



BILLET D'ÉTAT

WEDNESDAY, 30th NOVEMBER, 2005

ENVIRONMENT DEPARTMENT

GUERNSEY RURAL AREA PLAN REVIEW No. 1

XVIII
2005

BILLET D'ÉTAT

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 **30th NOVEMBER, 2005**, at 9.30 a.m., to consider the item contained in this Billet d'État which has been submitted by the Policy Council.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
28th October 2005

ENVIRONMENT DEPARTMENT

RURAL AREA PLAN REVIEW No.1

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

27th September 2005

Dear Sir

EXECUTIVE SUMMARY

- 1 The Environment Department is pleased to present to the States for consideration the draft Rural Area Plan, Review No. 1, together with the report and recommendations of the Inspector and the Department's comments and recommendations thereon.
- 2 The draft Rural Area Plan, Review No. 1 (RAP) complements the Urban Area Plan (UAP). Together these Detailed Development Plans provide for sustainable development within the Island, in accordance with the strategic policies set out within the Strategic and Corporate Plan. The UAP presents a framework within which the Urban Area accommodates the majority of the Island's development needs whilst conserving and enhancing the urban environment. The draft RAP presents a framework that will meet the States strategic objectives, in particular *"To conserve and enhance the countryside..."* (Strategic Objective 8) and *"To provide adequate opportunities to meet the identified housing requirement, with minimum detrimental impact upon the environment..."* [Strategic Objective 1]. The Plan therefore seeks to restrain development to that which is essential in the Rural Area.
- 3 The Inspector is supportive of the positive move towards a policy, rather than zoning led plan system and of the primary conservation and enhancement objectives of the RAP. However, he believes that in certain circumstances rural development restraint could be relaxed without significantly compromising the Plan's primary objective. The Inspector's key recommendations for change are summarised below.
 - a) new-build infill housing development should be permissible on a limited basis
 - b) social housing should be permissible (where a need is established) in, or

- close to, Rural Centres but not necessarily adjacent to existing States' Housing developments
- c) a broader definition of social housing should be adopted to include for schemes that are approved by the Housing Department but not necessarily provided nor subsidised by the Department
 - d) the conversion of undistinguished buildings in Areas of High Landscape Quality should be permissible where environmental improvements can be secured
 - e) Rural Centres should be defined on the Proposals Map
 - f) Rural industry should be encouraged on new sites within the Rural Area, although no amendments to the relevant policies are recommended
 - g) Tourist and/or staff accommodation should be permissible at catering and recreational facilities that have, or could have, a significant tourist role
 - h) An area at Les Vardes Quarry should be designated a Minerals Resource Safeguarding Area
 - i) The States should consider the issue of a new (third) 18-hole golf course and designate La Ramée as an area of search for such
 - j) Areas of land at each end of the Airport runway should be removed from the Area of High Landscape Quality designation and designated instead as Runway End Safety Areas and Areas for Possible Runway Extensions
 - k) Various amendments to designation boundaries on the Proposals Map are also proposed by the Inspector
 - l) The Inspector also passes comment on several site specific representations.
- 4 The Environment Department finds the majority of the Planning Inspector's proposed amendments to be acceptable. However, it regrets that it must disagree with the Inspector where the Department considers that his recommendations depart from current strategic planning principles. Schedule 1 provides a complete schedule of all the Inspector's proposed amendments together with a note of the Department's recommended course of action in respect of each individual amendment.
- 5 In many cases the Department accepts the Inspector's comments on its proposals, but recommends an alternative method of implementing them through the Plan.
- 6 Section 1 of this report gives a brief background to the RAP; section 3 gives the basic facts behind the Planning Inquiry itself, while sections 4 - 8 comprise the bulk of the States' Report, detailing the Environment Department's response to the Inspector's recommendations.

- 7 The draft Rural Area Plan Review No. 1 Written Statement is reproduced in its original form in Appendix B. A copy of the original Proposals Map will be displayed in the foyer of the Greffe prior to the States meeting. In addition, both of these documents will be provided to each States Member prior to the meeting.
8. The States Members are now asked to consider the recommendations of the Planning Inspector and the recommendations of the Environment Department and to debate them in the normal way.

1. BACKGROUND

1.1 Legal Requirement for the review

- 1.1.1 In accordance with section 8 (1) of the Island Development (Guernsey) Laws 1966 – 1990 as amended, the Environment Department hereby lays before the States the review of the Rural Area Plans (Phases 1 & 2) together with the Planning Inspector's report and the Department's comments and recommendations thereon.
- 1.1.2 The draft Rural Area Plan, Review No. 1 combines the two current Rural Area Plans (Phases 1 and 2) which were formally adopted by the States in October 1994 and July 1997, respectively. The review of the Rural Area Plan was deferred in order to allow the review of the UAP to take place, following a Direction from the States on 9 December 1999 (Billet XXI). The UAP was formally adopted in July 2002.

1.2 Development of the Island's spatial strategy

- 1.2.1 After consideration of the States Advisory and Finance Committee's Policy Planning, Economic and Financial report dated 10 June 1988 (Billet D'Etat XVI, 1988), the States resolved to develop a detailed conservation and development strategy for the predominantly urban areas of St Peter Port and St Sampson's, and to pursue a positive environmental enhancement policy in the remainder of the Island.
- 1.2.2 In December 1989 the States directed the Island Development Committee to reassess its Detailed Development Plan review programme and to take account of the conservation and development strategy. In 1990 (Billet D'Etat III, 1990) the States agreed the boundaries of the Urban and Rural Areas. The Rural Area Plan (Phase 1) was adopted by the States on 27 October 1994, the Urban Area Plan on 20 February 1995 and the Rural Area Plan (Phase 2) on 31 July 1997. These gave effect to the strategy of enabling development on appropriate sites within the Urban Area and development restraint in the Rural Area.
- 1.2.3 Prior to this major review, the Island's Detailed Development Plans had been based on tightly based land use zonings. The UAP and RAP (Phases 1 & 2) used more broadly defined policy areas supported by criteria-based policies and

these proved more successful in meeting the overall objectives of the Plans. The Department has worked on a gradual but positive move toward a policy rather than a plan led system. The adoption of the UAP (Review No.1) by the States in July 2002 marked a milestone in this progress and has proved successful in facilitating the housing, commercial and social development envisaged by the Strategic and Corporate Plan.

1.3 Strategic & Corporate Plan

- 1.3.1 The Strategic & Corporate Plan is prepared by the Policy Council in pursuance of Section 2 (1) of the Island Development (Amendment) (Guernsey) Law 1990 and is laid before the States in pursuance of Section 2 (3) of that Law. It sets out the strategic objectives to be followed by the Environment Department in implementing the Island Development (Guernsey) Laws 1966 – 1990.
- 1.3.2 The Environment Department is obliged by law to take the Strategic and Corporate Plan into account when preparing draft Detailed Development Plans. The draft Rural Area Plan (Review No.1) is prepared in accordance with the 2003 Strategic and Corporate Plan and the Strategic Working Party has confirmed that the draft Plan is in conformity with the strategic objectives of the States.

1.4 The respective roles of the Urban and Rural Area Plan

- 1.4.1 A crucial element of the States-adopted land use strategy is the need to maintain a complementary relationship between the Urban Area Plan and the Rural Area Plan. The States of Guernsey's approved Strategic and Corporate Plan sets out to steer new development to appropriate locations within existing settlements in the urban area, in order to minimize the amount of development that would be needed on open or undeveloped sites.
- 1.4.2 For this strategy to be successful, the Urban Area and the Rural Area Plan need to complement each other by adopting consistent and coordinated aims. With the Urban Area Plan presenting a framework to facilitate development, the Rural Area Plan will present a framework that will restrain development outside of the Urban Area and which will secure the conservation and enhancement of the rural environment.

2. THE DRAFT RURAL AREA PLAN

2.1 Detailed Development Plan

- 2.1.1 The Rural Area Plan is a Detailed Development Plan, prepared by the Environment Department, which sets out the planning policy for the whole of the Rural Area in a single document. While it is effective for 5 years, Sections 8 (1) and 8 (2) of the Island Development (Guernsey) Law make provision for the Plan to be reviewed or amended at any time, if considered necessary by the

Environment Department or if so required by resolution of the States respectively.

- 2.1.2 The Plan covers approximately 21 square miles (55 sq. km), representing 87% of the Island's landmass, considered to be primarily rural in character.
- 2.1.3 The Plan has four main purposes, to;
 - 1. promote the conservation and enhancement of the rural environment;
 - 2. support the Urban Area Plan by steering the majority of new developments to sites within the urban area;
 - 3. guide decisions on planning applications; and,
 - 4. guide essential development to appropriate sites.

2.2 **Philosophy of the Plan**

- 2.2.1 The draft Rural Area Plan (Review No.1) has been carefully prepared to effectively balance the competing demands for land use within the Rural and Urban Areas. In complementing the provisions of the Urban Area Plan, the draft RAP sets out to encourage the sustainable use of land, to the optimum benefit of the environment, community and rural economy.
- 2.2.2 It is recognised that landscapes and ecological habitats make a significant and positive contribution to the distinctive character of the Island and its attractiveness to visitors. However, it is also recognised that a viable rural economy is essential to the continuing management of the countryside and the sustainability of rural communities.
- 2.2.3 The RAP also includes policies that encourage the enhancement of the rural environment. This is something that the Environment Department believes is very much desired by the majority of Islanders.
- 2.2.4 By restricting development for which a rural location is not essential, the Plan will protect open land within the Rural Area and at the same time encourage investment in those parts of the Urban Area that can benefit from new development.
- 2.2.5 The relationship between the UAP and RAP is therefore critically balanced and the Environment Department has endeavoured to ensure that the draft RAP does not contain policies that would have a negative impact on the UAP or that would undermine its facilitative policies.

3. **THE PLANNING INQUIRY**

- 3.1 The draft RAP was published on 31 July 2003, following a public consultation exercise which spanned the autumn of 2002. A public Planning Inquiry was

held, commencing on 2 December, 2003 but adjourned on that date until 17 February 2004. The Inquiry sat for 42.5 days and was formally closed on 29 July 2004. The Advisory and Finance Committee appointed Mr P G Robottom MA (Oxon) DipTP MRTPI MCMI of The Planning Inspectorate of England and Wales to hear representations made.

- 3.2 The Inspector considered the draft RAP together with 1,565 representations, of which 582 were original representations and the remainder, further representations.
- 3.3 The Inspector's report of the Inquiry with subsequent recommendations has been submitted to the Environment Department and the complete 430 page document is reproduced in Appendix A.
- 3.4 Changes to the way in which the States are organised, as recommended by the Review of the Machinery of Government (RoMoG), came into force during the course of the Inquiry. The draft RAP and parts of the Inspector's Report refer, therefore, to Departments, Committees and organisational set-ups that have since changed in nature and / or in name. Where relevant, all pre-RoMoG references will be corrected in the final version of the Rural Area Plan, Review No. 1.

4. THE INSPECTOR'S RECOMMENDATIONS

- 4.1 The Inspector's full Report is detailed within Appendix A and a full schedule of his proposed amendments, together with the Environment Department's recommendations, is contained within Schedule 1 of this States Report.
- 4.2 In addition to his comments regarding the policies of the draft Rural Area Plan, the Planning Inspector has also made site-specific comments throughout his report, in response to the many representations made. These include views on the way future planning applications might be determined under the proposed policies (as originally drafted and as amended in accordance with the Inspector's recommendation) and whether certain unauthorised operations should be formally approved. Whilst the current law does not prescribe the Inspector's role in such a way as to either require or preclude this practice, these observations are inevitably made without the benefit of the full details of individual cases or the opinions of the Board, its consultees (including the Law Officers) or the public in general. Once the new Plan has been adopted the Environment Department will be charged with the responsibility of determining planning applications in accordance with the law and adopted States policy.
- 4.3 Accordingly, the views of the Planning Inspector cannot be regarded as definitive in relation to the sites concerned, nor can they prejudice any future decision of the Department in relation to these sites or other similar sites throughout the Rural Area.

5. THE RESPONSE OF THE ENVIRONMENT DEPARTMENT

5.1 GENERAL

5.1.1 The value of retaining the current land use planning system

5.1.2 Guernsey's land use planning system has changed significantly since the States first adopted the Rural Area Plan (Phase 1) in October 1994. Prior to this, the distribution of new development throughout the Island was ad hoc and sporadic, to the considerable cost of many parts of the Island's environment.

5.1.3 Together with the Strategic and Corporate Plan, the new generation of Detailed Development Plans have had very many positive effects on land use planning throughout the years since their introduction. The urban/rural strategy has not only helped to maintain the Island's open countryside and environmental quality, but has also played an essential role in accommodating necessary social and economic development within those parts of the Island that are best able to accommodate them.

5.1.4 The key to this success is, in the Environment Department's opinion, the relatively restrictive nature of the Rural Area Plan and the generally facilitative nature of the Urban Area Plan.

5.1.5 This first revision of the Rural Area Plan (Phases 1 & 2) builds on the success of the adopted land use strategy and continues to promote the conservation and enhancement of the countryside, a strategy that is ever important in times when considerable pressures are placed upon the land use planning system.

