
STATES OF JERSEY



RESPONSE TO PLANNING COMMITTEE REPORT OF 2024

Presented to the States on 4th June 2025
by the Minister for the Environment

STATES GREFFE

REPORT

1. Article 9A of the [Planning and Building \(Jersey\) Law 2002](#) requires that:
 - “ (6) The Planning Committee shall, within the period of 3 months following the end of a year, report to the States—
 - (c) the Committee’s assessment of planning policy and any recommendations it has for its revision.
 - (7) Where, under paragraph (6)(c), the Planning Committee makes recommendations about planning policy, the Minister shall present to the States his or her response to the recommendations.”
2. This report is presented to the States for the purposes of complying with the Minister’s obligation under Article 9A(7).
3. The Minister makes the following response in relation to the matters raised by the Planning Committee:

Storage facilities

4. The Committee decided to make recommendations to the Minister for the Environment in connection with the provision of storage facilities, in accordance with Article 9A of the Planning and Building (Jersey) Law 2002.
5. The Committee comments that the use of shipping containers for permanent storage solutions on sites in the Green Zone should not be permitted or supported.

Minister’s response

6. The bridging Island Plan (BIP) seeks to protect (keep safe from harm) and improve the quality, character and appearance of all of the island’s landscapes which contribute to Jersey’s natural environment. The BIP states that development in the green zone should protect or improve the landscape character.
7. BIP Policy NE3 – Landscape and seascape character is the main policy tool that should be used to assess the impact of development in the green zone. The specific provisions of this policy state:

Proposals that could affect the island’s landscape and seascape character, but which do not protect or improve it, will not be supported unless, and with regard to the special qualities of the landscape and seascape character area or coastal unit, and the impact of the proposed development on those qualities:

- a. *the changes are demonstrably necessary either to meet an overriding public policy objective or need; and*
- b. *there is no reasonably practicable alternative means of delivering those proposals without harm to landscape and seascape character; and*
- c. *that harm has been avoided, mitigated and reduced as far as reasonably practicable; and*
- d. *it has been demonstrated that the predicted public benefit outweighs the harm to the landscape and seascape character and where the nature of that benefit to the public is clear, direct, and evidenced.*

8. Whilst each development proposal ought to be considered on its merits, the Minister is of the view that the provisions of this policy provide a suitably robust framework in order to test the likely impact of the proposed permanent provision of shipping containers for storage use in the countryside, and would encourage the Committee to have regard to and to apply this policy test in assessing any such proposals.

Residential parking standards

9. In the determination of planning applications for new affordable housing schemes, parking requirements being too low.

Minister's response

10. The planning system can influence travel choice and the extent to which land is used efficiently, through the development and application of standards for the provision of parking space, for bikes, motorcycles and cars. The availability and location of parking provision, for cars as well as bikes, is also one of the key influences on personal travel choice.
11. Before the latest revision to parking standards was issued in 2023, planning guidance setting the minimum amount of car parking space was last published in 1988. This was reflective of a time in the island when parking standards sought to accommodate growing levels of car ownership and use, and when there were no adopted standards for the provision of parking space for bicycles.
12. The updated guidance is now in line with today's environment, the response to the climate emergency, and the need to encourage and enable more sustainable forms of travel, such as walking, cycling, and taking the bus; as well as encouraging the adoption of electric vehicles. This planning guidance is helping to deliver the island's policy objectives set out in the Carbon Neutral Roadmap and the Sustainable Transport Policy.
13. In comparison with the standards issued over 36 years ago, the minimum level of parking space required for cars has been reduced while still recognising the need for cars, and particularly for families, and for people with mobility issues. The guidance has also established minimum standards for cycle parking provision, which did not previously exist.
14. The minimum level of car parking required is related to both the size of the homes being provided and also to where development might be located in the island. This recognises that levels of accessibility and transport choice, including opportunities to use public transport and active travel, vary depending on the location of development sites.
15. The general reduction in the minimum level of car parking space required also needs to be viewed against the context of changes to increase the minimum standards for the size of homes, and the provision of space inside and out (also revised and published in 2023). The combined focus of this revised guidance, particularly as it applies to sites rezoned for the provision of affordable homes (noting that there is no differentiation in the parking standards for different housing tenures), is to make the best use of land and to ensure we have more high quality, affordable residential accommodation available to islanders.
16. The Minister acknowledges and understands the challenges of implementing a change to the minimum standards, particularly where it involves a matter that is as

emotive and culturally ingrained as the provision of car parking space. The Minister also recognises that, in many instances, the regulation of unauthorised parking, where it arises, will fall upon the parochial authorities. But this is an important transition and is one that aims to deliver a more sustainable island and better places that are not dominated by the car, and the Minister would encourage the Committee to help make this happen.

