



PLANNING & ENVIRONMENT DEPARTMENT

Draft Island Plan – White Paper
Social, Community & Open Space
Minister's Response to consultation
27th May 2010

Ref	Agent	Name	Org/bus.	No.	Title	Response	Suggested changes to the document:	Why you consider this to be necessary:	General Response	Detailed Officer Response	Minister's Recommendation
Social, Community & Open Space											
DP169		Mr Stephen de Gruchy		Objective SCO 1	Social, Community and Open Space	Supporting			Noted	Noted	Support is noted by the Minister
DP547		Mr Paul Harding	The Association of Jersey Architects		Education Facilities	Objecting	The 2009 Draft Plan, although mentioning the current review of longerterm ESC property requirements, does not take account the current educational circumstances and by preceding the ESC property review cannot incorporate what might be substantial sites becoming available for uses such as housing. This is another reason why we view the 2009 Draft Plan as being somewhat premature.	The 2009 Draft Plan premise there are deficiencies in provision of education facilities with the Island is seriously flawed. We believe the requirement for educational facilities has reduced in proportion to reduction of children within the Island, following on from birth-rate reduction over preceding years. It is only higher education at Highlands College that is experiencing increased levels of demand. It is therefore possible the Comprehensive Spending Review will conclude the Island has surplus primary and secondary educational facilities that can be rationalised, resulting with educational sites being released for other uses.	Reject	The premise of the objection, related to the potential for falling school rolls and rationalisation of education provision, is noted, but rejected on the basis that the policy does not preclude the redevelopment of existing educational sites where it can be demonstrated that they are no longer required for educational purposes.	The Minister is not minded to amend the draft Plan
DP170		Mr Stephen de Gruchy		Policy SCO 1	Educational Facilities	Supporting			Noted	Noted	Support is noted by the Minister
DP584		Deputy John Le Fondre		Policy SCO 1	Educational Facilities	Neither	Safeguarding of sites - d'Hautree, and St Saviour's Hospital I have obviously had experience of these 2 sites from a Property Holdings perspective, however this is a personal observation. To me there appears to be an inconsistency between the approach of SCO 1 and SCO 2. St Saviour's Hospital has been zoned as built up area, but with the proviso that it would only be released for (say) housing if it can be demonstrated that it is no longer required for healthcare purposes. This seems a reasonable approach, as there would be no need to rezone the site if this was achieved. However, the d'Hautree site is specifically zoned as safeguarded for Educational purposes. It has a separate zoning definition on the Island Plan proposals map. To me it would be consistent to zone this as built up area, but to keep it conditional upon confirming that there is no educational requirement (or even perhaps requiring Education to demonstrate that they do have a realistic requirement for that site). By way of background this site was earmarked for housing approximately 17 years ago, in return for the construction of Haute Vallée school. It has been used on an intermittent basis for a variety of temporary uses since then, but remains predominantly a vacant site in the urban area at a		Noted, but retain zoning	The Minister for ESC has expressed support for the retention of the d'Hautree School site for educational purposes. The safeguarding of the site for educational purposes does not preclude its release for other uses during the Plan period if it is demonstrated that it is no longer needed for this community purpose. The Minister for H&SS has, through the H&SS 20-year development plan, identified that the site of St Saviour's Hospital may become surplus to requirements and planning permission has already been applied for, and secured, for alternative uses. The site, however, remains safeguarded for healthcare purposes, but its future use for other purposes is not precluded by either the draft Plan or the existing consent.	The Minister notes the comments but is not minded to amend the draft Plan

