



BILLET D'ÉTAT

WEDNESDAY 31st JANUARY 2007

II
2007

ENVIRONMENT DEPARTMENT

PROPOSED ALTERATION TO THE URBAN AREA PLAN (REVIEW
NO. 1) AND THE RURAL AREA PLAN (REVIEW NO. 1) IN RESPECT
OF VISITOR ACCOMMODATION POLICIES

B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY**, the **31st JANUARY, 2007**, immediately after the meeting already convened for that day, to consider the item contained in this Billet d'État which has been submitted for debate by the Policy Council.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
15 December 2006

ENVIRONMENT DEPARTMENT

PROPOSED ALTERATION TO THE URBAN AREA PLAN (REVIEW NO. 1) AND THE RURAL AREA PLAN (REVIEW NO. 1) IN RESPECT OF VISITOR ACCOMMODATION POLICIES

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

31st October 2006

Dear Sir

EXECUTIVE SUMMARY

- 1 The Environment Department is pleased to present to the States, for consideration, a draft alteration (amendment) to the Urban Area Plan (Review No. 1) together with a similar draft alteration to the Rural Area Plan (Review No. 1). These proposed amendments are accompanied by the report and recommendations of the Inspector and the Department's comments and recommendations thereon.
- 2 The proposed amendments relate solely to the 'visitor accommodation' policies of the abovementioned Plans and were drafted by the Department, in full liaison with the Commerce and Employment Department, as a direct response to the provisions of the 2006 Strategic Land Use Plan. Strategic Policy 20 of the Strategic Land Use Plan placed a requirement on the Department to formally amend its Plans in order to "...take into account the need to respond to a definition of adequacy [of visitor accommodation stock] that will change over time in response to changes in the visitor economy".
- 3 The Inspector is supportive of the proposed amendments and the Environment Department finds his recommendations to be acceptable.
- 4 The draft amendments are reproduced in their original form in Appendix B.
- 5 The States Members are now asked to consider the recommendations of the Planning Inspector and those of the Environment Department.

1. BACKGROUND

- 1.1 The 2006 Policy and Resource Plan, which embodies the Strategic Land Use Plan was adopted by the States on 14 December 2005 (Billet D'État XXI), two weeks after the adoption of the Rural Area Plan (Review No. 1).
- 1.2 Paragraph 13.111 of that document states that...*"At present, both the Urban and Rural Area Plan policies refer to the superseded target of 2,700 bed spaces. The Policy Council considers that both plans should be formally amended to take account of the new Strategic Policy (below) at the earliest practicable date. This will require a minor planning inquiry.*

Strategic Policy 20

The Detailed Development Plans will include policies to ensure that an adequate stock of visitor accommodation is maintained to support the future viability of tourism. Such policies should take into account the need to respond to a definition of adequacy that will change over time in response to changes in the visitor economy".

- 1.3 On a point of clarification, it should be noted that the term 'bed spaces' referred to in paragraph 13.111 does, in fact, relate to the number of bedrooms (or bed-stock) and not necessarily to the number of actual beds.
- 1.4 The Environment Department has worked closely with the Commerce and Employment Department in order to draft amended policies of both the Urban and Rural Area Plans which will comply with the requirements of Strategic Policy 20. Under the provisions of the Island Development (Guernsey) Law, 1966, a planning inquiry had to be held into the proposed alterations.
- 1.5 The policies that are affected by the proposed amendments are;

Urban Area Plan – policies EMP13, EMP14 and EMP15

Rural Area Plan – policies RE11 and RE12.

2. THE PROPOSED AMENDMENTS

- 2.1 The principal change put forward in the proposed amendments is the deletion of any reference to the retention of a 'core bed-stock' of visitor accommodation. Instead, and in line with the strategic direction, the draft amended policies refer to the need to sustain an adequate stock of visitor accommodation. Based on discussions with the Commerce and Employment Department, the term adequate stock has been defined as that which would sustain *'...an average annual room occupancy level for the serviced accommodation sector of 65% (based on year-round occupancy) and for self-catering accommodation of 75% (based on seasonal occupancy)'*.

- 2.2 As the definition is based on a percentage of room occupancy, and not on a target number of rooms or establishments, the amendments will allow for an appropriate degree of flexibility when assessing proposals which involve the loss of hotels and guesthouses from the visitor sector. Close liaison between the Environment Department and the Commerce and Employment Department will be key, both in terms of monitoring any changes within the visitor economy and in terms of applying the amended policies to secure the occupancy rates and hence viability in the sector.
- 2.3 In practical terms, the amended policies will not differ significantly from the visitor accommodation policies of the current Plans. Both the Urban and the Rural Area Plans would still allow for existing visitor accommodation establishments to extend, alter or re-develop in order to keep up with changing trends and visitor expectations. Policy EMP13 of the Urban Area Plan would still allow for the principle of new-build establishments on suitable sites within the urban area, whereas Policy RE11 of the Rural Area Plan would not allow for new-build establishments, but would instead facilitate the conversion of redundant buildings to visitor accommodation use. This latter policy reinforces the primary objective of the Rural Area Plan which is the conservation and enhancement of the rural environment.
- 2.4 As regards proposals that would result in the loss of a visitor accommodation establishment to another use, these would be assessed against Policy EMP15 of the Urban Area Plan and Policy RE12 of the Rural Area Plan. Both policies would allow for such loss, but only where “...it would not prejudice the retention of an adequate stock of visitor accommodation across the Island...”. These two draft policies also differ from their current versions in that they introduce the issue of size, location and quality of facilities of an establishment as being important elements in any test of viability.
- 2.5 The proposed amendments are reproduced in Appendix B.

3. THE PLANNING INQUIRY

- 3.1 The draft amendments were published on 28 June 2006, with a subsequent public planning inquiry being held on 12 September, 2006. The inquiry lasted a single day only. The Policy Council appointed Mr B Roberts BA MRTPI of The Planning Inspectorate of England and Wales to consider the Department’s proposals at the inquiry, together with the 5 representations and 3 further representations that were received.

4. THE INSPECTOR’S REPORT (SUMMARY)

- 4.1 The Inspector summarises his findings as follows;

“...I must conclude that the proposed alterations offer a way forward towards the downsizing and restructuring of visitor accommodation.

With careful assessment of each proposal to leave this sector, the Environment Department working in conjunction with Commerce and Employment...can secure a managed reduction in accommodation supply and conversely a smaller more profitable accommodation sector that can offer the visitor a high quality product...

...the land-use planning process is but one part of the tourist industry, and will not itself be the sole panacea to remedy its weakness. Transport links to Guernsey have been referenced at the inquiry as a fundamental concern in the very competitive, worldwide tourism industry. This is a matter primarily to be addressed outside the land-use planning forum; similarly the marketing of the Island's attractions and how these are formulated and related to the management of the visitor accommodation sector.

