

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 2nd DAY OF NOVEMBER, 2016**

**The States resolved as follows concerning Billet d'État No XXVII,
Dated 18th October 2016**

**THE ISLAND DEVELOPMENT PLAN – DEVELOPMENT & PLANNING AUTHORITY
RECOMMENDATIONS
P. 2016/25**

After consideration of the report of the Development & Planning Authority attached to the policy letter entitled 'The Island Development Plan-Development & Planning Authority Recommendations' and all documents attached to that report:-

1. That, pursuant to Rule 24(10) of the Rules of Procedure and with the agreement of the Development & Planning Authority, each of the amendments approved in respect of original Proposition 1 of this article shall not be treated as an amendment to defer adoption (but not debate) of the Island Development Plan.
2. To adopt the Island Development Plan as published in February 2015 (set out in Appendix 1 of the report of the Development & Planning Authority), comprising the Written Statement and Proposals Maps, amended in accordance with the recommended changes of the Development & Planning Authority set out in Appendices 6, 7 and 8 to its report attached to the policy letter comprising those recommendations of the independent Planning Inspectors supported by the Development & Planning Authority together with the Development & Planning Authority's own recommended changes but subject to the modifications that –
 - (i) paragraphs 1.17, 3.3.1 and 10.1.2 of the Draft Island Development Plan (see Appendix 1 pages 12, 34 and 83 respectively which list the local centres) shall be amended to include after the word "Forest" the words "Forest West";
 - (ii) in the Draft Island Development Plan at Appendix 1:
 1. paragraphs 7.6.2, 17.7.2 and 13.4.2 (see pages 70, 130 and 98 respectively) shall be deleted and replaced by the following:

"Policy SLP7 of the Strategic Land Use Plan states that the Development Plans will seek to enable economically beneficial tourist-related development, especially where this improves quality and choice of facilities at all accommodation grades, whilst maintaining an adequate stock of visitor accommodation to support the future viability and growth of the industry.";
 2. paragraphs 7.6.3 and 13.4.3 (see pages 70 and 98 respectively, subject to the recommended changes at pages 11 and 16 of Appendix 7) shall be deleted and replaced by the following:

"Recent years have seen a decline in visitor numbers. Whilst the Visit Guernsey and Chamber of Commerce Tourism Group Strategic Plan 2014-2025 set targets for growth from 309,000 to 400,000 visitors to the Island per year by 2025, these were purely aspirational and would be dependent on a variety of factors, including the development of ports and airport infrastructures. The requirement for visitor accommodation should be seen in this context.";

3. In Policy MC8, Policy LC6(B) and Policy OC8(C), (see pages 72, 101-102 and 134-135 respectively):

- a. sub-paragraph a shall be deleted; and
- b. former sub-paragraphs b, c and d shall be replaced by the following:
 - "a. it is not technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation (as identified by any relevant States of Guernsey strategy for visitor accommodation) relating to the establishment; or
 - b. where it is technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation (as identified by any relevant States of Guernsey strategy for visitor accommodation) relating to the establishment -
 - (i) it is not financially viable to undertake the required works and return a reasonable operational profit; and
 - (ii) the establishment has been actively and appropriately marketed for sale and for lease for a period of 24 consecutive months and an appropriate offer has not been made.";

and in consequence of the above modification:

In paragraphs 7.6.7 (on page 71, subject to the recommended changes at page 12 of Appendix 7), 13.4.6 (on page 99, subject to the recommended changes at page 17 of Appendix 7) and 17.7.9 (on page 132, subject to the recommended changes at page 40 of Appendix 7) after the words "other than in exceptional circumstances" insert "or where operation of an establishment is not financially viable";

In paragraphs 7.6.8 (on page 71), 13.4.7 (on pages 99 and 100) and 17.7.10 (on page 132) for the bullet points substitute –

"

- it is not technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation (as identified by any relevant States of Guernsey strategy for visitor accommodation) relating to the establishment; or
- where it is technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation (as identified by any relevant States of Guernsey strategy for visitor accommodation) relating to the establishment -
 - it is not financially viable to undertake the required works and return a reasonable operational profit; and
 - the establishment has been actively and appropriately marketed for sale and for lease for a period of 24 consecutive months and an appropriate offer has not been made.";

(iii) at the end of the final paragraph of Policy MC8, LC6(B) and OC8(C), (see pages 72, 101-102 and 134-135 of the Draft Island Development Plan at Appendix 1 respectively) the words "and can be achieved with only minor alteration" are omitted and replaced with the words "and the proposal is in accordance with all other relevant policies of the Island Development Plan";

and in consequence of the above modification:

