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Chairman
Economic Affairs Scrutiny Panel
Scrutiny Office
States Greffe
Morier House
St. Helier

27 September 2018

Dear Deputy Morel,

Retail review: written submission from the Minister for the Environment

Thank you for your letter of 04 September 2018, requesting that I make a submission in relation to your panel's review of the future of retail in Jersey and the issues facing the industry locally.

I am delighted to do so, and set out information and observations relative to my own Ministerial portfolio and the terms of reference for your review, which have been prepared following discussion with officers.

1. Challenges and opportunities

The Island Plan, which is Jersey's statutory land use planning document, is important in providing the planning policy framework for all forms of development in the island. With regard to retailing, its key planning policy objectives are to ensure that:

- the island has an adequate provision of retail facilities to meet its needs;
- this is appropriately located; and
- retail centres remain viable and vibrant.

All of these represent planning challenges.

Adequate retail provision

In terms of retail provision, the latest retail capacity study undertaken in the island was carried out by DTZ¹ in 2008, to inform the preparation of the current Island Plan. This study concluded that, at that time, there was generally sufficient capacity in the Island to meet overall retail demands, and that there was no forecast quantitative requirement for additional significant foodstore floorspace in the foreseeable future.

With regard to food shopping, however, the study identified a qualitative need for the introduction of discount food retailing, to better complete Jersey's food retail offer: this was not necessarily a planning issue, but a matter of the composition of the local retail market.

At the time of the study, forecasts for comparison shopping, based on population and household expenditure modelling, indicated a likely increasing demand for comparison goods floorspace, and the current Island Plan made provision for this by seeking to

¹ <https://www.gov.je/planningbuilding/lawsregs/islandplan/background/pages/retailstudy2008.aspx>

extend St. Helier's Core Retail Area, where there is a presumption in favour of allowing retail uses, to make provision for this potential demand.

Given the significant changes that have occurred since the current Island Plan was adopted in 2011 there will be a requirement to review the adequacy of current retail provision as part of the forthcoming Island Plan Review. This will need to give consideration to changes in shopping behaviour generally relative to the increased use of online shopping; and the introduction of new food retail operators to the island. Regard will also need to be had of current and forecast future changes in demand, driven by demographics; household expenditure; and modes of shopping.

Location

Successive Island Plans have sought to uphold and support the role of St. Helier, as the primary focus for shopping in Jersey, whilst recognising the role of other local centres, particularly in meeting local convenience shopping needs.

Jersey's planning policies have been largely successful in resisting the development of out-of-town foodstores such as those seen in the UK and France. The DTZ study concluded that existing foodstores on the Island are well distributed to serve the main concentrations of population, both for main food shopping and local walk-in shopping and considered that there were no conspicuous weaknesses in terms of the spatial distribution of foodstores.

As a result of this, the Island Plan seeks to maintain the current distribution of foodstores but enables the provision of new small-scale local facilities to serve changing local needs, and we have seen the emergence of a number of local convenience stores and the expansion of garage forecourt shopping provision over the current Plan period.

Planning policies seek to protect the primacy of St. Helier as the island's main retail centre, and operate a 'sequential test' approach for large scale retail development over 500sq.m. This means that there is sequential preference for large scale retail development to be located within the town centre; then edge-of-centre; and then other locations within the town.

Retail proposals outside of the defined shopping centres or the island's built-up area, as defined in the Island Plan, are required to demonstrate that they will not have an adverse impact on St. Helier and local shopping centres, as appropriate.

As part of the forthcoming Island Plan Review, I want to consider the adequacy of retail provision across the Island to ensure that we have the right amount of retail space in the right places. Whilst I support the need to maintain St. Helier as the island's primary retail centre, we need to ensure the availability of other retail provision in places such as Les Quennevais and Red Houses, which has a role to support local retail needs and which might obviate people's need to travel into town for some of their shopping needs.

The sale of fresh local produce direct from producers can be an important part of an agricultural business, and is supported by marketing initiatives such as Genuine Jersey. The Island Plan enables and encourages this where the enterprise remains ancillary to the existing economic activity e.g. the farm shop is secondary to the farm.

It is recognised that, to overcome problems of seasonality, farm shops may need to provide a wider range of produce to maintain a customer base all year round, but the emphasis should remain on fresh local produce. It can be challenging, from a planning perspective, to ensure that this remains the case and that farm shops do not turn into 'supermarkets in the countryside' which might challenge the viability and vitality of nearby local shopping centres.

The island's planning system has generally successfully regulated the location of bulky goods retail warehouses in Jersey within the built-up area where they can complement town centre uses.

Vibrancy and vitality

The planning policies that are set out in the Island Plan seek to ensure that, by controlling the location of retail activity throughout the island, and by generally focussing it in urban centres, these centres remain vibrant and viable as places that retail businesses can thrive and where people can easily visit to shop.

In St. Helier, the Plan defines a Core Retail Area where policies seek to resist the loss of ground-floor retail floor space to ensure that St. Helier's shopping centre remains vibrant.

Over many years, and for different reasons, the physical extent of the town's retail centre has contracted: the retail character of secondary shopping areas such as Bath Street (beyond Minden Place), La Motte Street, Cheapside, David Place, New Street and the eastern end of Colomberie, has changed. There has also been some limited growth in the provision of new retail floorspace in St. Helier, evident by the provision of some new but limited retailing on the Waterfront.

The Island Plan review will need to consider the extent of St. Helier's defined core retail area and the planning policies that might apply to it to look at how the island's primary retail area might remain vibrant and vital in response to changing patterns of retailing.

In addition to the regulation of retail and other development, I am also responsible for setting out masterplanning frameworks for the development of St. Helier in particular. I am of the view that this presents some key opportunities to support retailing in St. Helier and to bolster this important aspect of what the town has to offer to both residents and visitors.

There are tremendous opportunities to enhance the public realm of St. Helier, and to make visiting or living in the town, a much more pleasant experience. Similarly, other local shopping centres, such as Red Houses, can appear tired and in need of revitalisation. I think that this is of great relevance to retailing given that shopping appears to have become a much more 'experiential' activity, rather than just a functional one, and people visit town and local shopping centres, not just to buy something, but also to enjoy the experience, which may include other activities related to eating, drinking, leisure or culture. As a result of this, the physical environment of a town or local shopping centre needs to be a place that people can reach easily and be of a high quality, to ensure that people will want to spend time in it and return to it rather than, perhaps, simply make a purchase online.

Delivering physical change to regenerate and renew St. Helier's public realm represents a challenge: it will require investment of resources; and it will require detailed consultation and engagement about how we want to use the limited space we have on our roads and streets, where there are competing claims upon its use.

At a detailed level, there are also planning challenges in seeking to ensure that buildings can be changed and adapted to meet changing retail needs whilst making sure that they are of good quality, in terms of design and character. If places like St. Helier are to remain attractive for shopping, for locals and visitors, we need to ensure that new retail development, including refurbishment and signage, contributes to, maintains and enhances its unique character and identity.

St. Helier's buildings are a critical part of this, and it is important that the changes that we make in the town respect and maintain its architectural character. Historic buildings should not be seen, as they so often are, as a constraint to new development, but rather an opportunity to work with something that is unique and special to help develop a great retail experience: the restoration and refurbishment of listed buildings such as the

abattoir (Liberty Wharf Shopping Centre); 5 Pitt Street (Locke's Coffee); and 35 King Street (Jack Wills) provide a few examples of what can be achieved.

2. Current value of the retail sector

The retail sector has a significant role to play in meeting islanders' needs but is also believed to be important for the visitor: it is part of what the island has to offer. Retail provision and retailing activity contribute significantly to the vibrancy and 'sense of place' of a location, and this is particularly pertinent for St. Helier.

Retailing is an important sector of the local economy in terms of both GVA and employment.

The key environmental impact of retailing is considered to relate to its location and the implications that this might have for travel and transport. As stated above, the Island Plan seeks to ensure that the provision of retailing in the island is linked to the principal centres of population and that retailing provision is proportionate to it. In this respect, the Plan seeks to enable and maintain local convenience shopping in the island's smaller centres, where people can have good, direct access to local facilities without having to travel far, and where there may be more opportunities to walk or cycle to a local shop. St. Helier, which is supported by a wider range of transport options, offers a greater size and range of food retail and comparison shopping. The Plan, therefore, seeks to ensure that the distribution of retailing provision across the island is as sustainable as possible.

3. Review of economic development policies

I would not seek to offer any view of the current policies, strategies and initiatives of the Minister for Economic Development, as they affect retailing, and await the outcome of the Scrutiny Panel's assessment.

4. Previous Retail Policy Review: outcomes

The Economic Affairs Panel last conducted a review of retail policy in June 2014 (SR 6/2014), a number of recommendations from which fell within the remit of the Minister for the Environment.

A response to this was presented to the States on 25 July 2014 (SR6 Res/2014). I can provide a further update to the status of actions in response to these recommendations, as follows:

Pedestrian priority and ease of access (recommendation 14 and 15)

The previous report sought to encourage the implementation of pedestrian priority schemes, whilst serving to maintain service access to retail premises, to deliver an improved retail experience in St. Helier.

The Ministerial response previously provided acknowledged this aspiration and referred to the existing pedestrian priority proposals in the Island Plan, acknowledging that resources were required to implement them.

Under the last term of government some limited work was undertaken, using existing departmental resources, to undertake pedestrian enhancements schemes in Conway Street (pavement widening), to enhance pedestrian access from the bus station to the town centre; and at Charing Cross/ Sand Street (reclaiming road space for pedestrian use), providing better pedestrian linkages between the town centre and shopper car parks and new offices at the JIFC and Esplanade.

Further preparatory work was also undertaken to further evaluate and develop traffic management and pedestrian priority schemes for other parts of the town road network at, for example, Bath Street and Parade Gardens (see: <https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/St%20Helier%20Report%20v4%20appendices%20removed.pdf>).

Further public realm enhancement and traffic management proposals, making it easier for pedestrians, cyclists and bus users, to get into St. Helier, are also being considered as part of the work to review the Esplanade Quarter Masterplan: this work is due to be published for consultation shortly.

I remain hopeful that resources to implement some of these proposals will emerge from the work currently being undertaken to renew strategic priorities for the Council of Ministers.

Similarly, there is a growing recognition that work is required to refresh the Sustainable Transport Policy particularly to facilitate greater use of low-carbon vehicles, walking and cycling. This will necessitate, in particular, a review of movement and access in and around the town.

Refurbishment of St. Helier's markets (recommendation 16)

I am pleased to advise that the Historic Environment Team of the Planning Department has been engaged in providing advice on the maintenance and repair of the Central Market (HE1042: Grade 1 Listed building see: <https://www.gov.je/citizen/Planning/Pages/HistoricEnvironmentDetail.aspx?s=3&r=HE1042>) and Fish Market (HE0045: Grade 2 Listed building see: <https://www.gov.je/citizen/Planning/Pages/HistoricEnvironmentDetail.aspx?s=3&r=HE0045>). These are key heritage assets for St. Helier and a unique part of the island's retail experience and offer. The appropriate maintenance of their architectural and historic fabric is essential in order to protect their authentic character, and their contribution to St. Helier's identity and unique sense of place.

Car parking: north of town (recommendation 18)

Planning permission for the redevelopment of Ann Court, which will include the provision of 137 shopper car parking spaces, was approved in January 2018.

Planning permission has also been granted, in May 2018, for the temporary (three year) provision of 185 public car parking spaces on the site of the gas holder in Gas Place.

Planning process: change of use and advertising (recommendation 23 and 25)

Concerns were previously raised about the process of changes of use involving, in particular, a change from general retail to retail involving the sale of food and drink (which requires planning permission) and the apparent challenges that this posed for retailers. The Minister responded that he would review permitted development rights to see if there was any potential to relax planning rules about this.

Consultation on changes to the General Development Order was undertaken in 2015, with changes being made to the relevant legislation in 2016: this did not, however, involve any relaxation in this area (see consultation details and response here: <https://www.gov.je/government/consultations/pages/permitteddevelopment2.aspx>).

It is still considered legitimate for planning applications for changes of use of this nature to be made in order to ensure that any potential impacts of food preparation on adjacent uses, in particular, are properly regulated. There is considered to be no particular evidence that such proposals are experiencing difficulty through the planning process (see recent examples of such proposals approved under delegated authority: <https://www.gov.je/citizen/Planning/Pages/PlanningApplicationDocuments.aspx?s=1&r=P/2017/1607> and <https://www.gov.je/citizen/Planning/Pages/PlanningApplicationDetail.aspx?s=1&r=P/2017/1438>).

A recommendation was also made that the use of flags and banners might provide an efficient and cost-effective way to animate retail areas. The Minister responded that he would review the regulations governing the display of advertisements.

This was undertaken in 2015 where planning rules were relaxed to enable; the replacement of previously approved advertisements without the need for consent, subject to conditions; the use of window graphics; the use of flags and banners on garden centres, car sales and garage forecourts; a relaxation of rules governing free-standing signs. The minimum size and number of advertisements requiring consent was also increased from two to five square metres (see: <https://www.jerseylaw.je/laws/enacted/pages/RO-159-2015.aspx>)

5. Impact of retail tax

I would not seek to offer any view on the impact of retail tax and await the outcome of the Scrutiny Panel's assessment.

6. Out-of-town retailing

As stated above, the planning policy framework that is set out in the current Island Plan seeks to maintain the viability and vitality of existing local shopping centres and the primacy of St. Helier town centre, by seeking to generally resist out-of-town retail development proposals.

Where any such proposals are submitted, and where they are of a nature and scale to warrant it, there is a general requirement to prepare and submit a retail impact assessment as an integral part of a planning application in order that the potential impact of a proposal upon existing retail centres can be assessed and considered as part of planning process.

In addition to responding to the Panel's specific terms of reference, the chairman invited me to comment on tensions and difficulties that might be faced when weighing up 'planning and economic demands'.

In this respect I think it is perhaps useful, by way of a summary, to provide some specific examples of how the Island Plan works in practice and how these matters are actually considered and weighed in the context of real planning applications.

I would, therefore, accordingly direct the Panel to consider the:

- retail impact assessments; and
- planning officer reports

for two relatively recent planning applications for the development of retail foodstores outside of local shopping centres, which are attached. The examples cited include;

De la Mare Florist, La Rue a Don, Grouville (Co-op Locale, Grouville)

Construct two storey building comprising of convenience store, pharmacy, storage and ancillary areas at ground floor level etc

(For full application details see:

<https://www.gov.je/citizen/Planning/Pages/PlanningApplicationDetail.aspx?s=1&r=P/2013/1315>).

Former St. Martin's Primary School, Rue de la Croix au Maitre, St. Martin

Convert former school to form 2 No. retail units (class A) etc.

(For full application details see:

<https://www.gov.je/citizen/Planning/Pages/PlanningApplicationDocuments.aspx?s=1&r=P/2018/0333>).

I think these two planning applications provide excellent examples of the nature of the assessments required by the planning process in order to consider the potential impact of retail development proposals upon existing shopping centres, and how this evidence is weighed, in relation to many other factors, in the context of real planning decisions.

I hope that the above and attached is of interest and assistance to the work of the Panel in undertaking its review. I will be interested to learn of the Panel's findings both as a general matter of course but also to inform the potential issues which emerge as requiring further consideration within the context of the forthcoming Island Plan review.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Young', with a large, stylized loop at the end of the name.

Deputy John Young
Minister for the Environment



Retail Assessment

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THE CHANNEL ISLANDS CO-OPERATIVE SOCIETY

**PROPOSED LOCALE FOOD STORE ON THE FORMER DE LA MARE
NURSERY, LA RUE A DON, GROUVILLE**

August 2013

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Plans

Plan I Catchment Area and Existing Foodstores

1. Introduction

- 1.1 GVA is instructed by the Channel Islands Co-operative Society Limited (The Co-op) to prepare a Retail Impact Assessment of their proposals to redevelop the former De La Mare nursery offices and retail premises to provide a Locale format store comprising 484 sqm gross internal retail (class A) floorspace, together with 28 car parking spaces and provision of three self-contained apartments above the store to replace existing residential accommodation on the site.
- 1.2 The site forms part of the former De La Mare Nursery, comprising a wider area of 6.6 acres. Between 1985 and 2008 the land was used for horticulture production and the retailing of flowers. The business ceased to trade at the end of 2008 as a result of difficult trading conditions, exacerbated by the rise in energy costs and cheaper imported flowers. The application site itself comprises the former flower shop, which is an established class A retail use. The premises have been marketed in an effort to rent them to an alternative user, but without success.
- 1.3 The principal of class A retail use is established. The Co-op has considered the feasibility of conversion of the unit to a convenience foodstore and concluded that the building is currently unsuitable and past its useful economic life. In these circumstances, the proposals are to redevelop the site, to provide replacement class A retail space and residential accommodation in a modern purpose built store. The proposals are not contingent on the redevelopment of the wider nursery site, although we understand the current owner has sought to redevelop the rest of the site for residential uses.
- 1.4 The Locale concept is well established in Jersey. The closest Locale to the application site is situated on Pontac. This illustrates the type and range of goods which will be sold, albeit this is a marginally smaller and more constrained unit. Locale stores sell a full range of fresh and other convenience goods and alcoholic drinks. The Pontac store also includes a post office which will not be provided as part of the Grouville store.
- 1.5 Locale stores are intended to serve a primarily local catchment, in contrast to large supermarkets on the edge of St Helier. However, the format is designed to meet shoppers' requirements for "main food" shopping as well as occasional local "top up" purchasers and passing trade. The target catchment for the proposed store is therefore largely confined to Grouville Parish, and determined by the proximity of existing Locale stores at

Maufant to the north west, Pontac to the south, and the extensive convenience shopping provision in St Helier town centre and in St Saviour and Georgetown to the west.

- 1.6 This area is illustrated on Plan I, which shows the location of existing stores in the area.

2. Planning Policy Requirements

- 2.1 We have reviewed carefully the States of Jersey Island Plan 2011, and the DTZ Jersey Retail Study 2008 which provides the evidence base which underpins the retail policies of the Island Plan.
- 2.2 The strategic aim of the Plan is to encourage competition and to support economic growth. The Plan recognises that competition encourages firms to innovate by improving efficiency, and identifies its key economic objectives are to drive economic growth and provide employment for local people. The Island Plan seeks to take account of market signals and ensure that land and buildings are put to their best economic use.
- 2.3 In this case, the nursery site has been vacant for 5 years, and the premises on the application site have been marketed to seek alternative occupiers. While the principal of A class use is established, the existing buildings are not fit for purpose. However, this site is ideally placed to meet what the Co-op has identified as a clear need for improved local convenience facilities to serve Grouville, in order to provide more choice and competition. The proposal will put the site to a new viable use, and employ circa 20 local people in full/part time employment. In these circumstances the proposals are well aligned to the strategic economic objectives of the Plan.
- 2.4 The retail policies of the Plan draw on the evidence base prepared in 2008. Objective ER1 seeks to protect and enhance the vitality and viability of the core retail area of St Helier and the centres of the other urban and rural settlements; to prevent dispersal of new retailing outside the main centres; to retain and enhance the provision of local shopping areas and convenience stores to serve local needs; to concentrate new developments in accessible locations; to promote mixed use areas; and to maintain an adequate provision of shopping facilities throughout the Island.
- 2.5 As this report demonstrates, the proposal will have no material impact on the vitality and viability of St Helier or other defined centres; it will consolidate and enhance existing convenience retailing in this location, by materially enhancing local convenience shopping, serving local needs. The site will be accessible both by car, and to the immediate local catchment, and is on established bus routes. As our analysis demonstrates, the proposal is needed to maintain an adequate provision of shopping

facilities throughout the Island, specifically to address what we consider to be a clear need for improved facilities serving Grouville.

- 2.6 Policy ER1 designates a retail expansion area within the town centre for new comparison goods retailing. For the avoidance of doubt, the Co-op proposals for Grouville do not include any comparison retail floorspace, and as such will have no effect on existing or planned comparison retailing in St Helier town centre, which clearly performs a much more significant "higher order" retail function. Policy ER2 also seeks to protect and promote the role of St Helier for shopping, which we consider is fully consistent with planning to meet purely local convenience shopping needs within a network of local centres. St Helier also includes a range of convenience shopping facilities, which have materially improved since the 2008 Study which are consistent with meeting these objectives.
- 2.7 Policy ER3 sets out the Plan's policies for the protection and promotion of local shopping centres. In this case the nearest defined local centre is Gorey Village. Five Oaks and Bagatelle Parade, and Miladi Farm Parade are the only other defined local shopping centres likely to be of any relevance in respect of the Grouville proposals, and are located on the north east and eastern fringes of St Helier. A number of defined local centres have attracted new or enhanced local shopping facilities since the 2008 Study was completed.
- 2.8 In contrast, Grouville has not attracted any significant new convenience shopping facilities. Apart from the very small local Spar in Gorey Village, the main foodstore provision within Grouville comprises Checkers Xpress, situated close to the application site, Verona Stores and Holme Grown, which provide local convenience shopping facilities. The application site is well placed to provide much needed competition and choice, and to supplement these facilities by providing a modern foodstore in a strategically well located site relative to the local catchment population.
- 2.9 Policy ER4 supports the development of new small local shops of 100 sqm gross within the boundary of the built-up area, subject to general development considerations. Policy ER7 refers to large scale food retailing described as proposals with a floorspace of over 500 sqm gross. This Policy seeks to locate large foodstores in St Helier town centre, and identifies a range of criteria to be applied. The Policy indicates that in exceptional circumstances major food retail proposals over 500 sqm gross may be permitted outside the town centre where:

- A demonstrable need exists for the scale and type of development proposed;
 - Criteria 2 to 6 are satisfied (impact on St Helier town centre and general development considerations);
 - No sequentially preferable site is available, suitable and viable (with reference to Policy SP3); and
 - It does not materially prejudice the provision of other land uses, particularly the supply for employment, housing, community use and open space.
- 2.10 The application proposal falls below the threshold for Policy ER7, which has been discussed and acknowledged by local planning officers. However, it has been agreed that a retail assessment should be undertaken, having regard to these matters, and drawing on established best practice.
- 2.11 The most relevant and up-to-date Good Practice Guidance was published by the UK Government in December 2009, which provides guidance on the assessment of need, impact and the sequential approach. As the authors of this Guidance, and one of the leading specialist retail planners in the UK, we are well qualified to undertake this assessment, and have followed established good practice.
- 2.12 The Guidance indicates assessments should be proportionate to the scale and significance of the development proposed. In this case the proposal is for a Locale convenience store serving a very localised catchment. The proposed store is below the threshold identified in Policy ER7 and is materially smaller than large foodstores located on the edge of St Helier (e.g. Waitrose and the Co-op Grand Marche). As such, we do not consider it is necessary or appropriate to carry out a detailed assessment of all the issues identified in Policy ER7.
- 2.13 However, we have visited the site and neighbouring centres, and reviewed the existing foodstore provision in the area. We have also reviewed, and where necessary, updated the DTZ 2008 Study in as far as it is relevant to the issues raised. We are confident that this provides a sound basis on which to draw robust conclusions in relation to the likely retail effects of the proposal, and their compliance with the Island Plan.