5.1.6 In conclusion, the Environment Department considers that the social, economic and environmental requirements of the Island can be best balanced through the adopted land use strategy promoted here within this revision of the Rural Area Plan. It is appreciated that no land use planning system will please all of the people all of the time, but the alternative to that promoted here would likely be a much less fair and transparent approach to land use planning within the Island.

5.1.7 The Inspector's general response

5.1.8 The Environment Department welcomes the Inspector's support for the policy approach to the Plan which builds on the success of the Urban Area Plan (Review No 1).

5.1.9 A comprehensive schedule detailing each of the Inspector's proposed amendments is given at Schedule 1. Generally, where the Environment Department accepts the proposed amendment, no further commentary is given as the Department is satisfied that the amendment would be compatible with the overall aims of the Plan which has been certified as being in conformity with the States' approved objectives as detailed in the Strategic and Corporate Plan.

However, in some instances, the Department has considered it useful to offer a brief explanation of precisely how it intends to enact the Inspector's recommendation, particularly where it considers a subtle rewording of the Inspector's recommended amendments would better promote the strategic aims of the States.

- 5.1.10 Where the Environment Department rejects the proposed amendment, an explanation is given, with the relevant amendments grouped into subject areas, as set out below.

5.2 CONSERVATION & ENHANCEMENT

5.2.1 Protecting open land and avoiding unnecessary development

Inspector's Report Page No. 38 -39

- 5.2.2 The Environment Department is pleased to note that the Planning Inspector is of the opinion that this section of the Plan is in conformity with the objectives set by the Strategic and Corporate Plan. The Inspector's acceptance of the Environment Department's basis for distinguishing between the Areas of High Landscape Value and non-designated areas is also welcomed.

- 5.2.3 The Inspector is, however of the opinion that Policy RCE1 requires some minor modification in order to retain consistency between the supporting text and the policy.

5.2.4 Response of the Environment Department

- 5.2.5 The Environment Department accepts the recommendations of the Inspector with one very minor amendment. The Planning Inspector refers in his recommendation (i) to the need to protect the best and most versatile agricultural land, and subsequently refers to Grades 1, 2 and 3a. While the Environment Department agrees with the sentiments of the Inspector, it is of the opinion that the land use planning document should not refer specifically to a categorisation system for which that department is not responsible for devising or for determining agricultural land quality. Therefore, the Environment Department is of the opinion that the Planning Inspector's amendments should be accepted with the slight modification of removing the words "...(*Grades 1, 2 and 3a*)."
- and replacing them with "*...in consultation with the Commerce and Employment Department*".

5.2.6 Conclusion

Accept the Inspector's recommendation as detailed above.

5.2.7 Conservation Areas/Areas of High Landscape Quality

Inspector's Report Page No. 84

5.2.8 The Planning Inspector accepts the rationale behind the Conservation Area selection. However, he recommends bringing forward the Torteval Conservation Area from the Rural Area Plan (Phase 2), with two further parcels of land added. He also recommends tightening the wording of the conservation policies. Both of these recommendations are, in principle, accepted by the Environment Department.

5.2.9 The Inspector is of the opinion that the precise designation of the Conservation Area at Le Bourg/Forest is unacceptably confusing. He recommends that further consideration be given to whether dual Conservation Area and AHLQ designation is warranted and whether it would be appropriate to rationalise the boundary of Le Bourg/Forest Conservation Area and the AHLQ that bounds its southern margins.

5.2.10 Response of the Environment Department

5.2.11 The Environment Department notes the Inspector's comments. However, it also notes that no representations were made either in support of or in opposition to the Plan designation of either area of land at Le Bourg/Forest or on two areas of land within the Inspector's suggested Torteval Conservation Area. Therefore, the Department considers the proper process in this respect is to look at this designation again during the next Plan review.

5.2.12 Conclusion

Accept the Inspector's recommendation to reinstate the Torteval Conservation Area, but unaltered from that shown on RAP (Phase 2) pending the next Plan review.

Agree to reconsider the boundaries of Le Bourg/Forest Conservation Area and the Torteval Conservation Area at the next Plan review.

5.2.13 Conversion and Reuse of Buildings

Inspector's Report Page No. 91

5.2.14 Policy RCE14 as drafted can be found on pages 31 and 32 of Appendix B of this States Report.

5.2.15 The Environment Department welcomes the Planning Inspector's general support of Policy RCE14 and is pleased to note that he is of the opinion that it should stand substantially unaltered. Three amendments are, however proposed by the Planning Inspector, the first two of which are accepted by the Environment Department (see Appendix A).

- 5.2.16 The Inspector recommends further amendments to policy RCE14. These relate solely to the assessment process of proposals to convert disused buildings to residential accommodation. Additional recommendations of the Inspector and the Environment Department in relation to the conversion of redundant buildings can be found within section 5.3 of this States Report.
- 5.2.17 The Planning Inspector's recommendation (iii) (Detailed on page 91 of his report) involves inserting additional text to the preamble of policy RCE14. His suggested amendment would make an exception for the way the Plan assesses large or prominent buildings of substantial construction within AHLQ, but which do not make a positive contribution to the landscape in their current form. In dealing with such structures, the Inspector suggests inserting a new sentence to enable the Department to give consideration to retain such buildings if it is possible to enhance their appearance or to increase openness by achieving the removal of other buildings in the vicinity.

5.2.18 **Response of the Environment Department**

- 5.2.19 The Environment Department's intention in including this policy in the Plan was to encourage the reuse of attractive but redundant buildings within the AHLQ but to discourage the retention of buildings that make no positive contribution to the character of the landscape. The Department is of the opinion that this policy approach is appropriate. The Inspector's proposed modification would open the door to many conversions of intrusive buildings on the basis that some physical improvement to the building could be achieved as part of the proposals. In the Department's view, the improvement of the building, or even the loss of associated buildings would not outweigh the environmental disadvantage of its retention within the best areas of Island's rural landscape.
- 5.2.20 Despite the Inspector agreeing with the Department that the policy should generally not take account of the nature of the building following conversion, his recommendation is indeed to consider the nature of the building following conversion. Policy RCE14 sub-clause c) as drafted does not make reference to the scale or prominence of redundant buildings located within AHLQ. To introduce such a clause would introduce the necessity to define what is meant by "*large and/or prominent*". The Inspector offers no such definition and therefore this would introduce a level of subjectivity into the RCE14 test that does not exist at present.
- 5.2.21 The Environment Department would not wish to introduce a policy that would weaken the mechanism to encourage the removal of large and/or prominent disused buildings from the best areas of the Island's rural environment. For these reasons, the Department cannot accept the Inspector's recommendation.

5.2.22 **Conclusion**

Reject recommendation (iii) – to insert additional text to the preamble of policy

RCE14 to enable certain forms of disused buildings to be retained within the landscape.

5.3 HOUSING (Excluding Social Housing – see 5.4)

- 5.3.1 The Environment Department is pleased to note that the Planning Inspector broadly supports its strategy for residential development within the Rural Area. He states within his report that he is wholly satisfied that development within the Urban Area will generally be more sustainable in relation to accessibility to employment, services and facilities.
- 5.3.2 It is also noted that the Inspector has not recommended that an exception for the development of housing for local or family needs should be made. Within section 4.41 of his report he states; *“While I have every sympathy with the desires of parents to assist children or children to seek to provide for elderly relatives, I cannot see how such a policy could either be justly applied, avoid a scatter of sporadic development contrary to the Strategic and Corporate Plan and the principles of sustainable development or be able to be controlled after the initial grant of permission”*.
- 5.3.3 However, the Inspector is of the opinion that an amendment to permit infill development would not undermine the soundly based general locational strategy of the Plan. The Environment Department would, however, disagree with the Inspector’s conclusions for the reasons set out below.
- 5.3.4 To amend the current land use strategy promoted within this Rural Area Plan could have significant and wide-reaching implications. If, for example, a more relaxed approach to housing development within the Rural Area were to be adopted, it is difficult to see how the land use planning system could operate a totally impartial, open and transparent approach to the releasing of open land. Furthermore, such a strategy could well result in the loss of spaces between buildings which are so important in providing much valued amenity space between developments.
- 5.3.5 Developing derelict glasshouse sites would equally not be a sustainable approach. Glasshouses are often left derelict for a number of reasons, the most obvious being the financial outlay required to demolish and clear the sites. However, the fact that many of them have not been cleared could indicate a preference by the owner to leave glass derelict on the assumption that sites not cleared stand a better chance of obtaining permission for housing at some time in the future. However, releasing these sites for development would have a negative effect on the rural countryside both in the short and long term and conflict with the strategic policies set by the States. It would promote the unnecessary development of the countryside whilst at the same time encourage further dereliction.
- 5.3.6 Open or previously undeveloped sites will always be easier to develop than

brown-field sites and would naturally therefore be the developers preferred location for new development. To enable such development would see a considerable drop in the amount of regeneration work carried out within our urban areas of St Peter Port and the Bridge. These areas could, in turn, become lifeless areas, unable to attract adequate investment and undesired by locals as well as potential tourists.

- 5.3.7 Owing to the success of adopted land use strategy mentioned in 5.1 above, the Environment Department is of the opinion that within this revision of the RAP, no provision for new build housing is required. The adopted strategy has placed the Island in the enviable position of being able to accommodate all of our private housing requirements through policies of the UAP and through the subdivision of existing dwellings and conversion of redundant buildings within the Rural Area. This effectively means our current housing requirements can be met without releasing any open, rural green-field sites for development, at least for the lifetime of this RAP. This, The Environment Department believes, has to be seen as a positive legacy for our future generations.

5.3.8 ***Policy RH1; (new build)*** ***Inspector's Report Page No. 98/99***

- 5.3.9 Policy RH1, as drafted, can be found on pages 37 and 38 of Appendix B of this States Report.

- 5.3.10 In respect of Policy RH1, the Inspector recommends an addition to sub-clause RH1(a) to allow for limited infill development or 'rounding-off' development. The Inspector also recommends the inclusion of several references within the Plan and its policies to reflect his proposed amendment to Policy RH1.

- 5.3.11 In respect of the above, the Inspector states that *"...while the monitoring does not reveal a need for any wholesale adjustment of the housing policies to meet Island-wide needs, particularly as the 300 dwelling requirement is a substantial rounding up of the calculated requirement identified in the Needs Survey of 179 dwellings per year, it does indicate that modest adjustments to Policy RH1 to provide for a measure of flexibility would not be likely to cause a material surplus of achievement against requirement. Such modifications might slightly increase the proportion of new dwellings provided in the RAP area, but the present proportion granted planning permission is not necessarily indicative of the trend likely under the draft Plan as there are still outstanding allocations in the current Phase 1 & 2 Plans that allow for construction of modest clos"*. [para. 4.11 Inspector's Report]

- 5.3.12 **The Environment Department rejects these proposed amendments for the reasons stated below.**

5.3.13 **Response of the Environment Department**

- 5.3.14 This is perhaps the most contentious of all of the Planning Inspector's

- recommendations. The Environment Department is of the opinion that the Inspector does not identify a need for new build houses within the Rural Area and indeed does not dispute the Department's argument that Policy RH1 as drafted is workable and would achieve the strategic requirements of the States.
- 5.3.15 The Environment Department's records indicate that, Island wide, at the time of the Inquiry (3rd quarter figures), there were 1090 additional homes either under construction or benefiting from planning permission. Of these, 267 were within the Rural Area.
- 5.3.16 The Strategic and Corporate Plan policy SP1 states that... *"Arrangements will be put in place through the Detailed Development Plans to ensure that provision is effectively made to create 300 new homes each year"*. However, it notes that... *"the spread of housing development across the countryside is one of the most potent symbols of perceived environmental damage"*. Therefore SP1 is supplemented by SP3, requiring that... *The majority of this provision should be within the Urban Area*". Strategic Policy SP1 further states that it relates to the strategic land use planning aspect of the States policies for housing but cannot, in itself, ensure the carrying out of development.
- 5.3.17 Consequently, 'effective provision' means that planning permission has been granted but the development is not yet complete, or that the development of new housing is acceptable in principle subject to obtaining the necessary permissions (such as Housing Target Areas, Mixed Use Redevelopment Areas, etc). It should be noted that the Department's monitoring reports and the various figures quoted here, draw on data relating solely to the planning permissions granted. They do not take into account the potential capacity of the HTAs such as Belgrave Vinery or, the MURAs such as Leale's Yard where, in both cases, the States have given a commitment to significant housing developments but where planning permission has not yet been granted. They therefore underestimate potential.
- 5.3.18 Moreover, 'effective provision' does not imply completions of dwellings. There is no States' Resolution that requires 300 new dwellings each year to be actually built, or otherwise provided. This point is of particular relevance as the Inspector appears to base some of his arguments on *"...whether or not the policy directed figure of 300 new dwellings is being achieved"* [para. 4.7 of Inspector's Report].
- 5.3.19 Nonetheless, the Department does, periodically, monitor completions such that any significant discrepancy between planning permissions and completions can be identified and, if necessary, a Housing Target Area progressed or other appropriate response initiated. The Environment Department, through Detailed Development Plans, can make sufficient provision to meet the strategic housing requirement and through monitoring can ensure that sufficient land is available for development. It cannot however ensure the implementation of permissions. Implementation rests with the developer and this point is acknowledged in the

Strategic and Corporate Plan.