In paragraphs 7.6.10, 13.4.9 and 17.7.12, (see pages 72, 100 and 133 of the draft Island Development Plan at Appendix 1) the words "with only minor alterations" are omitted;

(iv) in Policy OC7: Redundant Glasshouse Sites Outside of the Centres (see pages 127 – 129 of the Draft Island Development Plan at Appendix 1, and recommended changes at pages 36 - 38 of Appendix 7) shall be amended by inserting between provisos iii and iv: "iiiA. the proposal includes the demolition and removal from the site of all glasshouses and ancillary structures which are not capable of being used for a use in accordance with the relevant policies of the Island Development Plan; and";

and in consequence of the above modification to insert at the end of the words in the first sentence of paragraph 17.5.9 (see page 126) "if all glasshouses and ancillary structures which are not capable of being used for a use in accordance with the relevant policies of the Island Development Plan are demolished and removed from the site";

(v) the first paragraph of Policy GP11: Affordable Housing (see pages 173 – 174 of the Draft Island Development Plan at Appendix 1, and recommended change at page 48 of Appendix 7) shall be amended to read:

“The Development & Planning Authority will require proposals for development resulting in a net increase of 20 or more dwellings to provide a proportion of the developable area of the site for affordable housing in line with the following:

- 20 or more dwellings but fewer than 25 dwellings: 26% of the developable part of the site, but reduced to 11% in the first year, 16% in the second year and 21% in the third year after States’ adoption of this Plan;
- 25 or more dwellings but fewer than 30 dwellings: 28% of the developable part of the site, but reduced to 13% in the first year, 18% in the second year and 23% in the third year after States’ adoption of this Plan;
- 30 or more dwellings: 30% of the developable part of the site, but reduced to 15% in the first year, 20% in the second year and 25% in the third year after States’ adoption of this Plan.”;

and in consequence of the above modification:

- In Para 2.2.24 thereof on page 26, to delete “(i.e. 5 or more units)”;
- In each of Para 6.1.9 on page 49 (subject to minor amendment shown at appendix 7, Table page 9); Policy MC2 on page 50 (subject to minor amendment shown at appendix 7, Table page 9); Para 12.1.8 on page 89 (subject to a minor amendment as shown at appendix 7, Table page 15); Policy LC2 on page 90, penultimate paragraph of policy (subject to a minor amendment as shown at appendix 7, Table page 15); Para 16.1.8 on page 109 (subject to slightly different minor amendment as shown at appendix 7, Table page 22); Policy OC1 on page 110, last para of policy (policy subject to major amendment as shown at appendix 7, Table pages 23 to 26 but last para relating to affordable housing requirements only subject to minor amendment); Para 19.17.16 on page 189 (subject to a minor amendment as shown at appendix 7, Table page 57); Policy GP16(A) penultimate para, page 190 (subject to a minor amendment as shown at appendix 7, Table pages 57 and 58); and Policy GP16(B) penultimate para, page 191 (subject to minor amendments as shown at appendix 7, Table pages 58 and 59); to delete “five” and substitute “20”;

(vi) the first paragraph of Policy IP8: Public Car Parking (see pages 219-220 of the Draft Island Development Plan at Appendix 1) shall be amended to read:

“Within Main Centres and Main Centre Outer Areas , proposals for the provision of new public car parks that would result in a net increase in parking spaces available to the public will be supported if:

- a. it forms part of a major, comprehensive development scheme brought forward through a Local Planning Brief for a Harbour

Action Area or a Development Framework for a Regeneration Area and accords with relevant strategies of the States of Guernsey; or

- b. it would enable additional parking spaces to be provided as part of proposals for public car park rationalisation or relocation or redevelopment, where this would accord with relevant strategies of the States of Guernsey.”;

and in consequence of the above modification:

Paragraph 20.9.3 (see page 219) shall be amended by –

- in line 9, inserting after "As a result, the Island Development Plan" the word "generally", and
- in line 13, inserting after "Local Planning Brief" the words "or as part of a comprehensive scheme for a Regeneration Area, brought forward through a Development Framework";

After Paragraph 20.9.3 a new paragraph shall be inserted as follows:

