

STATES OF JERSEY



PLANNING APPLICATIONS: REQUIREMENT TO PUBLICIZE (P.175/2004) – COMMENTS

**Presented to the States on 18th January 2005
by the Health and Social Services Committee**

STATES GREFFE

COMMENTS

It is the understanding of the Health and Social Services Committee that the production of P.175/2004 was motivated by the 'Trinity infill' episode.

A significant factor in the Trinity infill controversy was the clear failure of the Environment and Public Services Department to ensure that both the public and politicians making the planning decisions had an accurate understanding of the true nature of the proposed development. What to the casual observer purported to be an agricultural improvement scheme was in fact a commercial industrial land filling operation. Such misunderstandings must not be permitted to happen again. This is especially so when proposed developments have the potential to have an adverse impact upon human health.

The Trinity infill controversy demonstrates a clear need for significant improvements in the accurate and easily accessible publication of planning applications. The Health and Social Services Committee can, therefore, support the principal of improved publicity in respect of planning applications.

However, the particular wording of P.175/2004 lacks sufficient detail and clarity. The proposition does not specify what particular form of publicity for applications will be required. Is it intended that signage describing a planning proposal should be placed on a development site? If so, what are the practical limitations of such a policy; would it apply to all developments or only those over a certain size, or of a certain type? Perhaps the proposition refers only to publication in the media and if so, what specification will describe the type of detail required? Is it intended that enhanced publication should be a legal requirement or simply a policy of the planning authority? Similar ambiguities occur in paragraph (ii). Will a Parish hall have to publicise any development of land, for example some minor work in an applicant's garden? Or will the Parish involvement extend to only particular types of application?

The Health and Social Services Committee supports the principle of improved publicity for planning applications, especially when proposed developments may have the potential to have an adverse effect on human health. However, the Committee cannot support this particular proposal as it lacks sufficient clarity in respect of its particular objectives.