I commend the proposed alterations for adoption by the States with the following changes..."

5. THE INSPECTOR'S PROPOSED CHANGES

5.1 Urban Area Plan

- a) In the second line of the 3rd sub-paragraph of Paragraph 6.2.5 replace the words "they will" with the words "they may well".
- b) In the heading of Paragraph 6.2.5.1, replace the words "new tourist accommodation" with the words "new visitor accommodation".
- c) In clause (a) of Policy EMP15, replace the words "alternative tourist accommodation" with the words "alternative visitor accommodation".

5.2 Rural Area Plan

- a) In Clause (a) of Policy RE12, replace the words "alternative tourist accommodation" with the words "alternative visitor accommodation".
- b) At the end of Policy RE12, insert the following words: "Proposals for the re-use or redevelopment of former visitor accommodation for housing purposes comprising sheltered accommodation, residential or nursing homes or staff hostels will generally be supported".

5.3 The Inspector's report of the Inquiry with subsequent recommendations is reproduced in Appendix A.

6. THE RESPONSE OF THE ENVIRONMENT DEPARTMENT

- 6.1 The Environment Department recommends that the States approve the proposed amendments to the Urban Area Plan (Review No. 1) and the Rural Area Plan (Review No. 1) together with all the recommendations made by the Planning Inspector.

Yours faithfully

B M Flouquet
Minister



The Planning Inspectorate

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The Minister
 Environment Department of the States of Guernsey
 Sir Charles Frossard House
 La Charroterie
 St Peter Port
 GUERNSEY
 GY1 1FH

Your Ref:

Our Ref: DP 624

Date: 27 September 2006

Dear Sir

Report on Representations and Further Representations made to Proposed Alterations to the Urban Area Plan, (Review No.1) [UAP], and to the Rural Area Plan (Review No.1) [RAP]

1. I was appointed by the Policy Council of the States of Guernsey to hold a Public Planning Inquiry into Representations and Further Representations made to Proposed Alterations to the Urban Area Plan (Review No.1), and to the Rural Area Plan (Review No.1).
2. Notice of these Proposed Alterations was published in La Gazette Officielle on 28 June, 2006, and on 1 July 2006, together with an Explanatory Note. Representations were required to be submitted by Wednesday 2 August, 2006. Anyone wishing to make Further Representations, commenting upon the Representations received, was invited to submit these by 30 August 2006.
3. The Proposed Alterations relate to Visitor Accommodation Policies in the Urban and Rural Area Plans (Review No.1) and were prepared subsequent to a States' Resolution to adopt the 2006 Policy and Resource Plan, with particular reference to Strategic Policy 20 and its accompanying text found in the Strategic Land Use Plan. The Alterations allow for a degree of flexibility when assessing proposals which involve the loss of hotels, guest houses and self-catering establishments from the visitor accommodation sector.

4. Five Representations and three Further Representations were received. These representations were made at the Public Planning Inquiry held at Les Cotils, St Peter Port, on Tuesday 12 September, 2006, in accordance with Guernsey Law that requires that all submissions to be made orally at the Public Inquiry.

5. I wish to express my grateful appreciation of the support given to me in preparing for the Inquiry, for the Inquiry arrangements and the continued assistance given by Julie Evemy, the Inquiry Programme Officer.

My report is attached.

Yours faithfully

B Roberts

States of Guernsey

Island Development (Guernsey) Laws 1966 – 1990

**Report into Representations and Further Representations
made in respect of Proposed Alterations to the Urban
Area Plan (Review No 1) [UAP] and the Rural Area
Plan (Review No 1) [RAP], published 28 June 2006**

Inquiry: 12 September 2006

Inspector: Brian Roberts BA MRTPI

Report on Representations and Further Representations made to Proposed Alterations to the Urban Area Plan, (Review No.1) [UAP], and to the Rural Area Plan (Review No.1) [RAP].

Introduction

- 1.1 This report deals with representations and further representations made to Proposed Alterations to the Urban Area Plan (UAP) (Review No.1) adopted by the States of Guernsey in July 2002, and to the Rural Area Plan (RAP) (Review No.1) adopted by the States of Guernsey in December 2005. Notice of these Proposed Alterations was published in La Gazette Officielle on 28 June and 1 July 2006, together with an Explanatory Note, to enable the making of representations to the States. Anyone wishing to make further representations, commenting upon the representations received, was invited to submit these to the States by 30 August 2006. The Proposed Alterations relate to Visitor Accommodation Policies in the Urban and Rural Area Plans, and were drafted subsequent to a States' Resolution to adopt the 2006 Policy and Resource Plan, with particular reference to Strategic Policy 20 and its accompanying text found in the Strategic Land Use Plan.

The Proposed Alterations

- 1.2 The principal change put forward in the Proposed Alterations is the deletion of any reference to the retention of a 'core bed-stock' of at least 2,700 rooms/units. In line with Strategic Policy 20, the Proposed Alterations refer to the retention of an 'adequate stock' of visitor accommodation; this term is defined as that which would sustain an average annual room occupancy level for the serviced accommodation sector of 65% (based on year-round occupancy) and for self-catering accommodation of 75% (based on seasonal occupancy). The text that is subject to alteration in the adopted Detailed Development Plans relates to Policies EMP13, EMP14 and EMP15 in the UAP, and to Policies RE11 and RE12 in the RAP. The primary purpose of the Proposed Alterations is to bring additional flexibility to policies relating to the visitor accommodation sector.

Public Planning Inquiry

- 1.3 Following the publication of the Proposed Alterations, five Representations and three Further Representations were received. These representations were made at the Public Planning Inquiry held at Les Cotils, St Peter Port, on Tuesday 12 September 2006, in accordance with Guernsey Law that requires all submissions to be made orally at the Public Inquiry. It was my task as the Planning Inspector appointed by the States of Guernsey to hold this Planning Inquiry to hear the

Report on Representations and Further Representations made to Proposed Alterations to the Urban Area Plan Review No 1) {UAP}, and to the Rural Area Plan (Review No 1) {RAP}

representations and thereafter to prepare a report on them with recommendations. At the opening of the Inquiry, I was handed a letter dated 8 June 2006 from L C Morgan, Chief Minister, States of Guernsey stating that the Policy Council was satisfied that the proposed new policies were in accordance with the objectives of the Strategic Land Use Plan (Strategic & Corporate Plan) 2006.

REPRESENTATION 2 – Deputy John Gollop

ISSUES:

- 2.1 The Proposed Alterations should not be endorsed for inclusion in the Urban and Rural Area Plans and the objective of retaining a core bed-stock of 2,700 rooms/units should be supported.

