

Minister for the Environment, Covering Response to the Planning Officers Society Report 2019

This is the third time that the Planning Officers Society have been asked to peer review the planning system in the island. Each report offers us an insight into practice elsewhere and an assessment as to where we have got things right, and where we could improve.

The report gives the first independent view of the how the Development Control Service is performing since we have moved into our new government structure, and since the planning policy team has been moved into a new Strategic Policy department separate from the development control team.

The report contains a number of discussion areas, and there are 61 recommendations. Most of these recommendations relate to administrative/operational matters within the development control service, whilst a number relate to politics and a number relate to policy and the Island Plan.

I have agreed the report be published for transparency. There are recommendations of operational procedures which should present no problems with adoption. There are however a number of recommendations which require further consideration and wider debate, including three I disagree with. I have set out, in a separate document, each of the recommendations together with my response to them.

It must be noted that the backdrop to the review was one of significant change for the organisation and especially the planning service. There have been two moves of office, the separation of the admin team from planning, the split of policy from planning, and a new way of working with customer services and the One Gov structure. Conclusions and recommendations on performance and ways of working must therefore be read within this context.

The report is clear that the service needs to improve its performance, pre-application services and customer care. I support these key recommendations.

The report also recommends changes to Island Plan policy to ensure that they become more focused and useable to the decision maker and applicant, and also asks for a wider review of planning rules, permitted development and heritage controls.

I am very pleased that the review has found positives in relation to our Appeal System, how we have developed our Compliance (enforcement) service and how the Planning Committee operates. It also importantly highlights the professionalism and dedication of our planning staff.

I am also pleased that a number of policy issues have been raised, especially around the usability and content of the Island plan. These are timely recommendations, which I hope will drive islanders to become involved in the Island Plan review process which is now underway.

In addition to the many recommendations, the key issue highlighted within the report is a recommendation that the development control service should become one of enabling and facilitating development in Jersey rather than a service which is seen to “control” development. As Minister, I disagree with this recommendation.

In my experience, islanders expect the planning service to control development, and many in the island are calling for tighter controls, I view that I personally share.

The system in Jersey with third party appeals, and greater third party involvement than the UK does mean that control is seen as a greater part of the planning system, and it is not there solely for the

applicant. Finding the balance between this conflicting triumvirate of interests is a much harder task for planning officers and in my view changes the nature of the service when it is compared to the UK. This is one area of the report which I feel the inspection team has not fully appreciated or reflected.

As a result of this report, and having regard to matters that preceded it, I want to instigate a wider debate about how we manage change to our historic environment and I am commissioning a comparative review of how the laws and policy that we use in Jersey to protect our heritage assets compares with elsewhere, and how we might manage to deal with the challenges of climate change and energy efficiency in this area. This work will help inform a review of Island Plan polices for the historic environment.

The report overall will go towards further enhancements and changes to the planning service.

The report is timely in so far as it touches on matters of planning policy given that the Island Plan Review provides an opportunity to review the planning policy framework that is used by the Development Control Team and the Planning Committee when making decisions on planning applications: I would urge all islanders to engage with the review and help shape the planning policies for the next ten years.

I would like to thank the Society for their time and analysis, and officers for commissioning this report. I have asked them to take forward the majority of these recommendations, and I will report on progress in due course.

Dep John Young
Minister for the Environment