3. The Need for the Proposals

- 3.1 The Guidance sets out approaches for assessing the need for convenience floorspace, and differentiates between quantitative needs, commonly measured as expenditure capacity; and qualitative needs which tend to be more subjective and include, for example, consumer choice, the distribution of facilities, and measures of "over trading". The Guidance recognises that the two concepts are closely related.

Qualitative Needs

- 3.2 In terms of the identified qualitative needs, the Co-op has undertaken a "gap" analysis as advocated in the Practice Guidance, which identifies areas which it considers are poorly served by existing stores and where there would be consumer demand for new and improved facilities. It is evident from this review that there is a clear gap in modern quality convenience shopping provision within Grouville Parish; the main provision being the nearby Checkers Xpress and the very small Spar local store in Gorey Village.
- 3.3 The nearest Co-op stores comprise the Locale store at Pontac, which the Co-op has identified is trading at very high levels, and attracting trade from its extensive membership living within Grouville. The other Co-op stores serving the area include Locales at Maufant, and Georgetown, together with the more extensive range of larger stores in St Helier and St Saviours.
- 3.4 The nearby Checkers Xpress store is a small and somewhat dated store, with very limited parking linked to the adjoining petrol forecourt. While the store appears to be successful, in the absence of effective competition, it does not provide a modern main food shopping offer.
- 3.5 The qualitative deficiencies of the existing provision within Grouville are highlighted by comparison with the range and quality of provision now available within and on the edge of St Helier, and in other defined local centres such as St Peters, which has benefited from significant new investment in modern convenience shopping facilities and benefited from new retailers which have entered the market. In contrast, Grouville has attracted no new convenience shopping facilities.
- 3.6 The defined local centre of Gorey Village is an attractive centre, but is constrained with limited opportunities for any significant new development. The main convenience store in

Gorey is a very small Spar convenience, which is clearly only providing for local top-up shopping needs. The store has no adjacent car parking and inevitably sells a much more limited range of convenience goods. The only other convenience store in Gorey Village is Rosedale Stores, which is a small independent delicatessen selling food and wine. Other retailers in the village include Keller Kitchens, a Lloyds Pharmacy, an opticians, fish and chip shop and pub/restaurant. The nearby Gorey Harbour comprises a wide range of bars and restaurants serving the large number of tourists visiting this area, but does not include any significant level of convenience shopping provision.

- 3.7 In conclusion, Grouville has a limited range of mainly local top-up convenience retail facilities. There is no modern convenience store capable of meeting local shoppers' main food shopping needs. The defined local centre appears to be attractive and trading well, within its existing limited role. However, we consider there is a clear qualitative deficiency in main food shopping provision capable of serving Grouville residents, and the significant additional seasonal tourist trade drawn to this area.

Quantitative Needs

- 3.8 We have considered the findings of the DTZ Retail Study, and also discussed the Co-op's own forecasts which consider the capacity and demand for the proposed store.
- 3.9 The DTZ Study provides an overview of retail capacity, and reaches high level conclusions about the scope for additional convenience goods floorspace. We have had regard to this analysis, but also considered the local shopping needs within the Grouville area, and how the range and quality of food retailing and shopping patterns have changed since the Study was completed in 2008.
- 3.10 Starting with the "high level" conclusions reached by DTZ, they identify a need for additional convenience floorspace in St Helier, but considered that collectively, centres and stores located outside the town centre were marginally under-performing against their benchmarks. On this basis, and taking account of identified convenience commitments at that time, they concluded there was no need for additional convenience retailing outside St Helier town centre.
- 3.11 Having reviewed their analysis, and considered changes which have taken place since then, we would question whether this overall conclusion still remains valid. Specifically, we consider that in light of a number of conservative assumptions employed, and changed

circumstances over the last 5 years, the DTZ assessment is likely to have materially underestimated the capacity for additional convenience goods floorspace.

3.12 We highlight some of the main factors as follows:

- The DTZ assessment estimated the total population of the Island in 2010 to be 92,700 people. We know from the 2011 Jersey Census that the 2011 population was actually 97,857 people. Accordingly, the DTZ work will have also underestimated the population of Grouville Parish, identified in the 2011 census as 4,866 people.
- The DTZ Study used 2005 consumer spending estimates which will now be out of date, and assumed growth in convenience retail spending at only 1% per annum between 2005 and 2026. The latest Jersey Retail Sales Estimates for Q1 2013 published in June 2013 indicate that retail sales in the food sector grew between 3% and 10% between mid-2007 and mid-2011, suggesting DTZ has underestimated sales growth over this period, and their forecasts are likely to be unduly cautious over the period up to 2026.
- The DTZ study apportions expenditure based on its household interview survey, between St Helier town centre and other centres. For Zone 2, which includes Grouville Parish, the survey suggests 26% of convenience expenditure takes place in St Helier town centre, with 59% of expenditure allocated to "non-central" food stores. However, the Study does not identify where the remaining 15% of convenience expenditure generated within this area is currently taking place. This appears to be "missing" suggesting the exercise materially underestimates total available convenience spending.
- The DTZ Study applies what we consider to be high benchmarks for testing capacity. Specifically, DTZ adopt a benchmark convenience sales figure of £8,942 per sqm for existing convenience floorspace, and indicate that stores performing below this level are marginally "under-performing". To put this into context, they assume a benchmark sales level for stores like Co-op Locale of £6,287 per sqm. Regardless of whether the DTZ benchmark is necessarily realistic, we consider it would be inappropriate to suggest that any floorspace trading below this level is "under-performing".
- Similarly, for the purposes of translating identified expenditure capacity into floorspace needs, DTZ adopt a very high benchmark of £13,000 per sqm i.e. the level we would normally associate with a large modern superstore such as Waitrose, Tesco or Asda. This will also materially underestimate the capacity available, given that the

proposed Locale store is expected to achieve a much lower turnover per sqm than DTZ assume.

- Finally, the DTZ Study assesses the current market share of St Helier and centres outside St Helier. It does not consider the merits of seeking to avoid an over concentration of convenience retailing in and on the edge of St Helier, for example. At a local level, this approach would be likely to perpetuate the under provision in parishes like Grouville, which have a limited existing convenience retail offer, resulting in local residents continuing to need to travel to larger stores within or on the edge of St Helier town centre, thereby increasing vehicle mileage and traffic congestion.

- 3.13 To put these issues into context, we have applied DTZ's conservative convenience goods spend to the 2011 population census data for Grouville, indicating that locally generated convenience expenditure in 2011 was circa £9.9m per annum. This will have increased marginally since then as a result of the population and spending growth. Based on our discussions with Co-op, we estimate the likely turnover of the existing convenience stores within Grouville i.e. Checkers Xpress, Spar and Verona Stores, is unlikely to be more than circa £5.8m. Assuming an element of these sales (c.5%) will be from tourists, this indicates that established convenience shopping facilities in the Parish are only likely to be retaining circa 50% of locally generated expenditure.
- 3.14 This leakage is likely to have increased since the DTZ Study, on the basis of the range of improvements to the scale and quality of convenience facilities within and on the edge of St Helier, and the contrasting lack of any significant investment in new modern convenience shopping facilities serving Grouville. Another consequence of this imbalance is that existing Co-op stores serving the Grouville area, notably Pontac, Maufant, and Georgetown are all trading at very high levels and exhibiting signs of "over trading" i.e. congestion/overcrowding at peak times.
- 3.15 Taken together, our review of the qualitative and quantitative issues suggested in Good Practice, and our review of the DTZ evidence base and changes since then, all indicate there is likely to be a more significant level of convenience goods floorspace capacity on Jersey as a whole, but specifically, there is a clearly defined quantitative and qualitative need for an appropriately sized foodstore capable of performing a main food shopping function to serve the Grouville area.

4. Sequential Approach

- 4.1 The sequential approach underpins the Island Plan and as a concept is consistent with long standing UK planning policies which seek to direct main town centre uses, including new retail uses, to sites within, or failing that on the edge of the town centre in the first instance. Paragraph 5.70 of the Island Plan applies to large scale food retailing over 500 sqm, indicating that in-town sites are preferred, followed by edge-of-centre sites and, only if there are no suitable town centre or edge of centre sites available, other sites which are well served by a choice of means of transport.
- 4.2 The key aspect of the sequential approach is defining the appropriate area of search. While it may be appropriate in the case of large foodstores serving a very extensive catchment area to seek to concentrate these in a 'higher order' town centre, the Practice Guide indicates that it is necessary to consider the extent of the catchment area likely to be served by the proposal and identify alternative sites located within that catchment area.
- 4.3 The Practice Guide indicates that it is necessary to consider the scale and form of development proposed, and suggests at paragraph 6.24 that, for example, some proposals will serve a clearly localised need (e.g. local foodstores) and suggests at paragraph 6.25 that there will be instances where a specific need for a certain type and form of development can only be realistically accommodated in specific locations. Such 'location specific' needs arise because of a gap of deficiency in the range, quality or choice of existing facilities serving the area.
- 4.4 In the circumstances of this case, for the reasons outlined previously we consider there is a specific need for an appropriately sized store capable of performing a main food shopping function to serve the Grouville area. This need arises in part as a consequence of the lack of recent modern foodstore development within the area, in contrast to St Helier and other parts of the Island which have attracted new and improved stores promoting choice and competition. It also reflects what we consider to be an unsustainable pattern of convenience shopping, leading to a significant proportion of residents in the Parish having to travel into St Helier, or to the Pontac and Maufant stores (with the resulting increase in traffic volumes and congestion) in order to access convenient modern food shopping facilities.

- 4.5 In practice, therefore, the location specific need identified would not be met by providing for another Co-op Locale Store within St Helier, or those existing local centres which already include similar facilities. As such, we have confined our review to considering the suitability, viability and availability of sites within the catchment which the proposal is intended to serve.
- 4.6 In this respect, the only defined 'centre' is Gorey Village, which is defined as a local shopping centre, distinct from a town centre. In any event, it is clear from our discussions with Co-op and our review of existing retailing and opportunities in the centre that there are no sites which could be regarded as being suitable, viable or available to accommodate a store of a similar size, or capable of performing a similar role to the Co-op proposals.
- 4.7 The application site, whilst not located within a defined local centre, is situated in close proximity to the existing Checkers Xpress store, and Verona stores located approximately 0.5 miles away. The site occupies a highly accessible strategic location, which is well placed relative to neighbouring residential uses and other facilities, including the local Parish primary school, and doctors' surgery. As a consequence, the proposed store would in many respects function as a new local centre.
- 4.8 In these circumstances, we consider the identified need is locationally specific, i.e. it requires an accessible, centrally located site well placed to serve the Grouville Parish. There are no suitable, viable or available sites within or on the edge of any defined town centre within this area, or within the local centre of Gorey Village. As a consequence, we consider the proposals are consistent with the overall objectives of the Island Plan to retain and enhance the provision of local shopping areas to serve local needs, and to maintain an adequate provision of shopping facilities throughout the Island.

5. Impact

- 5.1 The purpose of considering impact is to examine whether the proposal is likely to lead to any serious impact on the vitality and viability of any nearby town centre. The Island Plan does not seek to inhibit competition or protect the commercial interests of one retailer over another. As a consequence, the impact of the proposals on existing stores in the area, and in particular the nearby Checkers Xpress store, Verona stores or Holme Grown farm shop, should not be a material consideration in reaching a planning decision.
- 5.2 Based on our discussions with Co-op, and having regard to the benchmark sales figures employed in the DTZ study we anticipate that the store will be likely to achieve a turnover of circa £4m per annum, based on a design year of 2016. We anticipate an element of the store's turnover, potentially up to about 10% is likely to be accounted for by tourists to the area, suggesting that circa £3.6m of sales is likely to be diverted from existing foodstores currently serving the area.
- 5.3 Based on our estimate of the likely turnover of existing convenience stores within the Grouville area, circa 50% of locally generated convenience expenditure takes place in stores outside the area, of which some will be 'leaking' to other Co-op stores, notably at Pontac, but the majority is likely to be taking place in the larger main foodstores on the north and eastern edges of St Helier, including Waitrose, Iceland and other local stores. On this basis, having regard to the established principle recognised in the UK Practice Guidance that 'like affects like', we consider approximately half of the store's turnover is likely to arise as a consequence of clawback of expenditure from other large stores performing a main food shopping function.
- 5.4 The Waitrose St Saviours store is the largest main food store serving this area, and we would expect a significant proportion of the 'clawback' to come from this store. However, based on the likely turnover of the store, we do not consider the Grouville store would have any material impact on its viability, and would not materially affect the vitality and viability of any defined centre.
- 5.5 As confirmed previously, the proposal does not include any element of comparison retailing. As a consequence, it will have no impact on the comparison sales, or other town centre uses which underpin St Helier and other identified local centres. Furthermore, in our experience the store is unlikely to compete directly with existing town centre stores

e.g. the Co-op at Charing Cross or Don Street, which will tend to cater for a local catchment, supplemented by linked trips associated with people working in the centre, and visiting for other purposes e.g. non-food shopping, tourists, use of banks etc.

5.6 We would expect the proposal to have some impact on the nearby Checkers Xpress stores, as the closest direct competitor. However, this store appears to be trading strongly and in our experience, given the level of local expenditure available in the catchment, is likely to be able to compete and maintain its representation. In any event, as the store is not in any defined centre, even in the unlikely event of its closures, it would be replaced by a larger, more attractive and more convenient local foodstore. As such, we do not consider impact on this store, or Verona stores/the Holme Grown garden shop, are material considerations in planning terms.

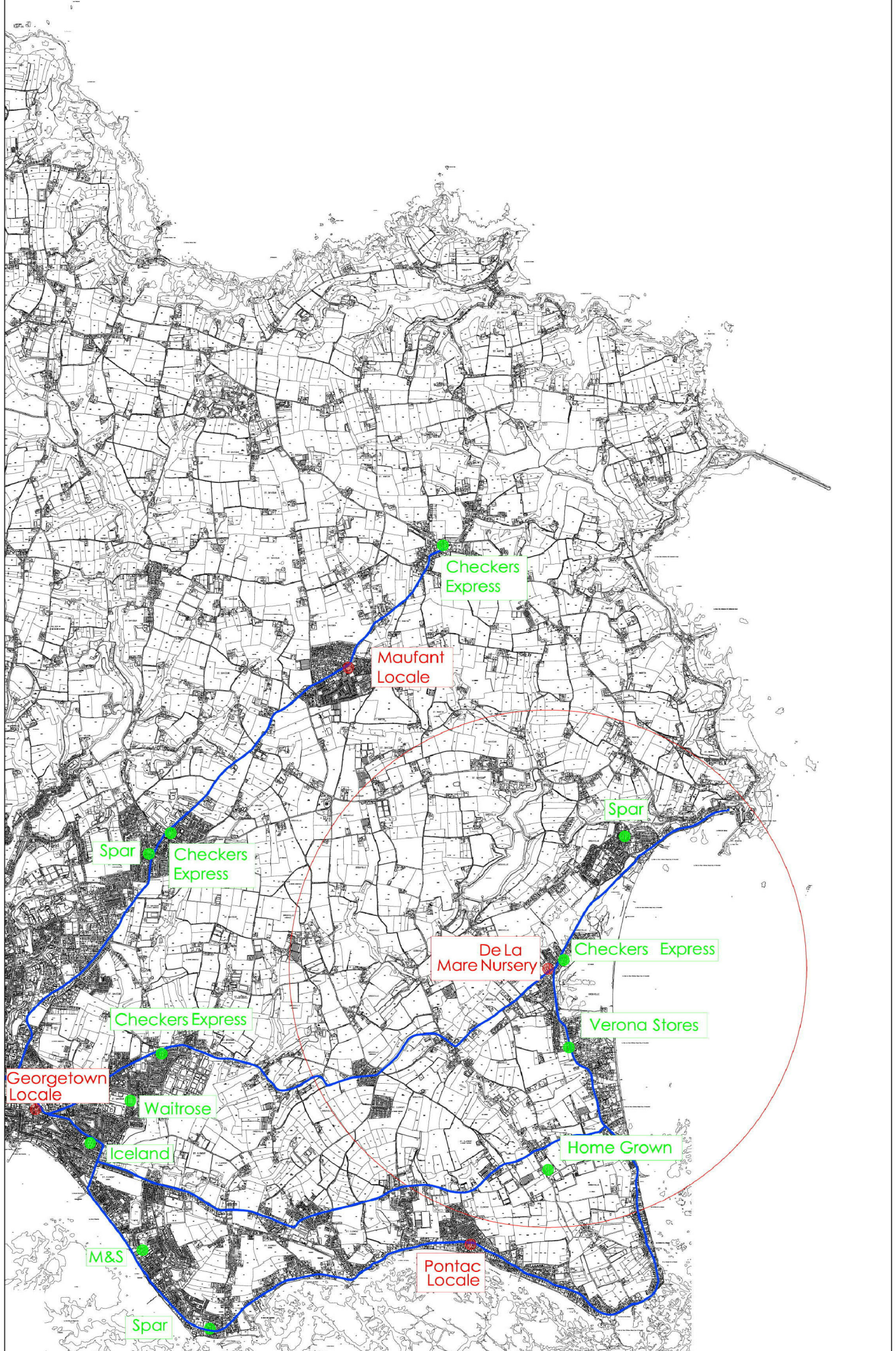
5.7 The impact on Gorey Village is a material consideration. However, the only convenience store in the centre is a small, local Spar convenience store. This will continue to serve the immediate local catchment for everyday local purchases, as well as tourists and others visiting the centre to use the other facilities e.g. pharmacy, restaurants and comparison retail stores. While it is conceivable that the proposed store would have a limited, localised impact on the Spar, in our experience, this would be very limited, and the proposal would have no material impact on the vitality and viability of Gorey Village as a whole.

6. Conclusions

- 6.1 The application proposals are for a Co-op Locale store, which is intended to meet a clearly defined opportunity for a modern 'main-food' store to serve the Grouville area.
- 6.2 The principle of A class retail use of the premises is already established. The proposals are fully consistent with the Island Plan, which seeks to drive economic growth and provide local employment, and will provide much need additional choice and competition in the area.
- 6.3 We have assessed the proposals against the policy requirements of the Island Plan, which supports the development of local shops, and while the proposals are below the threshold where Policy ER7 applies, we have addressed the requirements of the policy, having regard to established best practice.
- 6.4 There is a clear quantitative and qualitative need for the proposed store, to retain locally generated spend; address the overtrading of existing stores; reduce the need to travel to stores on the edge of St Helier; and to provide choice and competition to the existing stores in the area.
- 6.5 This need is 'locationally specific' i.e. it cannot realistically be met by a further new Locale store within, or on the edge of St Helier. In any event, there are no suitable, viable or available sites within any defined town centres which could accommodate the proposal or meet the identified need.
- 6.6 Most of the impact will fall on large, successful main foodstores on the edge of St Helier, notably Waitrose, which we consider is likely to be resilient to further competition. The proposal will also impact directly on the Checkers Xpress at Grouville. However, we do not consider the proposals will have any material effect on the vitality and viability of St Helier, Gorey Village, or any other defined centre.
- 6.7 In these circumstances, we consider the proposals comply with all the relevant policy tests.



Plan I



E. Retail Impact Assessment

Peter Brett LLP

Parish of St Martin

St Martin's Former School Redevelopment Retail Assessment

Peter Brett Associates
February 2018

Document Control Sheet

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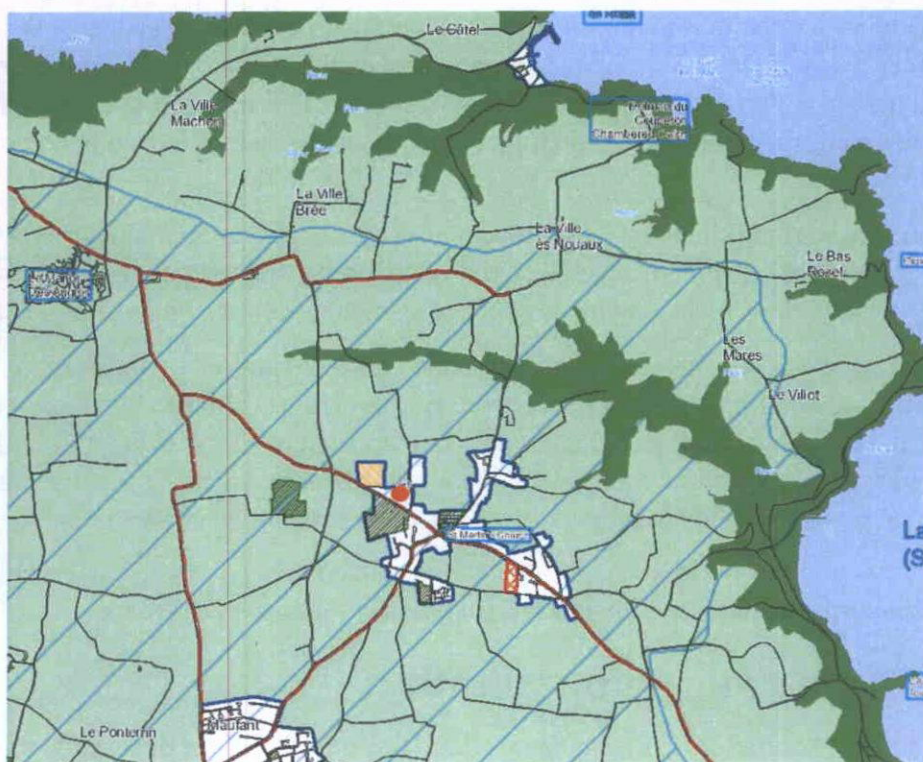
1 INTRODUCTION

- 1.1 This Retail Assessment ('RA') has been undertaken by Peter Brett Associates LLP ('PBA') on behalf of the Parish of St Martin to accompany a planning application for the redevelopment of the Former St Martin's School. This RA will specifically assess the retail proposals against the planning policy framework and should be read alongside all other submitted planning application documents.

Application site and surrounding area

- 1.2 The application site is the former St Martin's School located on the La Rue de la Croix au Maitre in the Parish of St Martin on the eastern side of the Island. The site falls within the built-up area ('BUA') of St Martin's Village as designated on the proposals map and shown in Figure 1:1. The application site is located approximately 5km north east of St Helier town centre, 3km north east of Five Oaks / Bagatelle Parade ('Five Oaks') and 2.9km north west of Gorey Village.

Figure 1:1 Island Plan proposals map and application site (2014)



Proposed development

- 1.3 The redevelopment proposals for the former St Martin's School include a mix of commercial and community uses including a food store of 211 sqm gross.