- 5.3.20 The Inspector himself concedes that there is currently no significant problem with permissions not being progressed through to implementation (land-banking). It is difficult, therefore, to see how a case for increasing present levels of effective provision can be substantiated.
- 5.3.21 With regard to the reference within the Strategic and Corporate Plan to the 'majority' [of housing provision] being located within the Urban Area, it has been accepted by the States, in adopting the Urban Area Plan, that 90% of new housing should be located within the Urban Area, leaving the remaining 10% to be located within the Rural Area.
- 5.3.22 Internal monitoring reports show that current plan policies are delivering more than sufficient permissions for new dwellings to satisfy the strategic requirement in both Urban and Rural Areas. Statistics show that during 2004, 102 new dwellings were approved in the Rural Area, with 234 approved within the Urban Area. While the combined figure of 336 new dwellings approved is only marginally higher than the strategic requirement of 300 dwellings, the percentage split between the Rural and Urban Areas is of more concern. The States' accepted split of 90% effective provision in the Urban Area with 10% in the Rural Area equates to 270 Urban dwellings and 30 Rural dwellings being effectively provided for each year.
- 5.3.23 The figure of 102 dwellings granted permission in the Rural Area in 2004 is over 3 times the targeted provision. The 234 Urban dwellings granted last year equates to 78% of the strategic requirement, short of the targeted 90% provision. It would seem, therefore, that current RAP policies are resulting in a potential over-provision of dwellings within the Rural Area which could be affecting the facilitative role of the UAP.
- 5.3.24 Conversions of redundant buildings and sub-divisions of existing dwellings resulted in the effective provision of 78 additional new dwellings within the Rural Area during 2004. This figure represents 26% of the strategic housing requirement. The draft RAP (Review No 1) policies are expected to yield at least this figure, if not more each year as the proposed conversion policy (RCE14) would be more flexible than the current CE9 policies of RAP Phases 1 and 2.
- 5.3.25 Schemes involving the development of infill or 'rounding-off' sites in the Built-up Areas of RAP Phases 1 and 2 with one, or a maximum of two dwellings, resulted in the effective provision of 27 new dwellings during 2004. This figure alone represents 9% of the strategic housing requirement for the Island but, taken together with the potential yield from conversions and sub-divisions, a total of 35% of the strategic housing requirement is, evidently, being effectively provided for at present in the Rural Area. It should be noted that schemes involving developments of 3 or more dwellings were specifically excluded from

these statistics. The reason for this is to address the Inspector's presumption that the trend in current rural housing statistics would not continue, as the draft Plan would not allow for 'modest clos' developments.

- 5.3.26 It is also considered that the Inspector's proposed infill amendment would yield many more new houses than would be allowed under the current RAP infill policies as the present Built-up Area designation of the Phase 1 and 2 RAPs is much more restricted in scale than the envisaged non-designated areas of the Plan which is where the Inspector recommends the additional new housing developments should take place.
- 5.3.27 Accordingly, the Environment Department proposes to restrict the supply of new housing within the Rural Area to the sub-division of existing dwellings, the conversion of buildings and, to the replacement of dwellings on a one-for-one basis. This is expected to yield 30 or more new dwellings each year for the life of the Plan, a figure that represents a minimum of 10% of the States' current target, Island-wide, thus supporting the strategic objective of the States in providing the majority (90%) of new homes in the Urban Area.
- 5.3.28 The Environment Department considers that the Inspector's analysis does not adequately demonstrate the need for additional housing within the Rural Area.
- 5.3.29 The Inspector, in his report, bases his recommendation partly upon a premise that out of 345 site-specific housing representations heard, the proposed infilling clause "*would be likely to yield fewer than 50 additional dwellings*" (para 4.15 of Inspector's Report). A preliminary desk-top study suggests a conservative estimate of at least double this number of 'infill' plots within the Rural Area which would comply with the criteria of the Inspectors recommended clause. Accordingly, it is considered that the proposed infilling clause would actually, be likely to yield a significantly higher number of dwellings than the 50 envisaged by the Inspector. Indeed, the Inspector's proposed amendment would not preclude, in principle, the demolition of dwellings in non-designated areas and for each of these to be replaced by two 'infill' dwellings. Coupled with the Inspector's proposed relaxation to the conversions policy RCE14 (see below), the Rural Area could be faced with the prospect of making effective provision for a substantial percentage of the Island's new dwelling stock, which would not be likely to be compatible with the primary objective of the RAP which is to conserve and enhance the rural environment.
- 5.3.30 The facilitative role of the UAP would also be significantly weakened by a more relaxed Rural Area Plan and the strategic target of 300 new homes each year (effective provision thereof) could be exceeded by a substantial margin.
- 5.3.31 In any instance, an infill policy that would allow for up to 2 dwellings to be built is not considered to be a sustainable approach to housing provision within the Rural Area. Many 'gap' sites are important in their own right, offering glimpses through to the landscape beyond as well as offering welcome breaks in the

lengths of ribbon development in the Rural Area. It is considered that the proposed infill clause is likely to consolidate existing ribbon development and further erode the openness of the Rural Area. Therefore the physical impact of such a policy could lead to unacceptable substantial environmental damage of the Island's Rural Area.

5.3.32 The Inspector does not dispute the Environment Department's argument that Policy RH1 would work as drafted and would be in conformity with strategic objectives. Furthermore, the Department is of the opinion that he has not identified a 'need' for new build houses within the Rural Area.

5.3.33 The Environment Department is satisfied that the strategic housing target of the States can be met during the lifetime of this Plan without releasing any additional land within the Rural Area; thereby ensuring a sustainable approach to the use of the Island's most finite resource. However, if the States were to identify a future need for additional housing within the Rural Area, the Environment Department would want to adopt a considered, consistent and sustainable methodology, rather than the ad hoc method promoted here by the Inspector.

5.3.34 **Conclusion**

- a) **Reject** the Inspector's recommendation regarding the inclusion of a limited infill policy clause within Policy RH1.
- b) **Reject** the Inspector's various minor recommendations for additional references to be included throughout the Plan referring to the potential for new build housing through infilling or 'rounding off'.

5.3.35 **Policy RH1; (Re-build/conversion)**

Inspector's Report Page No. 98/99

5.3.36 In addition to the proposed amendment outlined at 5.3.2 above, the Inspector also recommends further amending Policy RH1 to allow for a redundant building to be replaced by a dwelling, subject to certain criteria being met.

5.3.37 The Inspector refers to this as a 'short-cut' clause as under the originally drafted policy, re-build would only be allowed once the structure had already been converted and occupied as a dwelling. With the proposed addition, RH1 would allow those buildings with full planning permission, including Building Regulations approval, for conversion to dwelling(s) to be re-built during the course of conversion. **The Environment Department accepts the principle of permitting some flexibility, but rejects the approach recommended by the Planning Inspector.**

5.3.38 **Response of the Environment Department**

5.3.39 Policy RCE14 is aimed at making the best use of those redundant buildings in the Rural Area which are considered appropriate for retention because of their positive contribution to the character of the area through allowing a new use. The policy is specifically included in the Plan as a measure to lessen the pressure for new-build developments within the Rural Area, while at the same time, allowing for the creation of new dwellings or business opportunities where appropriate. The glossary of the draft RAP defines a conversion as being... *"development that involves works to a building to facilitate a different use. Proposals that would require significant works to the fabric of the structure, such as rebuilding of external walls, may be regarded as being 'new-build' rather than conversion"*.

5.3.40 The Inspector's recommended addition to Policy RH1 would allow for a building which has been granted full planning permission **and** Building Regulations approval to be demolished and re-built. The reasoning behind this suggestion is not, however, made clear. From a planning standpoint, if a building is structurally capable of being converted for another use then it would not be considered sustainable or best practice to allow it to be knocked down and re-built. For this reason, structural surveys are currently required to accompany applications for most forms of conversions, because in the majority of cases, particularly when a traditional building is involved, the preferred option is to seek the retention/adaptation of the original structure for the enjoyment of future generations.

5.3.41 Furthermore, the Inspector's proposed clause would only apply in cases which involve the conversion of a building to a dwelling, not to any other form of conversion. Again, the reasoning behind this approach is not entirely clear.

5.3.42 The Inspector's proposed short-cut clause is not considered to be appropriate to Guernsey's Rural Area where the primary objective is to conserve and enhance the character of the area. The Environment Department is of the opinion that such a policy revision could lead to the construction of a large number of new dwellings throughout the Rural Area in areas where such a construction would not otherwise be appropriate.

5.3.43 In addition, such a policy revision is not considered necessary to meet the Inspector's objectives. If in planning terms, it is considered acceptable to convert an existing structure into a dwelling or other purpose, that basic permission, without being implemented by carrying out the work, would provide an adequate springboard from which to ask permission to knock it down and rebuild it on the same site. The Department would then assess the proposals on the same basis as if the conversion has physically been carried out.

5.3.44 **Conclusion**

Reject the Inspector's recommendation regarding the inclusion of a conversion/re-build 'short-cut' policy clause within Policy RH1 for the reasons stated

above.

5.4 SOCIAL HOUSING

5.4.1 Policy RH2; (Social Housing) *Inspector's Report Page No. 107*

5.4.2 The Inspector considers that the definition of social housing in the draft Plan is too narrow and that the locational requirements of the draft policy, RH2, do not best serve the interests of sustainability or of the primary objective of the Plan which is the conservation and enhancement of the rural environment. He therefore makes two key recommendations in respect of social housing;

- i) That the definition of 'social housing' be expanded to include that which is '*a) provided by the States' Housing Department, b) by a recognised Housing Association in co-operation with the Department, or c) in a scheme to secure specific forms of social housing sought in the Corporate Housing Programme with the support of the Housing Department. Such housing would normally be for subsidised rent or for partial ownership but may include self-build housing or sheltered housing in schemes that are approved by the Housing Department.*' [Inspector's para 4.44]
- ii) That sites for new social housing should consolidate (i.e round-off) existing States' controlled housing developments before exceptional consideration can be given to limited developments within or in close proximity to the Rural Centres.

5.4.3 The Environment Department accepts part of both recommendations only, for the reasons stated below.

5.4.4 Response of the Environment Department

5.4.5 Definition of Social Housing

5.4.6 The Strategic and Corporate Plan policy SP6A states that... "*Notwithstanding Strategic Policy 3 [majority of new housing to be in Urban Area], Detailed Development Plans for the Rural Area may, as an exception, provide for the development of a limited amount of subsidised social housing*".

5.4.7 As the Inspector acknowledges, Policy RH2, based on Strategic Policy 6A, is a distinct exception to the general housing policies of the Plan. To widen the definition of social housing to forms of housing (self-build in particular) which, in every other circumstance, would be directed to the Urban Area undermines the Island's general spatial strategy, particularly since any housing arising from RH2 will be additional to the 30 per year which is the minimum number of new dwellings anticipated to be achieved through conversions and subdivisions.

5.4.8 The proposed widening of the definition of social housing to include '*a scheme to secure specific forms of social housing sought in the Corporate Housing Programme with the support of the Housing Department*' is considered by the Environment Department to be acceptable within the terms of Strategic Policy 6A provided that the housing is subsidised.

5.4.9 Moreover, the Department contends that the inclusion of '*self-build housing or sheltered housing in schemes that are approved by the Housing Department*' would not meet the requirement of Strategic Policy 6A as there would be no requirement for such schemes to be subsidised.

5.4.10 The Environment Department would, therefore, accept a widening of the definition of social housing to include that which is; *a) provided by the States' Housing Department, b) by a recognised Housing Association in co-operation with the Department, or c) in a scheme to secure specific forms of subsidised social housing sought in the Corporate Housing Programme with the support of the Housing Department.* The Housing Department has confirmed that it is in agreement with this revised definition.

5.4.11 **Location of new Social Housing**

5.4.12 The Inspector's recommendation that the criteria of RH2 should be altered to limit opportunities associated with existing States housing to development which is '*...within or would round-off existing States controlled housing*' is considered acceptable by the Environment Department. Indeed, the Department's preliminary and informal assessments of such potential sites on the basis of the draft Policy RH2 would largely concur with the Inspector's assessments. There is, therefore, no objection to the use of a revised form of words that would achieve a similar outcome.

5.4.13 Furthermore, in view of the clear terms of Strategic Policy SP6A, that rural social housing be treated as an exception for strategic reasons, the Inspector's recommendation to exceptionally link limited social housing developments to the Rural Centres is considered, by the Environment Department to be acceptable in principle, as being consistent with the principles of sustainable development. Any formal requirement for social housing development, as identified by the Corporate Housing Programme, will therefore first be met through the rounding off of States' controlled housing sites before exceptionally considering limited developments that are linked to the Rural Centres.

