

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY SENATOR B.E. SHENTON  
ANSWER TO BE TABLED ON TUESDAY 17th MAY 2011**

**Question**

Would an applicant have a legitimate expectation of compensation if a planning application is not determined in a timely manner? Can the Minister detail the five longest outstanding planning applications awaiting determination and give reasons for the delay in each case?

**Answer**

The Courts have made it clear that there is a duty on the Minister to determine planning applications in a timely manner. There have been no examples during my time as Minister where an applicant has had to revert to the Courts to precipitate a decision. I do not recall having come across any application that has been unduly delayed and as such, whilst every case should be judged on its own merits, I do not consider there should be an expectation that compensation should be paid in any form for the non-determination of an application.

Turning now to the five longest outstanding planning applications, they are listed below along with details as to the delay in determining the application and why they remain undetermined;

*P/2004/2136 La Saline Quarry St. John– submitted 19/10/2004*

*RETROSPECTIVE: For stone splitting shed & generator room.*

**Protracted negotiations and currently awaiting additional information from the applicant**

*P/2006/0636 St Juste Merton Hotel St. Saviour -- submitted 31/3/2006*

*Demolish existing staff accommodation and construct indoor bowling hall with associated landscaping works.*

*AMENDED PLANS: Minor material and design alterations.*

*FURTHER AMENDED: Demolish modern extensions to 'St. Juste' and replace roof with thatch. Construct indoor bowling alley and associated landscaping. Erect tensile roof over existing tennis court for multi-purpose ball court.*

*FURTHER AMENDED PLANS: Demolish structure to north/east of site & modern extensions to 'St. Juste'; removal of three external support walls to east elevation of 'St. Juste'; replace roof with thatch. Construct indoor bowling alley to north/east of 'St. Juste'; associated landscaping. Erect tensile roof over existing tennis court for multi-purpose ball court.*

**Protracted negotiations and currently awaiting the completion of a Planning Obligation Agreement (POA) by the applicant to secure heritage assets (La Fantasie) on the site**

*P/2006/2367 12,14,16,18 Hilgrove Street & 8, 10 & 12 Halkett Street St. Helier – submitted 26/10/2006*

*Demolish existing buildings and construct new 3 storey retail unit and 1 No. 1 bed flat. Retain facades of 12 and 14 Hilgrove Street.*

**Protracted negotiations and currently awaiting further information from the applicant (requested April 2011) following significant and lengthy negotiations including deferral from PAP**

*PP/2006/2444 80 - 92 Bath Street (West Side), The Former Odeon Cinema & 14 – 28 James Street St. Helier – submitted 16/11/2006*

*Refurbishment & regeneration of the former Odeon cinema to form retail unit. Construct retail unit adjacent to cinema on basement & ground floor & multi storey carpark on first to fourth floor. Extensive hard landscaping and external works including enclosed service yard and plant compound. REVISED PLANS: Former Odeon Cinema removed from the scheme. Transport assessment and supplementary retail impact assessment submitted. Food store car park reduced in height.*

**The applicant has been in discussions with the former Director of Planning who agreed to hold the application in abeyance pending the progress of regeneration initiatives in the area.**

*P/2006/2562 Thorp House, Broadcasting House & Summerland St. Helier – submitted 16/11/2006*

*Construct new 4 storey Police Headquarters & refurbish existing facilities within Summerland. Provide 3.6m High Perimeter fencing/screening and improve existing parking. Alter vehicular access.*

**The application has been put on hold at the request of the applicant as the site is part of the ongoing rationalisation programme for States assets and accommodation. The development may not go ahead but the States wishes to keep all options open.**