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							time that we are looking for housing sites. Zoning the site as built up area would not preclude it being used for educational purposes, but would ensure that alternative uses can be applied in the event that there is no demonstrable educational requirement without having to rezone this location.				
DP805		Mr Jeremy Harris		Policy SCO 1	Educational Facilities	Supporting	There is a shortfall in the provision of playing fields for Haute Vallee School, with just one playing field being available to the school for outdoor sports and activities. This causes timetabling difficulties for the school, as well as problems with the overuse of the playing surface. Field 1219 lies immediately to the south of the school grounds, and it has the potential to be partly developed as one or more playing fields for the school, and its development for this purpose would be strongly supported by both the ESC Department and the school. This potential has been recognised in the draft Island Plan, in both paragraph 7.17 and Policy SC01. The ESC Department is supportive of this proposal on condition that at least half of the field is designated for playing fields.		Noted	Noted	The Minister notes the support for this policy where it relates to the safeguarding of part of Field 1219, St Helier for educational use
DP811		Mr Jeremy Harris		Policy SCO 1	Educational Facilities	Supporting	Field 327, St. Martin: The Ministerial Team will recall that the States, in approving the States Annual Business Plan 2010, have agreed that a new primary school should be built at St. Martin on a site adjacent to the existing premises. Field 327 has been identified as a potential site either for the new school building or as a playing field, and it is important therefore that this site should be safeguarded for educational use. This was recognised in the 2002 Island Plan, and is also acknowledged in Policy SC01 of the draft Island Plan 2009-. It is recommended that this proposal should be supported by the Ministerial Team.		Noted	Noted	The Minister notes the support for this policy as it relates to F327, St Martin
DP813		Mr Jeremy Harris		Policy SCO 1	Educational Facilities	Supporting	Former d'Hautree site. Highlands Campus: This site is discussed in some detail in paragraphs 7.18-7.20 of the draft Island Plan, and the content of these paragraphs is supported by the ESC Department. The d'Hautree site is recognised by the Department as being of strategic value in the provision of vocational education, and this is commented upon further in the attached letter to the Property Holdings Department (copy attached as Appendix Five). It will be recalled that the draft States Annual Business Plan 2010 included a proposal from the Property Holdings Department that the d'Hautree site should be scheduled for disposal, but this proposal was put forward without consultation with the ESC Department,		Noted	The strategic value of the site for educational purposes is noted	Support is noted by the Minister

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							and was subsequently withdrawn following representations from the ESC Minister. Discussions will be taking place with the Property Holdings Department about the future use of the site, and in the meantime the ESC Department supports the view that it should be safeguarded for educational use.				
DP171		Mr Stephen de Gruchy		Policy SCO 2	Healthcare Facilities	Supporting			Noted	Noted	Support is noted by the Minister
DP668		Deputy James Reed	Education, Sport and Culture		Community Facilities	Neither	The lead responsibility for the redevelopment of the Sarnares area of St. Clement rests with the Housing Minister, but the ESC Ministerial Team has been involved in discussions with Housing about the future of this area, and it is supportive of the general proposals for improvements. In particular, ESC welcomes the moves to reduce traffic flow in the neighbourhood of Samares Primary School, and it supports the proposals to improve the facilities for pedestrians and cyclists, including the proposed new pedestrian access route through to the F.B. Fields. The creation of new community facilities is also supported by ESC.		Noted	Noted	Noted by the Minister
DP172		Mr Stephen de Gruchy		Policy SCO 3	Community Facilities	Supporting			Noted	Noted	Support is noted by the Minister
DP815		Mr Jeremy Harris		Policy SCO 3	Community Facilities	Neither	Former Odeon Cinema. Bath Street: The ESC Ministerial Team has recently commented on the potential for the former Odeon Cinema building to be redeveloped as a cultural centre for the Island, and these comments were forwarded to the Planning Department in response to a public consultation on the North St. Helier Masterplan. These comments are of equal relevance to the Island Plan, and it is recommended that a copy should be forwarded as part of the ESC response on the Island Plan.	This area of St Helier embraced by the North St Helier plan includes three important sites associated with cultural activity: the Jersey Arts Centre in Phillips Street, the former St James Church in St James Street, and the former Odeon cinema in Bath Street, now unoccupied. Both the former church and cinema are listed buildings. The Arts Centre site and St James are in public ownership: the former Odeon is privately owned. The Jersey Arts Centre occupies its Phillips Street site - converted into an arts centre in the mid-1980s - on a 99-year lease from the States. It also has use of the former St James Church and its adjoining vicarage by informal agreement with Property Holdings; in addition, the Jersey Arts Trust uses rooms within the vicarage as office accommodation. Hitherto, there has been insufficient funding available to convert the former church to a performance space of acceptable standard although it is used by the Arts Centre for informal performances and rehearsals; the vicarage also provides significant office accommodation for Arts Centre staff. A strategic review in 2008-9 by the Jersey Arts Centre	Noted	4. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems'	The Minister notes the comments but is not minded to amend the draft Plan