- 1.4 This RA is based on feasibility outline scheme option 5F which proposes the following quantum of floorspace¹:
- Food retailer: 211 sqm gross/168 sqm net
 - Doctors with ancillary pharmacy: 194 sqm gross/155 sqm net
 - Specialist mobility/medical retail showroom: 125 sqm gross/100 sqm net
 - Medical/welfare unit 1: 53 sqm gross/56 sqm net
 - Medical/welfare unit 2: 70 sqm gross/43 sqm net
 - Total – 653 sqm gross/423 sqm net
- 1.5 It is estimated that the food store will trade from a sales area of 168 sqm with the balance of floorspace (42 sqm) used for storage and other back of house functions (such as staff facilities). The foodstore operator has not yet been identified. However, it is expected that the store will predominantly sell a range of convenience goods (food and grocery) with a minimal amount of comparison (non-food) goods, limited to newspapers, cards and household items. The food store will meet main and top up convenience needs of households within the Parish of St Martin and the neighbouring Parish of Trinity.
- 1.6 The proposed doctors with ancillary pharmacy will introduce an essential service not currently available in St Martin's Village and reduce the need for residents to travel by car to access pharmacies in surrounding settlements. Our assessment assumes that up to 90 sqm within the doctors/pharmacy unit will be used for the sale of comparison goods.
- 1.7 The proposed retail showroom will be occupied by a specialist manufacturer of mobility/medical equipment which would predominantly sell to trade. As such the unit is expected to draw a very limited amount of spending from residents on the Island.
- 1.8 The two smallest commercial units will be used for medical/welfare facilities to complement other medical uses proposed. However, in recognition that the units could potentially be subject to a change of use application for retail in future our assessment assumes that 100% of the floorspace in units 1 and 2 could be used to trade comparison goods to present the worst-case scenario in impact terms.
- 1.9 Based on the above, it is estimated that the proposed development will deliver up to 211 sqm gross convenience and 338 sqm gross comparison floorspace.

Pre-application consultation

- 1.10 The applicant undertook consultation with the Department of the Environment ('DOE') on the proposals at pre-application stage. A record of the DOE pre-application advice issued on 5th September 2016 is enclosed at Appendix A of this report.

¹ Note: figures are rounded to the nearest ten and a net: gross ratio of is applied to the gross floorspace figure

- 1.11 In summary, the DOE advise that the proposed development, for between 100 and 500 sqm gross retail floorspace, would be judged primarily against Policy SP1 and Policy SP3 of the Revised 2011 Island Plan (2014) ('the Plan').
- 1.12 While there is no policy requirement for food stores under 500 sqm to provide a retail impact assessment ('RIA') under Policy ER7, the advice sets out that a local RIA would be useful to understand any potential impact of retail proposals on designated local shopping centres, focused on Five Oaks and Gorey Village, and to highlight how the proposal would fit in with the spatial strategy (Policy SP1).
- 1.13 PBA has liaised with the DOE to agree the scope of this report and a record of this pre-application correspondence is also enclosed at Appendix A.

Structure of report

- 1.14 This RA is intended to assist the DOE in determining the retail proposals in accordance with the Plan. Specifically, it provides a sequential assessment which demonstrates compliance with Policy SP3 and a local RIA to assess the potential impact of the retail proposals on local shopping centres. The remainder of this report is structured as follows:
- Section 2 reviews the planning policy context in which this RA has been prepared and identifies relevant policies
 - Section 3 assesses existing convenience shopping patterns, identifies existing retail provision within St Martin and the surrounding Parishes and identifies the proposed catchment area of the proposal
 - Section 4 presents the assessment of sequential sites, considering whether there are any available, suitable and viable alternative sites for the proposed retail floorspace
 - Section 5 presents the local RIA which assesses the potential impact of the retail proposals on local shopping centres
 - Section 6 presents the conclusions from the RA, focusing on the sequential assessment and the local RIA

2 PLANNING POLICY CONTEXT

Introduction

- 2.1 This section reviews the planning policy context in which this RA has been prepared reflecting the requirement of Article 19 of the Planning and Building (Jersey) Law (2002) which states that all development should be in accordance with the Island Plan unless there is sufficient justification for granting planning permission that is inconsistent with the Plan. The planning policy framework for Jersey includes the Plan and the proposals map adopted in 2011 and revised in 2014.

Revised 2011 Jersey Plan (2014)

- 2.2 Policy SP1 sets out the spatial strategy for Jersey which seeks to concentrate new development in the Island's designated BUAs which play an important role in terms of meeting some of the Island's development need, sustaining the social fabric of local communities and maintaining parochial vitality.
- 2.3 The spatial strategy also encourages the re-use of already developed (brownfield) land which accords with sustainable development principles set out in Policy SP1. The application site is considered to be suitable for development being brownfield land located in the St Martin BUA.
- 2.4 Policy SP3 sets out the sequential approach to development which seeks to maintain St Helier as the principle centre for commerce by directing the majority of new commercial and retail development to the town centre. The policy explains that this approach will ensure that new development will benefit from existing infrastructure, promote the re-use of brownfield land and minimise the need to travel thereby contributing to wider sustainability objectives. Policy SP3 specifies that a sequential approach will be applied to the location of the following types of development:
- major retail development (over 500 sqm);
 - major office development;
 - development in a coast or countryside location; and,
 - the redevelopment of brownfield land outside the BUA.
- 2.5 Specific policies relating to the retail sector are set out in Chapter 5 'Economy'. The Plan states that the retail and wholesale sector is one of the largest economic sectors in Jersey and it is important for both residents and visitors alike. The Plan recognises that increased competition in the retail sector can bring benefits to consumers and explicitly seeks to avoid protecting the commercial interests of one retailer over another. The overall aims of the plan, in terms of retailing, include the following:
1. *"Protect and enhance the vitality and viability of the core retail centre of St Helier and the centres of the other urban and rural settlements;*
 2. *Prevent a dispersal of new retailing outside the main centres;*

3. *Retain and enhance the provision of local shopping areas and convenience stores to serve local needs;*
 4. *Concentrate new developments of retail and evening uses in locations that are accessible by pedestrians, cyclists or public transport;*
 5. *Promote mixed use areas; and*
 6. *Maintain an adequate provision of shopping facilities throughout the Island."*
- 2.6 Taking account of the overall objectives, a balance needs to be struck when considering applications for new retail development between protecting the role of designated centres and providing sufficient shopping facilities to meet local convenience needs. Securing the provision of convenience stores to meet needs locally and including retail in mixed use areas will also contribute to reducing car dependency.
- 2.7 The proposed development supports Policy SP6 which seeks to reduce the need to travel. By delivering new local shopping facilities within walking distance from existing homes and community facilities in St Martin, this proposal will improve sustainable access to local shops and create the opportunity for linked trips.
- 2.8 Policy ER3 aims to protect and promote local shopping centres and sets out the range of uses that will be considered acceptable in designated centres. It recognises that local shops located within walking distance of homes are important to reduce car dependency and to serve less-mobile members of the community. The policy recognises that most settlements have a good range of local shopping facilities and states that the DOE will seek to protect eight local shopping centres across the Island. The protected centres located closest to the application site are Gorey Village and Five Oaks. The existing shops in St Martin's Village are not afforded protection under Policy ER3 since it is not a designated centre.
- 2.9 Policy ER4 permits the development of new local shops (up to 100 sqm) in the BUA in principle. This policy emphasises that maintaining access to local shops is essential to meet the needs of the community and gives preference to the development of new shops within the BUA where provision is currently inadequate. The following criteria will be considered in assessing new retail units; amenity, appearance, method of operation, likely customer attraction and potential impacts on existing shopping provision.
- 2.10 This policy is not directly relevant to this application since the retail proposals are well above the 100 sqm policy threshold. However, the policy does identify the criteria against which proposals for new retail units will be assessed and emphasises the importance of providing accessible local shops to meet the daily shopping needs of residents, especially in areas where current provision is inadequate.
- 2.11 Policy ER7 relates primarily to the development of new food stores over 500 sqm gross. Paragraph 5.7 states that:

'a sequential approach to new food retail development will be applied whereby sites in town are preferred, followed by edge of centre sites and, only if there are no suitable town centre or edge-of-centre sites available, other sites which are well served by a choice of means of transport'.

- 2.12 Applicants must also demonstrate that the development by itself, or cumulatively with other retail proposals, will not cause detriment to the vitality or viability of St Helier Town Centre and that no sequentially preferable site is available, suitable and viable (in accordance with Policy SP3).
- 2.13 This policy is also not directly relevant to this application since the current food store proposals fall well below the 500 sqm policy threshold. However, this policy is useful in that it provides further guidance on the RIA and the sequential approach:
- For the RIA, it must be demonstrated that the impacts of the proposal will not be detrimental to the vitality or viability of St Helier Town Centre or any other designated local shopping centre for a food store development to be considered suitable; and
 - For the sequential assessment, the order of search is defined as; town centre, then edge of centre sites and finally out of centre sites.
- 2.14 Policy ER8 relates to large-scale non-food retailing, it states that outside of St Helier town centre large-scale retail developments selling durable goods are not generally acceptable. The policy requires applications for large-scale non-food retailing outside St Helier to provide; a retail impact assessment; evidence on quantitative and qualitative need; and, to apply the sequential approach (Policy SP3). While the Plan does not set a floorspace threshold for 'large-scale' retailing the policy refers to retail warehousing used primarily for the sale of bulky goods which would compete with St Helier town centre for expenditure.
- 2.15 The proposed comparison retail floorspace does not constitute large scale retail development as defined in Policy ER8. The proposed pharmacy and small retail units are expected to compete with similar local shopping facilities in nearby local centres and villages. The proposed specialist mobility/medical showroom would predominantly sell to trade and draw a limited amount of spending from residents on the Island. Therefore, Policy ER8 is not relevant to this application.

Conclusion

- 2.16 In summary, and in accordance with the DOE advice, the main policy considerations are Policies SP1 and SP3.
- 2.17 This application is required, under Policy SP3, to demonstrate that there are no sequentially preferable sites in designated local shopping centres which are available, suitable and viable for the proposed retail floorspace. Our sequential assessment is presented in Section 4.
- 2.18 Although there is no policy requirement for a full RIA, a local RIA is undertaken at Section 5 of this report. The RIA assesses whether the retail proposals, primarily the food store but also the other retail uses, are likely to have a detrimental effect on

either the vitality or viability on the surrounding local centres. This RA will also consider how the retail proposals align with the spatial strategy (Policy SP1).

3 LOCAL RETAIL CONTEXT

Introduction

- 3.1 This section reviews the retail evidence base for Jersey contained within the DTZ Jersey Retail Study (JRS) published in 2008. While the JRS is almost 10 years' old the study contains the most up-to-date evidence on retail spending patterns in Jersey and is used to inform our consideration of impact in Section 5. This Section draws conclusions on the catchment area of the proposed retail development based on a review of spending patterns and the location of existing convenience shopping facilities.

Jersey Retail Study

- 3.2 The JRS is based on a household survey of spending patterns undertaken in 2008. The Island is split into seven survey zones and a copy of the survey area plan is enclosed at Appendix B of this report. The results of the February 2008 Jersey household shopping survey are provided at Appendix 4 of the JRS.
- 3.3 The application site is in zone 3 which comprises the Parishes of St Martin and Trinity. The surrounding zones include: zone 2 (Grouville, St Saviour and St Clement Parishes), zone 4 (St John and St Mary Parishes) and zone 1 (St Helier Parish).
- 3.4 The household survey provides a sound basis for this RA as it is the most up-to-date publicly available information on convenience spending patterns. Although the survey is now somewhat dated there has been limited new convenience development since 2008 in zone 3 and the immediately adjoining zones which would significantly alter spending patterns. The following new convenience developments have been identified since 2008:
- M&S Simply Food St John – new store started trading in 2008; however, since it can take up to 24 months for new stores to 'bed in', it is likely that St John (zone 4) will now attract a greater proportion of convenience spending from zone 3 now than in February 2008
 - Co-op Locale Grouville – new store started trading in February 2015. As a result it is expected that zone 2 would retain a greater amount of convenience expenditure locally compared to the position in February 2008.
- 3.5 Question 2 asked residents where they undertake most of their main food shopping. The results show that St Martin retains just 4.7% of main food shopping expenditure generated within zone 3. Residents mainly look to convenience stores in St Helier to meet their main food shopping needs. With a market share of 49.1% St Helier is by far the most popular convenience destination for zone 3 residents. By comparison, zone 2 which comprises Gorey, St Saviour, Grouville and St Clement has a market share of 7.4% of which just 1.0% is directed to Gorey Village. According to the survey results, Five Oaks does not receive any convenience expenditure from zone 3 with a 0% market share. Convenience stores at St John attract a limited amount of spending from zone 3, with a 1.0% market share.

- 3.6 Question 4 asked residents how they usually travel to undertake main food shopping. The results show that 99% of zone 3 residents travel by car, either as a driver (89.5%) or as a passenger (9.5%) and the remaining 1.0% of residents travelled by bus. Zone 3 has the second-highest share of trips undertaken by car drivers, only zone 4 (St Mary and St John) has a higher share at 92.4%.
- 3.7 Question 5 asked residents where they undertake most of their top-up food shopping. Top up shopping, or basket shopping, are food shopping trips undertaken on a regular basis to purchase every day household items to supplement the main food shop. The results show that St Martin retains 36.5% of top up food shopping expenditure generated within zone 3. St Helier is the next most popular convenience destination for zone 3 residents with a 13.1% market share. Zone 2 (Gorey, St Saviour, Grouville and St Clement) has a market share of 10% of which just 3.3% is directed to Gorey Village. Convenience stores at Five Oaks attract a limited amount of top up spending from zone 3, with a 1.0% market share while St John has a 2.9% market share.
- 3.8 The survey demonstrates that St Martin (zone 3) is under-served by existing food stores resulting in unsustainable shopping patterns characterised by very high levels of car dependency. The headline findings are summarised below:
- The primary main food shopping destination for zone 3 residents is St Helier (49.1%)
 - 95.3% of residents look to shopping destinations outside of zone 3 for their main food shopping
 - 99% of zone 3 residents' food shopping trips are undertaken by private car
 - 63.5% of zone 3 residents look to destinations outside of the zone to meet their top up convenience shopping needs
 - The primary top up food shopping destination for zone 3 residents is St Martin (32.8%) followed by St Helier (13.1%) and then other destinations in zone 2 (10.0%).
- 3.9 The results of the survey demonstrate that zone 3 does not provide sufficient convenience shopping facilities to meet most residents' top-up or main shopping needs locally.

Local retail network

- 3.10 This section reviews the local retail network surrounding the application site and identifies the existing provision of convenience shopping facilities in St Martin and surrounding Parishes. This section also identifies the role and function of designated centres surrounding the application site.
- 3.11 PBA undertook a site visit to Jersey in November 2016 to assess the level of convenience shopping provision and undertook health check assessments of Five Oaks and Gorey Village local shopping centres.
- 3.12 The map enclosed at Appendix C of this report shows the location of all centres and food stores located within a 10-minute drive (off-peak) drive time from the application

site. The designated centres located within the catchment include St Helier town centre, Five Oaks local shopping centre and Gorey Village local shopping centre.

- 3.13 The enclosed map shows that the north east of the Island contains no designated local shopping centres and limited food store provision. The Co-op Maufant and the Checkers Xpress St Martin are the only local food stores. The Co-op and Checkers Xpress are both very small food stores which sell a limited range of goods catering to meet residents' top up shopping needs.
- 3.14 During the site visit PBA observed clear qualitative signs of overtrading at the Checkers Xpress St Martin store with items out of stock on the shelves. Common signs of such overtrading include congestion on the shop floor, out-of-stock items, restocking of shelves in the daytime, excessive queuing at checkout and car parks. PBA recorded qualitative evidence of overtrading at the food stores visited in St Martin, Gorey Village and Five Oaks. Photographic evidence of this overtrading is provided at Appendix D.
- 3.15 The following paragraphs set out our updated health check assessments of Five Oaks and Gorey Village and draw conclusions on the vitality and viability of each centre.

Five Oaks health check

- 3.16 Five Oaks is located 3km to the south west of the application site, equivalent to a six-minute off-peak drive time. Five Oaks centre comprises two distinct but interconnected shopping areas: Bagatelle Parade is a traditional linear high street and there is also a concentration of retail units at the roundabout at the northern end of Bagatelle parade. The centre contains 17 ground floor commercial units and Table 3.1 sets out the shops and service units recorded by PBA in November 2016.

Table 3.1 Five Oaks local shopping centre units

Name	Use	Category
Floralies	Flowers and gifts	Comparison
Reid's Pharmacy	Pharmacy	Comparison
Selecta Vision Ltd	Electrical store	Comparison
Five Oaks Food Hall	Convenience store	Convenience
Wine Warehouse	Wine shop	Convenience
La Maison Gourmande	Bakery	Convenience
HSBC	Bank	Service
Five Oaks Restaurant	Restaurant	Service
Great Wall of China	Takeaway	Service
William Hill	Betting shop	Service
Jino Barbers	Hairdresser	Service

Name	Use	Category
Stylistics	Hairdresser	Service
De Gruancy's	Funeral directors	Service
Lloyds bank	Bank	Service
Vacant	Vacant	Vacant

Source: PBA 2016

- 3.17 Five Oaks provides a pleasant shopping environment with a healthy mix of shops and services. The centre contains three stores selling convenience goods: the Five Oaks Food Hall, 'La Maison Gourmand' bakery and 'Wine Warehouse', overall convenience stores account for 18% of units in the centre. The Food Hall stocks a range of convenience items as well as small selection of comparison items (newspapers, cards, household items) and the bakery and wine shop enhance the main convenience offer. The centre provides a wide range of retail services which account for over half of the total units (53%) including two banks, a betting shop, funeral directors, two hairdressers, takeaway and a restaurant.
- 3.18 Five Oaks also contains three units, including a pharmacy, selling comparison items which account for a further 20% of the total units. There is only one vacant unit in the centre, the former Costcutter and Jersey post store at 1-2 Bagatelle Parade, which indicates that the centre successfully fulfils its function. Local press reports that the store closed due to the expiry of the lease and that Jersey Post are looking for an alternative location in the Five Oaks to relocate their service.
- 3.19 The environmental quality varies throughout the centre. Bagatelle Parade provides a pleasant shopping environment for pedestrians with on-street and off-street car parking which draws trade in to the centre from passing vehicles. The Five Oaks roundabout shopping area provides a less attractive environment for pedestrian users since the different units are separated by roads and heavy traffic flows. At the time of the site visit both parts of the centre appeared to be busy indicating that the local shops and services are well used by residents.
- 3.20 In summary, we consider that Five Oaks is a vital and viable centre which fulfils its role in the hierarchy as a designated local shopping centre. The centre provides a good range of shops and services and, despite the recent closure of Costcutter, continues to provide a good convenience offer. This offer is anchored by the Five Oaks Food Hall and enhanced by specialist convenience retailers (La Maison Gourmand bakery and Wine Warehouse). The centre appears to mainly serve local residents but also benefits from pass-by trade from vehicles traveling from St Helier to the north of the Island (along Bagatelle Parade/ La Grande Route De La St Martin).

Gorey Village health check

- 3.21 Gorey Village is located 2.9km south east of the application site, equivalent to a 10-minute off-peak drive time. Gorey Village centre comprises a traditional high street layout with most retail units located along Gorey Village Main Road or the adjoining

side streets. The centre contains 15 ground floor commercial units and Table 3.2 sets out the shops and service units recorded by PBA in November 2016. Gorey Pier is located a short distance away from the main village centre and provides a range of restaurants, cafes, hotels and gift stores predominantly aimed at the tourist market.

- 3.22 Gorey Village provides a pleasant shopping environment with a healthy mix of shops and services. The centre contains five stores selling convenience goods which account for 36% of all units. There are two general convenience stores (Costcutter and Rosedale Stores) which are complemented by three independent specialist food shops (The Village Butcher, Dunnel Wine Shop and a local greengrocers). PBA observed qualitative signs of overtrading at the Costcutter store during the site visits - various items out of stock which indicates that the current level of convenience provision is not sufficient to meet local need (Appendix D).

Table 3.2 Gorey Village local shopping centre units

Name	Use	Category
Lloyds pharmacy	Pharmacy	Comparison
Eclat	Clothes and giftware	Comparison
The Village Butcher	Butcher	Convenience
Costcutter and Jersey Post	Convenience store	Convenience
Rosedale Stores	Convenience store	Convenience
Greengrocers	Greengrocers	Convenience
Dunnel Wine Shop	Wine shop	Convenience
The Kitchen	Café	Service
Old Bank House	Hotel and café	Service
Smile	Laundrette	Service
Queree Opticians	Opticians	Service
Oriental Dragon	Takeaway	Service
Entwhistles fish and chips	Takeaway	Service
Jade Garden Restaurant	Takeaway and restaurant	Service

Source: PBA 2016

- 3.23 The centre also contains a range of retail services which account for 47% of total units including a hairdresser, hotel, opticians, Jersey Post (within Costcutter) and four food and drink outlets. There are also two stores selling comparison goods, Lloyds pharmacy and Eclat womenswear/gift store, which account for 14% of all units. There are no vacant units in Gorey which indicates that the centre is vital and viable.
- 3.24 The environmental quality throughout the centre is very high which provides a pleasant shopping environment for pedestrians with on-street car parking available. The pavement in some parts of the centre is narrow which poses a risk of conflict

between different road users although there was no heavy traffic was observed passing through the village during the site visit. The local shops and cafes were busy at the time of the site visit indicating that these are well used by residents.

- 3.25 In summary, we consider that Gorey Village is a vital and viable centre which fulfils its role in the hierarchy as a designated local shopping centre. The centre provides a good range of shops and services including a diverse convenience offer. This offer is anchored by two general convenience stores and enhanced by three further specialist convenience retailers. The centre mainly serves local residents but, as the only designated centre on the east side of the Island, also benefits from trade drawn from the wider rural catchment area.

Catchment area and trade draw

- 3.26 In terms of trade draw (i.e. where the food store will draw its trade from), it is reasonable to assume that the proposed foodstore will exert a greater level of influence over shopping patterns than the other proposed retail uses. However, the pharmacy and other commercial units would potentially benefit from pass by trade generated by linked trips to the food store.
- 3.27 Based on existing shopping patterns, it is reasonable to assume that the proposed food store could potentially draw trade from up to a 10-minute drive catchment area. The catchment for the pharmacy and other commercial units would not extend beyond this area. The plan enclosed at Appendix C shows all the existing main food stores located in within this 10-minute (off peak) drive time catchment area.
- 3.28 Based on our review of existing shopping facilities, we consider that the turnover of the proposed food store would predominantly be drawn from households in St Martin and the neighbouring Parish of Trinity (zone 3). The proposed food store is unlikely to draw a significant amount of trade from neighbouring zones (2 and 4) since households in these zones benefit from a superior local convenience offer as summarised below:
- Households in St Saviour (zone 2), located south of Maufant, are located closer to Five Oaks and St Helier which provide a far better convenience shopping offer in terms of choice and quality than the proposed development;
 - Households in Grouville (also zone 2) are already well served by existing
 - with three main convenience stores (Co-op Locale, Iceland and Costcutter) and additional independent specialist food shops in Gorey Village; and
 - Households in St John (zone 4) are served by three main food stores including two Costcutter stores and an M&S Simply Food Store.
- 3.29 Due to the issue of overlapping catchment areas there will be some households on the periphery of zones 2 and 4 which may choose to visit St Martin. It is also recognised that the potential for passing trade and linked trips with existing facilities at St Martin will mean that some of the stores turnover is drawn from beyond zone 2. However, the proposed retail development is unlikely to significantly increase the attraction of St Martin to households outside of zone 3.