5.4.14 However, the Environment Department considers that the phrase '*...falling within or in close proximity to one of the designated Rural Centres*' would, in practice, be difficult to interpret in a consistent, fair and transparent manner. The Policy RH2 would, the Department contends, be better served if the geographic locational requirement (ie. '*...within or in close proximity to..*') was to be replaced by a locational requirement based on ease of access to sustainable services. Hence, the Environment Department recommends that the States

accept the principles under-pinning the Inspector's argument, but that the phrase '*...falling within or in close proximity to one of the designated Rural Centres*' be further amended to read '*...which is well related to one of the designated Rural Centres*'. This amended phrase would then be explained in further detail in the Department's proposed new annex on Rural Centres as discussed at 6.3 below. The pre-ambles to Policy RH2 should also be amended to reflect the envisaged sustainable relationship between the Rural Centres and any new social housing. This is detailed in 5.4.15 iv) below.

5.4.15 Conclusion

- i) **Accept part** of the Inspector's recommendation regarding the definition of social housing (see 5.4.10 above).
- ii) **Accept** the Inspector's recommendation regarding rounding-off States housing.
- iii) **Accept** the Inspector's recommendation regarding the inclusion of Rural Centres in the policy subject to the replacement of the Inspector's phrase '*...is within or in close proximity to...*' with '*.... which is well related to...*'.
- iv) **Delete** the penultimate paragraph of section 4.2 (page 38) of the draft RAP and replace this with the following text; '*In order to minimise any impact on the character or appearance of the rural area, sites for new social housing should consolidate (i.e. round-off) existing States' controlled housing developments before exceptional consideration can be given to limited development that is well related to the Rural Centres. This will enable the maximum potential of the social housing to be realised in terms of sustainability and quality of life for residents.*'

6. RURAL ECONOMY

6.1 **Agricultural development** *Inspector's Report Page Nos. 358-359*

- 6.1.1 Policy RE1 as drafted can be found on page 48 of Appendix B of this States Report.
- 6.1.2 During the Planning Inquiry a number of representations were made expressing concern that the Rural Area Plan as drafted does not make provision for new farms to be established within the Areas of High Landscape Quality. At that time the Environment Department agreed that Policy RE1 could be amended without undermining the conservation and enhancement objectives of the Plan.
- 6.1.3 The Planning Inspector has recommended Policy RE1 should be amended to make provision, in certain circumstances for such agricultural development and a full version of his amended policy can be found on pages 358 and 359 of Appendix A of this States Report.

6.1.4 Response of the Environment Department

- 6.1.5 The Environment Department is generally supportive of the Planning Inspector's proposed reworking of Policy RE1. However, in order to avoid any confusion of the term 'farmstead' and to clarify the intentions of the Department, it would wish to add an additional sub-clause (c) iv, to the policy to read; *"the proposal does not involve the erection of a new dwelling house which would be precluded under Policy RH1"*.

6.1.6 Conclusion

- 6.1.7 **Accept** the Planning Inspector's revised Policy RE1 with the addition of a sub-clause (c) iv, as detailed above.

6.2 Rural Centres

Inspector's Report Page No. 364

- 6.2.1 The Environment Department is pleased to note that the Planning Inspector is broadly supportive of the concept of Rural Centres but considers that the Plan, as drafted, lacks transparency with regard to how the Rural Centres are defined. He comments: *"By failing to map the common areas within 500 metres of the defining indicators for the Rural Centres, the Plan does not rule out feared interpretation that the policy could be used to sanction any developments within 500 metres of the outermost indicator as being within the centre, rather than only being in proximity to it"* [Inspector's para 5.25]. He then goes on to state: *"In the absence of plans detailing the centres by reference to property boundaries, I cannot recommend addition of detailed boundaries, as I do not have the information on which to base such boundaries. However, understanding of the policy would be improved if the stars on the Proposals Map be replaced by circles of sufficient radius to include all the shops and service outlets regarded as falling within the Rural Centre concerned"* [Inspector's paragraph 5.26]. The Inspector, accordingly, makes two key recommendations in respect of Rural Centres;

- i) The first sentence on page 51 of the draft RAP, which reads *'For this reason and because of the ways in which local communities use them, Rural Centres have not been defined on the Proposals Map'*, with: *'The outer limit of these Rural Centres are shown diagrammatically on the Proposals Map.'*
- ii) The stars denoting the Rural Centres on the Proposals Map be replaced by radii drawn to enclose the outermost of the facilities used to define the relevant Rural Centre. Also, in respect of social housing within, or in close proximity to, a Rural Centre, to define 'close proximity' as been approximately within 500 metres of the radii mentioned above.

6.2.2 Response of the Environment Department

- 6.2.3 It is accepted that the Plan could be amended to offer greater transparency without undermining the objectives of the States or creating the possibility of significant levels of future development taking place within the Rural Centres. However, in order to determine the most appropriate way of identifying Rural Centres on the Proposals Map, the Environment Department's original methodology behind their designation is given below.
- 6.2.4 The Draft Rural Area Plan (Review No.1) identifies Rural Centres in response to Policy SP19 of the Strategic & Corporate Plan. This strategic directive notes that the provision of local shops and services is important in providing for local needs and reducing the need to travel. Therefore in guiding the preparation of Detailed Development Plans by the Environment Department, the retention and improvement of local shopping facilities may be supported, provided that the development is of a scale consistent with the function and character of the local area.
- 6.2.5 The land use policies of the Draft Rural Area Plan (Review No.1) take on board the strategic advice set out within the Strategic & Corporate Plan and recognises the contribution shops and services make to the local community and how they can encourage sustainability by reducing the need to travel by car to more distant facilities. As a result, the Draft Rural Area Plan identifies five Rural Centres which are located in St Martin, Forest, St Peter's, Cobo and L'Islet.
- 6.2.6 The Rural Centres have been defined by using a formula based on a set of indicators of sustainability, highlighting common areas that lie within 500 metres of each indicator.

The 8 indicators are:

- A general store selling fresh produce
 - A post office
 - Public transport services at least once every hour during the day
 - A doctor's surgery and pharmacy
 - A public primary school
 - A bank or cash machine
 - A play area or open amenity area such as a public park or garden and beaches with toilet or kiosk facilities and
 - Recycling facilities
- 6.2.7 Put simply, the area where there is an overlap of at least five indicators represents an area of sustainability, within which no part is more than 500 metres away from at least five indicators. By identifying such areas, the

Environment Department is able to use this information to assess the extent of a Rural Centre.

- 6.2.8 Owing to the way in which rural communities and economies can change over time, it is acknowledged that some areas may gain or lose indicators of sustainability under the provisions of the draft Plan. For this reason and because of the ways in which local communities use them, Rural Centres have not been defined on the draft Proposals Map.
- 6.2.9 As regards the Inspector's suggested approach, the Environment Department considers this to be flawed as it would potentially enable a significant level of development to take place within the areas illustrated by circles on the Proposals Map. This was not an option envisaged when the draft Rural Area Plan was prepared.
- 6.2.10 The effect of the recommended amendment would be even greater when combined with the affect of other amendments to the Plan suggested by the Inspector, most notably those dealing with Social Housing. The circles would clearly include areas of land that are not within 500 metres of a minimum of 5 indicators of sustainability and, likewise, exclude areas that are within 500 metres of 5 indicators. The Environment Department considers that such an approach would inevitably conflict with the concept of supporting and promoting sustainable Rural Centres as well as conflicting with the overriding conservation and enhancement objectives for the Rural Area set out within the Strategic and Corporate Plan. However, it is clear that the Inspector is recommending this approach only in the absence of a clear spatial knowledge of the indicators of sustainability.
- 6.2.11 The Environment Department believes that the Planning Inspector's concerns would be satisfied by adopting a slightly different method to the one that he proposes. Whilst the Department maintains that the 'star' notation is, for reasons given above, the most appropriate method of indicating Rural Centres on the Proposals Map, it believes that an annex could be incorporated within the RAP to address the Inspector's concerns over the transparency of the designation process. Such an annex could indicate, in map form, the indicators of sustainability that lead to the identification the Rural Centres. The Environment Department's full rationale and methodology behind the Rural Centre designation could also be given.
- 6.2.12 A draft of such an annex is contained within this Report as Schedule 2.

6.2.13 **Conclusion**

Accept the generality of the Inspector's recommendation in respect of the need to give firmer definition to the designation of the Rural Centres. However, rather than defining the Rural Centres by way of circles encompassing all the relevant indicators of sustainability as proposed by the Inspector, amend the Plan

by including an annex entitled 'Rural Centres' to incorporate such information as detailed above and as drafted at Schedule 2 of this Report.

6.3 Industry

Inspector's Report Page No. 373/374

6.3.1 The Environment Department is pleased to note that the Planning Inspector is '*...satisfied that these policies of the plan and their supporting text are broadly sound and do not warrant significant modification*' [Inspector's para 5.48]. However, he does recommend the inclusion of a new paragraph within the preamble to Policy RE7 (page 54 of the draft RAP) which, in his opinion '*...would provide a framework within which any subsequent amendments or exceptions [to the RAP] might be considered...*'.

6.3.2 Response of the Environment Department

6.3.3 The Strategic and Corporate Plan policy SP12 deals with industrial land supply. This policy states: "*To ensure an adequate supply of industrial land in terms of location, size and quantity, the Detailed Development Plans will identify a range of opportunities for industrial development*".

6.3.4 As a result, the Urban Area Plan identifies a new 16-acre site for industry at the Saltpans, includes a permissive policy (EMP7) for industrial development on ex-horticultural site less than 0.5 Hectare (3 verges) and permissive policies regarding the use of sites within built-up areas for industrial purposes, subject to certain criteria being met.

6.3.5 To address the requirement within the Rural Area for medium and small sites, the draft Rural Area Plan contains policies that support the reuse of redundant buildings for, amongst other uses, suitable industrial purposes. It also encourages home working by making provision for suitable small industrial businesses to be established within the curtilage of the operator's residential property, where this can be balanced with other policies of the Plan. In addition, and in response to a specific directive of the States, land has been set aside for industrial development at La Villiaze. This relatively limited provision is made because of the need to support the objectives of the Urban Area Plan, which aims to facilitate industrial development on allocated sites, in accordance with the strategic objectives of the States. The Key Industrial Areas within the Urban Area should provide for almost all of the Island's current demand for new industrial land supply.

6.3.6 The Environment Department therefore believes that between them, the Urban Area Plan and the Rural Area Plan (Review No.1) will provide an appropriate range of opportunities for industrial development.

6.3.7 The Department is of course aware of the ongoing work of investigating industrial land requirements and is assisting in research which will feed into the revised Strategic and Corporate Plan, due to be published prior to the Rural Area

Plan being debated. The Strategic and Corporate Plan, rather than the Rural Area Plan is the document where the future needs of industry should be addressed. The Strategic and Corporate Plan has a formal legal role in setting the agenda for subsequent Detailed Development Plan reviews.

- 6.3.8 Accordingly, it is considered that the Inspector's recommended amendment to the preamble of Policy RE7 to provide a framework for subsequent Plan amendments is not required within this review of the Rural Area Plan. This is not in any way to dismiss any genuine and valid requirement for additional land for industry within the Island that the Strategic and Corporate Plan will address.
- 6.3.9 The Inspector's suggested amendment would appear to be more strategic in nature. It is noted that the Planning Inspector does not recommend amending the wording of the actual policy of RE7. Therefore, the inclusion of this additional text within a land use plan, without subsequently amending the associated policy, would be particularly confusing. The Environment Department is therefore of the opinion that if a need for further provision of industrial land is identified by the States, through the Strategic and Corporate Plan, this can be made through future amendments to the Detailed Development Plans, of which the UAP is due to be reviewed by 2007.

6.3.10 **Conclusion**

- i) **Reject** the Inspector's recommendation regarding the inclusion of additional text within the preamble to Policy RE7.

6.4 **Visitor Accommodation** *Inspector's Report Page No. 392*

- 6.4.1 The Inspector believes that Policy RE11 should be amended in order to provide a policy gateway that would allow, in principle, for '*...those catering or recreational facilities that have, or could have, a significant tourist role...*' to create new accommodation for visitors or staff; but not just through the conversion of redundant buildings as RE11 originally stipulates.

6.4.2 **Response of the Environment Department**

- 6.4.3 The Environment Department believes that hotels and other residential accommodation for visitors have a need for on-site staff accommodation which does not apply to other visitor-related businesses.
- 6.4.4 There are many catering and recreational facilities across the Rural Area, some of which are located in truly open, prominent and substantially undeveloped areas. The Environment Department is concerned that the creation of new-build visitor accommodation (including staff accommodation) would, inevitably, diminish the openness of the Rural Area and although the Inspector has included the word 'exceptionally' in his proposed amendment to sub-clause b), he does not state what would be likely to constitute an exception, nor how, if at all, the

new accommodation would have to be linked to the existing facility. The ramifications of such a policy could be far reaching in terms of affect on both the environment and the existing visitor accommodation sector.

- 6.4.5 In addition to the physical impact upon the rural environment, the Environment Department considers that such a permissive policy would also be likely to facilitate a significant quantity of new residential units adjacent to catering or recreational facilities within the Rural Area. This in itself would conflict with the strategic objectives of the States which aim to steer the majority of new housing to appropriate sites within the Urban Area and put an unacceptable strain on the facilitative role of the Urban Area Plan. Such an amendment is, accordingly, considered unjustified, unsustainable and impractical.