17. Finally, the Minister considers that it is important to acknowledge that the revised parking standards recognise that the car has an essential role to play in island life, and it is only in parts of St Helier that car-free development might be countenanced, and only in very particular circumstances. The guidance, therefore, sets minimum car parking standards for almost all of the island, and it is within the gift of the applicant to provide additional car parking provision, over and above the minimum standard, should they consider it appropriate and desirable to do so.

Information required in support of a planning application

18. There is a need for clarity on the requirement for, and content of, business plans submitted with planning applications. In particular, it was noted that a number of applications that would have benefitted from the support of a business plan did not include one.

Minister's response

19. This is an important issue but not one considered by the Minister to be a matter of policy. Under Article 9(6) of the Planning and Building (Jersey) Law, 2002, the Infrastructure and Environment (Regulation) Department or the Committee may require the applicant to provide such further particulars as may reasonably be required to determine a planning application.
20. The Department publishes a validation checklist which sets out the requirements for additional information to be provided in support of an application. In this respect, the Committee may wish to review the checklist, together with the Department, to identify those proposals where the provision of a business plan may assist in their determination by ensuring that they have the necessary information to make an informed decision.
21. In so doing, the Minister would encourage the adoption of a measured and proportionate approach, to ensure that the requirement for information in support of an application does not become overly burdensome and that the planning application process can be as efficient and effective as possible.

Percentage for art

22. A clearer requirement for the percentage for art is suggested to have a greater focus on ensuring that this delivers schemes that are both public, on site, and permanent.

Minister's response

23. The policy framework for the provision of public art, in association with development, is provided by Policy GD10 – Percent for art. The policy sets out the parameters when a public art contribution should be made. This is supported by the preamble to the policy setting out how public art might best be delivered.
24. In relation to the Committee's comments, the policy preamble (pp.104-104 of the BIP) contains the following:

Public art should be procured and implemented by the applicant as part of new development proposals. The public art needs to be located in a position where it can be experienced by or is visible to the public, on land forming part of the application.

Where this option cannot be delivered, the applicant will be required to justify reasons and have the option to procure and implement public art off-site, within the vicinity of the development site, on land which is accessible to the public, subject to agreement with the relevant landowner.

24. The Minister would encourage the Department and the Committee to have regard to the information that explains and supports how the policy might be used in its consideration of this aspect of development proposals.

Agricultural land

25. In the consideration of applications for solar farms, the need for better evidence to justify that land is no longer needed or appropriate for agriculture. Noting in particular that there does not appear to be any readily available information of soil quality across the Island. Consideration may also be given to the need for PCN (Potato Cyst Nematode) testing to be included as part of soil testing.

Minister's response

26. The Minister would support the Committee's contention that for the development of ground-mounted solar arrays on agricultural land to be supported, there needs to be an adequate justification that appropriate consideration has been given to the development of alternative sites for this use.
27. This requirement is already clearly set out as part of the BIP planning policy framework that should be used to assess any such proposal.
28. This is a specific requirement of BIP Policy UI2 – Utilities infrastructure facilities, which makes provision for the development of new utility infrastructure (including energy) that was not foreseen and specifically planned for at the time of island plan preparation. This policy reiterates the policy objectives of the spatial strategy (at Policy SP2 – Spatial strategy and supported by Policy PL5 - Countryside, coast and marine environment), that the development of any new energy infrastructure ought to be within the built-up area or on the site of existing utility infrastructure, but that its development in the countryside will only be supported by exception, where it can be demonstrated that it is required to meet a proven island need; and that its provision cannot reasonably be met on alternative sites.
29. Similarly, and more specifically, Policy ME6 - Larger-scale terrestrial renewable energy developments states that proposals for ground-mounted solar arrays on agricultural land will only be supported where the benefit of the scheme will outweigh any loss to the agricultural industry, with positive consideration given to the redevelopment of glasshouse sites for this purpose.
30. The Minister also supports the need for the development of an island-wide land classification tool, to identify the most productive agricultural, environmental and amenity areas, to better inform decision-making. The development of a soil and land management plan, of which this is one aspect, is a stated policy objective of the Minister for Sustainable Economic Development, as set out in the Economic Framework for the Rural Environment. The Minister for the Environment looks

forward to the delivery of this piece of work to help inform planning decisions involving the determination of planning applications and also in relation to the preparation of the next island plan.