

# STATES OF JERSEY



## OUR HOSPITAL SITE SELECTION: OVERDALE (P.123/2020) – COMMENTS

---

Presented to the States on 16th November 2020  
by the Minister for Environment

---

STATES GREFFE

## COMMENTS

### Introduction

The proposed development of a new hospital for the island, wherever that takes place, will likely have a significant effect on the interests of much of the community. For this reason, I have already resolved that a public inquiry into any proposal for the new hospital will need to take place and that I will make a decision on the planning application.

There may be issues that arise during the debate where members seek advice or clarification about planning issues associated with the Our Hospital proposal. This comment, therefore, seeks to provide information about planning matters to complement those that are already addressed in the report and appendices associated with this proposition.

### Planning considerations

In response to a request from Senator Farnham, as Chair of the Our Hospital Political Oversight Group (OHPOG), I issued [supplementary planning guidance](#) in May 2020 to support the development of Our Hospital. This guidance addresses two matters:

- first, the planning process that I would expect to see applied and followed in the search for a site for a new hospital; and
- second, the issues to be covered in the preparation and submission of a planning application for a new hospital, and which would need to be dealt with in its determination.

Members may wish to have regard to this supplementary planning guidance when they consider how the issues have been considered and assessed in respect of the site assessment process, as set out in the report and associated appendices that accompany this proposition.

### Island Plan

Any planning application for a new hospital will need to be considered and assessed against the Island Plan that is current at the time.

Members will be aware that the current Island Plan is being reviewed. The new Island Plan will make provision for a new hospital – either by way of allocating a specific site if one is endorsed by the Assembly, or through an enabling policy which enables a new proposal to be tested. This will be reflected in the draft Island Plan that is scheduled to be released for public consultation and States Member review beginning in March 2021, before being debated in early 2022.

If the Island Plan Review process and the Our Hospital project proceed along scheduled timescales, it is envisaged that the planning application for the new hospital would be submitted and determined under the current Island Plan, against the background of the Island Plan Review process and the publication of a draft Island Plan.

I have already stated that the current Island Plan, together with the supplementary planning guidance that I have issued, provides a sufficiently robust tool to enable a sound decision to be made.

### **Planning application process and timeline**

As stated above, the planning application for a new hospital will be the subject of a public inquiry. The planning process will afford anyone with an interest in the matter an opportunity to make representations about the detailed proposals to build a new hospital on the site that is selected by the States Assembly. The proposals, together with all the representations made in relation to them, will be considered by an independent planning inspector at a public inquiry. I will then consider the inspector's report on the matter before I determine the planning application. The only right of appeal for planning decisions which follow this route is on a point of law.

It is recognised that there is not a perfect site for the new hospital and that whichever option is selected will present particular challenges. It will be my job to consider the planning challenges presented by any proposal - against the planning policy framework provided by the Island Plan and supplementary planning guidance - and to consider how, and to what extent, any impacts have been mitigated; these impacts will need to be balanced against the island's need for a new hospital.

Planning applications that are made for enabling works in advance of the planning application for the new hospital will be considered and assessed in the normal way though the planning process, and regard had to their relationship to the principal proposal. Enabling works will be secured by a Planning Obligation Agreement to ensure that they become formally attached to the delivery of the principal development. This will be on the basis that it is only the principal development that can justify the enabling work taking place.

The potential timelines that are envisaged for the planning application process by the Our Hospital Team have been discussed and considered by Infrastructure, Housing and Environment (Regulation) and are set out in the report and supporting information.

### **Compulsory purchase**

The acquisition of land that is required to be undertaken to enable the development of the new hospital is identified in the report associated with [P.123/2020](#): Our Hospital Site Selection: Overdale; and, in the event that this proposition is adopted, given effect by [P.129/2020](#): Our Hospital Project: acquisition of land for the new hospital at Overdale.

It is important to state that the Minister for the Environment is identified as the acquiring authority in P.129/2020 because these powers are vested in the minister under the [Planning and Building \(Jersey\) Law 2002](#), once the Assembly is satisfied that land should be acquired. This function is entirely separate from the role that the Minister will play in determining the planning application for the new hospital.

### **Standing Order 37 Presentation of comment relating to a proposition**

The comment was presented to the Greffier after noon on the preceding Friday due to an administrative delay in the amendment being presented to the Assembly.