6.4.6 **Conclusion**

Reject the Inspector's proposed amendment to sub-clause b) of Policy RE11 and associated text within the preamble thereto.

7.0 **SOCIAL COMMUNITY & RECREATION**

7.1 **Area of Search for a 3rd 18-Hole Golf Course**

Inspector's Report Page No. 416

- 7.1.1 The Inspector recommends the carrying through from RAP (Phase 1) of an Area of Search' for an 18-hole golf course at La Grande Mare as that particular course is not completed. The Environment Department is not opposed to this suggestion, subject to a minor amendment of the Inspector's suggested additional text. However, the Inspector also recommends that a large site at La Ramee be designated as a new 'Area of Search' for a third 18-hole golf course. This, the Planning Inspector recommends, together with La Grande Mare proposal would form the basis of a new Policy; RS5. The full text of the Inspector's proposed amendment is outlined on page 416 of his report.

7.1.2 **Response of the Environment Department**

- 7.1.3 The Inspector's suggested preamble to Policy RS5 (pages 415 and 416 of his report) is acceptable with the deletion of the words "*...but the course still needs lengthening and providing with additional ancillary accommodation.*" It is not the role of the Rural Area Plan to prejudge whether the course needs to be lengthened or whether there is a need for additional ancillary accommodation. Such proposals will be considered without prejudice, against Policy RS5 as proposed by the Inspector, together with any other relevant policies of the Plan and relevant information.
- 7.1.4 The Environment Department is conscious that there is no strategic policy relating to the requirement for a new golf course on the Island. Furthermore, on 16 January 1991, when debating the possible Area of Search for a second golf

course at La Grande Mare, the States resolved to... “ **Negative the proposition of the States Recreation Committee that future demand for golf course facilities in the Island is likely to lead to the need to develop a third 18-hole golf course**”. No further States Reports have been debated on this issue and the original Resolution, therefore, still stands.

- 7.1.5 In light of the original States Resolution and absence of States debate since, on the issue of a third golf course, the Inspector’s recommendation to ‘ earmark’ La Ramee is considered by the Environment Department to be premature. If an Area of Search for a third 18-hole golf course was to be investigated, then the established procedure would be for the States to take a strategic decision on the matter, either through the Strategic and Corporate Plan or through the Culture and Leisure Department placing a Report to the States. Such Report would be able to have the benefit of a detailed, up-to-date site selection process, Environmental Impact Assessment and full reference to modern trends in both the sport and Guernsey’s recreation strategy in general.

7.1.6 **Conclusion**

Accept the Inspector’s recommendation in respect of carrying through from RAP (Phase 1) of an Area of Search’ for an 18-hole golf course at La Grande Mare subject to the deletion of text detailed above.

Reject the Inspector’s recommendations in respect of identifying La Ramee as a possible Area of Search for a new 18-hole golf course.

8. **ESSENTIAL DEVELOPMENT & INFRASTRUCTURE**

8.1 **Airport: Possible Runway Extensions and Safeguarding Zones**

Inspector’s Report Page No. 428

- 8.1.1 During the course of the Inquiry, the Inspector considered several lengthy representations regarding the ‘desirability’ of extending the airport runway in order to allow for a greater range of aircraft to serve the Island. He comments that: *“Clearly, I am not in a position to recommend whether a runway extension should go ahead as not only would that require an Environmental Impact Assessment...but also consideration by the States whether the actual financial cost can be borne regardless of any economic development or transport benefits. However, it is important that unnecessary administrative hurdles are not embedded in the development plan process. Consequently, I recommend that the relevant areas at either end of the runway are not only removed from AHLQ designation, but also identified as areas safeguarded for provision of appropriate runway stop-ends, Runway End Safety Areas and, possible runway extensions and an appropriate Policy RD1A be inserted into the Plan.”* [Inspector’s para 7.20] The full text of the Inspector’s proposed new policy is outlined on page 428 of his report.

8.1.2 Response of the Environment Department

- 8.1.3 The Environment department is mindful that the States have not taken any decision about the lengthening of the airport runway, nor is it mentioned specifically in the Strategic Land Use Plan. Nonetheless Strategic Policies 16 and 22 do refer to “*development requiring accommodation at, or adjacent to the Airport*” and “*airport related facilities*” respectively. The context of Strategic Policy 16 makes it clear that it relates to businesses and industries, whereas Strategic Policy 22 states that “*The provision of airport-related facilities for Guernsey Airport may be supported, provided that adequate measures are taken to mitigate any harmful environmental consequences of the Airport’s operation.*”
- 8.1.4 Within the current legal framework, if the States should decide that a runway extension is necessary, then the Environment Department would need to be formally consulted. An Environmental Impact Assessment would be required under the terms of the Department’s ‘EIA - Code of Practice’ which was adopted in February 2005. However, because of the existing States exemption from the Island Development Law, the policies of the Rural Area Plan would not apply.
- 8.1.5 Conversely, if the new Planning Law were to come into force before such a proposal were to be considered, then an amendment to the Plan would be required, necessitating a Public Inquiry. It is this possibility that the Inspector appears to regard as an “*unnecessary administrative hurdle*”. The notion that an inquiry would be an appropriate form for consideration of the principle of a runway extension is, in the Environment Department’s belief a defensible one, particularly when viewed against Strategic Policy 22.
- 8.1.6 The Department’s legal advice is that the current draft Plan must reflect the current legal situation. Whilst it may appear prudent to streamline matters, in this instance, this does not seem possible, nor desirable. In the interests of probity and transparency, the Environment Department would wish to ensure full consultation with the public, business groups and airport users and, to this end, a Public Inquiry would be the most appropriate mechanism to achieve this.
- 8.1.7 Moreover, the Inspector does not propose an enabling policy, but a policy to safeguard “*Runway End Safety Areas, Runway Step Ends and possible extensions to the runway*”. In a situation where such a major proposal has not received any form of States approval and where, despite the Inspector’s assessment, the case for extending the runway is clearly not proven and government funds are necessarily restrained, the potential blight this would cause to the small number of residential private property that lie within the proposed safeguarding areas is considered by the Environment Department to be unreasonable.

- 8.1.8 Finally, the reasoning of the Inspector behind his recommendation to remove the AHLQ designation is not objective in terms of landscape character assessment and is, accordingly, considered to be irrelevant to any of these considerations. To remove the AHLQ designation purely to facilitate a possible future runway extension would be inconsistent with the general policy and approach of the Plan. The designation would not, in itself, preclude a runway extension if such works were approved by the States.

8.1.9 **Conclusion**

Reject the Inspector's recommendations in respect of his proposed airport-related amendments.

9. **CONCLUSION**

- 9.1 The Environment Department has fully considered the extensive comments and recommendations of the Planning Inspector and accepts the vast majority of these. Whilst it regrets having to disagree with any of the Inspector's recommendations, the Department is of the opinion that there are sound planning reasons to justify that those issues should either remain as proposed or amended as detailed within this States Report.
- 9.2 The Environment Department therefore recommends the States approve the Rural Area Plan (review No.1) together with those recommendations of the Planning Inspector supported by the Department together with the Department's own amendments made in response to the Planning Inspector's comments.
- 9.3 The approval of the document will signify a very important stage in the land use planning of the Island. It will reflect the current strategic objectives of the States and the public's call for a more open, equitable and transparent planning system.
- 9.4 If the States approve the Rural Area Plan (Review No.1) as amended, revised copies will be printed which embody the appropriate amendments set out within the amendment schedule contained within Schedule 1. The approved Rural Area Plan (Review No.1) will then be lodged in the Greffe following signature by the President of the States. The Plan as amended however, will become operative immediately following approval by the States.

Yours faithfully

Bernard Flouquet
Minister

Schedule 1

Full Schedule of the Inspector's proposed amendments

Schedule 1. The Inspector's Proposed Amendments and Environment Dept's Recommendations

Insp Page N°	RAP Page N°	Paragraph N° or heading	Inspector's Proposed amendment Proposed new text shown "in Italics within quotation marks"	Environment Dept's Recommendation
1. About the Plan				
27	4	1.3	Correct date of Law from 1989 to "1990"	Accept
29	4	"Plan Format"	Move heading and 3-line paragraph to top of Page 5	Accept
30	6	AHLQ	After the words '...described in Annex 1', insert "and illustrated on the following plan of Landscape Character Types, and these intrinsic qualities can be discerned without being significantly obscured or seriously marred by built development." Delete 'the' from the words 'In some cases the land...' and insert after 'land', "within Areas of High Landscape Quality".	Accept
		Rural Centres	Delete the sentence 'It is not possible to precisely define the boundaries of these areas owing to their evolving nature and the different ways in which the local population use them.' Replace the words 'However, when...' with "When"	Reject
			In title heading, replace 'Area' with 'Areas'.	
31	7	Mineral Resource Safeguarding Area	Replace the phrase '...the Proposals Map identifies an area on the Chouet headland...' with "...the Proposals Map identifies areas on the Chouet headland and at Les Vardes..."	Accept
2. General				
32	13	2.1	After the words '...resources be used efficiently', insert "Proposals for large-scale infrastructure, major development and development likely to have significant environmental effects will be subject to the requirements of Environmental Impact Assessment. These requirements are set out in Annex 5 and more fully detailed in the Code of Practice: Environmental Impact Assessment (August 2001)." End paragraph. Add the remaining two sentences of the 1 st paragraph to the beginning of the second paragraph.	Accept, but update the Code of Practice date to "February 2005"
35	15	2.6	At end of paragraph 2.6, insert "The relationship of development to its surrounding will include the need to avoid light pollution wherever possible and minimise unnecessary light spillage."	Accept
36	16	Policy RGEN10	At end of Policy RGEN10, insert ", such as the provision of safe pedestrian and cycle routes."	Accept

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3. Conservation & Enhancement				
38/39	23	3.1 (1 st paragraph)	At beginning of paragraph, insert "The non-designated areas represent the foundation level of protection provided under Policy RCE1 that will be applicable throughout the RAP area either on its own or where other designations exist in conjunction with the policies relevant to those designations."	Accept
			Amend the original 1 st sentence to end at '...restrain development.'	Accept
			Begin the original second sentence with the insertion of "Accordingly, under Policy RCE1, unnecessary incursions..."	Accept
			At end of paragraph, insert "Agricultural land will be protected from irreversible development wherever possible and particular care will be taken to protect the best and most versatile agricultural land (Grades 1, 2 and 3a)."	Accept in principle subject to replacing '(Grades 1, 2 and 3a)' with "in consultation with the Commerce and Employment Department."
		3.1 (2 nd paragraph)	In 1 st sentence, replace '...tourism...' with "...extensions to existing rural tourist facilities..."	Accept
			At end of paragraph, insert "However, it will only be in these non-designated areas that limited infilling in built up areas under Policy RH1, Social housing within Rural Centres or elsewhere under Policy RH2, Retail developments within Rural Centres under Policy RE4, Garden centres under Policy RE5, Airport-related development under Policy RE14, creation of new community facilities other than by conversion under Policy RS1 and creation of new indoor recreation facilities other than by conversion under Policy RS3 will be permitted."	Accept in principle, subject to deletion of the phrase '...limited infilling in built up areas under Policy RH1...'
49	24	3.1 (4 th paragraph)	Replace whole paragraph with "The Committee is keen to ensure that householders are allowed flexibility in planning for extensions and other forms of domestic development within residential curtilages provided that, having regard to their setting, the open character of the countryside and important public views are protected."	Accept, but replace 'the Committee' with "the Department"
		Policy RCE1	Clause (a), replace '...is essential...' with "can be justified". Clause (b), replace '...adversely affect the operation of a farm holding...' with "not result in the unacceptable irreversible loss of agricultural land or have an adverse effect on the viability of an agricultural holding."	Accept
		3.3 (1 st paragraph)	Replace 3 rd and 4 th sentences, which begin 'In order to preserve...' with "In addition to meeting the requirements of Policy RCE1, in order to preserve their special qualities, there will be a presumption against allowing new development within Areas of High Landscape Quality other than in exceptional circumstances or where the resultant development does not have any significant adverse impact on the visual quality or landscape character of the area."	Accept

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50	24	3.3 (1 st paragraph)	Replace the final sentence with "The Committee is keen to ensure that householders are allowed flexibility in planning for extensions and other forms of domestic development within residential curtilages provided that the requirements of the Policy are met."	Accept, but replace 'the Committee' with "the Department"
50	24	3.3	Insert new (final) paragraph to read "In order to preserve the visual quality and landscape character of these areas, the following developments will be precluded within Areas of High Landscape Quality: limited infilling in built up areas under Policy RH1, Social Housing within Rural Centres or elsewhere under Policy RH2, Retail developments within Rural Centres under Policy RE4, Garden Centres under Policy RE5, Airport-related development under Policy RE14, creation of new community facilities other than by conversion under Policy RS1 and creation of new indoor recreation facilities other than by conversion under Policy RS3. In addition, buildings to be considered for conversion to new uses under Policy RCE14 will be required to meet a more stringent test than those within non-designated areas."	Accept in principle, subject to replacing the reference to infilling and Social Housing with the phrase "the erection of new housing..."
		Policy RCE3	Sub-clause (a) delete 'or' from between 'significant' and 'adverse'.	Accept
65	25	3.4 (3 rd paragraph)	Amend 1 st sentence to read "Where a development is proposed within, close to or potentially affecting an SNCI, it will..." and add an additional second sentence to the final sub-paragraph to read "The preference will always be for the protection of the existing features of wildlife interest".	Accept
		Policy RCE4	Sub-clause (b) replace 'or' with "and/or".	Accept
75	27	Policy RCE7	Insert "significantly" before 'adversely'.	Accept
76	29	Policy RCE9	Amend 1 st sentence of Policy to read "Developments that would be likely to adversely affect areas of archaeological importance will only be permitted where..."	Accept
78	29	3.10 (1 st paragraph)	Insert new sentence at end to read "The areas retain traditional features and include few, if any, discordant elements, while having a clear focus and readily defined boundaries."	Accept
82	-	-	The Inspector recommends that the Torteval Conservation Area (as shown on the RAP Phase 2 but modified) should remain designated on the Proposals Map.	Accept reinstatement but unaltered from Rural Area Plan (Phase 2)
84	-	-	Inspector recommends that consideration be given to the precise boundaries of Le Bourg/Forest & Torteval Conservation Areas.	Agree to reconsider boundaries of Le Bourg/Forest & Torteval conservation Areas at next Plan review.
84	30	3.11 (1 st paragraph)	Insert new sentence at end to read "The Lists of Protected Buildings and Ancient Monuments are available from the Environment Department."	Accept in principle subject to replacing the phrase "...are available from..." with "...are available for inspection at..."