“20.9.4 In certain circumstances, and with the appropriate management, the provision of additional public car parking can assist in ensuring that the parking is located in appropriate locations and can provide greater transport choice. It can provide opportunities to rationalise car parks by providing an overall increase in the number of parking spaces through, for example, the provision of a greater number of parking spaces for smaller vehicles and/or motorcycles and providing dedicated areas for electric vehicles or relocating a public car park from an inappropriate place to a more appropriate one. This would be consistent with Policy IP6 and result in a more efficient use of land and an encouragement away from the use of fossil-fuel powered vehicles, resulting in less harmful emissions. It would also fulfil the objectives of the Strategic Land Use Plan in making the Main Centres desirable places to live and spend leisure time.”;

- (vii) an additional conservation area shall be designated at Delancey, the boundary of which shall be as shown on the map appended to this Proposition and labelled Delancey Conservation Area;

and in consequence of the above modification:

- In the box on page 14 of the Draft Island Development Plan at Appendix 1, to delete “25” and insert “26”;
- In Para 19.5.2 on page 151 of the Draft Island Development Plan at Appendix 1, to delete “twenty five” and insert “twenty six”;

- In Para VII.1 of the Annex VII Conservation Areas, at page 282 of the Draft Island Development Plan at Appendix 1, to add Delancey, St Sampson, to the list of conservation areas;
- Below Para VII.163 of the Annex VII Conservation Areas, at page 313 of the Draft Island Development Plan at Appendix 1, to add a summary of the special architectural and historic interest of Delancey Conservation Area as follows:

"Summary of Special Interest

Delancey Conservation Area is located on a hougue in the north of the Island with land gradually falling away to the north, west and east. Delancey Park forms a significant part of the Conservation Area and is elevated above lower surrounding land to the south. From this hougue spectacular views are available southwards over the eastern seaboard of the Island and Jersey beyond and eastward to Herm and Sark. The Park's trees, some protected, and several adjacent buildings are prominent in the northern landscape.

The Conservation Area was the site of pre-historic settlement and man-made structures, principally within the area now occupied by Delancey Park. Many have been removed although evidence remains on the ground in the form of Delancey Passage Grave, a protected monument. The Duke of Richmond Map of 1787 shows former farmsteads, several of which remain in situ, with associated orchards. The historic road pattern of this time remains. The 1898 map provides evidence of the upsurge in stone quarrying and prevalence of greenhouses and associated residential development and support development, all typical of the northern part of Guernsey at that time. Dwellings and support services, including the Catholic Church, were present. Construction of the Delancey Schools commenced in the first decade of the 1900s and has continued into the twenty first century. Many of these buildings remain, along with remnants of the horticultural industry.

Delancey Park has an interesting history and, as well as the archaeological interest, has been heavily fortified over the centuries. The eighteenth/nineteenth century barracks and battery were a consequence of the military excursions of the time. Delancey Battery, a protected monument, was constructed about 1801 although was disused by 1898. In 1876-1878 an obelisk was erected to Admiral Lord James de Saumarez. This was later removed by the German Occupying Forces and only the plinth now remains in place. A number of fortifications were constructed during the German Occupation of Guernsey, 1940-1945. Many remain within the boundaries of Delancey Park with several present outside that area, on private property within the Conservation Area. The military fortifications represent significant events in the Island's history, visible in many locations. Delancey Park has accommodated a range of recreational uses since at least the late nineteenth century.

There is a variety of built form evident throughout the Conservation Area. Unity of built form is visible in terraces and groups of workers' cottages and in the materials used in buildings (often rendered stone) and boundaries (frequently stone walls). There are a number of Victorian villas dispersed throughout the Conservation Area. There are some protected buildings in the Conservation Area and some buildings which are of traditional character but are not protected buildings. There is also a number of terraced Victorian/early twentieth century cottages which are not protected but of some interest. There are a number of boundary walls / banks in the Conservation Area which are of interest especially those around Delancey Park. Trees are also a distinctive feature of the eastern part of Robergerie, and there is an area of woodland behind buildings to the west of the junction of Mont Morin and Rue des Monts. In the eastern part of Robergerie, the trees, banks, boulder walls and traditional buildings maintain a strong historic setting.

Reason for Designation

The Delancey Conservation Area has visible features which make the area interesting in terms of its lengthy and continued historic development since pre-historic times, representing every period and aspect of the Island's history. The settlement pattern is made up of scattered farmsteads and clusters of nineteenth century residential buildings, which followed the historic road pattern and 20th century clos development. The area has some buildings that have historic and/or architectural interest, most of which are included on the protected buildings list. There are also some other structures related to the fortification of the Island that have historic interest and many of which are included on the protected monuments list.