CONCLUSIONS:

- 2.2 The representor recognised the structural decline that had taken place over the past 10 years in the field of visitor accommodation, and that this had had a knock-on effect for the wider local economy n.b. retailing and visitor attractions. He was concerned that the Alterations were too flexible, and exacerbated the present decline in visitor accommodation provision and would lead to economic decline and loss of services n.b. transport. A States-wide strategy on tourism was needed. For the States, Mr Coates commented that the ‘core bed-stock’ approach had prevented hotels leaving the industry. He agreed with Deputy Gollop that the new policy approach had a degree of flexibility and subjectivity, but that it would enable a broader-based assessment of applications to leave the industry on an individual basis.
- 2.3 I concur with the States that the somewhat rigid ‘core bed-stock’ approach to restructuring is not the ideal approach to deal with the reality of the tourist/visitor market place. The Proposed Alterations offer a better prospect for restructuring visitor accommodation, enabling in particular hotels and other visitor accommodation of poor quality and in poor locations to be taken out of the sector, and for their sites and buildings to be put to other use. The provision of new visitor accommodation would still be facilitated within the Urban Area under Policy EMP13, and proposals for works of alteration, extension and redevelopment of existing visitor accommodation premises are given a favourable presumption under Policy EMP14. In the Rural Area, the positive provisions of Policy EMP14 are generally reflected in Policy RE11. The conversion of existing buildings to visitor accommodation use can also provide a source of new accommodation in the Rural Area.
- 2.4 The tourist/visitor industry has changed significantly in recent years with the arrival of ‘cheap’ short, medium and long haul air travel, and the opening of new tourist markets in a large number of countries that up to recent times had limited accessibility for overseas visitors. These trends cannot be ignored, and clearly they have siphoned tourist and visitor trade away from areas such as Guernsey. The management of visitor accommodation supply is but one sector of a tourism strategy for the Island, and is aimed at securing a better quality tourist product.

Without intervention, I consider that past trends of decline in accommodation provision are likely to continue to the future. I also consider that the more flexible approach to securing a ‘shake-out’ of visitor accommodation and improvement in its quality now aimed for in the Alterations is the approach to be endorsed.

RECOMMENDATION:

2.5 That no change be made to the Proposed Alterations as a result of Representation 2.

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REPRESENTATION 3 – Channel Island Traders (Advocate R A Perrot and Mr S. Marie)

ISSUES:

- 3.1 The text of the Proposed Alterations should be subject to amendment and addition, and a new Policy EMP15 introduced.

CONCLUSIONS:

- 3.2 The Proposed Alterations are broadly supported. Strong emphasis is made in Representation 3 on the need for a positive and more flexible interpretation of planning policies on visitor accommodation than that applied in the past. In addition, policies need to relate to sound, factual information, and be implemented through a co-ordinated approach between Environment and Housing, Commerce & Employment, and Tourism Strategy.
- 3.3 In the second line of the 3rd paragraph of numbered Paragraph in the Urban Area Plan, 6.2.5, the words ‘they will’ should be changed to ‘they may well’. This change was agreed by Mr Coates for the States, and I concur with it. A new paragraph 6.2.5.4 is proposed for the Urban Area Plan, that introduces a new Policy EMP16, which reads “Provided that it is not thereby in conflict with other policies within the Plan, the Environment Department will support development which helps to promote recreational and other facilities which in turn support the growth of Guernsey’s visitor economy”. I consider that neither the new text nor new Policy EMP16 has a direct bearing on the Proposed Alterations under consideration at the Inquiry. Policy EMP16 has no substance as a land-use planning policy. Additionally, there should be no reason why development that does not conflict with Plan policies should not be granted planning permission.
- 3.4 Representation 3, with reference to the Rural Area Plan, seeks the addition of the wording “including the construction of additional, high standard bedrooms” after the word “accommodation” in the second line of Paragraph 5.11 (3rd paragraph), and the word “staff accommodation” before the word “larger” in the seventh line. As Paragraph 5.11 deals specifically with visitor accommodation, it is unnecessary to specifically reference “bedrooms” or “staff accommodation” which are both incorporated by implication and reference respectively in the term “visitor accommodation”. Similarly the insertion of the wording “staff accommodation” in sub-paragraph (ii) of clause (a) of Policy RE11 is unwarranted.

RECOMMENDATIONS:

- 3.5 That in the second line of the 3rd paragraph of paragraph 6.2.5 of the Urban Area Plan, the words “they will” be deleted, and that they be replaced by the words “they may well”.**

 - 3.6 That no other changes be made to the Proposed Alterations as a result of Representation 3.**
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FURTHER REPRESENTATION 5 – Advocate P T R Ferbrache

ISSUE:

- 4.1 This Further Representation is made primarily in response to Representation 2, and relates to all the Proposed Alterations put forward to the Urban and Rural Area Plans (Review No.1).

CONCLUSIONS:

- 4.2 Advocate Ferbrache referred to the fact that the tourist industry peaked in the 1970's, but has been in marked decline since then. The States' policies on visitor accommodation have however failed to respond with realism to this decline. Although the States accepted the need to upgrade and provide good quality accommodation, and that some lower standard accommodation should be released from the sector, this was effectively blocked by the Rural Area Plan Phase I. There have been only two purpose-built hotels on Guernsey in the past 20 years.
- 4.3 The Proposed Alterations now being considered are largely and broadly supported by Advocate Ferbrache. The decline in visitor numbers has resulted in hoteliers not making money, and as a consequence they have not had the resources to invest and upgrade their accommodation. The Proposed Alterations should allow for an uplift in the visitor industry in future years. There is however a need to base decisions on sound evidence and statistics, and not on unrealistic aspirations. The wording amendments proposed by Advocate Perrot are supported, but no specific change is requested to the Proposed Alterations. The need for detail in policies is advocated.
- 4.4 The interpretation of the policies of the Detailed Development Plans as now proposed for alteration, and the degree of flexibility applied, will be primarily a matter for the States. In the presentation to the Inquiry by the Commerce and Employment Department (DOC/11), reference is made to the collection of statistics on tourism, that comprises an Accommodation Occupancy Survey and Guernsey Visitor Survey. This important facet of the planning process should enable the monitoring of the effectiveness of the altered policies and also their implementation. Data gathering and monitoring of policies are not directly referenced in the Proposed Alterations, but I would advise that such references could usefully be included in the altered text, or in supplementary planning guidance. It would also behove any applicant who seeks to change the use of his/her visitor accommodation establishment to another use, to ensure that any submission statement with an application for change of use is both comprehensive and well founded in fact.

