

STATES OF DELIBERATION

12th October, 2016

Proposition No. P2016/25

AMENDMENT

Proposed by: Deputy L S Trott

Seconded by: Deputy C Meerveld

Development & Planning Authority

The Island Development Plan – Development & Planning Authority Recommendations

To insert at the end of the words in Proposition 1: "; but subject to the modification that an additional paragraph 17.2.8 and Policy OC4A Garden Centres shall be introduced (on page 118 of the draft Island Development Plan at Appendix 1) to read as follows:

"17.2.8 Garden Centre developments are of limited number in Guernsey with the only established Planning Units being Earlswood and Le Friquet. Under the retail policies Garden Centres would only be achievable in Main Centres given their retail function and potential confliction with the impacts on the vitality and viability of Main and Local Centres. The States of Guernsey recognise that limited opportunity for Garden Centres should be allowed a policy gateway in line with the community objectives of the Strategic Land Use Plan and to limit such developments within Main Centres is uncommercial and not viable given their land mass, infrastructure and lack of Opportunity Sites within Main Centres. Where reasonable demand is submitted for a new Garden Centre the Development and Planning Authority (with support from the Economic Development Committee) will consider any new proposals for the establishment or reopening of current or former Garden Centres. In order to prevent any threat to the viability and vitality of the Main and Local Centres (and their retail function) such applications must meet the full criterion of Policy OC4 and (as a gateway proviso) via Policy GP20. The burden of proof of any application will be high and as set out in Paragraph 1.19. The Authority will need to be satisfied that any new Garden Centre would be sustainable in terms of location, access and effect on the environment. They will, therefore, generally only be permitted on substantial horticultural holdings that are not considered key horticultural sites or on other degraded sites that could be enhanced significantly through the development of a Garden Centre as one Planning Unit or on such other sites as may be exceptionally suitable. They should have safe and convenient access and must clearly be able to be developed without unacceptable detriment to the landscape character of the area or to residential amenity.

Policy OC4A: Garden Centres

- a. Proposals for the redevelopment of Garden Centres will only be permitted where:-
 - i. they are of a scale in keeping with that of the existing operation and where the resultant outlet would not detract from the vitality or viability of the Centres;

- and,
- ii. associated ancillary development such as car parking and other related works do not conflict with the objective of conserving and enhancing the character and openness of the rural area or are already fully established as a cohesive part of the Planning Unit.
- b. Proposals for the creation of new Garden Centres will not be permitted unless it is reasonably shown that they would not adversely affect the viability and vitality of the Centres and:
- i. they are of a type and scale consistent with the function and character of being a Garden Centre;
 - ii. the Garden Centre would clearly meet the acknowledged demand of the Island community for a new Garden Centre with appropriate support from the Committee for Economic Development; and
 - iii. adequate provision is made for the protection of the rural character of the site and its surroundings and the proposals include measures for the general environmental enhancement of the locality and ancillary to the main activity of a Planning Unit; and
 - iv. they are limited in scale in relation to that Planning Unit and its purposes; and
 - v. they are of a type and scale consistent with the function the Planning Unit and character of the locality concerned; or
 - vi. Policy GP20 provides a viable gateway.

The establishment of new Garden Centres in Important Open Land and Agricultural Priority Areas will not be permitted.

For the purposes of this Policy

"Planning Unit" means a building and land with a joint function containing a variety of overlapping activities, not possible to say that one is incidental or ancillary to another, but all working as one physical function". Taken from Burdell and Another v Secretary of State for the Environment and Another [1972] 3 All ER 240."

"Garden Centre" means premises used as a plant centre and for all of the following uses -

- (a) the retail sale of any other goods associated with plants and gardening,
- (b) the offering of services related to gardening to the public,
- (c) the holding on an occasional basis of fairs and other events related to gardening."

Explanatory Note

This modification is aimed at gaining a café facility for the Stan Brouard Group Garden, Leisure and Furniture Store.