Conclusion

- 3.30 This section demonstrates that St Martin is inadequately served by existing food stores which results in unsustainable shopping patterns characterised by high levels of car dependency. The 2008 household survey identifies that 63.5% of households in the Parishes of St Martin and Trinity (zone 3) look to destinations outside of the zone to undertake top up convenience shopping trips and an even greater proportion look outside to undertake their main convenience shop (95.3%). While there is already a small convenience store in St Martin, qualitative evidence collected by PBA suggests that this store is not adequate to meet local convenience needs.
- 3.31 The proposed food store and other proposed retail uses will draw the majority of turnover from households in zone 3 (St Martin and Trinity Parishes) based on our review of existing shopping patterns and the distribution of existing convenience facilities. However, there is potential for the store to draw some trade from trade from a wider catchment area generated as a result of pass by trade and linked trips.

4 SEQUENTIAL ASSESSMENT

Introduction

- 4.1 The sequential approach underpins the Plans approach to allocating new development and is consistent with the town centre first policy in the UK which seeks to direct town centre uses (including retail) to town centres in the first instance.
- 4.2 Under Policy SP3, the application is required to demonstrate that there are no sequentially preferable sites in designated local shopping centres which are available, suitable and viable for the proposed development. Policy ER7 indicates that for new foodstore developments in-town sites are preferred, followed by edge of centre sites and then, only if there are no suitable town centre or edge-of-centre sites available, other sites which are well served by a choice of means of transport.

Methodology

- 4.3 When undertaking a sequential assessment, it is first necessary to define the sequential area of search with reference to the catchment area of the proposed development. As set out in Section 3, the core catchment area of the proposed retail floorspace will comprise the Parishes of St Martin and Trinity Parishes (zone 3). However, since there are no designated centres within zone 3 and in recognition of the potential for trade to be drawn from further afield, our sequential area of search has been widened to include the nearest centres located in the surrounding Parish of Grouville (Gorey Village) and St Saviour (Five Oaks).
- 4.4 This approach is also consistent with the DOE pre-application advice which stated that a local sequential assessment should be undertaken as part of a local RIA focused on the nearest designed centres: Gorey Village and Five Oaks.
- 4.5 The most recent English planning guidance on the sequential test is set out in the Planning Policy Guidance online resource (PPG). Paragraph 9 sets out a checklist for the sequential approach²:
- has the suitability of more central sites to accommodate the proposal been considered?
 - is there scope for flexibility in the format and/or scale of the proposal?
 - if there are no suitable sequentially preferable locations, the sequential test is passed.
- 4.6 Taking account of the need to demonstrate flexibility, we have assessed sites which could accommodate between 588 and 719 sqm gross retail floorspace including a food store of between 190 and 232 sqm gross in a similar format to the proposed development. This is equivalent to within 10% more or less of the floorspace proposed.

² Paragraph: 009 Reference ID: 2b-009-20140306 Revision date: 06 03 2014

- 4.7 Since it is not appropriate to disaggregate the units this is considered a robust approach. Furthermore, providing the food store and other retail uses (disaggregation) would reduce the sustainability benefits of the development by reducing the potential for linked trips.
- 4.8 Paragraph 011 of the PPG recognises that certain uses have particular market requirements which mean that they may only be accommodated in specific locations. The proposals are location specific to the Parishes of St Martin and Trinity (zone 3) in this respect. The proposed development will improve access to convenience shopping facilities for households in zone 3 which are currently under served by existing retail facilities (see Section 3).
- 4.9 Nevertheless, we have undertaken a sequential search for sites in and on the edge of Gorey Village and Five Oaks. The sequential assessment draws on desk based research and primary data collected by PBA on site in November 2016.

Sequential sites

Five Oaks

- 4.10 PBA undertook a site visit to Five Oaks in November 2016 to survey the existing uses and identify any sequential sites in or on the edge of the centre. The survey identified two existing vacant units in the centre including Norman's showroom located on the Five Oaks roundabout and 1-2 Bagatelle Parade (See Table 3.1 in Section 3).
- 4.11 Marketing information from Sarre & Company shows that the Norman's showroom unit is no longer available. The unit was let in 2017 and is now trading as a JEMEC car showroom. The recent uptake of this unit indicates that there is operator demand for retail space in this location and that Five Oaks is a vital and viable centre.
- 4.12 Information from agents Bull & Co. indicates that the unit at 1-2 Bagatelle Parade is currently available to let and provides 89 sqm gross floorspace at ground floor level. The unit comprises a 77 sqm sales area with a small storage area (12 sqm) and limited off street car parking available for shoppers. The unit is clearly available however it is not suitable to accommodate the proposed retail development or even the food store element in isolation. Even when allowing for flexibility, the unit does not provide sufficient floorspace to accommodate the proposed food store with a minimum floorspace requirement of 232 sqm gross.
- 4.13 Five Oaks centre is not considered to be a suitable location for the proposed foodstore which is intended to address the lack of main convenience shopping facilities serving households in the Parishes of St Martin and Trinity (zone 3).
- 4.14 The 2008 household survey shows that Five Oaks area of influence does not extend to zone 3. The survey results show that Five Oaks does not attract any main convenience spending from zone 3 and has a 1% market share for top up convenience spending in zone 3.

- 4.15 Since the proposed food store is intended to primarily draw trade from zone 3 and Five Oaks does not serve this area it follows that it would not be viable to relocate the proposed retail development in Five Oaks.
- 4.16 Furthermore, relocating the proposed retail uses to Five Oaks would undermine the sustainability benefits of the scheme which will reduce the need for zone 3 residents (St Martin and Trinity Parishes) to travel by car to access main food shopping facilities outside of the zone. PBA have not identified any further sequential sites, either vacant units or development sites, in or on the edge of Five Oaks.

Gorey Village

- 4.17 PBA undertook a site visit to Gorey Village in November 2016 to survey the existing uses and identify any sequential sites in or on the edge of the centre. The survey did not identify any existing vacant units in the centre (See Table 3.2 in Section 3).
- 4.18 PBA have not identified any suitable, available and viable sequential sites, either vacant units or development sites, in or on the edge of Gorey Village. There are no sequential sites in the centre which extends along Gorey Village Main Road and is closely surrounded by existing residential dwellings. PBA identified two undeveloped sites on the edge of centre however these are both subject to specific policy designations which seek to resist development:
- There is a small edge of centre greenfield site adjacent to the Willows housing development which measures approximately 1,500 sqm gross. However, this site is not considered to be suitable for retail development. The site is designated as protected open space under Policy SCO4 provides protection against the loss of open space and requires applicants to provide alternative replacement open space of the same or better quality. In this case, the applicants are not able to re-provide open space in Gorey Village; and,
 - The beach road car park site measures approximately 750 sqm gross however this site is not considered to be suitable or available for retail development. The car park is designed as Coastal National Park land which is afforded the highest level of protection from development under Policy NE6 as such it will usually be given priority over all other planning considerations. The site is currently used as a car park to serve visitors to the village centre and Longbeach.

Conclusion

- 4.19 The sequential assessment presented in this section has not identified any suitable, available and viable alternative sites Gorey Village or Five Oaks for the proposed retail development. While the application site is not located in a designated centre it is considered to present a highly sustainable development opportunity. Thus, we consider that the proposals accord with the Spatial Strategy (Policy SP1), the sequential approach (Policy SP3) and the objective to reduce the need to travel (Policy SP6).
- 4.20 Consistent with Policy SP1, the site occupies a highly accessible strategic location in the St Martin Village BUA and is previously developed land. The proposed

development will reduce the need for households from the Parishes of St Martin and Trinity to travel across the Island to undertake main food shopping trips and will provide opportunities for linked trips thereby further reducing the need to travel.

5 LOCAL RETAIL IMPACT ASSESSMENT

Introduction

- 5.1 A local RIA has been prepared in this section to assist the DOE in determining the application although there is no policy requirement to undertake a full RIA for the proposed development. The RIA is primarily concerned with the potential impact of the proposed food store since it is expected to have a greater level of influence over shopping patterns than the other retail uses proposed. This section also presents a high level consideration of the potential impact of these other retail uses.
- 5.2 The RIA is concerned with potential impacts upon designated centres only since impact upon on out of centre retail uses is not a material consideration. Policy ER3 only affords policy protection to stores in designated local shopping centres while Policy ER7 only affords policy protection to stores in St Helier town centre. Furthermore, the Plan does not seek to protect the commercial interests of one retailer over another and it recognises the benefits that increased competition in the retail sector can bring to consumers in terms of price, choice and quality.
- 5.3 This RIA has been prepared in conformity with the DOE pre-application advice (Appendix A) and draws on UK planning guidance on the impact test contained in the PPG.

Method

- 5.4 A straightforward method is applied in this section to assess the likely impact of the proposed foodstore, as summarised in the steps below:
1. Estimate the turnover (£m) of the proposed convenience floorspace in the design year
 2. Divert the turnover of the proposed convenience floorspace from the existing retail floorspace in the catchment area to understand the impact on trade in designated centres
 3. Judge the acceptability of that impact in the context of the performance of existing retail floorspace in the catchment area, paying particular attention to the impact on Gorey Village and Five Oaks.
- 5.5 The JRS and the 2008 household survey of shopping patterns are used as the basis for our impact assessment. This is a robust approach since the JRS is the most up to date publicly available retail evidence base for Jersey.

Estimated turnover

- 5.6 The first element of the impact assessment is to estimate the turnover of the proposed retail development in the 'design year'. We assume 2018 as the year of the analysis (base year) and test impact in 2021 (the design year). This is based on a realistic assumption that the construction of the food store would begin in 2018 and

that the store would begin trading in 2019. The impact of the development is tested in 2021 (the 'design year') which is two full calendar years after opening when we would expect trading patterns to become established.

- 5.7 Since the foodstore operator has not been identified we have applied an average sales density based on the UK benchmark sales density published by Mintel in 2017 for each of the main food store operators present in Jersey (including M&S, Waitrose, Co-op and Iceland). This gives an average sales density of £9,535 per sqm in 2017 which is rolled forward to 2021. Because we have not allowed the turnover of convenience floorspace to grow in our assessment the turnover of the food store will remain constant between 2017 and 2021. Our approach to sales density growth is explained in paragraph 5.21. Based on these assumptions, the proposed food store with a maximum 168 sqm net sales area will achieve an estimated turnover of £1.6m in 2021.
- 5.8 Given the application site's strategic location on the main road network, it is reasonable to assume that up to 10% of the food stores turnover will come from tourist spending which means the remaining £1.4m turnover will be diverted from existing convenience stores in the area as generated by resident expenditure on the Island.
- 5.9 The next element of the impact assessment is to estimate where trade is likely to be diverted from. A straightforward approach is undertaken where a proportion (%) of the total £1.4m turnover is diverted from existing convenience shopping destinations. Table 5.1 presents the estimated trade diversions in 2021.
- 5.10 Assumptions about trade diversion are based on the 'like-for-like' principle set out in the PPG³ which means, very simply, that retail stores will compete with their most similar facilities. Trade diversion assumptions also take account of existing convenience shopping patterns and the likely trade draw of the food store, summarised in Section 3.

Table 5.1 Estimated convenience trade diversion in 2021

Location	Trade diversion %	Trade diversion £m
St Helier food stores	50	0.7
Co-op Locale Grouville	10	0.1
Iceland Grouville	10	0.1
Checkers Xpress St Martin	5	0.1
Cooperative Locale Maufant	5	0.1
Costcutter Gorey Village	5	0.1
Food Hall Five Oaks	5	0.1
All other food stores	10	0.1

³ Paragraph: 016 Reference ID: 2b-016-20140306 Revision date: 06 03 2014

Location	Trade diversion %	Trade diversion £m
Total	100	1.4

- 5.11 The estimated diversion rates shown above are robust and reflect the fact that retailers compete with their most comparable facilities.
- 5.12 The proposed foodstore will enable zone 3 to 'claw back' a significant amount of convenience expenditure leaked to food stores in St Helier (zone 1) by providing a facility suitable for main food shopping. There are currently no food stores in zone 3 which meet main food shopping needs and therefore it is considered that £0.7m is a reasonable amount of claw back expenditure.
- 5.13 The Co-op Locale and Iceland in Grouville are the nearest food stores to St Martin which provide facilities for main food shopping. As such it is considered realistic to expect that 10% of the proposed store's trade will be diverted from each of these stores.
- 5.14 For the remaining named food stores located in the catchment area a trade diversion rate of 5% is applied. This level of trade diversion is expected to be realistic for the Checkers Xpress St Martin, Co-op Locale Maufant and Costsutter Gorey Village. These small stores only provide for top up shopping needs and as such they are not expected to compete with the proposed food store to the same extent as the Co-op Locale and Iceland in Grouville which provide for main food shopping needs.
- 5.15 This level of trade diversion is expected to be realistic for the Food Hall Five Oaks. While the Food Hall provides for both main and top up food shopping needs the 2008 household survey demonstrates that Five Oaks draws a limited amount of trade from zone 3. It is expected that the proposed food store will not compete with the Food Hall Five Oaks to the same extent as local food stores.
- 5.16 The impact of the proposed retail showroom on resident retail spending patterns is unlikely to be perceivable since the occupier would predominantly sell to trade.

Significance of impacts

- 5.17 The previous section considered the potential impact on convenience trade in designated centres within the catchment area: St Helier town centre, Gorey Village and Five Oaks local shopping centres. However, the requirement of Policy ER7 is to consider the impact of retail proposals on the overall vitality and viability of designated centres.
- 5.18 The JRS retail capacity forecasts presented at Appendix 8 of the JRS form the basis for our consideration of impact. Table 9 of the JRS forecasts the amount of available convenience expenditure which will be spent in St Helier in the forecast years (2010, 2015, 2020, 2025) for each zone (1-7). Table 17 forecasts the amount of available convenience expenditure which will be spent in other 'non-central' stores (i.e. main food stores located outside of St Helier) in the forecast years for each zone (1-7).
- 5.19 Appendix E presents our updated calculations of convenience turnover for St Helier (see Table 4) and non-central stores (see Table 5) in 2021. These figures have been

calculated by applying the most recent empirical retail forecasts for the UK⁴ to the baseline population, per capita expenditure figures and market shares information for the year 2008 contained in Appendix 8 of the JRS.

- 5.20 The convenience turnover for St Helier and non-central stores in Tables 4 and 5 are much lower than the corresponding figures in Table 9 and 17 of the JRS due to downwards revisions of growth rates for the convenience sector since 2008. Current Experian forecasts predict a negative expenditure growth rate for the convenience sector between 2008 and 2023 whereas the JRS applies a growth rate of 1.0% per annum to the convenience sector over this period. This means that the convenience expenditure growth shown in Table 4 and Table 5 at Appendix E is purely a product of population growth.
- 5.21 Since expenditure growth rates are directly linked to sales density growth rates, we have not allowed the turnover of convenience floorspace to grow over time, this applies to the proposed retail floorspace and existing convenience floorspace in the catchment area.
- 5.22 The following paragraphs judge the potential impact of the retail proposals, including the food store and other retail units, on the viability and vitality of designated centres.

St Helier town centre

- 5.23 The previous section estimated that the proposed food store would result in the diversion of £0.7m of convenience expenditure from food stores in St Helier (zone 1) in 2021. To put the results of the trade diversion assessment into context, Table 4 estimates that St Helier will draw £2.9m of convenience expenditure from zone 3 alone in 2021 and the total convenience turnover of St Helier is £53.2m in 2021. This equates to an impact of -1.4% in percentage terms. The potential impact on convenience trade in St Helier is summarised in the table below.

Table 5.2 Impact on convenience trade in St Helier in 2021

Destination	Turnover (£m)	Turnover after diversion (£m)	Impact %
St Helier	53.4	52.7	-1.4%

Source: Table 8, Appendix E

- 5.24 The estimated level of trade diversion is not considered to be significant enough to have a detrimental impact on the vitality or viability of the centre when considered in the context of the total available convenience expenditure available to St Helier.
- 5.25 Impact on trade in the town centre as whole will be significantly lower than the forecast -1.4% impact on convenience trade. St Helier is a major comparison shopping destination which also contains a range of other retail services (restaurants, bars, cafes, banks, hotels) and tourist facilities. These comparison shops, service outlets and tourist facilities contribute to the turnover and support the viability of the centre. The -1.4% impact will be further reduced because it is reasonable to assume

⁴ Forecasts taken from Experian Retail Planner Briefing Note 15 (ERPBN 15) (December 2017)

that food stores in St Helier will receive additional spending from tourists. This means that the total convenience expenditure available in zone 1 will be greater than the £53.4m convenience expenditure generated by residents on the Island in 2021.

- 5.26 The other retail uses proposed are highly unlikely to have a detrimental impact on St Helier. The pharmacy and other proposed retail units are expected to predominantly serve residents within the Parishes of St Martin and Trinity. The level of trade diversion from St Helier is unlikely to be perceivable since it is unlikely that residents would travel to the pharmacy in St Martin when they are adequately served by many pharmacies more locally.
- 5.27 The proposed development is not expected to have a detrimental effect on the vitality and viability of the centre nor would the proposals undermine the role and function of St Helier as the primary shopping destination on the Island.

Five Oaks local shopping centre

- 5.28 The previous section estimated that the proposed food store would result in the diversion of £0.1m of convenience expenditure from the Food Hall supermarket in Five Oaks located in zone 2 of the JRS study area. To put these results into context, Table 5 shows that zone 2 will generate £30.0m convenience expenditure in 2021 which will be available to non-central food stores including the Food Hall Five Oaks. The turnover diverted from the Food Hall is equivalent to just 0.3% of the total convenience expenditure available to non-central food stores in zone 2.
- 5.29 The estimated level of trade diversion is not considered to be significant enough to have a detrimental impact on the vitality or viability of Five Oaks centre when considered in the context of the total available convenience expenditure available to food stores in zone 2. This impact will be softened since Five Oaks is not purely a convenience shopping destination and there are a wide range of comparison shops and retail services which all contribute to its turnover and support the viability of the centre. Section 3 identifies that 82% of units in the centre do not primarily sell convenience goods.
- 5.30 The other retail uses proposed are highly unlikely to have a detrimental impact on Five Oaks. The level of trade diversion from Five Oaks is unlikely to be perceivable since it is unlikely that residents from St Saviour would travel to the pharmacy in St Martin when they are adequately served by Reid's Pharmacy in Five Oaks.
- 5.31 The proposed development is not likely to have a detrimental effect on the vitality and viability of Five Oaks centre. The proposals would not undermine the role and function of Five Oaks which primarily meets the local convenience and comparison shopping needs of households in the Parish of St Saviour.

Gorey Village local shopping centre

- 5.32 The previous section estimated that the proposed food store would result in the diversion of £0.1m of convenience expenditure from the Costcutter food store in Gorey Village located in zone 2 of the JRS study area. As set out above, Table 5 shows that zone 2 will generate £30.0m convenience expenditure in 2021 which will be available to non-central food stores.

- 5.33 Therefore, the turnover diverted from Costcutter is equivalent to just 0.3% of the total convenience expenditure available to non-central locations in zone 2.
- 5.34 The estimated level of trade diversion is not considered to be significant enough to have a detrimental impact on the vitality or viability of Gorey Village when considered in the context of the total available convenience expenditure available to food stores in zone 2. Furthermore, this impact will be softened because Gorey Village contains a range of comparison shops and retail services which all contribute to its turnover and support the vitality and viability of the centre. Section 3 shows that 64% of units in the centre do not primarily sell convenience goods.
- 5.35 The impact will be further reduced because food stores in Gorey Village will receive additional spending from tourists throughout the year. This is a reasonable assumption given that Gorey Village is located a short walk away from popular tourist destinations including Gorey Pier and Mont Orgueil Castle. Therefore, the expenditure available to non-central food stores in Gorey Village will be greater than the £30.0m convenience expenditure generated by residents in zone 2 in 2021.
- 5.36 Finally, the pharmacy and other proposed retail units are highly unlikely to have a detrimental impact on Gorey Village. The level of trade diversion is unlikely to be perceivable since it is highly unlikely that residents from Gorey would travel to the pharmacy in St Martin when they are adequately served by Lloyds Pharmacy in Gorey Village.
- 5.37 The proposed development is not likely to have a detrimental effect on the vitality and viability of Gorey Village centre. The proposals would not undermine the role and function of Gorey Village centre which primarily meets the local convenience and comparison shopping needs of households in Grouville and visitors.

Conclusion

- 5.38 The local RIA presented in this section has demonstrated that the proposed development will not have a detrimental impact on the vitality or the viability of designated centres in the catchment area including St Helier town centre, Gorey Village local shopping centre and Five Oaks local shopping centre.
- 5.39 The development will not undermine the role or function of designated centres in the catchment area. The proposal therefore supports the overall objective of the Island Plan (Policy SP1) which seeks to protect local shopping centres while also maintaining adequate provision of local shopping facilities throughout the Island.

6 CONCLUSIONS

- 6.1 This RA has been undertaken by PBA on behalf of the Parish of St Martin to accompany a planning application for the proposed redevelopment of St Martin's Former School to deliver a mix of commercial, community and residential uses.
- 6.2 The detailed retail proposals include a food store, pharmacy, specialist mobility/medical equipment showroom and two small medical and welfare units. In total the proposed development could deliver up to a maximum of 211 sqm gross convenience and 338 sqm gross comparison floorspace. Our assessment recognises that the small medical/welfare units could potentially be occupied as retail units in future subject to the approval of a change of use application.
- 6.3 Section 3 identifies that the two key policies to be addressed are Policy SP1, the spatial strategy and Policy SP3, the sequential approach to development. While there is no policy requirement, a local RIA has been prepared which provides a robust assessment of potential impacts on designated shopping centres protected under Policy ER3. The main conclusions are set out below.
- 6.4 The retail proposals support the aim of the spatial strategy (Policy SP1) and are consistent with the sequential approach to development (Policy SP3). The sequential assessment presented at Section 4 demonstrates that there are no suitable, available or viable sites in Gorey Village or Five Oaks which could accommodate the proposed development. Consistent with the aims of Policy SP1, the application site is a highly sustainable development opportunity in policy terms being located within the BUA on previously developed land and accessible by a range of transport modes.
- 6.5 The retail proposals are consistent with the objective of the Plans retail policies which seek to protect local shopping centres while maintaining adequate provision of local shopping facilities throughout the Island. Section 3 finds that St Martin is inadequately served by existing food stores. The proposed development will introduce a new food retailer not currently trading in St Martin thus improving the diversity and quality of the convenience offer for households in the Parishes St Martin and Trinity. The local RIA presented at Section 5 demonstrates that the proposals will not undermine the vitality the viability of designated centres in the catchment area (including St Helier, Gorey Village and Five Oaks).
- 6.6 Furthermore, the retail proposals support the aim of Policy SP6, to reduce car dependency and the overall need to travel on the Island. The application site occupies a sustainable location within the St Martin's Village BUA and provides opportunities for linked trips.