Report on Representations and Further Representations made to Proposed Alterations to the Urban Area Plan Review No 1) {UAP}, and to the Rural Area Plan (Review No 1) {RAP}

RECOMMENDATION:

4.5 That no change be made to the Proposed Alterations as a result of Further Representation 5.

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FURTHER REPRESENTATION 6 – Westward Investments Ltd (Mr C Vermeulen)

ISSUES:

- 5.1 Endorsement is given to the amended Policies EMP15 and RE12 on the change of use of visitor accommodation. A complete review of visitor accommodation policies should be undertaken across the whole of the UAP and RAP. This Further Representation is made in response to Representations 2 and 3.

CONCLUSIONS:

- 5.2 Concern was expressed by Mr Vermeulen at the very tight restrictions that are applied by the States on expanding visitor accommodation facilities and to developments considered to be ‘new build’ in the Rural Area. I cannot comment upon the interpretation or the application of planning policies in Guernsey; such matters are for the courts. My role relates to the consideration of representations made to the Proposed Alterations. Mr Coates indicated that the States’ Strategic and Corporate Plan was drafted to reflect future trends and aspirations, and from which stemmed the Detailed Development Policies. The Proposed Alterations now under consideration stemmed from Strategic Policy 20 (2006 Policy and Resource Plan). This latter plan is renewed annually.
- 5.3 The aim of a securing a vision for the future of tourism in Guernsey is one that few if anyone would disagree with. Land use planning is however but one, albeit important, facet of the future development of the tourist industry, but the economics of the market will also be crucial to tourism investment, allied to a specific focus on the tourist market and tourist product that it is agreed should be aimed for and secured.
- 5.4 The Proposed Alterations set a new direction for that element in visitor accommodation that presently offers a low-quality, inferior product, and that can no longer attract the visitor numbers of earlier decades. Such accommodation is best taken out of provision. Future Strategic Policy reviews could embrace and define a future comprehensive vision for tourism. This is however an operational decision for the States in conjunction with partners in the tourism business, and is not a matter on which I can make a recommendation.

RECOMMENDATION

- 5.5 That no change be made to the Proposed Alterations as a result of Further Representation 6.**

REPRESENTATION 1 – Guernsey Sheltered Housing Group Ltd (Mr N G Wilkinson)

ISSUES:

- 6.1 Endorsement is given to the Proposed Alterations, but direction should be given as to the future use of any visitor accommodation so released. An additional paragraph should be inserted after sub-paragraph (b) in both Policy EMP15 (UAP) and Policy RE12 (RAP), that are similarly worded. An additional paragraph (ii) should also be added to Policy RH1 of the RAP.

CONCLUSIONS:

- 6.2 The additional wording to Policy EMP15 and Policy RE12 would read; ‘There will be a presumption in favour of the re-use or redevelopment of former visitor accommodation for housing purposes, particularly as sheltered accommodation, residential or nursing homes or staff hostels.’ Evidence produced by Mr Wilkinson pointed to a steady increase in the number of retired people in Guernsey over the next 30 years, that will add to the current high levels of people in the upper age groups. The representation considers that Guernsey has a massive under-provision of sheltered housing, and that any accommodation that is released from use in the visitor economy should be directed to the provision of sheltered housing. The additional wording proposed to Policy EMP15 and Policy RE12 would also reflect and carry forward the direction set down in Strategic Policy 7 (2006 Policy and Resource Plan).
- 6.3 I note that Strategic Policy 7 of the 2006 Policy and Resource Plan gives encouragement to the re-use by conversion of surplus commercial accommodation, for use as sheltered accommodation, residential or nursing homes and staff hostels. The penultimate sentence of paragraph 13.72 of the 2006 Plan states that ‘the development of a limited amount of sheltered housing on suitable sites well-related to the Rural Centres as well as development in the Urban Area may help to meet rising demand’. Strategic Policy 8(A) states that ‘Detailed Development Plans for the Rural Area shall, as an exception, provide for the development of a limited amount of sheltered housing for older people and those with disabilities on suitable sites well-related to the Rural Centres’.
- 6.4 Representation 1 is particularly concerned at the restrictions that currently apply in the RAP on housing development in the Rural Area, and seeks to add a variation to the replacement of buildings, exceptionally considered under Policy RH1, to enable a higher quality and more efficient development for sheltered housing, residential or nursing homes or staff hostels than would be achieved by conversion. I concur with the States’ representative at the Inquiry that changes

to Policy RH1 are outside its remit, but I do agree with Representation 1 that there are linkages between Policy RE12, and Policy RH1 and Policy RCE14. There may be merit in clarifying these linkages in the text with Policy RE12, whilst also giving cognizance to the provision of sheltered housing in the Policy.

- 6.5 It is likely that sheltered housing provision in the Rural Area will generally be of small-scale provision reflecting rural population density and that provision would relate to the need of local communities. I note that the fifth sub-paragraph of Paragraph 4.1 of the Rural Area Plan gives support to proposals for sheltered accommodation where they form part of a sensitive conversion scheme. I consider that that the tenor of the objection in respect of Policy RE12 and Policy EMP 15 should be supported, and I propose to recommend an additional sentence to both policies.

RECOMMENDATIONS:

- 6.6 That Policy RE12 and Policy EMP 15 be changed by the addition of the following sentence, after the wording ‘.....being created and its location.’ to read: “Proposals for the re-use or redevelopment of former visitor accommodation for housing purposes comprising sheltered accommodation, residential or nursing homes or staff hostels will generally be supported.”**
- 6.7 That no other changes be made to the Proposed Alterations as a result of Representation 1.**
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FURTHER REPRESENTATION 7 – Deputy P Roffey

ISSUE:

7.1 General support is given to the favourable consideration of former visitor accommodation being converted to care facilities, in particular to sheltered housing. Support is limited to those schemes given active support by Health and Social Services, and Housing Departments as meeting care requirements. This Further Representation is made in general support of Representation 1.

CONCLUSIONS:

7.2 Consideration is given at paragraphs 6.2 – 6.5 of this report to Policy RE 12, and my recommendation at paragraph 6.6 comprises an additional sentence to Policy RE 12 and Policy EMP 15. I do not consider that references that seek sanction from Health and Social Services, and Housing Departments of specific care facility provision are appropriate to Detailed Development Plans or the Proposed Alterations now under consideration.

RECOMMENDATION:

7.3 That no change be made to the Proposed Alterations as a result of Further Representation 7.

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REPRESENTATION 4 – Mr M S Doughty

ISSUES:

- 8.1 Policy RE 12 should be changed to allow flexibility and for individual cases to be considered on their merits and disadvantages.

CONCLUSIONS:

- 8.2 The Proposed Alterations put forward by the States in the Rural Area Plan with particular reference to Policy RE12 and its supporting text introduce a degree of flexibility when considering proposals to change the use of visitor accommodation premises. The rigid adherence to maintaining a core bed-stock has been deleted from the RAP in favour of a wider range of criteria, and more flexibility within the reworded Policy RE12.

