Many issues need to be informed by the conclusions from the (delayed) migration and population policies. The demographic of the Island also requires split generation homes to be assessed, including the division of single dwellings or the extension of existing dwellings to accommodate this change.

8. Should housing development be balanced between St. Helier and the rural parishes?

As noted above, St Helier is predominantly seeing high density developments. There is a need also for lower density developments, which are more likely to be in the other Parishes.

9. In your view, how could/should a Bridging Island Plan progress development to enhance St. Helier?

This is a significant topic that requires full consultation and an intensive debate, but this should happen once the principles of how the Island Plan is reviewed are understood and have wide support.

10. Do you consider that a Bridging Island Plan would have a positive or negative impact on the delivery of the Future Hospital and why?

As noted under point 6, there is a disconnected loop to be resolved whereby the Hospital Project needs to develop in the absence of a planning framework, and the Bridging Plan is coming too slowly for that. The resolution of this disconnect is probably a matter for States Assembly!

11. In your opinion, how should Land Use be prioritized in a Bridging Island Plan?

As a default starting point an extension of the current Plan for land use seems reasonable, but with amendment to certain restrictions on scale, re-use etc.

As noted for Question 9, the appendix does address these issues, but the detailed debate is subsequent to this discussion.

12. Given the growing trend in homeworking, what consideration/prioritization should be given to the protection of employment land in a Bridging Island Plan?

The status quo should be protected as a starting point. The trend in home working has arisen as a result of the pandemic over just 8 months. This does not confirm an embedded social and cultural change in the long term.

Furthermore, even if home working trends do continue, perhaps more space should be designed per worker, so the need for employment land may not change even if occupancy of such land does change.

13. In your opinion, how could a Bridging Island Plan bring about positive outcomes in respect of employment-related development given that we are facing economic uncertainty at present?

Once again, our response is to repeat comments made at Questions 9 and 11, but the principle that business needs some flexibility to ensure that the vision of the plan can be delivered in a way that is commercially viable.

14. In your opinion, how should a Bridging Island Plan prioritise office and retail space?

We need to be very careful making big decisions at a time of rapid change from which the outcomes are not yet known. These include for example the recent collapse of large scale retailers which will impact the high street but not in a way that is yet known as there could be many different outcomes and possible opportunities. The same can be said for home working etc. Kneejerk reactions changing the use of land before knowledge of how these changes will affect the areas in question could be very damaging. It is much more important at these times that there is some sort of flexibility built in to enable suitable decisions to be made.

15. In your opinion, how should a strategy on mineral resources and land use feature within a shorter 3 year Bridging Plan?

The 2011 Plan has proven to be effective in ensuring the provision of mineral resources in the Island and does not present any fundamental obstacles to making informed and reasonable planning decisions over the next 4 years. It would therefore be acceptable to extend the current Plan (either by extension or new Bridging Plan) without unduly risking the ability of the Island to provide mineral resources for the economy.

However, there would need to be caution to ensure that a currently workable set of Minerals Policies and Objectives do not become compromised by changes in other policies, specifically an extension of the Coastal National Park that did not correctly judge consequential implications of any change.

16. What is your view on the decision to de-couple the shorter Bridging Island Plan from longer term policies such as Migration and Population policy?

In summary, it's illogical.

Issues such as Migration and Population policy are cited as being a reason why the full Plan review is not sensible, so there must be clarity on these issues before drafting new policies.

17. Would you like to make any other comment?

The compelling theme in our concerns is that there must be proper consultation and that the input of consultees must be seen to be given fair consideration. Only then will there be broad based buy-in from those individuals and organisations in the private sector that will have such a large part to play in delivering the outcomes intended from the Plan.

Yours sincerely,

Jersey Chamber of Commerce, Building & Development Committee.