APPENDIX A DOE PRE-APPLICATION ADVICE

Morina Benjamin

From: Peter Keenan
Sent: 18 November 2016 10:02
To: Francesca Rowson
Subject: FW: St. Martin's Former Primary School Redevelopment - Initial Policy Guidance

From: John Nicholson [REDACTED]
Sent: 05 September 2016 12:54
To: Ricardo Marques [REDACTED]
Subject: St. Martin's Former Primary School Redevelopment - Initial Policy Guidance

Ricardo

My colleagues in our policy team have considered your query and have provided the following feedback.

General Comment

The site is within the Built up Area of St Martin's village which is defined as a Main Rural Settlement within the Island Plan. The Plan recognises that such areas have an important contribution to make in meeting the Island's development needs whilst also sustaining the social fabric of local communities and, in particular, parochial identity and vitality.

St Martin's School is also a Grade 4 Listed Building and its roadside wall and gateways are mentioned in the listing description. The range of Victorian school buildings makes a positive contribution to the scenic value of La Rue de la Croix au Maitre. Furthermore, there are planted mature trees just behind the roadside wall which form part of a pleasant avenue-like approach into the village from the west. How these elements are addressed in any forthcoming scheme will be crucial and, to this end, early engagement with the Historic Environment Team, States' Arboriculturist and Natural Environment Team is strongly advised.

Planning Policy

Policy SP1 highlights the Plan's spatial strategy, identifying a hierarchy of centres with clear priority being given to Built up Area and, in particular, the Town of St Helier. SP3 reinforces the strategy with a sequential test to be applied to new development proposals and, in particular, although not exclusively, to major new retail development, major new office development, developments that require a coastal or countryside location and the re-use / re-development of employment land outside of the BuA.

In terms of the St Martin's School site, policy guidance is being sought for:

- i. *assessing new retail stores between 100 and 500 sq.m, gross floor area; and*
- ii. *clarification regarding the requirement for a local or an Island-wide retail impact assessment.*

Taking these in turn:-

i) ER4 relates to new retail stores with gross floor area below 100sq.m and does not apply in this instance.

ER7 relates to new stores above 500sq.m and, again, does not apply in this instance.

ER3 seeks to protect specified local shopping centres, the nearest of which in this case are Five Oaks / Bagatelle Parade and Gorey Village. Protection is, primarily, offered through supporting new retail developments within those centres and through discouraging the loss of retail units within. ER3 does not specifically address the impact upon local shopping centres from retail developments elsewhere, although it does serve to reinforce the sequential approach to new development as laid out in policy SP3. ER3 is, therefore, of some relevance in that a sequential approach to new retail development would favour local shopping centres before other BuA sites and it is implicit within the policy that local shopping centres should be afforded protection from any proposals that may threaten their viability.

Any proposal for a new retail outlet of between 100 and 500 sq.m on the St Martin's School site would, therefore, be primarily assessed against SP1 and SP3, with a significant nod to ER3; none of which necessarily preclude against such a proposal in an out-of-town BuA.

In short, an assessment of such a proposal would need to be made in light of the individual merits of the scheme and, in particular, any likely impact on character and amenity, heritage value, vitality of local shopping centres and road safety.

ii) Whilst there is no specific requirement in the Island Plan for an RIA for new outlets under 500 sq.m gross floor area, for the reasons outlined above, a local RIA would give robust evidence as to how a proposed retail outlet in St Martin would impact upon local shopping centres – in particular, those of Five Oaks / Bagatelle Parade and Gorey Village. A local RIA would also highlight how the proposal would fit in with the spatial strategy and sequential approach to new development. An Island-wide RIA could be seen as an excessive requirement in this instance.

I concur with this feedback, which aligns with the approach taken in the Grouville Co-Op application (P/2013/1315 – available from the planning register on our website).

I hope the above is of some use in assisting with the interpretation of retail policy but should you wish discuss any further, please let me know.

Regards, John

John Nicholson BA(Hons) BPI MRTPI
Principal Planner, Development Control

Department of the Environment
South Hill, St. Helier, Jersey, JE2 4US

T: 01534 448411
www.gov.je

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Morina Benjamin

From: John Nicholson [REDACTED]
Sent: 05 December 2016 16:48
To: Francesca Rowson
Subject: RE: St. Martin's Former Primary School Redevelopment - Retail guidance

Thank you for the opportunity to review the scope of your assessment. The approach seems logical and has identified the key policy criteria, which focus (in ER3) on protecting the local shopping centres.

Regards, John

John Nicholson BA(Hons) BPI MRTPI
Principal Planner, Development Control

Department of the Environment
South Hill, St. Helier, Jersey, JE2 4US
T: 01534 448411
www.gov.je

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From: Francesca Rowson [REDACTED]
Sent: 24 November 2016 17:46
To: John Nicholson [REDACTED]
Cc: Peter Keenan [REDACTED]
Subject: St. Martin's Former Primary School Redevelopment - Retail guidance

Dear Mr Nicholson

Peter Brett Associates has been appointed by HLG Associates / Morris Architects to prepare a Retail Assessment for the proposed redevelopment of the former St. Martin's Former Primary School. Ricardo Marques provided us with your contact details. We have reviewed your initial policy guidance on the retail element of the proposals as well as recent Retail Assessments undertaken for the Co-op Grouville (ref: P2013/1315) and Marks and Spencer St John (ref: P/2014/2106).

We have prepared a suggested Retail Assessment report structure based on your guidance which is attached with this email for your review. We would be grateful if you could provide us with any suggested changes by Tuesday 29th November since I will be travelling to Jersey on that date to undertake the site visits.

Please feel free to contact me if you have any questions regarding the above.

Regards

Francesca Rowson

For and on behalf of Peter Brett Associates LLP - London Brewhouse Yard
[REDACTED]

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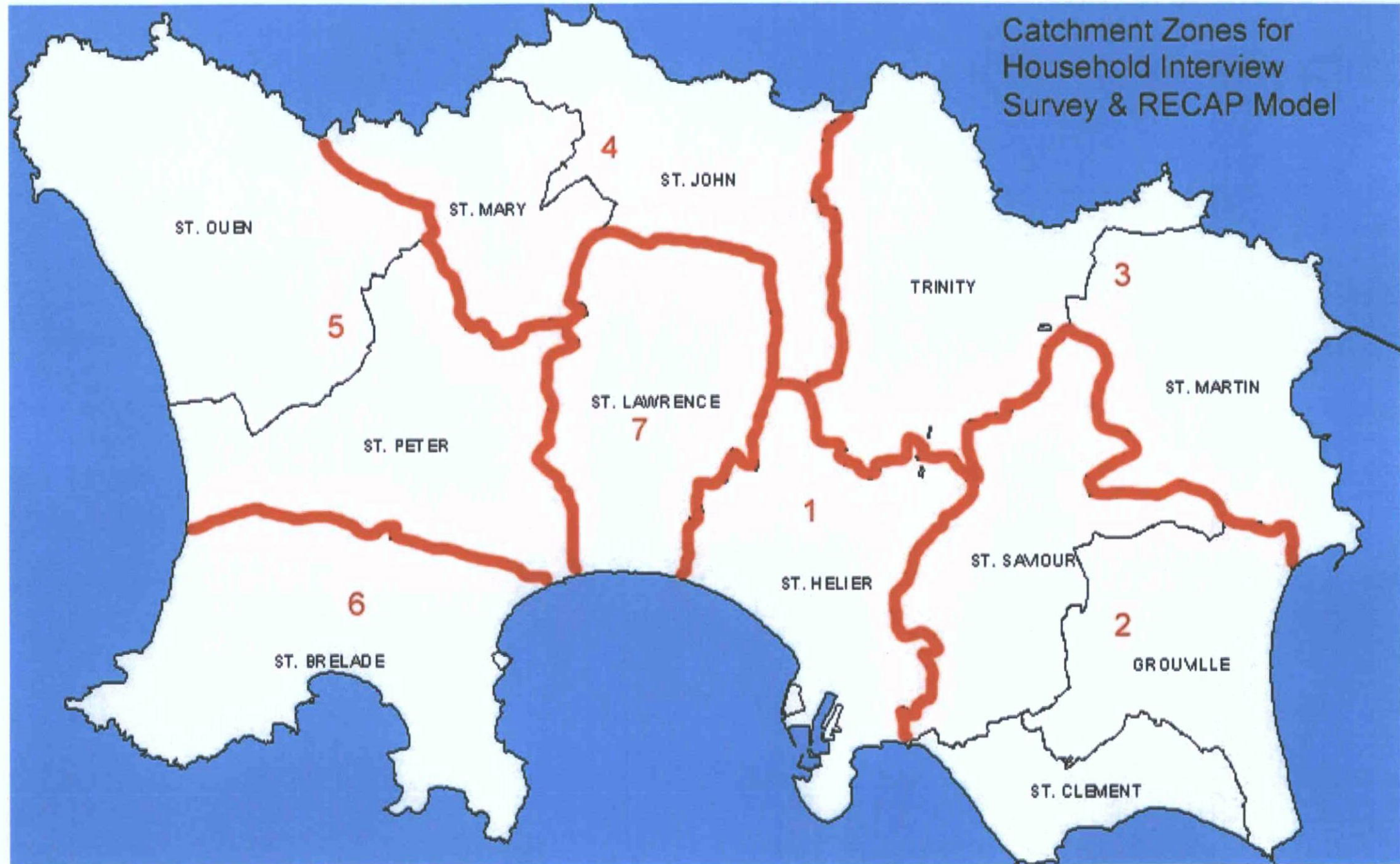
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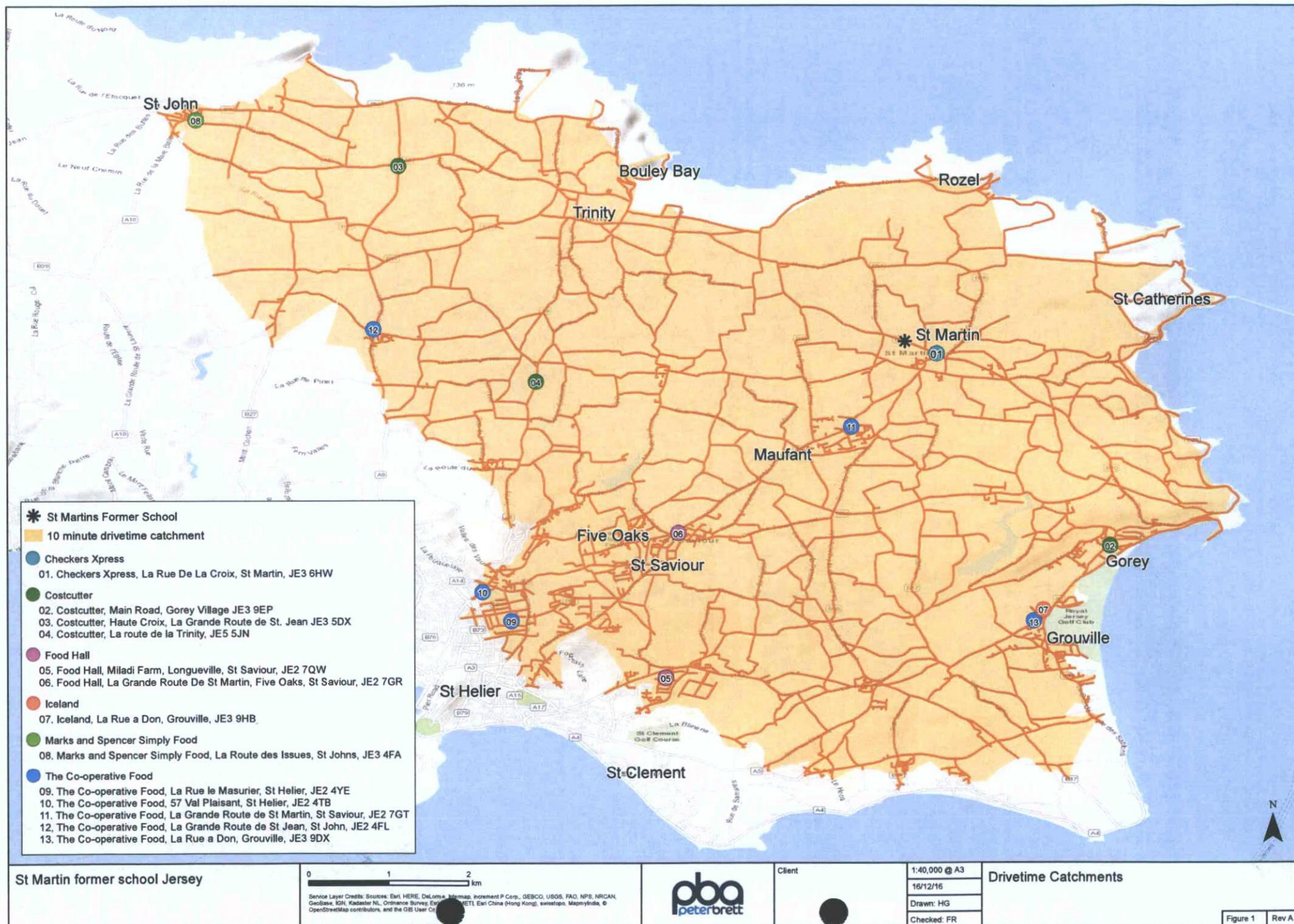
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APPENDIX B JRS STUDY AREA MAP

Catchment Zones for
Household Interview
Survey & RECAP Model



APPENDIX C RETAIL NETWORK MAP



APPENDIX D FOOD STORE OVERTRADING PHOTOS



Checker Xpress St Martin- products out of stock



Costcutter Gorey Village- products out of stock



Five Oaks Food Hall- constrained aisles with tight displays

APPENDIX E RIA TABLES

Table 1 JRS study area population

	2018	2020	2021
Zone 1	31,885	32,175	32,294
Zone 2	28,020	28,275	28,379
Zone 3	6,763	6,825	6,850
Zone 4	4,831	4,875	4,893
Zone 5	8,696	8,775	8,807
Zone 6	11,594	11,700	11,743
Zone 7	4,831	4,875	4,893
Total	96,620	97,500	97,860

Source: JRS, Appendix 8, Table 1

Table 2 Average per capita convenience expenditure less SFT

	2008	2018	2021
JRS study area	1,978	1,978	1,793

Source:

JRS, Appendix 8, Table 1 and Experian Retail Planner Briefing Note 15 (ERPBN 15) (December 2017)

Table 3 JRS study area total convenience expenditure (£m)

	2018	2021
Zone 1	58.5	57.9
Zone 2	51.4	50.9
Zone 3	12.4	12.3
Zone 4	8.9	8.8
Zone 5	16.0	15.8
Zone 6	21.3	21.1
Zone 7	8.9	8.8
Total	177.2	175.5

See: Table 1 and Table 2

Table 4 St Helier convenience market share and turnover

	Market share %	2018 £m	2021 £m
Zone 1	56%	32.8	32.4
Zone 2	26%	13.4	13.2
Zone 3	24%	3.0	2.9
Zone 4	18%	1.6	1.6
Zone 5	3%	0.5	0.5
Zone 6	5%	1.1	1.1
Zone 7	17%	1.5	1.5
Total		53.7	53.2

Source: JRS, Appendix 8, Table 7 and Table 3

Table 5 Non-central stores convenience market share and turnover

	Market share %	2018 £m	2021 £m
Zone 1	36%	21.1	20.8
Zone 2	59%	30.3	30.0
Zone 3	48%	6.0	5.9
Zone 4	77%	6.8	6.8
Zone 5	81%	12.9	12.8
Zone 6	89%	18.9	18.7
Zone 7	64%	5.7	5.6
Total		101.7	100.7

Source: JRS, Appendix 8, Table 15 and Table 3

Table 6 Proposed food store turnover in 2021

Net sales area sqm	Sales density £/sqm	Turnover £m	Turnover Inflow less inflow £m
168.5	9,535	1.6	0.2
			1.4

Source: Mintel UK Retail Rankings Databook 2017

Table 7 Convenience trade diversion in 2021

Destination	%	£m
St Helier food stores	50%	0.7
Co-op Locale Grouville	10%	0.1
Iceland Grouville	10%	0.1
Checkers Xpress St Martin	5%	0.1
Cooperative Locale Maufant	5%	0.1
Costcutter Store Gorey	5%	0.1
Food Hall Five Oaks	5%	0.1
All other food stores	10%	0.1
Total	100%	1.4

Source: Table 6

Table 8 Impact on convenience trade in St Helier in 2021

Turnover £m	Diversion £m	Turnover after diversion £m	Impact %
53.2	0.7	52.5	-1.4%

Source: Table 4 and Table 7



Retail Assessment Addendum

GVA
10 Stratton Street
London
W1J 8JR

THE CHANNEL ISLANDS CO-OPERATIVE SOCIETY

PROPOSED LOCALE FOOD STORE ON THE FORMER DE LA MARE NURSERY, LA RUE A DON,
GROUVILLE

November 2013

Prepared By: Chris Goddard
Status: Senior Director
Date: November 2013

For and on behalf of GVA Grimley Ltd

Introduction

1. In August 2013 GVA prepared a Retail Assessment in respect of proposals submitted by The Channel Islands Co-operative Society for a Locale convenience food store of 484 sq m gross on the former De La Mare Nursery site. This report described the proposals, and identified that the principle of Class A retail use is already established on the site. The proposals comprise a modern purpose-built food store to meet an identified deficiency in quality main food shopping facilities serving the Grouville area.

2. The report concluded, inter alia:

"There is a clear quantitative and qualitative need for the proposed store, to retain locally generated spend; address the overtrading of existing stores; reduce the need to travel to stores on the edge of St Helier; and to provide choice and competition to the existing stores in the area.

This need is 'locationally specific' i.e. it cannot realistically be met by a further new Locale store within, or on the edge of St Helier. In any event, there are no suitable, viable or available sites within any defined town centres which could accommodate the proposal or meet the identified need.

Most of the impact will fall on large, successful main foodstores on the edge of St Helier, notably Waitrose, which we consider is likely to be resilient to further competition. The proposal will also impact directly on the Checkers Xpress at Grouville. However, we do not consider the proposals will have any material effect on the vitality and viability of St Helier, Gorey Village, or any other defined centre".

3. The Co-op's architects, axis mason, discussed the proposals with the Planning Department on 18th October, and the Department subsequently responded by email on 24 October. This response indicates that: -
 - The key principles of the submitted Assessment accord with the UK Good Practice Guide (which was prepared by GVA);
 - The population and spending data and other technical data and assumptions employed are not contradicted;

- The conclusion that the proposals respond to a qualitative and quantitative need and that in these circumstances there are no suitable, viable and available sites within any defined town centre is not disputed;
 - The size of the store and basis of measurement are questioned, specifically in respect of whether the proposal falls within the threshold of Policy ER7;
 - While acknowledging that the proposals are not intended to include a Post Office, they include a pharmacy which, on the basis that 'like affects like' could compete with the existing pharmacy at Gorey Village; and
 - Finally, while the evidence of a significant leakage of expenditure from Grouville to larger main food stores elsewhere is not in itself disputed, the Department seeks further justification to substantiate the conclusion that the impact on Gorey Village will not be significant and will not have any material adverse effect on its vitality and viability.
4. In this addendum report, we: -
- Describe the main changes to the proposals;
 - Clarify the role of the proposed store intended;
 - Comment further on the 'leakage' of main food spending;
 - Consider the impact on Gorey Villlage; and
 - Comment on its future vitality and viability by reference to local case studies.

The Revised Proposals

5. Following these discussions, the Co-op has revised the proposals in response to comments received, and new plans have been submitted showing the proposals are for a smaller store which, falls below the threshold identified for Policy ER7. As a consequence, the net sales floor space proposed, which is the relevant consideration for the purposes of assessing turnover and impact, has now been reduced to circa 389 sq m, and the forecast turnover of the store has been revised to circa £3.84 million per annum, compared with our previous estimate of £4 million.

6. The Co-op has also indicated that it no longer intends to incorporate a pharmacy within the new store. This will further reduce the very limited degree of overlap between the range of goods and services, and more importantly the function of the proposed store and Gorey Village. This reinforces our previous conclusion that the main purpose of the proposed store will be to provide for a more convenient and local main food shopping opportunity, principally designed to intercept those already travelling outside the Parish to meet their main food shopping needs in other similar sized or larger stores.

The role of the proposed store relative to Gorey Village

7. To illustrate the very distinct roles which each retail destination is likely to serve, we attach as Appendix 1 an illustrative breakdown prepared by Co-op which shows the product mix of Locale store, compared to the typical mix of a small local top up store such as Spar. This illustrates that the Locale is focused on meeting a full main food offer, with canned grocery products, chilled foods, fruit and veg, and other basic foodstuffs comprising circa 75% of the expected allocation.
8. In contrast, it is evident that the Spar model is much more focused on everyday top up purchases such as milk and tobacco, and has a very limited chilled food, canned grocery and fruit and veg offer. This is consistent with our further observations of the pattern of usage of the Spar store, which indicates that the majority of shoppers using the Spar and other stores in Gorey Village arrive on foot, and buy only a few items.
9. This is illustrated by comparing the performance and average spend of the two formats. Co-op achieves an average spend per customer of just under £13. In contrast, the average figure for Spar is under £5, which appears to be borne out by our observations of the Gorey Village store.
10. While we acknowledge that there is still some element of overlap between the core convenience goods sold by both formats, it is illogical to suggest that those currently walking to the local Spar store in Gorey Village, and other local shops, are likely to change their current shopping habits and drive to the application proposals for such small-scale local trips.
11. The evidence clearly demonstrates a significant proportion of spending generated in Grouville is currently lost as a consequence of shoppers already electing to drive to

larger food stores outside the area to do their main food shopping, and it is this trade which the application proposals are expressly designed to intercept.

The current leakage of main food spending

12. The previous GVA report identified that of the £9.9 million of locally generated convenience spend within the Parish, in excess of 50% is leaking to larger stores outside the area. The main purpose of the proposed store is to recapture a proportion of this leakage.
13. In response to the Planning Departments comments, we have revisited our assessment of the turnover of the existing facilities, based on discussions with the Co-op. This still indicates that the total convenience turnover of all existing stores within the Parish is £6 million per annum. As such, the identified leakage, estimated to be at least £3.9 million, is still more than the total convenience turnover the new store is predicted to achieve.
14. This is further demonstrated by analysis of the shopping patterns of Co-op's own members. Co-op identify 3,308 active members within Grouville Parish regularly visit their larger stores outside the area. Assuming each member shops and spends on average circa £13, in line with the Co-op Group average, this indicates circa £2.1 million of trade is leaking from the Grouville area to Co-op stores alone. This ignores the leakage to other competing stores, in particular Waitrose and graphically illustrates the qualitative and quantitative need for improved main food shopping within the Parish, and the different and complementary roles which these larger stores currently perform.