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								<p>Association raised questions about whether the Phillips Street centre was adequate for future cultural activities: the possibility of seeking to relocate to more suitable premises was raised at the Association's AGM in May this year. Although a detailed analysis of the Arts Centre's needs has not been conducted, the strategic review revealed a number of key requirements including: A central location in St Helier; Proximity of car parking; Space to provide a significant enhancement of the relatively modest facilities currently available. It has been suggested that the former Odeon cinema might provide such an alternative location, satisfying the above criteria and affording a use for the building which could be compatible with its listed status. Such a facility would also complement the vision for the area set out in the North St Helier master-plan with its nearby park setting and improved pedestrian access, and would provide a focal point for the primarily residential areas to the north and east. From a cultural perspective, there is a potential synergy between the park and a cultural facility at the Odeon; indeed , it has previously been suggested as a potential location for the ' National Gallery'. An essential component in a relocated Arts Centre would be a significant gallery space and it seems likely that this could be accommodated on such a site. It should be noted that loss of the vicarage at St James would entail re-locating Arts Centre and Arts Trust staff centrally on a temporary basis. Although the Arts Centre's management committee has a remit to explore future relocation, it should be noted that the subject may well raise debate in practice within the organisation so that further discussion is desirable before any proposal is developed. Looking at the North St Helier plan from a broader cultural perspective, there is a significant opportunity to provide public art both in the new park and also to revivify the surrounding residential areas .</p>			
DP960		Deputy Philip Rondel	Parish of St John Working Party	Policy SCO 3	Community Facilities	Neither	<p>The Recreation Centre forms the main recreational facilities for both the Parish and St John's Village and its future use and development needs careful attention. It is considered that further land should be protected for the possible future use as school playgrounds and also for the Recreation Centre. St John is also home of the motor-cross and karting track , providing further recreational opportunities for islanders.</p>		<p>Noted, but no justification to amend the Plan</p>	<p>The St John Recreation Ground and associated facilities are already protected under the auspices of Policy SCO4 (Open Space) and would also fall to be protected under the auspices of SCO3. The potential safeguarding of land for educational purposes (playing fields) is under consideration in respect of F525, St John (rep DP807). The use of</p>	<p>The Minister notes the comments made but is not minded to amend the draft Plan</p>