RECOMMENDATION:

- 8.3 That no change be made to Proposed Alterations as a result of Further Representation 4.**
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REPRESENTATION 8 – Mr G W L Hill

ISSUES:

- 9.1 Planning policies currently prevent visitor accommodation from being changed to other use. It is difficult to sustain the investment needed to provide the high standards required by visitors, as there are too many people chasing too little business.

CONCLUSIONS

- 9.2 Mr Hill refers to the economics of tourist market place, and that businesses need to reduce in number and find a level where profitability and new investment will return. The Proposed Alterations have been drafted to enable those establishments that are unable to adapt to the new market requirements, to leave the industry. In the course of time, it is hoped that a downsized visitor accommodation sector will improve profitability and secure a level of investment that enables the provision of new facilities, the upgrading to higher standards of accommodation and/or the targeting of a different market sector.

RECOMMENDATION:

- 9.3 That no changes be made to the Proposed Alterations as a result of Representation 8.**

Summary

- 10.1 The last 35 years have seen a significant reduction in visitor accommodation beds in Guernsey from a total of 13,648 in 1971 to a total of 6084 in 2006. This figure for 2006 equates to a total of 2464 Bedrooms (i.e. bed-stock). Visitor accommodation policies in both the UAP (Review No.1) and the RAP (Review No.1) are founded on the aim of retaining a core bed-stock of at least 2,700 bedrooms/units. Only in exceptional circumstances will planning permission be granted for the change of use of visitor accommodation to other use.
- 10.2 In essence, most Representations (including Further Representations) recognise that this rigid policy approach will not result in a healthier visitor accommodation economy, and that a more flexible approach that allows for a degree of downsizing in the level of accommodation supply is to be preferred. Deputy Gollop has reservations on this scenario, and seeks a more 'positive' approach. He has valid concerns for the multiplier consequences of downsizing for transport links and other elements of the economy. He is also concerned that the major restructuring of former hotel sites could result in a greater degree of urbanisation in the rural areas.
- 10.3 Notwithstanding these valid concerns, I must conclude that the Proposed Alterations offer a way forward towards the downsizing and restructuring of visitor accommodation. With careful assessment of each proposal to leave this sector, the Environment Department working in conjunction with Commerce and Employment which incorporates VisitGuernsey can secure a managed reduction in accommodation supply and conversely a smaller more profitable accommodation sector that can offer the visitor a high quality product. The role of Commerce and Employment in the assessment in the validity of applications for change of use from visitor accommodation, and also in data and monitoring will be crucial to the effectiveness of the revised policy approach of the Proposed Alterations. Monitoring will provide the basis for any future alteration to policy if required. In respect of concerns that the Rural Area may be damaged visually and that redevelopment for housing could bring pressure on services, I am satisfied that the core environmental policies of the RAP (Review No.1) are sufficiently robust to respond to those concerns.
- 10.4 As previously stated in this report, the land-use planning process is but one part of the tourist industry, and will not itself be the sole panacea to remedy its weakness. Transport links to Guernsey have been referenced at the Inquiry as a fundamental concern in the very competitive, worldwide tourism industry. This is a matter primarily to be addressed outside the land-use planning forum; similarly the marketing of the Island's attractions and how these is formulated and related to the management of the visitor accommodation sector.

Report on Representations and Further Representations made to Proposed Alterations to the Urban Area Plan Review No 1) {UAP}, and to the Rural Area Plan (Review No 1) {RAP}

10.5 In final conclusion, I commend the Proposed Alterations for adoption by the States with the following changes, set out in my report and summarised at this point.

10.6 URBAN AREA PLAN

- a) **In the second line of the 3rd sub-paragraph of Paragraph 6.2.5 of the Urban Area Plan, the words “they will” should be deleted and replaced by the words “they may well”.**
- b) **For consistency, the heading of Paragraph 6.2.5.1 of the Urban Area Plan should read “new visitor accommodation” and not “new tourist accommodation”.**
- c) **For consistency in clause (a) of Policy EMP15, the wording “alternative tourist accommodation” should read “alternative visitor accommodation”.**

10.7 RURAL AREA PLAN

- (a) **In clause (a) of Policy RE12, the wording “alternative tourist accommodation” should read “alternative visitor accommodation”.**
- (b) **The following sentence should be added to Policy RE12 after the wording ‘.....being created and its location’, namely “Proposals for the re-use or redevelopment of former visitor accommodation for housing purposes comprising sheltered accommodation, residential or nursing homes or staff hostels will generally be supported.”**

10.8 As a general point, should it be decided to reprint the Urban and Rural Area Plans, it would be helpful to referencing, if each separate paragraph was numbered. Attached to this report are a List of Representations and Participants at the Inquiry, and a List of Inquiry Documents.

B Roberts
(Inspector)

Public Planning Inquiry into Representations and Further Representations made to Proposed Alterations to the Urban Area Plan (Review No 1) and Rural Area Plan (Review No 1)

List of Representations and Participants at the Inquiry

Representation 1 - Guernsey Sheltered Housing Group Limited

Submission made by Mr N G Wilkinson, Director

Representation 2 - Deputy J A B Gollop

Submission made by Deputy Gollop

Representation 3 - Channel Island Traders Ltd

Submission made by Advocate R A Perrot and Mr S J Marie, Managing Director CIT Estates on behalf of Mr M Bralsford, Chief Executive CIT

Representation 4 - Mr M S Doughty

Submission made by Mr Doughty

Further Representation 5 - Advocate P T R Ferbrache

Submission made by Advocate Ferbrache

Further Representation 6 - Westward Investments Ltd

Submission made by Mr C Vermeulen

Further Representation 7 - Deputy P Roffey

Submission made orally on his behalf by Julie Evemy

Representation 8 - Mr G W L Hill

Submission made orally on his behalf by Julie Evemy

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For the States of Guernsey

Deputy Bernard Flouquet – Minister of the Environment

Mr Alistair Coates, BA (Hons) Town & Country Planning, MRTPI – Principal Forward Planning Officer (Environment Department)

Mr Iain Shepherd, Policy Officer (Commerce and Employment Department)
with

Mr Stuart Pinnell, BA (Econ.), MBA (International Hospitality & Marketing) – former Director of Tourism and Marketing for Commerce and Employment Department

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Public Planning Inquiry into Representations and Further Representations made to Proposed Alterations to the Urban Area Plan and Rural Area Plan (Review No 1)

