

| General Information | |
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| Ministerial Decision Type | Deciding of: an Appeal/Case/Application/Public Inquiry |
| Report Title | Appeal Decision: P/2022/1717 (42 Roseville Street, St Helier) |
| 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 | 22/02/2024 |
| Supplementary Report Title <i>(If applicable)</i> | Inspector's Report: 42 Roseville Street |
| Supplementary Report Author <i>(If applicable)</i> | Philip Staddon BSc, Dip, MBA, MRTPI |
| Date of Supplementary Report <i>(If applicable)</i> | 20/12/2023 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/2022/1717 |
| 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/2022/1717, Philip Staddon 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 line with the Inspector's recommendation, and to refuse planning permission, reference P/2022/1717 for reasons outlined in the accompanying Schedule of Reasons for Refusal.

Reason for decision

The Minister accepted and agreed, in the main, with the findings, recommendations and reasoning of the Inspector. The Minister also gave consideration to the Inspector's comments and advice at paragraph 29 of his report. However, the Minister considered it important that he does not involve himself with, or try to influence, the established procedures of the Regulation section of the Department of Infrastructure and Environment in respect of potential enforcement action or planning application proposals. To do so would, the Minister believes, prejudice his position as impartial decision-maker in any subsequent appeal. The Minister, therefore, chose not to give effect to the Inspector's advice as suggested in paragraph 29 of the report.