

| General Information | |
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| Ministerial Decision Type | Deciding of: an Appeal/Case/Application/Public Inquiry |
| Report Title | Appeal Decision: P/2023/0750 (Field No. P983, Le Vieux Beaumont, St. Peter) |
| Minister | Environment |
| Signatory | Minister |
| Lead Department | Cabinet Office |
| Lead Directorate | Housing, Environment and Placemaking |
| Ministerial Decision Summary: Public or Absolutely/Qualified Exempt | Public Select if more than one Absolutely/Qualified Exemption. |
| Date decision made if different to date 'Ministerial Decision Summary' signed. | Select date. |
| Report and Supplemental Report Details | |
| Report Author | Principal Policy Planner |
| Date of Report | 18/03/2024 |
| Supplementary Report Title <i>(If applicable)</i> | Inspector's Report: Field No. P983 |
| Supplementary Report Author <i>(If applicable)</i> | Sue Bell MSc., BSc, FCIEEM, CEcol, CWEM |
| Date of Supplementary Report <i>(If applicable)</i> | 11/03/2024 Select Date of Supplemental Report. |
| Ministerial Decision Report: Public or Absolutely/Qualified Exempt | Public Select if more than one Absolutely/Qualified Exemption. |
| Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal/case/application)</i> | P/2023/0750 |
| Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i> | Insert P. number. |
| Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i> | Insert S.R. number. |
| Associated Law(s) and/or Subordinate Legislation | Articles 108 - 111 of the Planning and Building (Jersey) Law 2002 |
| Action required if recommendation agreed | Department to take necessary action. |

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| Resource Implications | There are no new financial and/or manpower implications. |
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Introduction

Following an appeal against the approval of planning permission, reference P/2023/0750, Sue Bell was appointed as the Independent Planning Inspector to consider the appeal and all statements and other plans and documents associated with the appeal.

The Inspector visited the site and surroundings before holding a hearing and preparing and submitting a report for the Minister's consideration.

Recommendation

To allow the appeal in part, insofar as it concerns the planning permission having not been adequately described, in line with the Planning Inspector's recommendation, and to refuse planning permission, reference P/2023/0750 for reasons outlined in the accompanying Schedule of Reasons for Refusal.

Reason for decision

The Minister accepted and agreed with the findings and recommendations of the inspector in respect of the fact that the permission does not provide a full, accurate and clear explanation of what is permitted and that these deficiencies exceed what can be corrected through the appeal process.

The Minister, in particular, had regard to the Inspector's observations and comments at paragraph 33 of the report, namely that a modification of the description and clarification of the red line boundary, would alter the substance of what is being sought, and hence would exceed what can be corrected by the Minister at appeal.

The Minister noted the Inspector's assessments of other elements of the appeal but, subsequent to the Inspector's comments at paragraph 33 and given the inadequacies of the permission and confusion of plans, the Minister did not consider it possible to offer any opinion as to the planning merits of the development or on the remaining grounds of appeal.