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# STATES OF JERSEY



## PLANNING COMMITTEE REPORT 2023

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Presented to the States on 21st May 2024  
by the Minister for the Environment

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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–
- (a) the number of decisions made by the Committee under this Law during that year
  - (b) the number of appeals made during that year against decisions made by the Committee under this Law;
  - (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 this provision, albeit it is acknowledged that this information has been delayed.
3. Pursuant to Article 9A(7), the Minister for the Environment shall respond to the recommendations of the Planning Committee by end of July 2024.
4. Between 1 January 2023 and 31 December 2023 the Planning Committee determined:
  - 97 planning applications;
  - 60 applications for review following a decision under delegated authority;
5. Between 1 January 2023 and 31 December 2023, 16 of the Committee’s previous decisions were appealed. Of these 7 appeals were dismissed, 8 were allowed, with one appeal remaining undecided.
6. Committee Members have made the following comments to the Minister:

### **February 2023**

#### **Fisheries, agriculture and aquaculture staff accommodation**

The Committee recommends that the Minister considers policy revisions to include fisheries alongside agriculture and aquaculture in the Bridging Island Plan in connection with the provision of staff accommodation.

### **April 2023**

#### **GD5 – Demolition and Replacement Buildings**

The Committee have considered numerous applications involving demolition and would like clarification of what constitutes sufficient evidence that a building is genuinely compliant with the requirements of GD5 and that demolition is justified? The Committee/Officers should not be solely reliant on the evidence provided by the applicant's own surveyor/engineer.

The Committee is concerned with what appears to be routine acceptance of structural reports from applicants’ surveyors or engineers without the reports being appropriately

assessed by a second or independent surveyor or engineer. In instances where a common-sense approach would indicate a building remains structurally sound there should be a mechanism to challenge the reports from applicants.

### **ERE3– Conversion or Re-Use of Traditional Farm Buildings**

Further clarification is required in relation to advertising (particularly) agricultural buildings when there is an application for change of use or conversion under ERE3. Up to date guidance is required to ensure a consistent approach is adopted by all applicants/agents to enable consistency for decision makers.

The Committee consider that marketing campaigns are not sufficiently robust, and would prefer the free website operated by Land Controls to be routinely used to market agricultural buildings, and that advice is provided by consultees regarding the expectations of realistic rental income considering current market conditions, current value of the building and potential for rural and agricultural diversification.

### **H9 – Housing Outside the Built-Up Area**

Clarification is needed on how much of the original dwelling must be retained to be classed as an “extension” to avoid scenarios where only a couple of walls are retained and the development resembles a new dwelling more closely than an extension.

Clarification as to what constitutes a “disproportionate increase” (Policy H9.1) would also be helpful.

The Committee note the publication of Supplementary Planning Guidance “Housing outside the built-up area” dated July 2023 to assist with the interpretation of Policy H9, specifically relating to the development of larger homes in the Countryside in excess of 279 square metres, and further guidance also contained in Guidance 5.2 stating the scale of any extension must remain subservient to the existing dwelling.

### **H10 – Rural Workers’ Accommodation**

Clarification/guidance is suggested regarding space and living standards (both for living and communal areas) for accommodation provided for workers, especially in instances where existing buildings are being repurposed or adapted.

## **May 2023**

### **Loss of tourism beds**

The Committee Members highlighted the impact of the significant loss of tourism beds in the Island and requested that consideration be given as to how best to address this issue.

Members suggest that the existing policy landscape may result in benefit for hoteliers in a manner that could result in the loss of good quality hotels. Members consider that an update of the SPG on employment land may be of use.

## **June 2023**

### **Appropriate locations for dog care facilities**

The Committee Members highlighted the challenges associated with identifying appropriate locations for dog care facilities in the context of the Bridging Island Plan policies and requested that further consideration be given to this issue.