The area is designated as a Conservation Area to conserve the historic and architectural character and appearance of the area. The use of traditional materials and the unity of built form in terraces and groups of workers' cottages and the scale of the villas and cottages attractively arranged along the roads, often behind roadside boundaries, along with the open space, hougue landscape and vistas of Delancey Park, represent the particular character of this Conservation Area.";

(viii) the Agriculture Priority Area (see the Proposals Map following page 353 of the Draft Island Development Plan at Appendix 1, and recommended amendments at insets 9 to 12 and 14 to 16 on pages 117 to 120 and 122 to 124 of Appendix 7) shall be extended by the inclusion of each of the following areas shown outlined in red on the maps appended to this Proposition and labelled:

- a) MAP 1 TORTEVAL;
- b) MAP 2 ROUTE DE FARRAS, FOREST;
- c) MAP 3 FONTENELLE, FOREST;
- d) MAP 4 LES BLANCHES, ST MARTIN;
- e) MAP 5 VAUGRAT, ST SAMPSON;

- f) MAP 6 LES COTTES VALE/ST SAMPSON;
- g) MAP 7 FOREST ROAD, FOREST”;

and the Agriculture Priority Area (see the Proposals Map following page 353 of the Draft Island Development Plan at Appendix 1, and recommended amendment at inset 13 on page 121 of Appendix 7) shall be contracted by the exclusion of the area shown outlined in red on the map appended to this Proposition and labelled MAP 8 BRAYE DU VALLE, ST SAMPSON ROUTE MILITAIRE, VALE;

- (ix) the boundary of the Cobo Local Centre (see the proposals map inset 7 of Appendix 1 and the proposed amendments shown in map extract 4 at page 20 of Appendix 6) shall be contracted by the exclusion of the area shaded green on the map appended to this Proposition and labelled Cobo Local Centre Boundary;
 - (x) the boundaries of the additional Local Centre designated at Forest West, as indicated on the Map at Map extract 7 at page 23 of Appendix 6 be altered to exclude from the Centre the school playing field which lies to the east of the La Planque Lane west and any area of land which lies west of the La Planque Lane west which runs to the south as shown on the Map appended to this Proposition and labelled Proposed Forest West Local Centre Boundary; and
 - (xi) paragraph numbering, formatting and cross-references to the same shall be amended to make any necessary changes, arising from the above modifications, to ensure accurate and consistent numbering and formatting in the Island Development Plan.
3. To note that the policy on the use of planning covenants set out in the Island Development Plan supersedes the policy noted in their resolution of the 12th December, 2007 on Billet d'État No. XXV of 2007, Article III, paragraph 1 noting "the limited circumstances in which planning covenants will be used as set out in that report".
 4. To direct the Development & Planning Authority to amend Section 6 General Parking standards of the Draft Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment, in the following manner:

Type of Development	Standard Required (maximum provision for car parking spaces)	
	Main Centres	Main Centre Outer Areas
Less than 3 habitable rooms	Assessed on merits	± 2 spaces per dwelling

3 to 4 habitable rooms	± 2 spaces per dwelling	± 2 spaces allocated to the dwelling
5 to 6 habitable rooms	± 2 spaces allocated to the dwelling plus 1 space per dwelling in the form of adjacent communal parking, or all 3 spaces provided on site	2 spaces per dwelling allocated to the dwelling plus 1 space per dwelling in the form of adjacent communal parking, or all 3 spaces provided on site
Above 6 habitable rooms	2 spaces per dwelling allocated to the dwelling plus 1 space per dwelling in the form of adjacent communal parking or all 3 spaces provided on site	3 spaces per dwelling

Type of Development	Standard Required (maximum provision for car parking spaces)	
	Main Centres	Main Centre Outer Areas
OFFICES		
Professional services	Assessed on merits	1 space per 70 sq.m 1 space per 40 sq.m
Other offices	1 space per 100 sq.m 1 space per 50 sq.m	1 space per 100 sq.m 1 space per 50 sq.m

5. To direct the Committee *for* Economic Development to submit a policy letter to the States of Deliberation setting out a Tourism strategy for approval by the States by 31 October 2018. Such policy letter to include:
- (a) a review of the Visit Guernsey and Chamber of Commerce Strategic Plan 2015-2025 (also known as the Guernsey Tourism Strategic Plan 2015-2025) as referenced in paragraphs 7.6.3 and 13.4.3 of Appendix 1 of the report of the Development & Planning Authority (pages 70 and 98 of Appendix 1, subject to the changes set out at pages 11 and 16 of Appendix 7); and
 - (b) an assessment of the current stock of visitor accommodation and the stock of visitor accommodation necessary to support the future viability and growth of the industry.