List of Inquiry Documents

1	UAP Review No. 1 – adopted July 2002
2	RAP Review No. 1 – adopted 2 September 2005
3	Proposed Alterations to the UAP (Review No. 1) and Proposed Alterations to the RAP (Review No. 1) In respect of Policies concerning Visitor Accommodation, published 28 June 2006.
4	Proposed Alterations - Explanatory Note published 28 June 2006
5	The Island Development (Guernsey) Law, 1966
6	The Island Development (Amendment) (Guernsey) Law 1990
7	UAP and RAP Proposed Alterations - (tracked changes) - documents
8	Copy of a Letter dated 8 June 2006 confirming conformity of Proposed Alterations with Strategic Land Use Plan
9	Extract from Billet D'État XXI 2005 – Visitor Economy - Strategic Policy 20
10	Extract from Billet d'État XXI 2005 – States Strategic Policy 7
11	Department of Commerce and Employment – Presentation to the Planning Inquiry - 12 September 2006
12	Draft Strategic and Corporate Plan 2000 Paragraphs 6.1.17 to 6.1.18
13	Draft Strategic and Corporate Plan 2001 Paragraphs 8.3.17 to 8.3.18
14	Draft Strategic and Corporate Plan 2002 Paragraphs 8.3.20 to 8.3.21
15	Draft Strategic and Corporate Plan 2003 Paragraphs 10.3.21 to 10.3.21
16	Draft Strategic and Corporate Plan 2005 Paragraphs 10.4.20 to 10.4.21
17	Draft Strategic and Corporate Plan 2006 Paragraphs 13.71 to 13.71
18	Opening Statement from the Minister of the Environment at Planning Inquiry – 12 September 2006

APPENDIX B

Alteration to the Urban Area Plan (Review No. 1)

and

Alteration to the Rural Area Plan (Review No. 1)

In respect of Policies concerning;

VISITOR ACCOMMODATION

Draft 28 June 2006

The proposed alterations**Urban Area Plan Extract**

-This text to replace, entirely, pages 56, 57 & 58 of the current UAP -

6.2.5 Tourism

The prosperity of Guernsey's visitor economy is important for the support that it gives to many of the Island's essential services and facilities. It helps sustain our external transport links, provides diversity in employment opportunities including those in support services and, helps promote the sustainable use of important Island resources such as its environment and culture. A healthy visitor economy also promotes the viability of those existing recreational facilities, such as golf-courses and sports centres, which are used by local residents, tourists and business visitors alike.

Worldwide, however, the visitor industry is undergoing a significant period of restructuring through the opening up of new destinations, the development of low cost airlines, and the revolution in marketing and purchasing methods made possible by advances in communications and technology. If the future prosperity of the sector is to be ensured, it is essential that, in such a competitive environment, the visitor's experience of the Island fully meets expectations in terms of value and quality.

In line with strategic policies of the States, new build visitor accommodation developments will be guided towards the UAP Settlement Areas. Here they will play a supporting role to other nearby businesses in providing facilities such as conference rooms and health suites, and will help sustain new tourist developments and improve the vitality of the urban area.

To aid the viability of tourism, the current restructuring of the industry will need to be reflected in the Island's own accommodation infrastructure. The refurbishment and upgrading of visitor accommodation will continue to be necessary to enable appropriate standards to be maintained and to provide new facilities, but there will also be a need for innovation and flexibility in meeting new market expectations and opportunities.

While there may be justification in permitting those establishments that are unable to adapt to the new market requirements to leave the industry, there is also a need to encourage investment in those establishments and on those sites that have the appropriate potential. The Environment Department will, generally, support such proposals having regard to the General and to the Design and the Built Environment policies of the Plan.

Different categories of visitor accommodation (for example individual hotels, guest houses, and self-catering apartments) all require different levels of staffing to ensure that they are properly serviced. The Department will, therefore, ensure that any new staff accommodation serves to satisfy the operational requirements of the facility whilst preventing unnecessary development within the rural area.

For the purposes of this section, visitor accommodation is taken to refer primarily to hotels, guesthouses, self-catering units and similar accommodation and includes staff accommodation linked to such establishments.

6.2.5.1 New visitor accommodation

New visitor accommodation can add vitality to a town centre area and help sustain its viability, but other locations within the Settlement Areas or within suitable redundant buildings can prove to be equally beneficial. Conference and other ancillary facilities in hotel developments can make a significant contribution to the role of the Island as an international financial and business centre and will, therefore, be encouraged where appropriate.

The siting, design, scale and massing of such developments, especially where prominently located or within Conservation Areas, will be given careful consideration by the Department.

Policy EMP 13

Proposals for new visitor accommodation will generally be permitted where:

- a) a comprehensive and sustainable plan for the foreseeable future development of the site is submitted;
- b) the access, parking and servicing arrangements are satisfactory; and,
- c) the development is compatible with the surrounding area and with other policies of the Plan.

6.2.5.2 Alteration, extension and redevelopment of existing visitor accommodation

The Department acknowledges that some of the Island's visitor accommodation would benefit from ancillary alterations and extensions in order to keep pace with changing visitor expectations. It also recognises that in certain instances it would be reasonable for establishments to wholly redevelop in order to attain the level of service and quality reasonably expected by visitors to the Island, or to target a new or different segment of the market.

The Plan aims, therefore, to support existing establishments that wish to upgrade to higher standards of accommodation, or to target a different market sector.

For the purposes of this policy, new buildings at existing establishments, which are incidental or ancillary to the existing use, will be treated as being extensions, subject to compliance with any relevant General or Design and the Built Environment policies.

Policy EMP14

Proposals for the alteration, extension and redevelopment of existing visitor accommodation establishments, including the provision of associated staff accommodation and ancillary uses will generally be permitted where:

- a) provision can be made to meet additional parking and servicing requirements without detriment to the character and amenity of the area;
- b) if a dwelling currently exists, the proposal retains part of the accommodation as a dwelling; and,
- c) The proposed development is compatible with the surrounding area and other policies of the Plan.

6.2.5.3 Rationalisation of Visitor Accommodation

For a number of years the quality of accommodation offered by the Island's visitor sector has been in overall decline, relative to the market. This is probably due to a lack of investment resulting from low average occupancy figures. Individual establishments that find themselves in this position are often unable to generate sufficient funds to invest in the refurbishment and development of facilities that would enable them to compete in the evolving market.

In order to secure an adequate stock of visitor accommodation and to encourage the industry to invest in its improvement, the Commerce and Employment Department has set the following objective with regard to the minimum occupancy rates which, it considers, will be necessary to sustain a viable sector:

To achieve an average annual room occupancy level for the serviced accommodation sector of 65% (based on year-round occupancy) and for self-catering accommodation of 75% (based on seasonal occupancy).

Owing to the changing nature of the tourist economy, it is difficult to define exactly what is an 'adequate stock' of visitor accommodation. Nonetheless, the Environment Department takes it to be that which would naturally sustain the above occupancy rates at any particular, given time.

