

2025.04.22

3.4 Deputy A.F. Curtis of St. Clement of the Minister for the Environment regarding the proposed South Hill development (OQ.104/2025):

Will the Minister advise whether a Building Control application has been received for the proposed South Hill development and, if it has, will he update Members on the status of the application, including whether the floor plans provided match those approved under planning application P/2022/1619?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I thank the Deputy for his question. I can tell him that, as of last Thursday, the 17th, there has not been an application to Building Control in relation to any development at South Hill. As such, I am not able to respond to the specific question he asks.

3.4.1 Deputy A.F. Curtis:

The plans within P/2022/1619 had bathrooms in the one-bedroom units, circa 1.24 metres wide, which is 62 per cent of the minimum width in the standards. Will the Minister confirm that he expects when Building Control applications come forward for sites such as South Hill, they at least meet that minimum standard? I think he clarified this last sitting, I just would hope for a reclarification.

Deputy S.G. Luce:

As the Deputy will know, plans are submitted to development control and approved by officers, and all supplementary guidance is exactly what it is. It is guidance, it is not binary, it is not black and white, and officers have the ability to decide on the balance of policies using subjectivity as to how they decide whether an approval or a refusal is given. But when it comes to accessing bathrooms, I will certainly go back to the Building Control Department ... this sounds very much like something which is a binary issue, which do need to be maintained for wheelchair access, things like that. It is really, really important that people can access these bathrooms. Building Control, as the Deputy also will know, is much more binary. It deals with health and safety issues and it should be very clear that those are levels and regulations that need to be followed.

3.4.2 Deputy T.A. Coles:

Sorry, Sir, I think I might have been just quick on the gun because I think the Minister did ask at the end. But just for clarification, because it was a long answer, that the building control regulations are regulations and not guidance and they are actually legally required?

Deputy S.G. Luce:

I am not going to say 100 per cent, but certainly Building Control deal with very much more black-and-white issues with fire, with health and safety, with access and exit from property and issues like that. Yes, they do have defined definitions that need to be met.

3.4.3 Deputy A.F. Curtis:

Given no Building Control application has been submitted will the Minister ensure that should a scheme be submitted that deviates from the approved plans, his department and his officers do not allow what could be significant amendments to a planning application without a revised plan application, i.e. through a minor amendment. Will he ensure that when submitted, if the

plans are not what are approved, that the developer in this instance or any developer seeks approval for the correct plans that they wish to have built?

Deputy S.G. Luce:

I can certainly guarantee to the Deputy that I will take a really good close look at this and see how much of a deviation from the original plans there might be. It may well be that in many applications there are small adjustments which occur because of Building Control. It might be light, it might be fire exits, all sorts of things, but I do not want to give an absolute categorical guarantee here and now, but I will certainly tell the Deputy I will have a serious look at this and revert to him.