6. To direct the Development & Planning Authority, after consultation with other relevant committees of the States, to determine which changes would need to be made to legislation or policy in order to establish a gateway for the development of a café on the current site of the Stan Brouard Group Garden, Leisure and Furniture Store; and if, during the course of the work and consultation described above, it becomes clear that such a gateway could not be established without first altering the Strategic Land Use Plan also to direct the Committee *for the* Environment & Infrastructure to consider whether it should exercise its powers under Section 5(2) of the Land Planning and Development (Guernsey) Law, 2005 to propose such alteration to the Plan; and also to direct that the Authority, and the Committee if appropriate, shall report its or their conclusions to the States in propositions and a policy letter or policy letters to be submitted to Her Majesty's Greffier by no later than the 30th of April, 2017.
7. To direct the Development & Planning Authority, after consultation with other relevant committees of the States, to determine which changes would need to be made to legislation or policy in order to establish a gateway for the provision of comparison and convenience retail development on the current site of Oatlands Village that supports the continued viability of this site as a valuable tourist attraction for the Island; and if, during the course of the work and consultation described above, it becomes clear that such a gateway could not be established without first altering the Strategic Land Use Plan also to direct the Committee *for the* Environment & Infrastructure to consider whether it should exercise its powers under Section 5(2) of the Land Planning and Development (Guernsey) Law, 2005 to propose such alteration to the Plan; and also to direct that the Authority, and the Committee if appropriate, shall report its or their conclusions to the States in propositions and a policy letter or policy letters to be submitted to Her Majesty's Greffier by no later than the 30th of April, 2017.
8. To note that Policy GP11 of the Island Development Plan makes permission to construct dwellings subject, in certain circumstances, to a proportion of the developable area being allocated for affordable housing; and to direct the Development & Planning Authority, in consultation with the Committee *for* Employment & Social Security and the Committee *for the* Environment & Infrastructure, to examine the case for an alternative requirement for developers to make a tariff payment equivalent to the value of the land which Policy GP11 would require to be set aside for affordable housing; and to direct that by no later than the 30th of April, 2017 the Authority shall submit a policy letter on this matter together with any propositions which it considers appropriate.
9. To direct –
 - (a) the States Trading Supervisory Board in consultation with the Committee *for* Economic Development, by no later than 31st January, 2017 to identify and indicate to the Development & Planning Authority and the Committee *for the* Environment & Infrastructure a suitable area or areas of land consisting of at least 4 acres owned, or the occupation of which is controlled, by the States

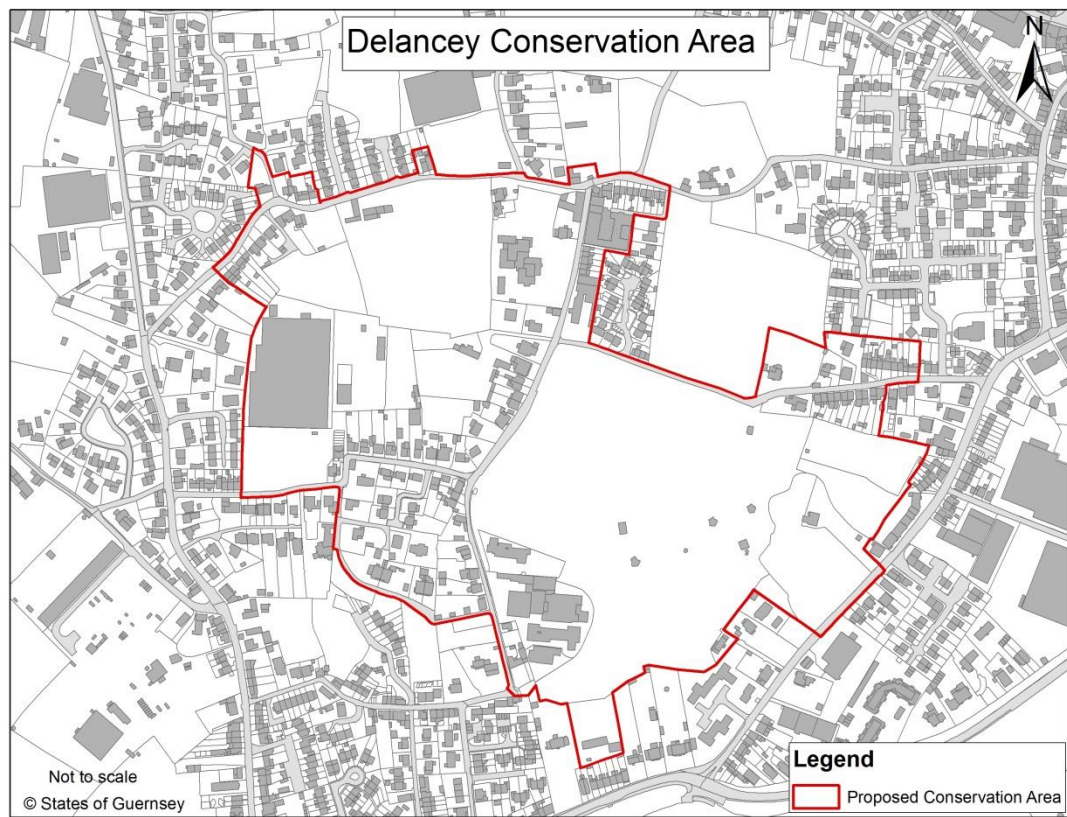
(such as the Belgrave Vinery site or part of that site) that could be used for light industrial use if suitable amendments were made to Guernsey's planning regime; and