Based on the current supply of accommodation and occupancy levels, for this objective to be achieved, there would need to be a structured reduction in the total supply of accommodation in the Island. This reduction, and indeed any new or extended accommodation (whether in the rural or urban area), needs to be carefully monitored in order to ensure that actual occupancy rates remain at, or sufficiently close to, the minimum level. To this end, the Board will have regard to the adequacy of stock of visitor accommodation when applying Policy EMP15.

However, while there is a clear need for an improvement in occupancy levels overall, it is also acknowledged that the demand for accommodation depends not just on the quality of the establishment and level of facilities available but also on its location. Demand remains strong for accommodation within easy reach of the centre of St Peter Port and in attractive rural and coastal locations. It is evident that in such locations, investment in the refurbishment and redevelopment of accommodation and facilities, sometimes incorporating additional capacity, can generally be justified. In addition, there is a strong demand for self-catering visitor accommodation across the Island although this does not appear to be so dependent upon location.

It follows that the most practicable opportunity for reducing the overall supply of accommodation, is most likely to be found in respect of serviced accommodation situated in poor, or relatively indifferent, locations.

Therefore, in appropriate circumstances permission may be granted for the change of use of visitor accommodation to an alternative use. However, the applicant must demonstrate that the establishment is

- not of a satisfactory standard and is incapable of being upgraded or otherwise adapted; or,
- that the continuing use of the site as visitor accommodation is not viable, perhaps because of locational, immediate surroundings or size issues.

In addition, it must be shown that there are no practicable opportunities at reasonable cost for conversion of the accommodation to meet a different sector of the tourist market, for example, good quality self-catering accommodation.

In determining whether the establishment currently offers, or is capable of attaining, a satisfactory standard of accommodation, the Department will take into account the following factors:

- The location of the establishment, immediate surroundings and ease of access for visitors
 [Those locations regarded as of importance are:
 - (i) Within easy access of the Town Area
 - (ii) On, or within easy access to the south and south-east coast cliffs
 - (iii) On, or adjacent to, a good tourist beach, being a beach which has refreshment and toilet facilities and provides attractive bathing at all states of the tide
 - (iv) Enjoying an attractive outlook or views
 - (v) Adjacent, or within easy access, to special interest attractions, or important visitor facilities (including the Harbour and Airport)]
- The size of the establishment (whether too large or too small) and the size of the site on which it is located;
- The current standard of accommodation and amenities and the potential for upgrading or conversion to other tourist accommodation uses, including the cost of the works involved;
- The nature and level of available facilities.

In order to determine whether a visitor accommodation establishment is not viable, the views of the Commerce and Employment Department will be sought. To this end, the Commerce and Employment Department may reasonably request such information from an applicant as is necessary to make a sound assessment.

Policy EMP15

The change of use or redevelopment of visitor accommodation to other uses will only be permitted where it would not prejudice the retention of an adequate stock of visitor accommodation across the Island and where:

- a) The existing premises provide an unsatisfactory standard of accommodation and facilities and are incapable of being upgraded or otherwise adapted to a satisfactory standard or, changed to an alternative tourist accommodation use at reasonable expense, having regard to the location, immediate surroundings and size of the establishment; or
- b) The premises are currently of an inappropriate size for a modern, viable operation and are not readily capable of being suitably adapted or re-sized.

Where a residential use is proposed, a satisfactory living environment and standard of accommodation must be provided including satisfactory levels of amenity, servicing and parking provision appropriate to the type of accommodation being created and its location.

Rural Area Plan Extract

- This text to replace pages 61, 62 & 63 (excluding section 5.13) of the current RAP -

Tourism

The prosperity of Guernsey's visitor economy is important for the support that it gives to many of the Island's essential services and facilities. It helps sustain our external transport links, provides diversity in employment opportunities including those in support services and, helps promote the sustainable use of important Island resources such as its environment and culture. A healthy visitor economy also promotes the viability of those existing recreational facilities, such as golf-courses and sports centres, which are used by local residents, tourists and business visitors alike.

Worldwide, however, the visitor industry is undergoing a significant period of restructuring through the opening up of new destinations, the development of low cost airlines, and the revolution in marketing and purchasing methods made possible by advances in communications and technology. If the future prosperity of the sector is to be ensured, it is essential that, in such a competitive environment, the visitor's experience of the Island fully meets expectations in terms of value and quality.

In line with strategic policies of the States, new build visitor accommodation developments will be guided towards the UAP Settlement Areas. Here they will play a supporting role to other nearby businesses in providing facilities such as conference rooms and health suites, and will help sustain new tourist developments and improve the vitality of the urban areas. Proposals for large-scale visitor accommodation developments within the rural area will only be permitted in exceptional circumstances.

As with other forms of development within the rural area, all tourist related development must be carefully located and designed to provide high quality facilities that fit successfully into the environment. To aid the viability of tourism, the current restructuring of the industry will need to be reflected in the Island's own accommodation infrastructure. The refurbishment and upgrading of visitor accommodation will continue to be necessary to enable appropriate standards to be maintained and to provide new facilities, but there will also be a need for innovation and flexibility in meeting new market expectations and opportunities.

While there may be justification in permitting those establishments that are unable to adapt to the new market requirements to leave the industry, there is also a need to encourage investment in those establishments and on those sites that have the appropriate potential. The Environment Department will, generally, support such proposals having regard to the primary objective of the Plan.

Different categories of visitor accommodation (for example individual hotels, guest houses, and self-catering apartments) all require different levels of staffing to ensure that they are properly serviced. The Department will, therefore, ensure that any new staff accommodation serves to satisfy the operational requirements of the facility whilst preventing unnecessary development within the rural area.

For the purposes of this section, visitor accommodation is taken to refer primarily to hotels, guesthouses, self-catering units and similar accommodation. Campsites are regarded by the Department as being outdoor recreational facilities and will, accordingly, be considered under the provisions of Policy RS4.

5.11 Visitor Accommodation Development

For the purposes of this Policy, the term “visitor accommodation” includes staff accommodation linked to such establishments.

The Department acknowledges that some of the Island’s visitor accommodation would benefit from ancillary alterations and extensions in order to keep pace with changing visitor expectations. It also recognises that in certain instances it would be reasonable for establishments to wholly redevelop in order to attain the level of service and quality reasonably expected by visitors to the Island, or to target a new or different segment of the market.

The Plan aims, therefore, to support existing establishments that wish to upgrade to higher standards of accommodation, or to target a different market sector, where this would be undertaken sensitively and be compatible with the primary objective of the Plan. The siting, design, scale and massing of such developments, especially within Areas of High Landscape Quality and within Conservation Areas will be given very careful consideration by the Department. As upgraded, adapted or extended visitor accommodation also often leads to demands for further additional works such as larger car parks, garden areas and swimming pools, the Department will be keen to ensure that the development as a whole will not detract from the openness of the rural area or otherwise conflict with the primary objective of the Plan.