Impact on Gorey Village

15. On the basis of the reduced floor space currently proposed, and the revised turnover estimate of £3.84 million, we have revisited our previous Impact Assessment. As previously, we estimate that circa 10% of trade would be 'pass by' and tourist trade etc, indicating only circa £3.45 million of the turnover would be locally generated from the Grouville Parish.
16. Based on current shopping patterns, we estimate that at least 50% of this trade will be claw back trade, in line with our previous estimate. This indicates at least £1.72 million

of turnover will be as a result of trade diversion from larger stores outside the Parish, which the Department has indicated is not of concern. Given this is significantly below the indicated leakage taking place to Co-op stores alone, in practice this analysis suggests a much higher proportion of the proposals turnover will be as a result of claw back.

17. In these circumstances, in line with UK experience, we anticipate there will be little if any direct overlap with the very small local convenience shopping facilities in Gorey Village. Self-evidently shoppers in the area who require a large store capable of meeting their main food shopping needs will already be driving further afield, as they cannot meet such needs within the village at present. Those who are unable or unwilling to do so are unlikely to change their current shopping habits.
18. This is consistent with our observations that the principal usage of the centre is for occasional, top up and 'distress' purchases i.e. items which have been forgotten. There will also be an element of loyal local custom from some people living in Gorey Village. However, in both circumstances it is difficult to see which of the existing local 'walk in' customer base would be expected to transfer all (or any) of their custom to a new main food store on the Application Site, requiring a specific, separate journey.

The future vitality and viability of Gorey Village

19. To the extent that there is any overlap and direct competition, this also needs to be set in the context of the current and future performance of Gorey Village. Our review indicates the centre is attractive, with high levels of occupancy, and a range of attractive local retailers and services serving the immediate local population and seasonal tourist trade. We anticipate the village will benefit from forecast population and spending growth, including the additional local spend generated by the redevelopment of the former Jersey Potteries site, which is estimated at circa £286,000 per annum.
20. As requested, Co-op has considered two examples of larger food stores being developed outside existing local centres on Jersey, which have not led to any apparent adverse impact on the viability of existing local top up food stores, or affected the vitality and viability of the centres.

21. First, at Bagatelle Parade, Checkers Xpress have developed a larger store of circa 400 sq m, which is likely to be achieving a similar turnover to the Co-op proposals in this case. This has evidently not affected the viability of Bagatelle Parade, where both the local bakery and Spar stores remain trading. Second, at St Johns, a circa 400 sq m Marks & Spencer Food Store has been developed which is likely to achieve a materially higher turnover than the Co-op proposals, with no evidence of material adverse impacts on the Spar or local butcher, or the vitality and viability of the village centre.

Conclusion

22. In these circumstances, we remain confident that the revised proposals for the De La Mare Nursery site, incorporating a smaller store and deleting the pharmacy element, will have no material adverse impact on the vitality and viability of Gorey Village, or the existing local convenience stores and service outlets located there. We are confident that they will perform distinct, complementary roles. In these circumstances we remain of the view that the proposals comply fully with all the relevant policy tests.

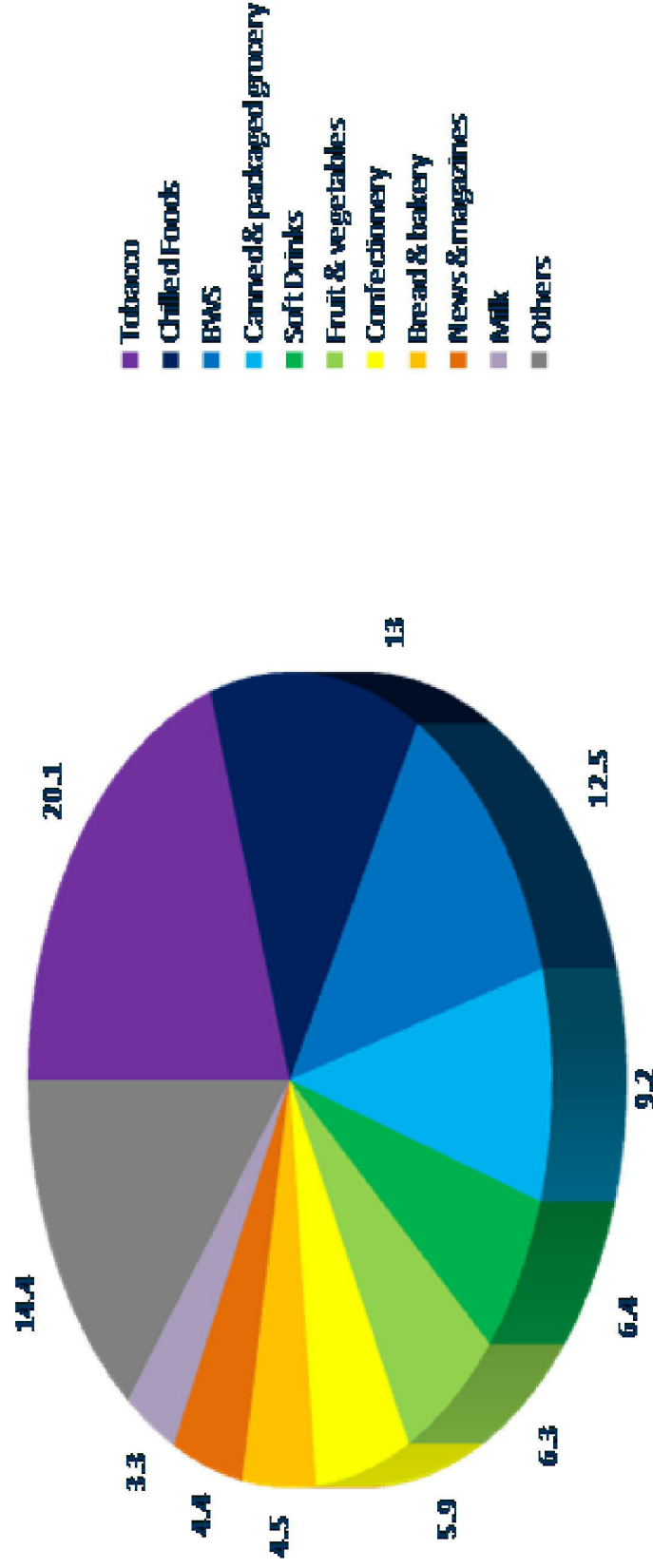


Appendix I

Illustrative Breakdown of Locale Store Offer

Total convenience sales contributions by category, 2012

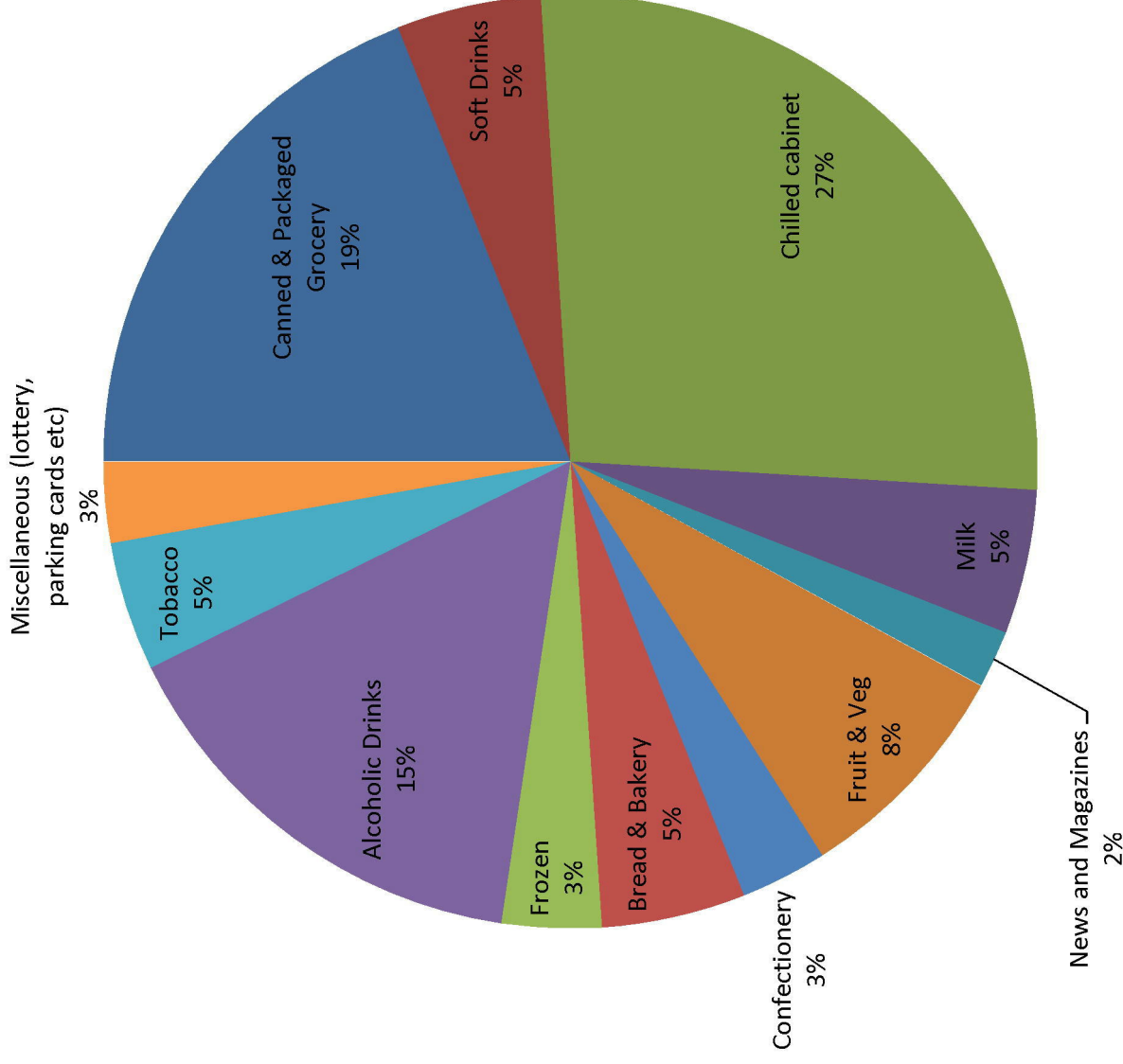
Top ten categories, sales contribution (%)



Whilst UK data this chart highlights the traditional mix which would be in keeping with the type of sales mix being achieved in Spar locally

Note: Figures relate to the twelve months to December 2012

Channel Islands Co-operative



This chart demonstrates the difference in sales mix based on sales achieved within a local Co-operative store which is much more of a community store and used for a different type of shopping mission than your traditional convenience type store

Department of the Environment
Planning and Building Services

South Hill
St Helier, Jersey, JE2 4US
Tel: +44 (0)1534 445508
Fax: +44 (0)1534 445528

Department of the Environment
Report for Planning Applications Panel
Site Visit

- | | |
|-----------------------------------|---|
| 1. Application Number | P/2013/1315 |
| 2. Site Address | De la Mare Florist Site, La Rue a Don, Grouville, JE3 9DX. |
| 3. Applicant | The Channel Islands Co-Operative Society Limited |
| 4. Description | Demolish existing retail, storage and staff accommodation building. Construct two storey building comprising of convenience store, pharmacy, storage and ancillary areas at ground floor level. Staff, plant areas and 3 No. two bedroom apartments at first floor level. Various landscaping works including 28 No. parking spaces. READVERTISED: Reduced scheme. Amended Description: Demolish existing retail, storage and staff accommodation building. Construct two storey building comprising of convenience store, storage and ancillary areas at ground floor level. Internal plant area and 2 No. two bedroom apartments and 1 No. one bedroom apartment at first floor level. Various landscaping works including 33 No. parking spaces. |
| 5. Type | Major Application |
| 6. Date Validated | 24/09/2013 |
| 7. Zones & Constraints | Built-Up Area
Eastern Cycle Route Corridor
Primary Route Network |

Summary	The site fronts onto La Rue a Don in the Parish of Grouville and is an existing retail facility - 'De la Mare nurseries'. The corner of the site to which this application relates forms part of the built-up area unlike the rest of the site which consists of redundant glass houses and is part of the Green Zone. The proposed scheme is to replace the existing non - food related retail facility (florists) with a new food retail facility together with 3 new apartments at first floor level. The scheme together with the retail floor area proposed has been substantially reduced in size within the current application to address concerns with the initial scale of the proposal.
----------------	--

**Department
Recommendation**

The proposed retail floor area has been reduced by approximately 25% which would provide a nett retail floor area of approximately 388m². This is considered to be an appropriate retail size that would not damage the local shopping centre 'Gorey Village' as detailed in the Retail Impact Assessment addendum and would be comparable in scale to other local retail providers. In addition, the reduced footprint of the building is considered to be appropriate to the plot size without leading to an overdevelopment of the land available and allows increased parking provision which adequately meets the needs of the new facility.

The proposed pitched roof contemporary styled building would be an improvement on the appearance of the existing building which is of no particular architectural merit and thus would make a positive addition to the street-scene and would not harm the visual amenities of the area.

Approve

**8. Site Description
& Existing Use**

The site which measures approximately 1953m² is located approximately 1 mile from Gorey Village. Gorey Village is comprised of the following retail units:

Spar, In-Bloom florists, Optometrist, Village Butcher, Fruit Shop and Rosedale Stores.

The existing building is two-storey's in height with a pitched roof. There are 20 parking spaces and the retail area is approximately 456m² in gross retail area (172m² nett). There are 4 one bedroom bedsits and 1 three bedroom apartment.

Surrounding the site, the area is generally lacking in any visual cohesion or defined character other than the predominance of simple pitched roof forms and rendered elevations.

La Rue a Don runs along the southern boundary of the site with a series of 2 storey pitched roof domestic and storage buildings lining the road opposite the site entrance. Some of these buildings are arranged in groups or clusters and employ a range of architectural styles and materials.

Paddock End defines the eastern boundary of the site and is lined along its length by an almost continuous range of detached, semi-detached and terraced houses, mainly of 2 storeys with pitched roof but including some larger properties with occupied dormer and attic storeys. These buildings are generally rendered with a mix of slate, concrete and pantile roofs.

The site is located close to the road junction at Rue de la Ville es Renaud which is also generally occupied by 2 storey, pitched roof domestic properties employing a range of materials and architectural styles.

To the west and north of the site are the redundant glasshouses which form part of the Green Zone.

9. Proposed Development

The main elements of the proposal include:

The removal of the existing dis-used, poor quality retail facility, storage and staff accommodation building and associated structures.

The construction of a replacement building comprising of a local convenience store at ground floor level and 3 new apartments (2 two bedroom and 1 one bedroom) at first floor level.

The re-orientation of the building from north to south fronting onto La Rue a Don.

The sustainable re-use of previously developed land within the established built-up area.

The proposal includes the provision of a new 3m wide shared cycle and pedestrian route along the southern boundary of the site which would be ceded to the public in accordance with TTS Highways requirements and would form part of the Eastern Cycle route network.

The proposed building would be environmentally efficient which will incorporate BREEAM. The site would have optimised service access, a dedicated retail delivery bay, customer and residential parking.

10. Relevant Planning History

4/4/4123D – Removal of existing cottages and construction of Florists shop, cool store, toilets and staff accommodation. Approved 26/7/13. A condition was placed on the permit to restrict the retail use to a florists.

11. Consultations

Parish in its letter dated in its letter dated 28th October raised no objections. Concerns were expressed at the parking provision, however, this matter has been addressed in the revised scheme which has increased the level of parking provision.

Highways section of TTS in its letter dated 27th November have raised no objections subject to conditions and state:

“TTS are generally supportive of the proposal to provide small retail offerings of this nature close to residential areas such as this, so that residents of the area have options to travel for grocery shopping using transport modes other than the car. It is noted that a thorough Transport Assessment has been prepared by the applicant that demonstrates that the scheme is viable from a traffic and transport perspective.”

Drainage section of TTS in its letter dated 18th November 2013 stated 'Further to recent correspondence with Sara Devitt of T&G and discussions with Steve Fisher of the drainage section of TTS and also to our previous comments to the Environment Department, I can confirm that the department has no objection to the proposal on drainage issues for this site'

Health Protection Team of H&SS in its letter dated 22nd November 2013 have raised no objections subject to conditions and state:

"Provided that the work is carried out as proposed in the report and addendum, Environmental Health has no objections to the development but recommends the inclusion of the following condition: All plant and equipment installed in connection with this application, with the exception of plant necessary for the proper functioning of refrigeration units, shall not operate outside of the hours of 07.00 to 21.00."

Land Controls and Agricultural Development Section of DoE in its letter dated 2nd October 2013 have raised no objections.

Natural Environment Section of DoE in its letter dated 10th October 2013 have raised no objections subject to a site workers condition.

Policy and Projects Section of DoE in its memo dated 19th November support the scheme and state:

'I refer to the retail assessment addendum for the Co-op Grouville proposal, which answers my queries and is acceptable in policy terms in respect of developing the existing retail use of the site, provided the panel are prepared to use their discretion, see below:

- The proposal has been reduced in area and can be considered under policy ER4 but will require the panel to uses it discretion in allowing an area greater than that identified in the policy.
- The chemist store has been deleted from the proposal which meets Policy ER3 and helps protects the viability of Gorey Village.
- The applicant identifies current residential development (Potteries) in Gorey Village that will help maintain the viability of the village shopping centre.
- The applicant identifies the shopping offer provided by smaller in the village (top-up purchases) is different from the Co-Op proposal (convenience supermarket) designed to intercept shoppers travelling to the larger stores.
- The report identifies that there are 3000 active Co op members (shoppers) within Grouville Parish who currently

shop in larger stores outside the area.

- The proposals can be described as sustainable on the basis that it potentially reduces car travel.

The applicant adequately demonstrates that such developments have little impact to local shopping centres using Bagatelle Parade & St John as examples.'

Advise agents/applicant's response if one or more has been made

All consultations are attached with the background papers

12. Representations Four letters of objection have been received. The main reasons for objecting can be summarised as:

- Unacceptable increase in traffic generation
- Size of proposal
- Impact on Gorey village/local shops

All letters of representation and responses are attached with the background papers

13. Planning Assessment

a) Overarching policy constraints

Policy SP 1 - Spatial strategy

Development will be concentrated within the Island's Built-up Area, as defined on the Proposals Map, and, in particular, within the Town of St Helier. Outside the Built-up Area, planning permission will only be given for development:

1. appropriate to the coast or countryside;
2. of brownfield land, which meets an identified need, and where it is appropriate to do so;
3. of greenfield land, in exceptional circumstances, where it justifiably supports parish communities or the rural economy and which meets an identified need and where it is appropriate to do so.

The proposal complies with these requirements in that the site is located on previously developed land and within the built-up area thus according with sustainable and spatial strategy.

GD1 – General Development Considerations

Outlines the material considerations against which all development proposals will be tested, including the need for the highest standard of design and construction.

The proposal complies with Policy GD1 in that there would be no significant harm to the residential or visual amenities of the area.

GD 2 – Demolition and Replacement of Buildings

The demolition of a building, or part of a building, will not be permitted unless:

- it involves a building which is not appropriate to repair or refurbish,
- it makes adequate provision for management of demolition waste,
- it would not have an unacceptable impact on a listed building or place,
- it would not have an unacceptable impact on the character and amenity of the area and,
- in the case of a replacement building, the new building must enhance the appearance of the site and surroundings and should be seen to replace a building that is not appropriate to repair or refurbish.

The proposed replacement building is considered to substantially enhance the appearance of the site as the existing building is of no particular architectural merit and would be more environmentally efficient as the existing building is in poor condition as detailed in the submitted building report.

GD 7 – Design Quality

Requires a high quality of design that respects, conserves and contributes positively to the landscape and built context.

The proposed pitched roof contemporary building is considered to make a positive contribution to the character and visual amenities of the area.

Policy TT 1 Protection of the Island's footpath and cycle network

In order to protect the integrity of the Island's footpath and cycle network, both off road and along the roadside, development proposals that would result in the loss, or prevent the use, of any part of the pedestrian or cycle network or other rights of way, or future development of these networks or compromise the safety of users thereon, will not be approved, unless alternative routes are provided that are similar or better in quality, safety, convenience and length.

In accordance with TTS(highways) requirements, the proposal includes a 3m pedestrian/cycle pavement at the front of the site.

Policy TT 3 Cycle routes

The development of off-road cycle facilities and on-road treatments that support and contribute to the objective of providing a strategic cycle route linking the east of the Island and St Helier and / or which supports or contributes to the development of off-road cycle facilities and on-road treatments that link residential areas with local community facilities anywhere in the Island, will be supported. Applications for large new developments, such as housing, shopping, employment, health or leisure proposals in the Eastern

Cycle Route network area, as defined on the Proposals Map, will be assessed to determine their potential to contribute towards the further development of the Eastern Cycle Route network and may be required to contribute directly through the provision of a section of cycle path, or to enter into an agreement to make an appropriate financial contribution to the development or enhancement of the network. The provision of new, or the enhancement of existing, cycling infrastructure should seek to minimise the impact of development upon the landscape, through the appropriate design of structures and use of materials, and should also seek to repair the character of the countryside, through the provision of landscaping where appropriate. The provision of public art to enhance the public realm along these linear routes, will also be encouraged.

The ceding of the 3m pavement to TTS (highways) would contribute towards the completion of the Eastern Cycle Route as requested under the policy. Full details shall be required by condition to meet TTS requirements.

Policy ER 3 - Protection and promotion of local shopping centres

The Minister for Planning and Environment will seek to protect local shopping centres at:

Les Quennevais/ Red Houses;
Gorey Village;
St Aubin;
St Ouen's Village;
St John's Village;
St Peter's Village
Five Oaks and Bagatelle Parade; and
Miladi Farm Parade.

Within local shopping centres, new retail developments will be permitted provided that the proposal accords with Policy GD 1 'General development considerations'. Changes of use within local shopping centres from retail to non-retail use will only be permitted where the proposed non-retail use will meet an identified local need and contribute to the vitality and viability of the centre.

The applicant has successfully demonstrated through the submission of a Retail Impact Assessment together with an addendum that the proposed reduced sized retail facility would co-exist with the existing shops in Gorey Village without having a detrimental impact on the vitality and viability of the village itself.

The main conclusions from the survey are that there is a difference in demand between the customers who shop in Gorey Village and those that would avail of the proposed co-op store. For example, the report demonstrates that local inhabitants would be more likely to purchase everyday top-up items such as milk and tobacco in the local stores whereas their weekly shop for general products would be conducted elsewhere.

The report identifies that a large bulk of retail spending is currently being leaked outside the Grouville catchment area at present. This portion is mainly representative of persons who are commuting to larger retail facilities which are outside the catchment area of Gorey village and are mainly car dependent facilities. The proposed store is intended to intercept this expenditure but would not significantly alter the day-to day expenditure which is afforded to Gorey Village. This would result in less vehicular movements out of the Grouville area in accordance with sustainable development.

The report also identifies that the nearby Verona Stores and Checkers stores do not form part of Gorey Village being located outside the centre and therefore are not protected under Policy ER3.