- (b) the Development & Planning Authority and the Committee *for the Environment & Infrastructure*, by no later than 30th April, 2017, to submit proposals for consideration by the States which would enable, or potentially enable, the area or areas of land identified and indicated further to paragraph (a) of this Proposition to be used for planning purposes for light industrial use.
- 10. To amend section 9(4) of the Land Planning and Development (Plans) Ordinance, 2007 (and any related relevant legislation) in order that the Development & Planning Authority shall, in the future, have sole responsibility for laying before the States proposals relating to any Development Plan or draft Development Plan and associated documentation, which was the intention of the States' Review Committee but was not carried into effect by that Committee's propositions.
 - 11. To direct the preparation of such legislation as may be necessary to give effect to Proposition 10.

S. M. D. ROSS
HER MAJESTY'S DEPUTY GREFFIER

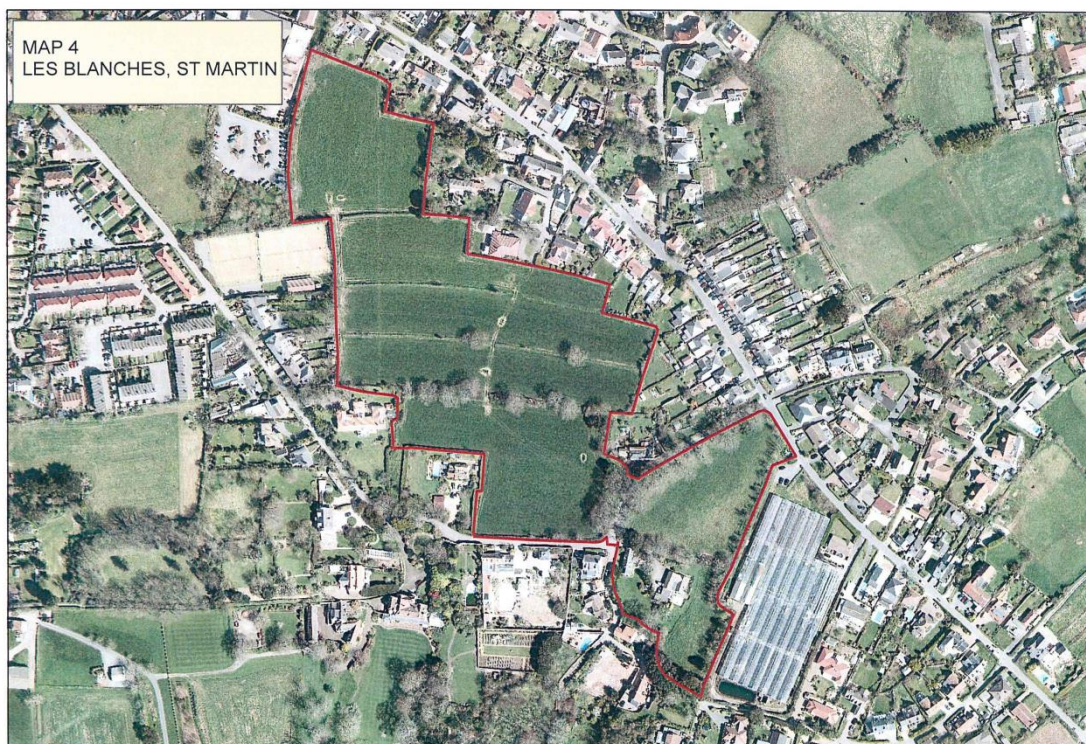
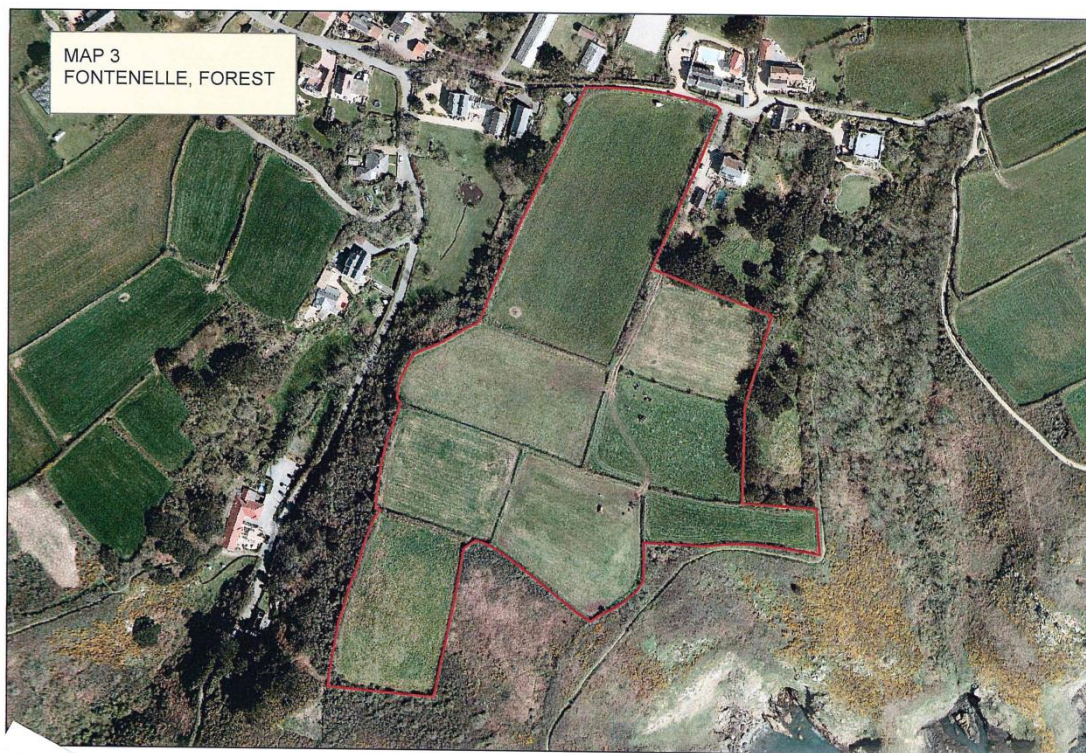
Appendix

Proposition 2(vii)