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85	30	3.12 (2 nd paragraph)	Insert new sentence at end to read <i>"The principles of traditional design will be appropriate in many circumstances in such contexts."</i>	Accept
85	30	3.12 (3 rd paragraph)	Replace 1 st sentence with <i>"Elsewhere, or exceptionally where full consideration has been paid to the setting and context to enable assimilation within its setting, contemporary design may be encouraged"</i> .	Accept
91	31	3.14 (1 st paragraph)	Preface 2 nd sentence with <i>"Outside Conservation Areas and away from Protected Buildings or their settings, in the design..."</i>	Accept
91	32	3.14 (1 st paragraph)	1 st sentence replace <i>..last known purposes, or...</i> with <i>"..last known purposes, and..."</i> 2 nd sentence delete <i>..and..</i> from the phrase <i>..undistinguished and impermanent..</i>	Accept
91	32	3.14 (1 st paragraph)	Insert new sentence at end to read <i>"Glasshouses are by definition not regarded as being of sound and substantial construction as in law they are regarded as temporary structures on agricultural land."</i>	Accept
91	32	3.14 (3 rd paragraph)	Penultimate line, insert <i>"normally"</i> between <i>'will not'</i> and <i>'be permitted'</i> .	Reject
91	32	3.14 (3 rd paragraph)	Insert new sentence at end to read <i>"Where a large and/or prominent building that is of sound and substantial construction exists which does not make a positive contribution to the character of the rural environment in its present form, the possibility of securing an enhancement as part of a conversion scheme will be a factor taken into account in considering the AHLQ test, as would the possibility of increasing openness and thus appreciation of the landscape where a conversion scheme might involve removal of a number of other buildings of sound and substantial construction."</i>	Reject
91	32	Policy RCE14	Sub-clause (c), replace <i>'and'</i> with <i>"or"</i>	Accept
4. Housing				
98 / 99	35	Policy Context (2 nd paragraph)	1 st sentence, amend to read <i>"... methods such as subdivision of existing dwellings, conversion of existing buildings and very strictly limited infilling."</i>	Reject
98 / 99	35	(4 th paragraph)	Add to the end of the last sentence <i>"...or other enforceable means."</i>	Accept
98 / 99	35	1 st bullet point	Amend to read <i>"the erection of new housing, other than on a very carefully controlled replacement basis or through very strictly limited infilling, will be guided towards sites in the urban area."</i>	Reject
98 / 99	35	2 nd bullet point	1 st line, add <i>"also"</i> between <i>'will'</i> and <i>'be'</i>	Reject

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98/99	37	4.1 (1 st paragraph)	Amend 3 rd sentence to read "Such opportunities will, therefore, be limited to the subdivision of existing dwellings, conversion of existing buildings, replacement of existing or approved dwellings generally on a one for one basis and within the same site and through very strictly limited infilling on appropriate non-designated sites."	Reject
		4.1 (2 nd paragraph, in bold type)	Replace '...such as new build..' with "...such as estate development.."	Reject
99	38	Policy RH1	Sub-clause (a) amend to read "a) they involve (i) the conversion of existing buildings under Policy RCE14, (ii) replacement of existing dwellings on a one for one basis, (iii) other exceptional replacements as indicated below, or (iv) infilling one or a maximum of 2 dwellings in a small gap in an otherwise built-up frontage or locality in a non-designated area where the land is already in an authorised urban use or is granted permission under Policy RCE6 for inclusion within the curtilage of such a use because it is not suitable for agricultural, horticultural, open communal recreational or wildlife conservation use because of its size, nature, and/or location; and...."	Reject
			Sub-clause (d), add "also" before 'satisfy'	Accept
99	38		Insert an additional caveat at the end of Policy RH1 to read "Exceptionally, replacement of other buildings may be acceptable subject to the requirements of (d), provided that their conversion under Policy RCE14 had first been granted detailed planning permission and Building Regulations approval and the floorspace and volume of the approved conversion scheme are not exceeded. Replacement of a scheme for residential sub-division which has been granted detailed planning permission and Building Regulations approval under Policy RH3 may also be acceptable subject to (d) provided that the floorspace and volume of the approved sub-division scheme are not exceeded nor the approved number of dwelling units exceeded."	Reject
107	38	4.2 (2 nd paragraph)	Replace the whole paragraph with "For the purposes of this Policy, social housing is taken to be that which is (a) provided by the States' Housing Department, (b) by a recognised Housing Association in co-operation with the Department or (c) in a scheme to secure specific forms of social housing sought in the Corporate Housing Programme with the support of the Housing Department. Such housing would normally be for subsidised rent or for partial ownership but may include self-build housing or sheltered housing in schemes that are approved by the Housing Department."	Accept part of the recommendation (see 5.4.5 of the Board's report)

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107	38	4.2 (5 th paragraph)	Replace the whole paragraph with <i>In order to minimise any impact on the character and appearance of the rural area, the Department will encourage the consolidation of existing States' controlled housing before exceptionally considering limited development within or in close proximity* to one of the designated Rural Centres ('ie. Within approximately 500 metres). This will enable the maximum potential of the social housing to be realised in terms of sustainability and quality of life for residents. "</i>	Accept part of the recommendation (see 5.4.11 of the Board's report)
		4.2 (6 th paragraph)	1 st sentence, delete '(on a one-for-one basis)' and add RH1 to the list of policies within that sentence.	Reject
		Policy RH2	Sub-clause (b) amend to read "b) the site is within or would round off existing States' controlled housing or is within or in close proximity to one of the designated Rural Centres."	Accept subject to replacing 'within or in close proximity' with 'well related to'.
349	39		Modify heading to read "Subdivision of dwellings to provide additional housing units."	Accept
		4.3	Insert new paragraph between 2 nd and 3 rd paragraphs to read "Schemes to subdivide dwellings may be accompanied by modest extension under Policy RH6 provided that the extension is not of such scale or significance to the conversion that a new build unit would be created contrary to Policy RH1."	Accept subject to the deletion of the words '...to the conversion...'
		4.3 (Final paragraph)	Replace paragraph with "Proposals involving creation of additional housing units through conversion of non-residential buildings are addressed in paragraph 3.14 and must satisfy Policy RCE14."	Accept
351	41	4.5 (Final paragraph)	1 st sentence, replace '...primarily...' with "...additionally..."	Accept
			Delete final sentence, which begins 'If such proposal...'	
		Policy RH5	Sub-clause (b) amend to read "b) in the case of conversion of an outbuilding or new curtilage building, the building is well related to the principal dwelling in terms of siting within the curtilage, proximity to and ease of access from the dwelling."	Accept
353	41	4.6 (1 st paragraph)	After 1 st sentence, insert "For the avoidance of doubt, this policy includes curtilage development that is incidental to the enjoyment of a dwelling house and is applicable in both non-designated areas and AHLQ subject to the application of Policy RCE1 and, where appropriate, Policy RCE3."	Accept
5. Rural Economy				
358	48	5.1 (2 nd paragraph)	2 nd sentence, insert "...or proposed..." after 'an established.. Insert "...or farmstead.." after 'holding..'	Accept
			Add to end of last sentence, "...particularly where the requirement of acknowledged need has to be demonstrated."	

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		5.1 (3 rd paragraph)	1 st sentence, insert "the majority of which lie within Areas of High Landscape Quality," after 'farms.' Final sentence – delete.	Accept
358	48	Policy RE1	Amend whole policy to read "Policy RE1 a) Proposals for extensions, alterations, rebuilding or other works to buildings remaining in agricultural use will generally be permitted where they are acceptable in terms of siting, design and scale and where they are incidental and essential to the proper running of the holding. b) Proposals for new farm buildings at existing farmsteads on existing holdings will only be permitted where: i) they are acceptable in terms of siting, design and scale; ii) they are incidental and essential to the proper running of the holding; and, iii) any buildings on the holding clearly cannot, with or without reasonable adaptation, be otherwise used for the proposed purposes. c) Proposals involving the development of new farmsteads whether on existing or proposed holdings will only be permitted where: i) the resultant farmstead would meet an acknowledged need and where the requirement could not be reasonably or practically assimilated into an existing or former farmstead; ii) any buildings or structures are incidental and essential to the proper running of the holding; and, iii) they are acceptable in terms of siting, design and scale."	Accept, subject to the addition of a sub-clause (c) iv, to read "the proposal does not involve the erection of a new dwelling house which would be precluded under Policy RH1."

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360/361	49	5.2 (2 nd paragraph)	End paragraph to read "...Areas of High Landscape Quality will be carefully assessed in relation to Policy RCE3 as well as to Policy RCE1 that will apply in non-designated areas, while the establishment of wholly new horticultural holdings anywhere within the rural area will be resisted in order to encourage best use of existing horticultural holdings. Where a development proposal involves bringing a disused holding back into production, this will be generally permitted where it does not require the reconstruction of significant areas of glass or ancillary buildings or structures or alternatively where it would result in the creation of a key horticultural site (see paragraph 5.3). Glasshouse sites that are clearly derelict will be considered under Policy RCE5 and other relevant policies of the Plan.	Accept
		5.2 (4 th paragraph)	1 st sentence – delete.	Accept
		5.2 (5 th paragraph)	Amend paragraph to read "For the purposes of this policy, new buildings including glasshouses that are clearly incidental and essential to operation of the holding will, at the discretion of the Department, be regarded as constituting an extension."	Accept
361	49	Policy RE2	Amend policy to read "Policy RE2 Proposals for extensions, alterations, rebuilding or other works to glasshouses or buildings associated with horticulture will generally be permitted where: a) the site forms part of an existing holding which is in operation, or one which although disused could be brought back into operation without requiring significant works to existing ancillary buildings or structures or the erection of significant areas of new glass or, exceptionally, where such significant works as may be necessary would result in the creation of a key horticultural site; b) the holding is considered to make, or be capable of making, a valuable contribution to the industry and is likely to continue to do so for the foreseeable future, by virtue of its suitability for commercial operations; c) the proposals are acceptable in terms of siting, design and scale; d) the proposals are incidental and essential to the operation of the holding. The establishment of new horticultural holdings will not be permitted."	Accept, subject to the addition of the word "and," at the end of sub-clause (c)
364	50	Bullet points	Add 8 th bullet point to read "Recycling facilities"	Accept

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364	51	1 st paragraph	1 st full sentence – delete. Add sentence to end of paragraph to read "The outer limits of these Rural Centres are shown diagrammatically on the Proposals Map."	Reject but introduce a new Rural Centres annex as Annex 8 (see Schedule 2)
		Policy RE4	Sub-clause (a) i. insert "...any of.." before "...the Rural Centres.."	Accept
			Sub-clause (b) i. Insert "...and not within AHLQ.." after "...Rural Centre.."	Accept
367	53	Policy RE5	Sub-clause (a) replace "...degraded site.." with "...degraded horticultural site.."	Accept
			Sub-clause (b) amend to read "(b) the site is not a key horticultural site (unless Policy RCE3a can be complied with) and the site is not required for any other strategically important use;"	Accept
			1 st sentence, insert "...generally.." after "The Committee will.."	
373	54	5.7 (2 nd paragraph)	Add sentence to end of paragraph to read "Nevertheless, whilst recognising that the majority of the Island's development needs should be met within the boundary of the Urban Area Plan, adequate provision should be made for those businesses that have good and justifiable reasons, in terms of their particular characteristics, for operating in the rural area. In making such provision any commercial or industrial development must be balanced against the primary objective of conserving or enhancing the rural environment. Additional land requirements over and above that carried forward from the previous Rural Area Plan Phase 2 need to be justified in a way which balances the need for environmental protection and the specific economic development opportunities represented within the area covered by the Rural Area Plan which could not be met within the boundary of the Urban Area Plan."	Reject
			Add phrase to end of paragraph to read "...with any related curtilages considered against Policy RCE6 of the Plan."	Accept
			1 st sentence, delete the words 'Notwithstanding this however..'	Accept
374	54	5.7 (4 th paragraph)	Insert new paragraph between 2 nd and 3 rd paragraphs to read "For the purposes of this policy, new buildings on an existing industrial site that are incidental or ancillary to the existing industrial use will be treated as extensions subject to compliance with any relevant General or Conservation and Enhancement policies."	Accept
			Insert new paragraph between 2 nd and 3 rd paragraphs to read "For the purposes of this policy, new buildings on an existing commercial site that are incidental or ancillary to the existing commercial use will be treated as extensions subject to compliance with any relevant General or Conservation and Enhancement policies."	Accept
			5.9	Accept