Also addressed is the area in question. Gorey Village is currently an affluent area which is experiencing a high level of development and an increase in population which is anticipated to project into the future. It is therefore unlikely that the proposed store would have any negative impact on the demand for goods in the local shops in Gorey Village given the forecast for increase in demand. The report illustrates similar sized retail outlets in St. Johns Village and Bagatelle Road in St. Saviours which have had a negligible effect on the local shopping parades/centres.

The aim of the proposed retail facility is not to compete with the local village which is demonstrated by the omission of the pharmacy element in the revised plans.

The conclusion of the Retail Impact Assessment which was submitted in support of the application is that the proposal would not have a negative impact on Gorey Village.

Policy ER 4 - Development of local shops

Proposals for new small local shops of 100m² (3) will be permitted within the boundary of the Built-up Area provided they will not unreasonably affect the character and amenity of the area and where the proposal accords with Policy GD 1 'General development considerations'. Proposals which do not satisfy these criteria will not be permitted.

The proposal is located within the built-up area and would be in excess of the definition of a local shop (100m²) but would be less than the area considered as a large shop or mall (500m²) under Policy ER7. It is accepted that the proposed retail floor area would be significantly greater than 100m² yet it is also accepted that the intention of the proposal is to create a local shopping facility which has been reduced to an acceptable size and comparable to other facilities of the same nature. Therefore, the proposal is not considered to have an unreasonable impact on the character and amenity of the area.

Policy ER 10 - Retail development outside the Built-up Area

There is a presumption against the establishment of new retail uses outside the Built-up Area, in accordance with Policy SP 3 'Sequential approach to development'. In exceptional circumstances, the Planning and Environment Minister may permit the sale of goods which are related and ancillary to the main activity on the site and where the proposal makes use of existing buildings, and will have no unreasonable effect on the vitality or viability of St Helier Town Centre, the central markets or a local shopping centre. There will be a presumption against extensions to existing retail buildings outside of the Built-up Area.

The submitted retail impact assessment successfully demonstrates that the proposal is not anticipated to have a detrimental impact on either the vitality or viability of St. Helier Town Centre or on Gorey Village.

Policy H 3 - Affordable housing

Permission will not be granted for any residential development to which this policy applies, whether or not this forms part of a mixed-use scheme, unless and until the Minister for Planning and Environment is satisfied that the development has maximised the opportunity for the provision of affordable housing, in accord with the parameters of this policy. The Minister will require a proportion of affordable housing to be provided on those sites to which this policy applies in accordance with the proportions and thresholds set out in supplementary planning guidance issued by the Minister.

The De La Mare site which has a gross land area of approximately 6.6 acres (15 verges) and consists of approximately 3 acres of redundant glasshouses includes the south-east corner of the site comprising of the existing retail facility and staff accommodation. It is important to note that although included in the overall site, the area occupied by the retail area is built-up area unlike the rest of the site which forms part of the Green Zone. In addition, the site was included in the revised draft Island Plan (March 2011) as suitable for the development of affordable housing but ultimately was not included in the approved Island Plan (June 2011). Should the current scheme be approved, it would not prejudice the rest of the site being developed for affordable housing. It is considered that there is no conflict with PAP determining this application as a separate exercise to the consideration of the future zoning of De La Mare. The emerging changes to the Island Plan are not yet mature enough to influence the current policy direction, which does allow for small scale retail outlets on sites such as this.

Policy GD 8 - Percentage for art

The Minister for Planning and Environment will encourage the contribution of a percentage of design and development costs to the provision of public art. Agreements will be sought where it is considered that both the scale and location of a new development are appropriate for the inclusion of public art; and the provision of public art would enhance the public's enjoyment of the building, development or space.

A contribution of approximately £21, 750 has been made towards percentage for art contribution. The intention is to provide high quality public art work which will enhance the visual look and feel of the overall development and surrounding public realm. Full details of the work of art have yet to be delivered and should be required by condition.

**b) Scale
Form, Siting &
Design**

The proposed building has been substantially reduced in size and retail floor area from what was previously proposed.

The original proposal included:

- Dimensions of 32.2m x 17m x 10m
- 676m² gross retail floor area at ground and first floor levels.
- 498m² nett retail floor area at ground floor level.
- 3 two bedroom apartments at first floor level
- 28 car parking spaces.

The revised proposal includes:

- Dimensions of 35.5m x 18m x 10m
- 498m² gross floor retail area at ground floor level.
- 388.7m² nett retail floor area at ground floor level.
- 2 two bedroom apartments and 1 one bedroom apartment at first floor level.
- 33 parking spaces

The proposed footprint of the building is approximately 555m² whereas the footprint of the existing retail store is 553m² which equates to approximately 29% of the total site area. This is not considered to lead to an overdevelopment of the site and would be an appropriate balance between built-form and landscaping/car parking. The building would also be of a comparable scale being two-storeys in height.

The proposed building would have a simple pitched roof which has been reduced to 3 vertical bays with large shop front windows defining the ground floor retail use and smaller grouped vertical windows and panels defining the first floor residential uses.

The proposal would have a clearly defined retail entrance pavillion as a distinct facade element with an appropriate mix of solid to

void in the rest of the façade treatment.

The key defining characteristics of the proposals are;

- Restrained, contemporary architectural approach that draws on the grain and character of the surrounding context
- Conservative and in context building focussed on material quality, efficient re-use of previously developed land and flexible internal plan for future adaptability
- Employing a mix of render, slate, timber and glass in a familiar pitched roof form that recalls the modest residential and agricultural buildings in the area

The proposed use of materials are of a good quality and would include:

- Smooth finish through coloured render
- Painted timber cladding
- Natural slate roofing
- Photovoltaic Panels
- Aluminium Window System
- PPC Aluminium Rainwater Goods

c) Impact on the Landscape/Street

The proposal would front onto La Rue a Don which would make it more visually prominent than the existing building which is side-on. Notwithstanding this, the proposed footprint of the new building would be set back within the plot thus reducing its visual impact. In addition, the existing building is of no particular architectural merit and the proposed building by reason of its contemporary style together with the use of the appropriate palette of materials would be a vast improvement on the existing building which would have a positive impact on the street-scene and the visual amenities of the area.

d) Impact on Neighbours

The proposed new building would be located over 20m from the adjoining residential properties.

The proposal would be sited approximately 22.9m from the property to the east known as Driftwood Paddock End and approximately 26m from the nearest property to the south known as number 1 Beauvoir Court.

These distances are considered to be acceptable to avoid any significant overlooking/overshadowing concerns and consequently, the proposal is not considered to have a detrimental impact on the residential amenities of the surrounding properties.

On the basis of the submitted noise survey, Environmental Health do not object to the proposed plant material provided that non-refrigeration units are not used outside 07.00 to 21.00 hours which demonstrates that the proposed plant would not have an adverse impact on the residential amenities of nearby properties.

**e) Access, Car
Parking &
Highways
Considerations**

A transport statement has been submitted which demonstrates that the increase in traffic would not be unreasonable. There would be some increase in traffic flow along La Rue a Don and the surrounding local road network as a result of the proposed development. However, the impact is considered to be at a level that could be accommodated within the existing capacity of the highway network. The proposed site access would also be able to operate with negligible impact and can be considered sustainable in terms of transport impacts.

The parking layout has been revised to provide a total of 33 parking spaces. This is achieved by reducing the footprint of the building this allowing more space for parking on the eastern side of the building.

Based on 1 space per 15m² of the nett floor area under Planning Policy Note 3, the requirement would be for 26 spaces for customers with the remainder available for staff parking. The proposed number of staff at work at any one time would be 7 which equates to 1 space for the manager and 1 space for the two remaining staff members. The proposal also includes 1 commercial space for deliveries to the store. There would be three areas made available for cycle parking in accordance with sustainable transport provision.

As the site lies along the path of the proposed eastern cycle path, the new boundary wall to the site is to be set back from the existing position in order to facilitate the creation of a 3m wide shared pedestrian and cycle route.

Access to the site for pedestrians is provided off this shared route, at the eastern corner of the site giving good access for pedestrians from both La Rue a Don and La Rue de la Viles es Renauds.

Both the approach and the layout of the new car park will follow the design principles contained in BS 8300 and Technical Guidance Document 8 including drop kerbs, tactile paving, lighting and signage. The new car park layout including accessible bay and access to the primary entrances will be designed in accordance with BS 8300 and Technical Guidance Document 8.

Designated accessible parking spaces will be provided for disabled and parent & child visitors close to the store entrance. The accessible bays will be clearly signposted and well lit. Management will monitor the use of the accessible parking bays to ensure that these are not misused by ambulant visitors.

**f) Foul Sewage &
Surface Water
Disposal**

The proposed retail facility would be connected to the mains drains. Transport and Technical Services (drainage) have confirmed that they have no objections to the scheme as detailed in the drainage calculations report.

g) Landscaping

A landscaping plan accompanies the submission and adequately details the proposed species to be planted together with details of finishes and surfaces of the proposed pedestrian and permeable pavement areas.

The existing 900mm granite wall at the south of the site fronting onto La Rue a Don would be retained and supplemented with a ground level planter with mixed planting behind.

Trees would be planted between the row of parking spaces at the southern side of the building to further soften the bulk of the building.

The suggested plant pallet includes species which incorporate the colours red and gold either in the foliage, flowers or fruit. Plants have also been selected for their suitability for car park situations.

The proposed hedging would be evergreen to ensure that it is effective all year round.

Proposed trees would have a formal habit with colourful Autumn interest. For instance, the *Alnus incana* 'Aurea' which has yellow foliage in Spring and brown male catkins tinted red in autumn/winter.

Each apartment is provided with an external amenity space measuring between 47 sqm and 59 sqm. The quantity of amenity space provision surpasses the minimum amenity space requirements for apartments established under Planning Policy Note 6.

h) Planning Obligations

The proposal incorporates the provision of the 3m pedestrian footway/cycle path fronting onto La Rue a Don in accordance with Transport and Technical Services advice and Policy TT3 which requires the development to contribute towards the completion of the Eastern Cycle Route. The manner in which this is to be transferred should be conditioned.

i) Other Matters

A contribution of approximately £21, 750 has been made towards percentage for art contribution. A contribution of approximately £21, 750 has been made towards percentage for art contribution. The intention is to provide high quality public art work which will enhance the visual look and feel of the overall development and surrounding public realm. Full details of the work of art have yet to be delivered.

14. Conclusion

The scheme is considered to be acceptable because:

- The retail floor space has been reduced by approximately 25 % to address concerns with the scale of the retail provision.
- The applicant has successfully demonstrated through the submission of a retail impact assessment that the proposal would not have an unreasonable impact on Gorey Village.
- The revised scheme has increased the parking provision in accordance with Planning Policy Note 3.
- The residential units achieve an acceptable level of internal space, amenity space and parking provision.
- The contemporary styled building is of an acceptable footprint and standard of design that would not adversely impact the street-scene.
- The proposal would not have an unreasonable impact on residential amenities.

15. Department Recommendation

Approve

16. Conditions

See below

17. Reason for Approval

The proposed development is considered to be acceptable having considered all of the material considerations raised. In particular, the development has been assessed against Policies GD1 , ER3 and ER4 of the 2011 Island Plan which assesses proposals for new local shops subject to criteria such as the suitability of the site to accommodate development without adversely impacting on the local shopping centre, amenities of both local residents and the area in general and with suitable access, parking and drainage arrangements available. In this case, the construction of a new food retail facility is regarded as acceptable because the applicant has successfully demonstrated through the submission of a Retail Impact Assessment together with an addendum that the proposed retail facility would co-exist with the existing shops in Gorey Village without having a detrimental impact on the vitality and viability of the village itself.

In addition, the design, siting and appearance of the development is acceptable and can be accommodated on the site without adversely impacting on the amenities of adjoining neighbours; the development makes best use of previously developed land in accordance with the principles of sustainability and the development can provide suitable drainage and parking arrangements.

In addition, the representations raised to the development on the

grounds of the unacceptable increase in traffic generation and noise and disturbance and the unacceptable impact of the proposal on local shops have been assessed, however, it is considered that the proposal would not have an unreasonable impact on neighbouring uses.

18. Background Papers

1:2500 Location Plan
6 consultation responses
4 letters of objection

Condition(s)

1. The development hereby approved shall be carried out entirely in accordance with the plans and documents permitted under this permit. No variations shall be made without the prior written approval of the Minister for Planning and Environment.

Reason: To ensure that the development is carried out and completed in accordance with the details approved by the Minister for Planning and Environment and to comply with Policy GD1 of the Adopted Island Plan 2011.

2. Notwithstanding the indications on the approved plans, prior to the commencement of the development hereby permitted, full details together with samples of all external materials to be used to construct the development shall be submitted to and approved by the Minister for Planning and Environment

Reason: To safeguard the visual amenities of the area, in accordance with Policy GD 7 of the Island Plan, 2011.

3. The parking spaces and garage shown on the approved plans shall be permanently kept available for the parking of vehicles by the customers and staff of the retail use and by the occupiers of the dwellings and all manoeuvring space and accesses to parking, unloading and garage space must be kept available for that use and for no other purpose.

Reason: To ensure the permanent provision of on-site parking for vehicles, in the interests of highway safety and amenity and to comply with Policy GD1 of the Adopted Island Plan 2011.

4. No outside storage or display of goods shall take place on the site, unless otherwise agreed in writing by the Minister for Planning and Environment or an authorised officer of the Development Control section of Planning and Building Services.

Reason: In the interest of visual amenity and to ensure that the outside areas are kept free from obstruction and to comply with Policy GD1 of the Adopted Island Plan 2011.

5. Notwithstanding the provisions of Article 10 of the Planning & Building (Display of advertisements) (Jersey) Order 2006, no advertisements or signage are to be displayed on the premises the subject of this application unless a separate application has been submitted to, and approved by, the Minister for Planning and Environment.

Reason: The Minister wishes to retain control with regard to this aspect of the development in order to avoid any detrimental impact on the character of the area and to comply with Policy GD1 of the Adopted Island Plan 2011.

6. Prior to the occupation of the building for the use hereby approved, the landscaping scheme, as indicated on drawing 2636/900/P2, shall be undertaken within the first available planting season and any trees which die, are removed or become seriously diseased within a period of five years from the date the planting first takes place, shall be replaced in the next planting season with others of a similar size and species. The Landscape Architect must give written confirmation to the Minister for Planning and Environment that they are satisfied that the works are completed in accordance with the approved plans and the quality of the materials and workmanship is of the highest order.

Reason: To safeguard the character and appearance of the area in accordance with the requirements of Policy GD 1, NE 1, NE 2 and NE 4 of the Adopted Island Plan 2011.

7. In conjunction with Condition 6 above, a Landscape Management Plan including long term objectives, management responsibilities and maintenance schedules for all the landscaped areas shall be submitted to and approved in writing by the Minister for Planning and Environment prior to the first occupation of any part of the development.

Reason: To ensure a satisfactory form of development and continuing standard of amenities are provided and maintained in accordance with the requirements of Policies GD 1 and NE 4 of the Adopted Island Plan 2011.

8. Notwithstanding the provisions of the Planning and Building (General Development) (Jersey) Order 2011, or any subsequent amendment thereto, the retail unit in question shall be used for the purposes of food retailing only.

Reason: A non-food retail use in these premises may result in an over-intensive use of the site as a whole which would be detrimental to the amenity of the occupants of neighbouring properties and to comply with Policy GD1 of the Adopted Island Plan 2011.

9. A work of art shall be delivered in accordance with the advice of the appointed the Percentage for Art Statement which has been submitted to and approved by the Minister for Planning and Environment. The work of art must be installed prior to the first use/occupation of the development hereby approved unless otherwise agreed in writing.

Reason: To ensure the implementation and subsequent maintenance of an agreed scheme of public art in accordance with the requirements of Policy GD 8 Adopted Island Plan 2011.

10. Before any development first commences on site, precise details of the proposed boundary treatment arrangements (to include materials details and finishes) to serve the new development shall be submitted to and approved in writing by the Minister for Planning and Environment. The approved scheme shall be implemented in full and shall be retained and maintained a such.

Reason: To safeguard the character and appearance of the area in accordance with the requirements of Policy GD 1 of the Adopted Island Plan 2011.

11. It is the responsibility of the applicant to inform all site workers of the possibility of protected species on site and the implications under the Conservation of Wildlife (Jersey) Law 2000. If any protected species are found, the applicant shall stop work and notify the Department of the Environment immediately.

Reason: Failure to implement the procedures to protect species or habitats, may lead to the disturbance or killing of protected species which could lead to prosecution under the Conservation of Wildlife (Jersey) Law, 2000 and would be contrary to the provisions of Policy NE2 of the Jersey Island Plan, 2011.

12. The approved Waste Management Strategy shall be implemented in full in accordance with the details contained in the submitted report with any variation to the programme having been agreed in writing with the Minister for Planning and Environment before the work is undertaken.

Reason: For the avoidance of doubt and in accordance with the requirements of Policy WM 1 of the Adopted Island Plan 2011.

13. The use hereby permitted shall not be open to customers outside the following times: 07.00am to 11.00pm.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with the requirements of Policy GD1 of the Adopted Island Plan 2011.

14. Prior to the commencement of the development, full details of the permeable paving materials shall be submitted to and approved in writing by the Minister for Planning and Environment. The agreed permeable paving shall apply to all hard-surfaced areas on site and shall be fully implemented prior to the first use of the development and retained and maintained as such.

To ensure satisfactory drainage arrangements and to avoid flooding in accordance with the requirements of Policy LWM 3 of the Adopted Island Plan 2011.

15. Prior to the commencement of the development, the Developer is to design and build a road side footpath/cycle path on La Rue a Don, to Transport and Technical Services (TTS) requirements. The land in question is approximately 3m in width as illustrated on the approved site plan number 2636/100/P5 and shall be ceded to the Public with all legal and associated costs being met by the Developer. Full details of the cycleway/footpath shall be submitted for prior approval and the scheme shall be fully completed in accordance with the agreed details.

Reason: To improve the highway and public transport infrastructures in accordance with the requirements of Policies TT2 and TT3 of the Adopted Island Plan 2011.

16. Demolition and construction work shall only operate between 08:00 and 18:00 Monday to Friday and between 08:00 and 13:00 on Saturday with no work on Sundays or Bank Holidays.

Reason: To safeguard the residential amenities of the area and to comply with Policy GD1 of the Adopted Island Plan 2011.

17. All plant and equipment installed in connection with this application, with the exception of plant necessary for the proper functioning of refrigeration units, shall not operate outside of the hours of 07.00 to 21.00.

Reason: To safeguard the residential amenities of the area and to comply with Policy GD1 of the Adopted Island Plan 2011.

18. Prior to the first use/occupation of the development hereby permitted visibility lines must be provided in accordance with the approved drawings. Everything within the visibility sight lines, including gates, walls, railings and plant growth is to be permanently restricted in height to 900mm above road level.

Reason: In the interests of highway safety, in accordance with Policy GD 1 of the Island Plan, 2011.

19. The building hereby permitted shall not be used until provision has been made for vehicles to park, manoeuvre, load and unload in accordance with the details shown on the approved drawings and these facilities shall thereafter be permanently retained for those uses.

Reason: To ensure the permanent provision of vehicular facilities, in the interests of highway safety and amenity, in accordance with Policy GD 1 of the Island Plan, 2011.

20. The trees fronting onto La Rue a Don elevation shall be permanently maintained at a height of of 2.4m from the surface of the cycle track.

Reason: To ensure that the trees grow above the minimum height required for obstructions above a cycle route in accordance with Policies GD1 and TT3 of the Adopted Island Plan 2011.

ASS-GEN Officer Assessment Sheet for General Development

Applications No: P/2018/0333	Valid Date: 19/03/2018	Deadline Date: 18/06/2018								
Address: Former St. Martin's Primary School, La Rue de la Croix au Maitre, St. Martin, JE3 6HW.		<table border="1"> <tr> <td colspan="2">Registered</td> </tr> <tr> <td>Listed Building</td> <td>x</td> </tr> <tr> <td>Potential Listed Building</td> <td></td> </tr> <tr> <td>Not Registered</td> <td></td> </tr> </table>	Registered		Listed Building	x	Potential Listed Building		Not Registered	
Registered										
Listed Building	x									
Potential Listed Building										
Not Registered										
Description of Work: Demolish existing nursery. Convert former school to form 2 No. retail units (class A) and 3 No. medical and welfare units (class K). Construct various extensions, ancillary structures, external alterations and form hard standing to site. Install air conditioning units to plant area on roof and external lighting to site. Alter vehicular access onto La Rue de la Croix au Maitre.										
Constraints: Built-Up Area Listed Building Primary Route Network Protected Open Space Water Pollution Safeguard Area										

Context	
Site Description and Existing use	The site is a Grade 4 Listed former school building with various modern extensions, which is located in the Built up Area on the outskirts of St Martin's Village. The new primary school is located to the north-west, the Public Hall to the south-east with a group of houses to the east. Field 327 lies directly north and across the road to the south is the existing parking area for village amenities.
Proposal and Proposed Use	The proposal seeks to demolish some of the later buildings on the site such as the conservatory and nursery, along with the refurbishment of the school to create a mixed used building. This will comprise of a food retailer, a doctor's surgery and pharmacy, a specialist mobility and medical showroom along with two medical and welfare units, all at ground floor. A community room will be created at first floor with roof plant located externally. The vehicle entrance to the north-west will be widened to allow for 2 way traffic as part of the scheme.
Policy Considerations	Policy SP 1 - Spatial strategy; Policy SP 2 - Efficient use of resources and Policy SP 3 - Sequential approach to development Development will be concentrated within the Island's Built-up Area, and, in particular, within the Town of St Helier. Development should make the most efficient and effective use of land to help deliver a more sustainable form and pattern of sustainable development. A sequential approach to an assessment of development proposals will be applied in support of a more sustainable pattern of development and the more efficient and effective use of land, energy and buildings. <i>This site is within the Built-Up Area, where the Island Plan directs new development thus following the sequential approach. Furthermore, the site makes efficient use of an existing redundant building that is located in a sustainable area with good transport links.</i> Policy SP 4 - Protecting the Natural and Historic Environment Provides for a high level of protection for the Island's natural and historic environment, including heritage assets (archaeology, historic buildings, structures and places) which contribute and define its unique character and identity. <i>See comments for Policy NE1, NE2 and HE1 (below).</i> Policy SP 6 - Reducing Dependence on the Car Applications for retail and community development must be able to demonstrate that they will reduce dependence on the private car by providing for more environmentally friendly modes of transport.

The site is in a highly sustainable location, served by regular bus routes to St Helier and beyond, with bus stops close by. It is envisaged that the development will mainly be used by residents of the village which will encourage walking and cycle parking is provided on site.

Policy GD 1 - General Development Considerations

States that development proposals will not be permitted unless the proposal contributes towards a more sustainable form and pattern of development, does not seriously harm the natural and historic environment, does not seriously harm the amenities of neighbouring uses, contributes or does not detract from the Island's economy, contributes to reducing the dependence on the car, and is of a high quality of design.

The proposed scheme is considered to be acceptable within the surrounding area – see Officer analysis below.

Policy GD 7 - Design Quality

Requires that a high quality of design that respects, conserves and contributes positively to the diversity and distinctiveness of the landscape and built context will be sought in all developments.