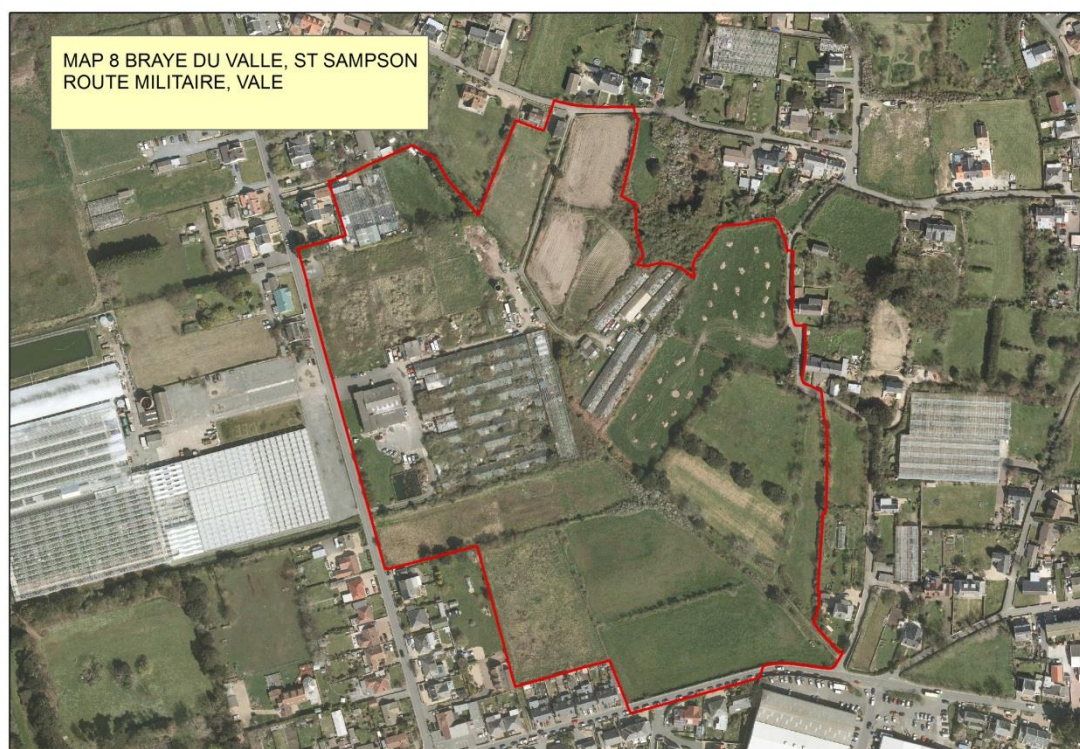


Proposition 2 (viii)

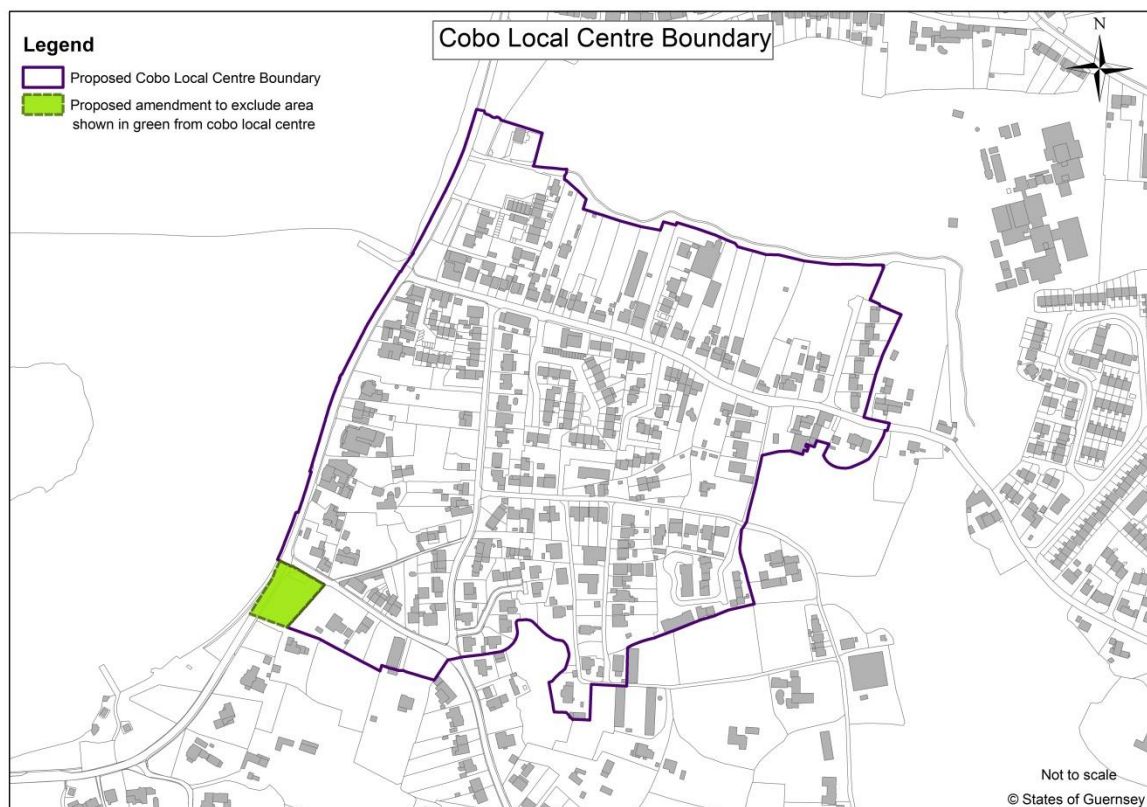








Proposition 2(ix)



Proposition 2(x)