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										land at Sorel for motor-cross and the loop road of La Route du Nord for karting are activates which rely on the use of the existing landscape and the highway infrastructure and do not warrant protection as site-specific community facilities.	
DP666		Deputy James Reed	Education, Sport and Culture		Planning for Open Space	Neither	The Ministerial Team notes that the current facility for go-karting is of a temporary nature, and it recommends that consideration should be given to finding a permanent location for this leisure pursuit.		Noted	The provision of a permanent location for this activity is something that can be considered within the context of Policy SCO5 and, with regard to the potential for noise disturbance, Policy GD1. The Minister is happy to consider any proposal that is brought forward by ESC based on a justifiable need and potential location for such a facility.	The Minister notes the comment but is not minded to amend the draft Plan.
DP173		Mr Stephen de Gruchy		Proposal 17	Open Space Strategy	Supporting			Noted	Noted	Support is noted by the Minister
DP748		Paul Harding	The Association of Jersey Architects	Proposal 17	Open Space Strategy	Supporting	11.3 The AJA enthusiastically applauds and welcomes the Open Space Strategy and associated Policies. 11.4 Considering the Open Space Strategy it is very surprising there are no new Open Space initiatives proposed in the 2009 Draft Plan, instead relying on existing proposals and initiatives. 11.5 A key aim of the 2009 Draft Plan is to intensify development density within the Built-Up area, bringing with it a need for enhancing Open Space provision within this zone and providing additional community facilities. The lack of proposed facilities to ameliorate effects of increased building density risks social disconnection and discontent.		Qualified support noted	Support is noted. Comments relating to an enhancement of existing open space and the provision of new facilities are addressed in the draft Plan at 4.31-4.36 and Proposal 9: Public Realm Strategy, where this requirement is explicitly recognised and a proposal made to address it.	The Minister notes the qualified support for this proposal but is not minded to amend the draft Plan
DP174		Mr Stephen de Gruchy		Policy SCO 4	Protection of Open Space	Supporting	Support with caveat I think the policy should also state that there will be a presumption against permitting the loss of an open space unless people who presently utilise the open space will have easy access to an alternative within a similar travelling distance.		Qualified support noted	The proposed policy, at SCO4(2) already the addresses the need for any alternative replacement provision of open space to address the issue of accessibility	The Minister notes the qualified support for this policy but is not minded to amend the draft Plan as the issue raised is already addressed
DP40		Kevin Pilley		Policy SCO 4	Protection of Open Space	Neither	Amend the definition of outdoor sports facility on table 7.1 to include commercial sports facilities and golf courses. This change would ensure that such sites are subject to the Policy regime of SCO4. Amendment will be required to the Proposals Map to embrace those outdoor sports	The value and benefits of open space are set at 7.3 of the Plan. In particular, outdoor sports facilities contribute to the quality of life in Jersey. The proposed typology for open space in Jersey, undertaken as part of the work carried out by JPC Strategic Planning and Leisure Consultants, at	Accept	Set out above	The Minister is minded to amend the draft Plan to include commercial sports facilities

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							facilities, including golf courses, not presently designated as Open Space on the Proposals Map. Table 7.2 will require subsequent amendment to reflect the additional area of land embraced by this change.	table 7.1 of the draft Plan, suggests that this excludes commercial sports facilities and golf courses. It is considered, however, that this definition is flawed in that such outdoor sports facilities do make a valuable contribution to sports, leisure and recreation in Jersey and it is appropriate for the planning system to acknowledge this and to seek to consider any potential change in their supply as a material consideration. Issues of public accessibility (including cost) to such facilities can form part of this consideration. It is relevant to note that the UK PPG17 includes these types of facilities in the definition of open space also.			and golf courses within the typology of 'Outdoor sports facilities' and to thus ensure that they are subject to Policy SCO4 and defined on the Proposals Map.
DP790		Senator Terry Le Main	States of Jersey Housing Department	Policy SCO 4	Protection of Open Space	Objecting	The protection of existing open spaces is important and it is therefore vital to have this general presumption against the loss. However, I am concerned that this policy might impact on proposals embodied in our approved master plan for the regeneration of Le Squez. You will recall from application P/2009/0780 that we proposed and Planning have agreed in principle, to the creation of a village environment as part of the regeneration and this included the closure of School Road, the creation of a School Square for Samares School and linking the school directly with the facilities at FB Fields. This allowed us to propose new parking arrangements for the school on land presently used for residential purposes. The quid pro quo of this will be the switch of part of the existing School Playground (presently used for parking) into residential use for development. I enclose an extract of Drawing 405/07/ESC11 submitted to your Department as part of the planning process. I would be looking for some comfort that this policy and the Island Plan in general would not prevent that aspect of the master plan from being realised.		Noted		The Minister notes the comments but considers that the matter is addressed and is not minded to amend the draft Plan
DP401	Mrs Stephanie Steedman	Mrs Stephanie Steedman		Map 7.2	Proposed New Urban spaces	Objecting	If all the money that had been spent on assessing the potential for Fort Regent to enhance the lives of Jersey residents had actually been spent on implementing a plan - then Fort Regent and its environment could provide a wonderful amenity facility for St Helier and Island residents. It is disappointing to see only the linear route adjacent to the Fort designated as open space - there are extensive grounds gardens, vistas and space on the top of Fort Regent. What a wonderful, under utilised resource. If the States wants to spend money on improving the lives of St Helier residents, then bite the bullet and make Fort Regent more accessible. Invest in it as the	The Draft Plan advocates increasing residential densities in the town - successful urban places have successful urban places where people can go and socialise and participate in life. Make the most of the space we have.	Noted, but reject as already addressed	The existing open space at Fort Regent is protected under Policy SCO4 and the potential value of this asset, and its potential contribution to the quality of life in St Helier, will be addressed as part of Proposal 11: St Helier Regeneration Zones, where Mont de la Ville (including Fort Regent) is specifically identified (at Proposal 11(2)).	The Minister notes the comments but is not minded to amend the draft Plan as the matter is already addressed

