

APPROVED

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT  
BY DEPUTY R. LABEY OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 18TH APRIL 2017**

**Question**

Would the Minister share any evidenced research used before making Ministerial Decision MD-PE-2017-0031 to limit the period in which an approved development shall begin from 5 years to 3 including, specifically, any information which suggests such a limit outweighs considerations of market conditions; and what weight if any did he accord to the argument that the limit could be counterproductive in disincentivising those for whom a 5-year window is more realistic and attractive?

**Answer**

The concept of reducing the period of commencement on planning permissions from five years down to three is not particularly new. The 2011 Island Plan contained the following statement of intent:

*“To avoid the likelihood of developers sitting on unimplemented permissions, conditions will be used to limit the validity of consents for residential development, the extent of which will be set in supplementary planning guidance, but which will be initially set at three years and reviewed thereafter over the Plan period”.*

That Island Plan, with its statement of intent, was formally adopted in June 2011 following a comprehensive debate in this House.

In terms of evidenced research of the land-banking issue, my officers have reviewed several thousand planning permissions granted over the last few years. Taking just 2015 as an example, planning permissions were granted for a total of 79 new homes. There were also 770 new homes in the course of construction during the year. However, the telling fact is that planning permissions were renewed for a total of 417 new homes within 2015. These were the permissions granted in 2010 / 2011 – sometimes as far back as the 1990's where works had not commenced and where the owner or developer wanted to hang onto the site, with its planning permission intact.

2015 was a typical year in terms of planning permissions and the cumulative effect, year after year, of issuing and renewing five-year permissions does little to stimulate the economy, nor does it promote efforts in regenerating St. Helier and, most importantly, does nothing to help house our growing population.

Market conditions do, of course, play a major part in influencing when a development commences. However, I fail to see how sitting on unimplemented planning permissions for years, sometimes up to 20 years, benefits anybody, except the landowner. Other jurisdictions have also brought in measures to reduce the extent of land-banking; with England, Scotland, Wales and Guernsey all embodying a three-year time limit within their respective Planning Laws.

In introducing the reduced time limit on 3rd April this year, my aim was to stimulate the construction industry, bring more certainty in terms of carrying through planning permissions into results on the ground and, to help provide much needed homes for the Island.