

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY DEPUTY P.V.F. LE CLAIRE OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY 12th FEBRUARY 2008

Question

Will the Minister agree to make public the diagrams, drawings, photos and other material presented by the Transport and Technical Services Department in relation to the planning application for an Energy from Waste plant at La Collette and advise whether these were available to the public before the application was considered and subsequently given 'in-principle' Planning Permission?

Would the Minister advise whether the selective and last-minute release of diagrams and photos during the application, which were different to previously consulted diagrams, is permissible under the Planning and Environment Committee Building (Jersey) Law 2002?

Answer

I can confirm that all the diagrams, drawings, photos and other material presented to the Planning and Environment Department in relation to the application for the Energy from Waste Plant at La Collette are a matter of public record and are readily available for inspection at South Hill. These plans were available for public inspection prior to the determination of the application and were indeed presented at the Ministerial Hearing of 19th October 2007 when I considered the application.

It is vital to stress that all the drawings submitted in connection with the application were, in the context of its Outline status, purely for illustrative purposes only. This enabled me to gauge the potential impacts in visual terms of the buildings in relation to the possible plant and machinery that had to be accommodated for the Energy from Waste facility. This is reinforced by a condition on the Outline Permit which requires details of the Energy from Waste Plant to be submitted for further consideration once the preferred supplier of the facility has been identified. The Permit goes on to stipulate that all of these detailed designs must be accompanied by a Design Review undertaken by a suitably qualified person.

During the course of consideration of the application Hopkins Architects became involved in an advisory capacity to the applicants, Transport and Technical Services, and suggested revisions to their scheme in order to ameliorate as far as possible the potential visual impact of the building. This resulted in an illustrative building profile smaller than that originally accompanying the application.

When originally submitted and publicized the application attracted four representations only one of which raised concerns over the appearance of the building. These representations related to the illustrative plans accompanying the application when it was first submitted.

Planning applications must be publicised in accordance with Article 2 of the Planning and Building (Application Publication) (Jersey) Order 2006. Section 6 of the aforementioned Article stipulates that the Article does not apply to any change in an application where I consider that the change does not need to be publicised.

In the context of the following facts that

- firstly all the elevational drawings supplied with the application either initially or as amended were for illustrative purposes only,
- secondly, the size and therefore the potential visual impact of the elevations of as amended was smaller than those originally submitted, and
- thirdly given that only one representation had been received raising any concerns over the visual impact of the initial building,

I am satisfied that given the matter has to come back to the States, it was justifiable not to re-publicised the application alongside the amended Hopkins drawings. This accords wholly with Article 11 of the Planning and Building (Jersey) Law, 2002.