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# STATES OF JERSEY



## PLANNING APPLICATIONS COMMITTEE DECISIONS: REPORT FOR 2015

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**Presented to the States on 25th February 2016  
by the Planning Applications Committee**

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**STATES GREFFE**

## REPORT

1. Article 9(6) of the Planning and Building (Jersey) Law 2002, as amended came into force on 11th April 2015. It requires that –

**“The Planning Applications Committee shall, within the period of 3 months following the end of a year, report to the States –**

**the number of decisions made by the Committee under this Law during that year;**

**the number of appeals made during that year against decisions made by the Committee under this Law;**

**the Committee’s assessment of planning policy and any recommendations it has for its revision.”**

2. This report is presented to the States for the purposes of complying with this new provision.
3. Between 11th April and 31st December 2015, the Planning Applications Committee has determined 105 applications.
4. Between 11th April and 31st December 2015, 20 of the Committee’s decisions were appealed under the new planning appeals system.
5. Committee Members have made the following comments to the Minister for the Environment during 2015.

- A) Island Plan Policy SP2 – efficient use of resources – the tension between undertaking development in the Built-Up Area rather than in rural areas should be examined on the premise that *optimal* development should be sought, rather than maximum development, with particular emphasis on encouraging energy efficiency through building design, materials, layout and orientation.

**Minister’s response** – Policy SP2 already seeks to ensure that development makes the most efficient and effective use of land and buildings. The Island Plan must also be read as a whole and Policy GD3 – Density of Development, should be read in conjunction with policy SP2. Policy GD3 states that the Minister, “will seek the highest reasonable density ... commensurate with good design, adequate amenity space and parking ... and without unreasonable impact on adjoining properties.”

- B) Supplementary Planning Guidance Advice Note No. 3 – the Committee discussed the merits of amending the same to provide for the pooling of funds contributed to the percentage for art scheme. It was observed that the amalgamation of funds into a central pot could result in more effective public art purchases.

**Minister’s response** – The SPG already allows for the pooling of PfA contributions by exception, in circumstances where developments adjoin a common space or, in the case of an area-based development or regeneration strategy, where there is a clear

policy direction or proposal that has been formally considered and adopted, and which may also have involved public consultation.

The purpose of PFA is to encourage an artistic input into the design of buildings or spaces and is not simply to purchase works of art.

- C) The Minister should bring forward, as a matter of urgency, revised standards for residential units and car parking, which did not conflict.

**Minister's response** – The Minister will publish draft revised guidance for the design of homes, to include standards for parking; amenity space and density, for consultation in 2016.

- D) Consideration should be given to the introduction of a public consultation process in respect of the making and removing of tree preservation orders.

**Minister's response** – This is a matter of law and not policy and consideration of it, as a proposal, would need to be considered within the context of an amendment to the Planning and Building (Jersey) Law 2002.

- E) The Chairman of the Committee undertook to raise with the Minister the issue of States members lodging propositions which required the Minister to take certain actions in relation to live planning applications. The view was expressed that if concerns existed, representations should be made to the Committee in the usual manner, rather than the States being requested to deal with matters directly related to planning applications.

**Minister's response** – This point is agreed and discussions are currently taking place with the Privileges and Procedures Committee. The Minister will bring forward any resulting Proposition to the States Assembly in due course.