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392	58/59	5.11 (4 th paragraph)	<p>Replace whole paragraph with <i>"The Department will, however, seek to resist the introduction of wholly new establishments which would provide tourist accommodation through new buildings 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. Proposals to add tourist or staff accommodation to catering or recreational facilities that have, or could have, a significant tourist role will be considered on their merits with advice from VisitGuernsey."</i></p> <p><i>For the purposes of this policy, new buildings at existing establishments to which this policy applies and which are incidental or ancillary to the existing use will be treated as extensions subject to compliance with any relevant General or Conservation and Enhancement policies."</i></p>	Accept, subject to the deletion of the proposed 2 nd sentence which begins 'Proposals to add tourist...'
	59	Policy RE11	Sub-clause (b) add to the end of sentence "or, exceptionally, they are at existing catering or recreational facilities that have or could have a significant tourist role."	Reject
396	59	5.12 (4 th paragraph)	<p>Replace whole paragraph with <i>"In determining whether the accommodation is capable of attaining a satisfactory standard so as to be regarded as core bed stock that should be retained, the Department will take into account the following factors:</i></p> <ul style="list-style-type: none"> <i>- the size of the establishment and the size of the site on which it is located</i> <i>- the physical condition of the premises including the standard of accommodation and amenities and the potential for up-grading or conversion to other tourist accommodation uses, including the cost of the works involved</i> <i>- the level of available facilities</i> <i>- the location of the establishment and ease of access for visitors. (Those locations regarded as of importance are within the Town area; on the south-coast cliffs and adjacent to the south-east beaches; on west and north-coast beaches and those in good rural locations."</i> 	Accept
	60	5.12 (1 st paragraph)	Replace whole paragraph with <i>"In order to demonstrate non-viability, evidence of occupancy rates for at least the last three years of operation will be required together with the marketing and business plans for the relevant period or periods plus evidence that the tourist accommodation has been marketed for sale for its existing use at a competitive price for at least twelve months prior to the making of any application for change of use."</i>	Accept
		5.12 (2 nd paragraph)	Replace whole paragraph with <i>"In assessing whether accommodation is substandard and incapable of upgrading at reasonable cost and not capable of viable operation, the Department will seek the views of VisitGuernsey."</i>	Accept

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397	60	Policy RE12	<p>Amend policy to read</p> <p>"Policy RE12</p> <p><i>The change of use or redevelopment of visitor accommodation to other uses will only be permitted where:</i></p> <p>a) <i>the existing premises provide an unsatisfactory standard of accommodation and facilities and are incapable of being upgraded to a satisfactory standard or adapted to good quality self-catering accommodation at reasonable expense having regard to the location of the establishment; or</i></p> <p>b) <i>the premises are too small for a modern viable operation and the site is of insufficient size to enable the premises to be adequately extended or improved.</i></p> <p><i>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."</i></p>	Accept
		5.14 (1 st paragraph)	<p>Replace final sentence with "Identified airport related uses include airline operations including freight, aeronautical engineering, general aviation (including hangarage and maintenance for business and corporate flying, private flying and aero club activities), storage and distribution directly linked to the operations of the airport and other businesses such as car hire operations and other travel related businesses."</p>	Accept
		5.14 (4 th paragraph)	<p>1st sentence replace '..ancillary and incidental..' with " ..ancillary or incidental.."</p>	Accept
399	61	Policy RE14	<p>Amend policy to read</p> <p>"Policy RE14</p> <p><i>Notwithstanding the preceding policies of this chapter, proposals for development requiring close proximity to the airport may be permitted where the development:</i></p> <p>a) <i>remains ancillary or incidental to the operation of the airport;</i></p> <p>b) <i>would be of a scale that would not unreasonably compete with the Rural Centres or those of the Town and The Bridge;</i></p> <p>c) <i>would not be likely to prejudice the long-term operational needs of the airport; and,</i></p> <p>d) <i>would not be within an Area of High Landscape Quality."</i></p>	Accept

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400	-	Mineral Resource Safeguarding Area	<p>Add new section and policy to read</p> <p>"5.15 Mineral Resource Safeguarding Areas</p> <p><i>In 1994 when the States considered the review of Strategy on Waste, Water and Stone (Billet d'État XX, 1994), it was resolved that a further report should be made to the States on such requirements at least 10 years before the exhaustion of Les Vardes Quarry. The indications are that reserves in the currently permitted area at Les Vardes could be worked out by 2015 at anticipated rates of extraction and a review is therefore to take place.</i></p> <p><i>Pending States' decisions in the light of that review, it is important that known reserves of stone should be protected. Mineral Resource Safeguarding Areas are therefore indicated on the Proposals Map at Les Vardes and Chouet Headland.</i></p> <p><i>Policy RE15</i></p> <p><i>The areas designated on the Proposals Map as Mineral Resource Safeguarding Areas will be safeguarded from any development that may compromise possible future working for stone"</i></p>	Accept
6. Social, Community & Recreation				
406	67	6.1 (1 st paragraph)	1 st sentence, insert "...hospices..." between "...hospitals..." and "...medical centres..."	Accept
407	68	6.2 (1 st paragraph)	<p>1st sentence, insert "...buildings or..." before "...sites..."</p> <p>2nd sentence, insert "...building or..." before "...site..."</p> <p>Add sentence at end of paragraph to read "For the avoidance of doubt, this policy does not only apply to public amenity or assembly and leisure class uses, but also to retail uses including public houses and recreational uses where the use provides or could provide a needed community facility that could realistically be retained."</p>	Accept
		Policy RS2	<p>1st sentence, insert "...buildings or..." before "...sites..."</p> <p>Insert "...building or..." before "...land..."</p>	Accept
411	70	6.4 (1 st paragraph)	<p>2nd sentence, replace "...special reference to..." with "...particular assessment against all relevant..."</p> <p>Add sentence at end of paragraph to read "Wherever possible, ancillary accommodation should be created by conversion of existing buildings under Policy RCE14, but where no suitable buildings are available, existing structures within the site that cannot be utilised should be cleared unless retention is necessary under Policy RCE13 in order to maintain the openness of the rural environment."</p>	Accept

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412	70	6.4 (new paragraph)	Add a new paragraph between existing 2 nd and 3 rd to read "For the purposes of this policy, new buildings that are clearly ancillary and incidental to the operation of an existing outdoor recreational facility will, at the discretion of the Department, be regarded as constituting extensions."	Accept
412	70	6.4 (Final paragraph)	Replace whole paragraph with "Proposals for changes of use and ancillary development such as stables, tack-rooms, covered storage or all-weather training surfaces for equestrian purposes that involve agricultural land will wherever possible be directed to redundant horticultural sites that can usually be made suitable after clearance of glasshouses. Whether such proposals are within existing or newly created residential curtilages or involve agricultural land, all relevant General and Conservation and Enhancement policies should be complied with. Proposals for major built facilities such as indoor riding schools will be considered under the provisions of Policy RS3."	Accept
412	70	Policy RS4	Sub-clause (a), replace with "a) Proposals for extensions, alterations, re-building and other works to existing facilities associated with outdoor recreation will generally be permitted where they are ancillary and incidental to the proper running of the recreational activity."	Accept
412	70	Policy RS4	Sub-clause (b), insert "camp sites.." between "motor sports circuits.." and "other areas.." Replace whole of (b) i. with "it would not result in the unacceptable irreversible loss of good agricultural land or have an adverse effect on the viability of an agricultural holding"	Accept
414	70	6.4 (new paragraph)	Sub-clause (b) iv. delete Add new final paragraph to read "As golf-courses involve such extensive areas of land, they are subject of a specific Policy RS5 which is covered in the following section of the Plan."	Accept
416	-	Golf courses	Add new section and policy to read "6.5 Golf course development As golf courses have such extensive land requirements, golf course development is subject of specific policy provision in order to avoid distorting general policies to fit golf courses within them. On 30 th July 1992, the States resolved to agree in principle to designate La Grande Mare as the location for a second 18-hole golf-course. Work has commenced on implementing that proposal but the course still needs lengthening and providing with additional ancillary accommodation."	Accept

Insp Page N°	RAP Page N°	Paragraph N° or heading	Inspector's Proposed amendment Proposed new text shown "in <i>italics</i> within quotation marks"	Environment Dept's Recommendation
416	-	Golf courses	<p>...continued from previous page</p> <p>The Proposals Map accordingly includes an area of search of around 180 acres at La Grande Mare within which proposals for a golf course will be considered in accordance with Policy RS5. A high standard of layout and general design will be required in order to make a positive contribution to the locality whilst respecting and maintaining key features of the existing environment.</p> <p>Policy RS5</p> <p>An area of land at La Grande Mare has been defined as an area of search within which proposals for an 18-hole golf course will be considered. The Environment Department will require a comprehensive scheme for the development of the course to be submitted. This must include an assessment of the overall character of the site and its surroundings and any measures required to maintain its key features. Development proposals will need to:</p> <p>(i) accord with the following:</p> <p>Topography/Layout – Open landscape broken by natural hazards (trees, scrub, water) or capability to introduce such hazards. Presence of public roads acceptable excluding play across or immediately alongside.</p> <p>Support/Services – Clubhouse, public toilets, car park, road access, water/electricity supply.</p> <p>(ii) be well conceived, of a high standard of design and be laid out to make the best and most efficient use of the land available;</p> <p>(iii) respect the character of the setting and as far as possible protect any features of interest within the site, including areas of nature conservation importance, streams, banks, trees, lanes and other features which give character to the landscape.</p> <p>(iv) be satisfactory in terms of site access, provision of adequate parking and, where appropriate, provision of footpath connections:</p> <p>(v) avoid, wherever possible, the best and most versatile agricultural land;</p> <p>and where clubhouse, public toilets and other ancillary buildings or related facilities are proposed they should make a positive contribution to the surroundings by reflecting the influence of the local setting.</p>	Accept
416	-	Golf courses		Accept

Insp Page N°	RAP Page N°	Paragraph N° or heading	Inspector's Proposed amendment Proposed new text shown "in Italics within quotation marks"	Environment Dept's Recommendation
			...continued from previous page <u>Phasing of development</u> As part of a comprehensive plan for an 18-hole golf course within the area of search, the Department will be prepared to consider proposals for not less than 14 greens incorporating 18 holes and playable off 18 tees on land within the ownership or control of the applicant. <u>Management Agreement</u> The States have resolved that the necessary administrative procedures should be implemented to provide adequate protection for the Island's environment and, where appropriate, legislation to achieve such protection should be enacted. In the meantime the Department policy is to encourage, <i>inter alia</i> , management schemes designed to maintain and enhance sites of nature conservation importance. Favourable consideration will be given to golf course proposals which include an environmental statement and demonstrate measures to reduce the impact of the development on sites of nature conservation importance, and which indicate a willingness to enter into a voluntary management agreement designed to protect the environment and maintain and enhance ecologically important areas.	Accept
416	-	Golf courses		
422	-	Golf courses	Add new paragraph to end of above recommended Section 6.5 pre-able to read "Should the States endorse the provision of a third 18-hole golf course a further area of search of about 150 acres is shown on the Proposals Map at La Ramee within which such a course could be devised." Proposed new Policy RS5, amend 1 st sentence to read "Areas of land at La Grande Mare and La Ramee have been defined as areas of search within which proposals for 18-hole golf courses will be considered."	Reject Reject
7. Essential Development & Infrastructure				
		7.1 (1 st paragraph)	Delete whole paragraph	Accept
424	75	7.1 (2 nd paragraph)	1 st sentence, replace the phrase '...the general Plan objectives....other policies.' with "...the primary objective of the Plan of conserving and enhancing the rural environment even if they may conflict with certain specific policies. All relevant General and Conservation and Enhancement Policies will be complied as far as possible." Add new sentence at end of paragraph to read "For the avoidance of doubt, proposals for new telecommunications masts will be subject to this Policy RD1."	Accept