The Department will, however, seek to resist the introduction of wholly new establishments which would provide tourist accommodation through new buildings. This is in order to help secure the primary objective of conserving and enhancing the rural environment and in support of the objectives of the Urban Area Plan which aims to facilitate such developments as they can add vitality to the Central Areas of the Town and The Bridge.

For the purposes of this policy, new buildings at existing establishments, which are incidental or ancillary to the existing use, will be treated as being extensions, subject to compliance with any relevant General or Conservation and Enhancement policies.

Proposals involving the conversion of existing buildings to visitor accommodation use will be considered against Policy RCE 14 of this Plan

Policy RE 11

Proposals for extensions, alterations, re-building or other works to an existing visitor accommodation establishment will generally be permitted where:

- a) they are ancillary to its operation; and,
- b) they, and any associated development such as car parking and other works, do not conflict with the objective of conserving and enhancing the character and openness of the rural area.

Proposals for the creation of new visitor accommodation establishments will not be permitted unless they satisfy the provisions of Policy RCE 14.

5.12 Rationalisation of Visitor Accommodation

For a number of years the quality of accommodation offered by the Island's visitor sector has been in overall decline, relative to the market. This is probably due to a lack of investment resulting from low average occupancy figures. Individual establishments that find themselves in this position are often unable to generate sufficient funds to invest in the refurbishment and development of facilities that would enable them to compete in the evolving market.

In order to secure an adequate stock of visitor accommodation and to encourage the industry to invest in its improvement, the Commerce and Employment Department has set the following objective with regard to the minimum occupancy rates which, it considers, will be necessary to sustain a viable sector:

To achieve an average annual room occupancy level for the serviced accommodation sector of 65% (based on year-round occupancy) and for self-catering accommodation of 75% (based on seasonal occupancy).

Owing to the changing nature of the tourist economy, it is difficult to define exactly what is an 'adequate stock' of visitor accommodation. Nonetheless, the Environment Department takes it to be that which would naturally sustain the above occupancy rates at any particular, given time.

Based on the current supply of accommodation and occupancy levels, for this objective to be achieved, there would need to be a structured reduction in the total supply of accommodation in the Island. This reduction, and indeed any new or extended accommodation (whether in the rural or urban area), needs to be carefully monitored in order to ensure that actual occupancy rates remain at, or sufficiently close to, the minimum level. To this end, the Board will have regard to the adequacy of stock of visitor accommodation when applying Policy RE12.

However, while there is a clear need for an improvement in occupancy levels overall, it is also acknowledged that the demand for accommodation depends not just on the quality of the establishment and level of facilities available but also on its location. Demand remains strong for accommodation within easy reach of the centre of St Peter Port and in attractive rural and coastal locations. It is evident that in such locations, investment in the refurbishment and redevelopment of accommodation and facilities, sometimes incorporating additional capacity, can generally be justified. In addition, there is a strong demand for self-catering visitor accommodation across the Island although this does not appear to be so dependent upon location.

It follows that the most practicable opportunity for reducing the overall supply of accommodation, is most likely to be found in respect of serviced accommodation situated in poor, or relatively indifferent, locations.

Therefore, in appropriate circumstances permission may be granted for the change of use of visitor accommodation to an alternative use. However, the applicant must demonstrate that the establishment is

- not of a satisfactory standard and is incapable of being upgraded or otherwise adapted; or,
- that the continuing use of the site as visitor accommodation is not viable, perhaps because of locational, immediate surroundings or size issues.

In addition, it must be shown that there are no practicable opportunities at reasonable cost for conversion of the accommodation to meet a different sector of the tourist market, for example, good quality self-catering accommodation.

In determining whether the establishment currently offers, or is capable of attaining, a satisfactory standard of accommodation, the Department will take into account the following factors:

- The location of the establishment, immediate surroundings and ease of access for visitors
[Those locations regarded as of importance are:
 - (i) Within easy access of the Town Area
 - (ii) On, or within easy access to the south and south-east coast cliffs
 - (iii) On, or adjacent to, a good tourist beach, being a beach which has refreshment and toilet facilities and provides attractive bathing at all states of the tide
 - (iv) Enjoying an attractive outlook or views
 - (v) Adjacent, or within easy access, to special interest attractions, or important visitor facilities (including the Harbour and Airport)]
- The size of the establishment (whether too large or too small) and the size of the site on which it is located;
- The current standard of accommodation and amenities and the potential for upgrading or conversion to other tourist accommodation uses, including the cost of the works involved;
- The nature and level of available facilities.

In order to determine whether a visitor accommodation establishment is not viable, the views of the Commerce and Employment Department will be sought. To this end, the Commerce and Employment Department may reasonably request such information from an applicant as is necessary to make a sound assessment.

Policy RE12

The change of use or redevelopment of visitor accommodation to other uses will only be permitted where it would not prejudice the retention of an adequate stock of visitor accommodation across the Island and where:

- a) the existing premises provide an unsatisfactory standard of accommodation and facilities and are incapable of being upgraded or otherwise adapted to a satisfactory standard or, changed to an alternative tourist accommodation use at reasonable expense, having regard to the location, immediate surroundings and size of the establishment; or
- b) the premises are currently of an inappropriate size for a modern, viable operation and are not readily capable of being suitably adapted or re-sized.

Where a residential use is proposed, a satisfactory living environment and standard of accommodation must be provided including satisfactory levels of amenity, servicing and parking provision appropriate to the type of accommodation being created and its location.

(NB The Policy Council supports the proposals.)

(NB The Treasury and Resources Department has no comment on the proposals.)

The States are asked to decide:-

Whether, after consideration of the Report dated 31st October, 2006, of the Environment Department, they are of the opinion:-

To approve the proposed amendments to the Urban Area Plan (Review No. 1) and the Rural Area Plan (Review No. 1) together with all the recommendations made by the Planning Inspector.

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 1st DAY OF FEBRUARY 2007**

(Meeting adjourned from 31st January 2007)

**The States resolved as follows concerning Billet d'État No II
dated 15th December 2006**

ENVIRONMENT DEPARTMENT

**PROPOSED ALTERATION TO THE URBAN AREA PLAN (REVIEW NO. 1)
AND THE RURAL AREA PLAN (REVIEW NO. 1) IN RESPECT OF
VISITOR ACCOMMODATION POLICIES**

After consideration of the Report dated 31st October 2006 of the Environment Department:-

To approve the proposed amendments to the Urban Area Plan (Review No. 1) and the Rural Area Plan (Review No. 1) together with all the recommendations made by the Planning Inspector.

**K.H.TOUGH
HER MAJESTY'S GREFFIER**