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							lesisure/entertainment quarter for the town. This would be a significant enhancement for the existing 30 000 people and the people who will occupy the 2 500 new homes planned in St Helier.				
DP1118		Mrs J Jones		Policy SCO 5	Provision and Enhancement of Open Space	Supporting	Town Park This project I would dearly like to see happening in order to connect the imbalance of outdoor and recreational space for those that live and commute to this area. See Policy BE13 Important Open Space Hopkins Plan page 6. Car parking appears to be found elsewhere which will allay the fears of those who think they may be done out of their usual parking spot at Gas Place. No building on the site please.		Noted	Support for SCO5(1) Town Park site is noted	The Minister notes the support for the provision of the Town Park
DP1182		Kevin Pilley		Policy SCO 5	Provision and Enhancement of Open Space	Objecting	Add provision to require the provision of open space as an integral element of new development proposals, as appropriate. (Ref to residential amenity space standards and Open Space Strategy)	There is a need to ensure that provision is made for new open space as an integral element of new development, in terms of the amount of open space provided and with regard to the quality and utility of that space, in order that a good quality development and urban environment is secured. This is particularly important given the proposed intensification of development on existing built sites and in the existing Built-up Area.	Accept	Add the following to SCO5; 'To ensure the adequate provision, accessibility and quality of open spaces throughout the Island and in local neighbourhoods, the Minister for Planning and Environment will require the provision of open space in association with new development. Development proposals which do not make adequate open space provision will not be approved. Open space provision will need to be made in accord with guidance to be developed and adopted by the Minister in accord with Proposal 17'. There is also a need to provide supporting information in the preamble to the policy.	The Minister is minded to amend the draft Plan
DP175		Mr Stephen de Gruchy		Policy SCO 5	Provision and Enhancement of Open Space	Supporting	Support with caveat I am of the view that the policy should prohibit the extension of, or provision of new, golf courses. Jersey has enough of such 'manicured' open space already.		Reject	Proposals for new golf courses, outside of the Built-up Area, would need to be considered in the context of Policies NE6 and NE7, relating to the Coastal National Park and the Green Zone, where their impact on the character of the countryside would be a key test, and also in the context of Policy EVE3.	The Minister is not minded to amend the draft Plan as the proposed policy regime is considered to be sufficient to deal with matter
DP176		Mr Stephen de Gruchy		Policy SCO 6	Allotments	Supporting	Support with caveat I think the policy should stipulate that a planning condition will be imposed requiring (high quality) sheds and greenhouses on the site to be of a uniform size, colour and materials. This is to avoid the unsightly 'shanty-town' look of many allotments.		Qualified support noted	Policy SCO6 states that permission will only be granted where proper management of the allotment site can be assured. This is elaborated on in para 7.57 of the supporting justification which states that management of the visual impact of allotments will be regulated through	The Minister notes the qualified support for this policy but considers the issue raised to have been already addressed so is not minded

