

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY THE DEPUTY OF ST. MARY  
ANSWER TO BE TABLED ON TUESDAY 5th JULY 2011**

**Question**

The report of the Complaints Board into the “Construction of a Wall in the Countryside Zone” (R55/2011) said that the “curious anomaly” whereby “a wall could be slated as ugly, incongruous, and harmful to the character of the countryside by the Department, yet could also be regarded as perfectly acceptable in the eyes of that same department solely dependent on its location within the domestic cartilage of a domestic dwelling house” should be addressed.

What steps, if any, has the Minister taken or will he be taking to address this anomaly?

**Answer**

The wall referred to by the Deputy is in the Parish of Trinity, but the issue could equally apply anywhere in the Island. The matter relates to the Planning and Building (General Development) (Jersey) Order, 2011 and its predecessors.

Members will be aware that the 2011 Order allows for certain small scale development to be carried out on land without the need to apply to the Minister for planning permission. Typically, it allows home owners to build walls, fences, garages and small extensions. Members may recall that I recently extended these regulations to allow for loft and garage conversions and the extension of industrial and warehouse premises. In addition to removing red tape from many minor works, this legislation is useful because it also allows the Planning Department to focus upon larger applications.

The effect of the 2011 Order is to grant wholesale planning permission for these minor types of work across the Island, although certain areas and buildings (such as Listed Buildings) do not benefit. Apart from size and height restrictions, the Order does not specify what these structures should look like and the planning system has conceded that it cannot act as an arbiter of taste in these types of development. The structures which can be built have no requirements over the material from which they are constructed and a wall which is exempt from control could be constructed from granite, blockwork (with or without a render finish) brick, or any other material

The issue is one of balance and in order to allow freedom from some restrictions of the planning process for householders there has to be an acknowledgement that the department has to relinquish its role in championing appropriate design.