The application site is a Grade 4 Listed building of a high quality design. With the removal of the modern extensions to the rear, the refurbishment works themselves and landscape enhancement, the building will be enhanced and historic character preserved.

Policy GD 8 - Percentage for Art

States that the Minister will encourage the contribution of a percentage of design and development costs to the provision of public art.

A Percentage for Art contribution up to £15,000 will be provided.

Policy HE1 Protecting Listed Buildings and Places

Presumes in favour of the preservation of the architectural and historic character and integrity of Listed Buildings and Places, and their settings.

Whilst there are some works which remove historic fabric such as part of the roadside wall and the loss of the 'girls' pedestrian entrance, on balance the historic building is considered to be preserved and enhanced. In particular the replacement of unsympathetic plastic windows, the removal of modern extensions and the reinstatement of the garden space and central gate will be an improvement to the existing and improve the setting.

BE10 – Roof Plant

This states that the siting of roof plant, equipment or other structures on the roofs of new or existing buildings, where it projects above the roofline will not normally be permitted. Where it is justified that plant should be located on the outside of the building, such development may only be permissible where it will not unreasonably affect the character of the area and not have an unreasonable impact on neighbouring uses.

The external roof plant will not be visible from the public domain and is hidden behind a new mono pitched roof. Environmental Health conditions will ensure mitigation to protect the neighbouring properties from unreasonable noise pollution.

Policy ER 3 - Protection and promotion of local shopping centres

The Minister for Planning and Environment will seek to protect local shopping centres at Les Quennevais/ Red Houses, Gorey Village, Aubin, St Ouen's Village, St John's Village, St Peter's Village, Five Oaks, Bagatelle Parade and Miladi Farm Parade.

A retail impact assessment has been submitted with the application addressing the impact of the potential retail use upon local shopping centres. The closest centres to the application site are Five Oaks, Bagatelle Parade and Gorey Village however, the assessment has justified that the retail development would not have a detrimental impact on these centres.

Policy ER 4 - Development of local shops and Policy ER 7 - Large-scale food retailing

It should be noted that the proposal does not fall into either category of the above. The proposed food outlet is approx 211m² so is above the local shop threshold, but below the large scale food retail threshold of 500m². However, the total of all the units do exceed the latter threshold at 653m².

NE2 – Species Protection

Permission will only be granted for development that would not cause significant harm to animal or plant species protected by Law, or their habitats.

An ecological assessment has been submitted with the application and Natural environment have confirmed that the implementation of the species protection plan, is sufficient to avoid harm to protected species.

NE4 - Trees, woodland and boundary features

Trees, woodlands and boundary features - walls, fosses, banques and hedgerows, which are of landscape, townscape, amenity, biodiversity or historical value, should be protected.

The existing mature trees to the front of the building are to be retained as is most of the roadside granite wall. New planting and landscaping is proposed.

Policy SCO 2 - Healthcare facilities

Proposals for the development of new or additional primary and secondary healthcare facilities or for the extension and/or alteration of existing healthcare premises will be permitted provided that the proposal is within the grounds of existing healthcare facilities, or within the Built-up Area.

The site is located within the Built up Area.

Policy SCO 3 – Community Facilities

Proposals for the development of new or additional community facilities or for the extension and/or alteration of existing community premises will be permitted provided that the proposal is:

1. within the grounds of existing community facilities, or
2. within the Built-up Area

The site is located within the Built up Area.

Policy SCO 4 - Protection of open space

The Minister for Planning and Environment will protect existing open space provision and the loss of open space will not be permitted other than certain exceptions.

The carpark opposite the school building is located in an area of protected open space. This will be modified but will remain as existing.

Policy TT 2 - Footpath provision and enhancement and walking routes

The potential for new developments, such as housing, shopping, employment, health or leisure proposals on or adjacent to the Island's primary route network to contribute to the provision of new or the enhancement of existing footpaths will be considered relative to the justification of need, the nature of the development and the character of

	the area. <i>The scheme provides a widened footway in front of the development which will enhance usability and road safety.</i> Policy TT 4 - Cycle Parking Requires cycle parking provision in all new developments. The scheme includes parking for 8 bicycles and a condition will be added for more to be located to the front of the building. Policy TT 9 - Travel Plans Proposals which would generate significant amounts of traffic will be required to submit travel plans to reduce the reliance on the private car. <i>DfI - Highways have been consulted and support the scheme, in principle, subject to a number of requirements – a travel plan will be conditioned.</i> Policy NR 1 - Protection of water resources Development that would have an unacceptable impact on the aquatic environment, including surface water and groundwater quality and quantity, will not be permitted. In particular, development proposals that rely on septic tanks, soakaways or private sewage treatment plants, as a means of foul waste disposal, will not be permitted except where they accord with Policy LWM 2 'Foul sewerage facilities'. <i>The site is already connected to the Island's mains foul sewerage system.</i> Policy LWM 2 - Foul sewerage facilities Development which results in the discharge of sewage effluent will not be permitted unless it provides a system of foul drainage that connects to the mains public foul sewer (to the satisfaction of the Minister for Planning and Environment in consultation with the Minister for DfI Drainage). <i>The site is already connected to the Island's mains foul sewerage system.</i> Policy LWM 3 - Surface water drainage facilities The Minister for Planning and Environment will expect proposals for new development and redevelopment to incorporate Sustainable Drainage Systems (SuDs) into the overall design wherever practicable. <i>The surface water drainage will utilise three existing soakaways on site.</i> Planning Policy Note 3 – 'Parking Guidelines' (PPN3) In order to satisfy the parking standards a provision of 50 spaces would be required on the new mixed use site. It must be noted that the guidelines are outdated and do not take into account 'reducing the dependency on the car' however, 31 spaces have been provided for the main development along with an overspill of 16 spaces in the Parish Car Park opposite. DfI have agreed that the use of 47 spaces along with the bus service and cycle parking is adequate for the needs of this site. The proposals are therefore considered to offset the requirements of this policy note.
Relevant Planning History	P/2000/1202 – Formation of vehicular access from main road including 2 manually opened fenced gates – approved – 26/07/00 P/2012/0833 – Construct new school with playing fields, new vehicular access & electricity substation – approved 25/03/13 PA/2017/0589 – Re-development of former St Martin's School

Officer Analysis	
Design (Form, size,	This is an application primarily for change of use of the building, therefore the

scale, siting)	building will remain visually much the same. However, to the rear the modern ad hoc nursery building will be demolished reducing the footprint back to the school building, improving the plan form and allowing for a commercial compound with a security gate to be formed. Various incidental structures such as a trolley bay and cycle racks will be located within the car park area, and roof plant will be introduced to the rear flat roof of the modern non-listed building. The ground floor mixed use building will be divided as follows: • Food retailer 211m² • Doctors with ancillary pharmacy 194m² • Specialist mobility / medical retail showroom 125m² • Medical / welfare unit 1 – 53m² • Medical / welfare unit 2 – 70m² • Medical / welfare unit 1 – 53m² Total 653m
Architectural Detail and use of materials	The Victorian school is to be predominantly preserved maintaining in particular, its distinctive front façade. Unsympathetic UPVC windows will be replaced with timber which is considered a vast improvement and all other alterations use traditional materials. High level openings will be formed on the east and west facades to fit timber louvered extract vents. Whilst historic fabric will be lost, this is minimal on the less prominent side elevations.
Impact on Neighbours	Given the building is existing and once operated as a school, the impact on the neighbouring properties is considered minimal. The largest impact will be on the property Jardin Des Raisies to the north-east where the commercial compound will be adjacent to the garden. However, a 2m green buffer is proposed to this boundary, designed to reduce noise and lessen the impact. The plant equipment on the rear flat roof has been raised as a potential issue along with deliveries, which could emit noise at times other than those associated with normal daytime activity. Mitigation has been submitted to deal with these potential noise risks and a condition will be added to the decision notice.
Access, car parking and Highway considerations	Car parking will be located to the north west of the site. To the front of the site the most westerly gate will be widened to allow for 2 way traffic whilst the middle entrance will be closed with a feature public art gate installed. The gate to the east will be retained for emergency vehicle and pedestrians only. Traffic will freely flow around the west of the site which allows for the movement of delivery vehicles which can turn within the commercial compound.
Landscaping Issues	A comprehensive landscaping package has been provided for a screen hedge to the north-east and new interlocking planting, with Victorian origins to the front (after removing existing overgrown and substandard existing vegetation). Tarmac will form the hardstanding within the car parking areas. Landscaping will be added to the car park by condition, to soften the large area of hardstanding and to allow for high quality landscaping throughout the site.

Other Material considerations	Required		Provided		Comments
	YES	NO	YES	NO	
Percentage For Art	x		x		
Contaminated Land		x		x	
Archaeology		x		x	
Waste Management	x		x		
Foul Sewage Disposal	x		x		
Planning Obligation Agreement		x		x	

Other material considerations	Pre application advice was issued on 25/07/0589 under application PA/2017/0589 – Re-development of former St Martin's School. The advice was followed within the
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	submission of this application.
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Statutory Considerations		
Statutory advertising period	JEP Date	27/3/18 (17/4/18)
	Site Notice Certificate Date	22/3/18 (12/4/18)
	Photo received/ ok?	Yes
Summary of consultations	HET in a consultation response dated 29/3/18 had no objection to the scheme but requested more info. The re-use of the building was welcomed along with the care taken to repair and renovate it. Comments included the potential scope to landscape the carpark (especially the boundary edges) and this will be conditioned along with external materials and design of the proposed roadside gate. Environmental Health in a consultation response dated 23/3/18 stated that consideration should be given to delivery routes and times to ensure that noise does not impact on neighbours. A noise impact assessment condition was requested to ensure any plant would be at least 5DB below background noise along with several informatives. After further discussions with EH, a noise impact assessment was requested up front from the applicant. This was received on 29/6/18 and in a final response from EH dated 4/7/18, there was no objection providing the mitigation described in the report was carried out. Natural Environment in a consultation response dated 24/4/18 had no objection to the scheme, stating that they were satisfied with the findings of the ecological assessment. It should be ensured that the species protection plan is carried out along with all required mitigation. It was also requested that a lighting schedule be conditioned to address the need to adhere to best practice in terms of the confirmed bat roost. Planning Policy Team in a consultation response dated 15/5/18 confirmed that the proposals are in principle, compatible with the aims and objectives of the Island Plan. However, to support Policy SP1 of the Island Plan, permitted Change of Use rights should be removed to ensure that the medical facilities could not be converted into additional retail units in the future. Such development would require a further more detailed retail impact assessment. DfI Transport in a consultation response dated 20/4/18 confirmed support of the application. Various conditions were requested such as the protection of visibility splays and the implementation of a travel plan. In a further response dated 2/7/18 DfI Highways outlined that a Technical Plan should be conditioned to address the highways matters along with informatives for pre-commencement works.	
Summary of Representations	Representations from one household have been made on the grounds of potential noise disturbance from delivery vehicles and roof plant. These have been addressed by the Environmental Health officer and will be subject to a condition.	
Responses from applicants/ amendments/ Re-advertised?	In a response dated 29/3/18 the agent confirmed that a sound survey had been submitted but would expect a condition to be added to the decision notice. They also confirmed that an asbestos survey has taken place.	

Recommendation	
Officer Summary/ Conclusion	This is an application to convert a former Victorian school into a community focused mixed used building, providing a food retailer and medical based functions along with community space in the Parish of St Martin. The retail floor space is approx 336m² in total, which does not constitute large scale retail and is acceptable under policy. However, change of use permitted development rights have been removed to prevent the remaining units changing to

	retail, as this would take the floor area over 500m² making it 'large scale'. This in itself could be contrary to Policy SP1 so would require a new planning assessment. The building footprint will be reduced and the building itself carefully restored whilst allowing for conversion in a sympathetic and respectful manner. The westerly vehicle entrance will be enlarged to allow 2 way traffic flow and the site provides adequate mixed parking including cycle spaces. This will be supplemented by the existing Parish carpark across the road. The commercial compound for the building is located in a discreet location to the rear, protected by a security gate and detached from the public domain. The former headmaster's house remains as existing and does not form part of the change of use application. As part of the scheme, road improvements such as a wider pavement and a raised pedestrian table have been proposed, which will significantly improve road safety. High quality landscaping has also been proposed along with the use of public art as a feature gate. This is considered to be a high quality successful scheme, which is not likely to result in any significant or unreasonable harm to the amenities of nearby users and will considerably benefit the wider community, whilst restoring and breathing life back into an important Parish historic building.
Recommendation	Approve
RFA (Reasons for Approval)	Permission has been granted having taken into account the relevant policies of the approved Island Plan, together with other relevant policies and all other material considerations, including the consultations and representations received. Notably, the relationship with neighbours has been specifically considered in relation to the potential noise impact of the roof plant and delivery vehicles. Based on submissions and consultation responses it is considered that the proposal will not result in serious harm to the amenities of neighbours.
Conditions	1. Prior to commencement of the development hereby approved, details in respect of the following matters shall be submitted to and approved in writing by the Department of the Environment. These works shall thereafter be carried out in full in accordance with such approved details: A. All external materials B. Design of roadside gate 2. Prior to commencement of the development hereby approved, a scheme of landscaping for the carpark shall be submitted to and approved in writing by the Department of the Environment. The scheme of landscaping shall provide details of the following; i) all existing trees, hedgerows and other plants, walls, fences and other features which it is proposed to retain on the site; ii) the position of all new trees and/or shrubs, this must include the species of plant(s)/tree(s) to be planted, their size, number and spacing and the means to be used to support and protect them; iii) other landscape treatments to be carried out including any excavation works, surfacing treatments, or means of enclosure; iv) the measures to be taken to protect existing trees and shrubs; v) the presence of any invasive plant species on site, and if present, a detailed method statement for the removal and long-term management/ eradication of the

	species; and, vi) A landscape management plan for the maintenance of the landscaped areas. Once agreed, the approved scheme shall be implemented in full and thereafter retained and maintained as such. 3. No part of the development hereby approved shall be occupied until all hard and soft landscape works as indicated on the approved plan have been carried out in full. Following completion, the landscaping areas shall be thereafter maintained as such. 4. Prior to commencement of the development hereby approved, a schedule of landscape maintenance shall be submitted to and approved in writing by the Department of the Environment. The schedule shall include details of the arrangements for its implementation and ongoing maintenance. The maintenance shall be continued in accordance with the approved schedule unless otherwise agreed in writing by the Department. 5. No part of the development hereby approved shall be occupied until the roof plant has been installed, along with all recommended noise control measures detailed in the approved Plant Noise Assessment carried out by 'aia sound and air' dated 25th June 2018. 6. No part of the development hereby permitted shall be begun until a lighting schedule to address the need to adhere to best practice in terms of the confirmed bat roost, has been submitted to, and approved in writing by the Department of the Environment. The approved schedule shall be implemented in full and thereafter retained as such. 7. Notwithstanding the provisions of the Planning and Building (General Development) (Jersey) Order 2011, or any amendment to or replacement of that order, no works involving the change of use of the building from Class K (medical and welfare) to Class A (shop) is permitted without the formal submission and approval of a planning application to the Department for Growth, Housing and the Environment. This is in accordance with the consultation response from the Planning Policy Team. 8. Prior to the occupation of any part of the development hereby approved, the Percentage for Art contribution shall be delivered on site, in accordance with the details submitted in the approved Percentage for Art Statement. 9. No part of the development hereby permitted shall be begun until a full travel plan shall be submitted to and approved in writing by the Department of the Environment. The plan should adhere to a methodology pre-agreed by DfI Highways and be implemented in full and thereafter retained for 10 years unless otherwise agreed to in writing by the Department. 10. No part of the development hereby permitted shall be begun until drawings, including materials, to a scale of no less than 1:100 shall be submitted to and approved in writing by the Department of the Environment/Department for Infrastructure for the following details: i. The landing point for the westbound bus service ii. The final agreed width of pavement along the site frontage iii. The strengthening of the vehicle access and the hardbound treatment to prevent vehicle braking performance
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	iv. Extra space in parking bays for parents and disabled drivers v. The vehicle access at the field carpark to be straightened vi. Additional cycle parking to the front of the building vii. Any other necessary works on or adjacent to the highway 11. Prior to the development being brought into first use, visibility splays shall be laid out and constructed in accordance with the approved plans. The visibility splays shall then be maintained thereafter and no visual obstruction of any kind over the height of 900mm shall be erected within them. 12. No part of the development hereby approved shall be occupied until the cycle parking facilities as indicated on the approved plan have been wholly constructed in accordance with the approved plans. The facilities shall thereafter be retained solely for the use of occupants of the development and maintained as such. 13. The measures outlined in the agreed Species Protection Plan (ref. NE/ES/SMS.02, 30th October 2017, Nurture Ecology) shall be implemented prior to the commencement of development, continued throughout the phases of development (where applicable) and therefore retained and maintained as such. Any variations that may be required as a result of findings on site are to be agreed in writing by the Department of the Environment prior to the works being undertaken. 14. Waste management shall be implemented in full accordance with the approved Waste Management Strategy. Any variations shall be agreed to in writing by the Department of the Environment prior to the commencement of such work.
Reasons	1. These details are not included in the application and are required to be submitted and agreed by the Department of the Environment to ensure that special regard is paid to the interests of protecting the architectural and historical interest, character and integrity of the building or place, in accordance with Policies SP4, HE1, HE2, HE5 of the Adopted Island Plan 2011 (Revised 2014). 2. To safeguard the character and appearance of the area in accordance with Policies GD1, NE1, NE2 and NE4 of the Adopted Island Plan 2011 (Revised 2014). 3. To ensure that the benefits of the approved landscaping scheme are carried out and completed, making a positive contribution to the amenities of the site in accordance with Policies GD1, GD7, NE1, NE2 and NE4 of the Adopted Island Plan 2011 (Revised 2014). 4. This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the requirements of Policies GD1, NE1, NE2 and NE4 of the Adopted Island Plan 2011 (Revised 2014). 5. To safeguard the amenities and privacy of the occupants of the adjoining properties in accordance with Policy GD1 of the Adopted Island Plan 2011 (Revised 2014). 6. To ensure the protection of all protected species in accordance with Policies NE1, NE2 and NE4 of the Adopted Island Plan 2011 (Revised 2014). 7. The site is considered to require additional controls to safeguard the use of the building as a community facility and to prevent the change of use of the medical

	facilities into additional retail, without a full retail impact assessment, which may be contrary to Policy SP1 of the Adopted Island Plan 2011 (Revised 2014). 8. To ensure that an appropriate art contribution is provided on site, in accordance with policy GD8 of the Adopted Island Plan 2011 (Revised 2014). 9. In the interests of promoting sustainable patterns of development, in accordance with Policies TT9 and SP6 of the Adopted Island Plan 2011 (Revised 2014). 10. In the interests of highway safety, in accordance with Policy GD1 of the Adopted Island Plan 2011 (Revised 2014). 11. In the interests of highway safety, in accordance with Policy GD1 of the Adopted Island Plan 2011 (Revised 2014). 12. In the interests of promoting sustainable patterns of development, in accordance with Policies TT9 and SP6 of the Adopted Island Plan 2011 (Revised 2014). 13. To ensure the protection of all protected species in accordance with Policies NE1, NE2 and NE4 of the Adopted Island Plan 2011 (Revised 2014). 14. To protect the amenities of the occupiers of neighbouring properties and the visual amenities of the surrounding area, in accordance with Policies GD1 and WM1 of the Adopted Island Plan 2011 (Revised 2014).
Informatives	Informative Permission has been granted having taken into account the relevant policies of the approved Island Plan, together with other relevant policies and all other material considerations, including the consultations and representations received. Notably, the relationship with neighbours has been specifically considered in relation to the potential noise impact of the roof plant and delivery vehicles. Based on submissions and consultation responses it is considered that the proposal will not result in serious harm to the amenities of neighbours. Pre-commencement, all works on or within 2 metres of the highway will require the signing of a suitable agreement with Dfl, including covering all aspects including reinstatement of the back of kerb and footway edging across the frontages of the site that could be affected by this proposal. The agreement would also cover full safety audit and design fees as incurred by this Department and / or its representatives in executing such an agreement. It should be noted that following discussions with the Highway Engineer at Dfl, the agreement would need to be supported by a technical drawing showing full detail of any works, and an works inspection schedule agreed before, during, and after such works. The works should be undertaken by a Contractor approved by Dfl at the expense of the Applicant. Permission from DFI Streetworks (Telephone No: 445509) pre-commencement is required for any work being undertaken on a public highway or footway in a location where the work could have implications for other road users, especially those within vulnerable groups such as young people, the elderly, and mobility impaired. Given comments received during the assessment of the application, the States of Jersey recommends that the applicant should be aware of the possible presence of ASBESTOS within the development site. It is recommended that further advice is sought from a suitably qualified professional prior to the commencement of development so as to reduce the risk to public health. Given comments received during the assessment of the application, the States of

	Jersey recommends that the applicant should refer to the guidance on The Control of Dust and Emissions from Construction and Demolition, which can be found online at: http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp Given comments received during the assessment of the application, the States of Jersey recommends that the applicant should follow the provisions of the Food Hygiene (General Provisions) (Jersey) Order, 1967. Further advice can be obtained from Environmental Health on +44 (0) 1534 443712. Given comments received during the assessment of the application, the States of Jersey recommends that the applicant should refer to the guidance on extraction systems in the following documents: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' prepared by Netcen on behalf of DEFRA, 2005 and 'Heating and Ventilating Contractor's Association DW/172 Specification for Kitchen Ventilation Systems' 2005. Given comments received during the assessment of the application, the States of Jersey recommends that the applicant should refer to the guidance contained in the document 'Guidelines on Noise Control for Construction Sites' which is available online at http://www.gov.je/Industry/Construction/Pages/ConstructionSite.aspx and 'British Standard BS5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites'.
Site Visited	2/5/18
Final Drawings (Log)	Location Plan Proposed Site Plan 45/A Proposed Ground Floor Plan 46/A Proposed First and Second Floor Plan 47/A Proposed Roof Plan 44/A Proposed Elevations 48/A Proposed Sections - Sheet 1 50/A Proposed Sections - Sheet 2 51/A Historic Roadside Wall 53/A Proposed Trolley Bay Plans 57 Boundary Wall Details 59 Proposed Joinery Details 01 61 Proposed Joinery Details 02 62 Proposed Joinery Details 03 63 Proposed Joinery Details 04 64 Proposed Joinery Details 05 65 Proposed Joinery Details 06 66 Proposed Joinery Details 07 67 Proposed Joinery Details 08 68 Proposed Joinery Details 09 69 Proposed Rooflight Details 70 Proposed External Lighting Strategy Technical Schedule External Lighting Unit Details Proposed External Lighting Site Plan 02-P5 Proposed Mechanical Plant Details 04-P4 Proposed Mechanical Plant Acoustic Requirements 05-P6 Planting Plan 001-P0 Planting Plan for Hedge 002-P0 Noise Assessment Report – Aura Sound and Air
Planning Officer	Rebecca Hampson
Recommendation Date	10/7/18