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										planning condition or code of practice.	to amend the draft Plan
DP433		John Le Maistre	Jersey Farmers Union	Policy SCO 6	Allotments	Supporting	The Jersey Farmers' Union recognises the demand for allotments. We believe that their provision can be achieved through the use of smaller fields that are near residential areas. We also believe that fields that are or could be used by the Industry should not be re-zoned for allotments. It will be necessary to ensure that only permitted pesticides, (non commercial) are used on these sites and care must be taken to ensure that allotment holders follow the correct protocols to avoid chemicals entering water courses etc. We would request that the Industry is consulted prior to any fields being taken out of agriculture for this purpose.		Noted	Policy SCO6 states that one of the criteria for the assessment of proposals for allotments is that they are within or close to the Built-up Area. It is not proposed to rezone land for allotments. The management of pesticides on an allotment is not a planning matter but will need to accord with other legislation and regulation. Planning applications for a change of use of land for the purposes of allotments will be advertised in the normal way. The Environmental Management and Rural Economy Section of the Environment Department will be consulted as a matter of course and assess any proposals for the use of agricultural land. Their comments will be material to a consideration of the proposals under ERE1: Safeguarding of agricultural land	Support is noted by the Minister
DP551		Mr Paul Harding	The Association of Jersey Architects	Policy SCO 6	Allotments	Supporting	We query why allotments are not viewed as agricultural land (surely they are both used for growing food ?) and therefore suggest presumption against realising them on land deemed to be "required for agriculture" is rather misplaced.	The AJA enthusiastically applauds and welcomes the policy to realise allotments.	Qualified support noted	It is important to protect agricultural land, and the rural economy, for primary agricultural production. The use of agricultural land is regulated to ensure that both bona fide agriculturalists and smallholders can occupy agricultural land under the Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974. Consequently, it is important to ensure that land required for primary agricultural production is appropriately protected, which is why it is necessary that proposals for allotments on agricultural land are appropriately assessed, and not just treated as being part of agriculture.	The Minister notes the qualified support for this policy but is not minded to amend the plan
DP926		mr daniel wimberley		Policy SCO 6	Allotments	Objecting	REC change to remove condition re agricultural land - absurd!! P.295		Reject	It is important to protect agricultural land, and the rural economy, for primary agricultural production. The use of agricultural land is regulated to ensure that both bona fide	The Minister is not minded to amend the draft Plan

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										agriculturalists and smallholders can occupy agricultural land under the Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974. Consequently, it is important to ensure that land required for primary agricultural production is appropriately protected, which is why it is necessary that proposals for allotments on agricultural land are appropriately assessed, and not just treated as being part of agriculture.	
DP944		Mr James Godfrey	Royal Jersey Agricultural & Horticultural Society	Policy SCO 6	Allotments	Neither	Community gardens and allotments: There is an increasing interest in this, although any increase in supply must be managed through a central scheme to prevent uncoordinated and inappropriate development.		Noted	The appropriateness of proposed allotment development will be considered against the context of the proposed policy. Any central scheme of management, to coordinate overall supply, is not a planning matter, although the impact of provision upon agricultural land will be part of the assessment of proposals, under the terms of SCO6(2).	The Minister is not minded to amend the draft Plan as the issue is satisfactorily dealt with by the proposed policy
DP962		Deputy Philip Rondel	Parish of St John Working Party	Policy SCO 6	Allotments	Neither	There is a demand for allotments within the Parish. Confirmation of this demand needs to be made, as a suitable location has been identified. An appropriate management mechanism is being drafted in order for parishioners' to receive the most benefit.		Noted	Proposals for allotments can be considered within the framework of the proposed policy SCO6.	Noted by the Minister