Insp Page N°	RAP Page N°	Paragraph N° or heading	Inspector's Proposed amendment Proposed new text shown "in Italics within quotation marks"	Environment Dept's Recommendation
425	76	7.2	Insert " ..such as affixing additional or replacement antennas on existing structures.." after ' ..small-scale telecommunications equipment.. '	Accept
428	75	7.1 (new paragraph)	Insert new 4 th paragraph to read "The Proposals Map indicates areas safeguarded for provision of Runway End Safety Areas, appropriate Runway Stop Ends and possible runway extensions at either end of the runway at Guernsey Airport."	Reject
	-	Airport	Add new policy to read "Policy RD1A – Areas safeguarded for operational development at Guernsey Airport Within the areas shown on the Proposals Map no development will be permitted that would prejudice the provision of Runway End Safety Areas, Runway Stop Ends and possible extensions to the runway at Guernsey airport."	Reject
Annexes				
65	87	Annex 2	Penultimate paragraph, add new sentence at end to read "Exceptionally, SNCIs may be designated on the basis of the significance of the exposed geological outcrop."	Accept
71	-		Insert a referenced location map indicating SNCIs	Accept
Glossary				
358	129	-	Insert a definition for 'agriculture' (to be taken from 1966 Law	Accept
361	130	-	Expand definition of 'horticulture' by amending ' ..plants for food or decorative purposes..' to " ..plants for food, medicinal or, decorative purposes.." "	Accept
Proposals Map				
See also map extracts				
31			Legend; replace 'Local Centre' with 'Rural Centre'	Accept
40			Extend Area of High Landscape Quality designation, Les Effards, Castel	Accept
43			Extend AHLQ, Les Vardes Quarry, St Sampson	Accept
48			Extend AHLQ, Bordeaux, Vale	Accept
64			Delete AHLQ, Cobo Coast Road, Castel	Accept
			Delete AHLQ, Richmond Coast Road, St Saviour	Accept
65			Show boundary line around all SNCI's	Accept

Insp Page N°	RAP Page N°	Paragraph N° or heading	Inspector's Proposed amendment Proposed new text shown " <i>in Italics within quotation marks</i> "	Environment Dept's Recommendation
66			Designate a new SNCI at Les Grandes Rocques Road, Castel	Accept
			Clarify boundary of SNCI at Le Villocq	Accept
70			Delete part SNCI and part AHLQ designation at Le Marais, L'Ancrese, Vale	Accept
70			Designate a new SNCI at Beaucette Marina, Vale	Accept
83			Designate a new Conservation Area around Torteval Church, Torteval	Accept
84			Consider whether Conservation Area and AHLQ should be mutually exclusive (Forest)	Reject
364			Replace Rural Centre 'star' symbol with circles encompassing the Centre	Accept the Inspector's recommendation in respect of the need to give firmer definition to the designation of Rural Centres, but to include a new annex within the RAP explaining how the Rural Centres have been defined rather than accepting the Inspector's suggested method of replacing stars with circles. Proposals Map therefore remains unaltered.
367			Delete AHLQ, field north of Landes Du Marches, Vale	Reject
404			Designate new Minerals Safeguarding Area at Les Vardes Quarry, Vale	Accept
415 / 417			Re-designate Area of search for 18-hole golf course at La Grande Mare (carried through from RAP Phase 1)	Accept
422			Designate new Area of search for 18-hole golf course at La Ramee	Reject
428			Designate Areas Safeguarded for operational development (including possible runway extensions) at the Airport, Forest	Reject
428			Delete AHLQ around the runway ends, to complement the above suggestion	Reject

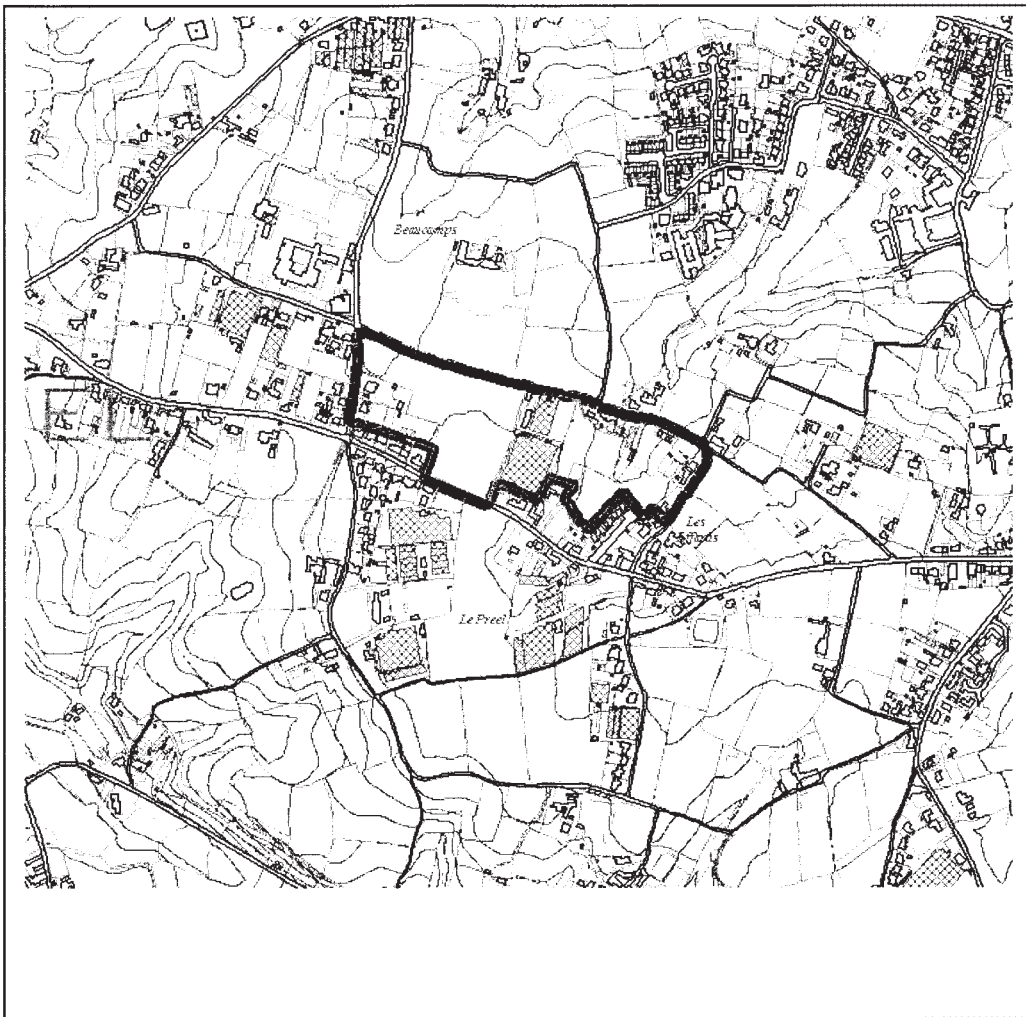
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Les Effards, Castel

Recommendation: Extend AHLQ designation to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 40

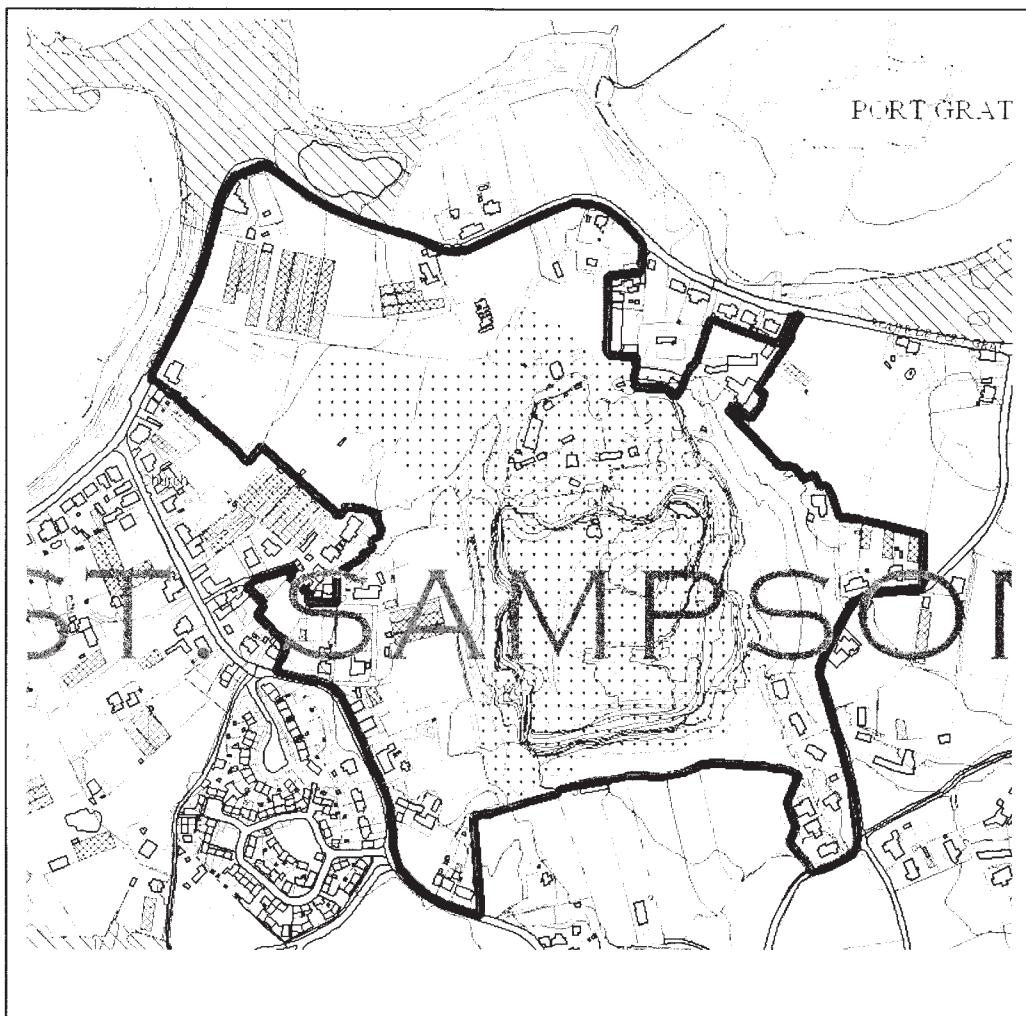
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Les Vardes Quarry, St Sampson

Recommendation: Extend AHLQ designation to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 43

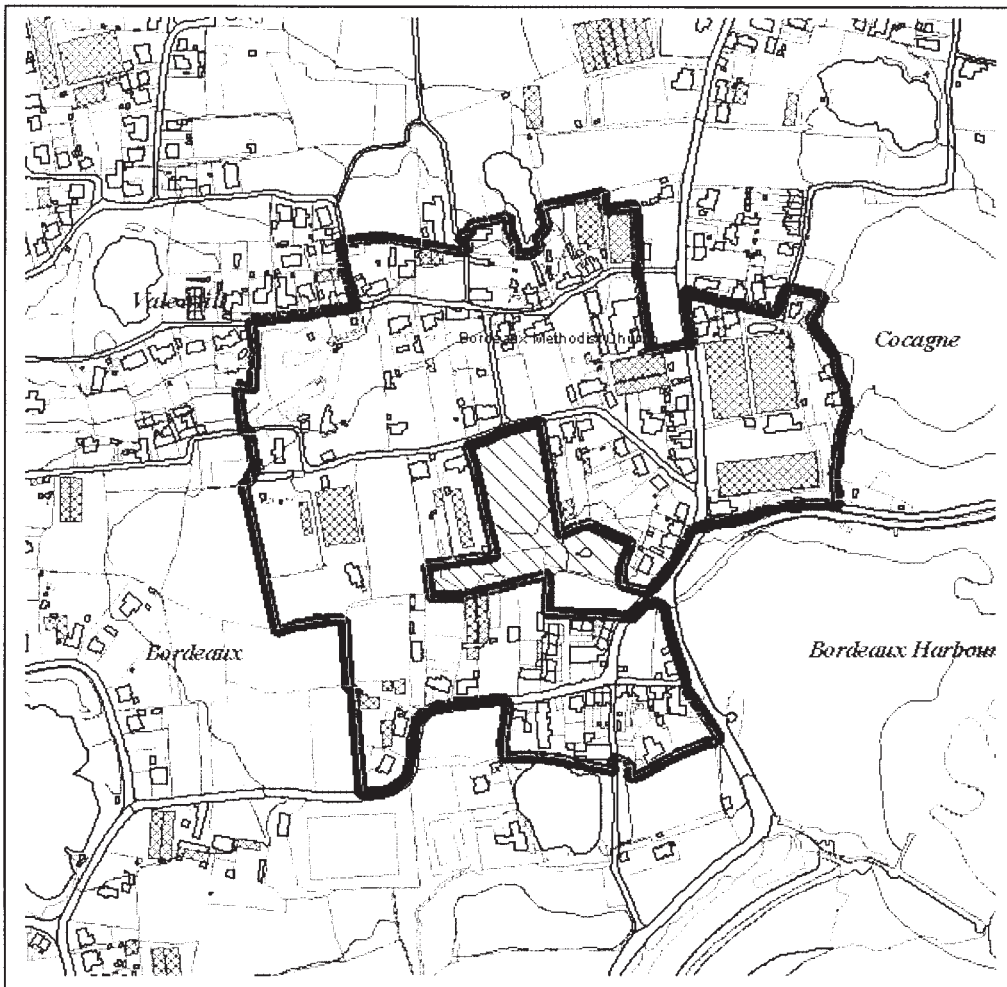
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Bordeaux, Vale

Recommendation: Extend AHLQ designation to include all land within shown boundary.

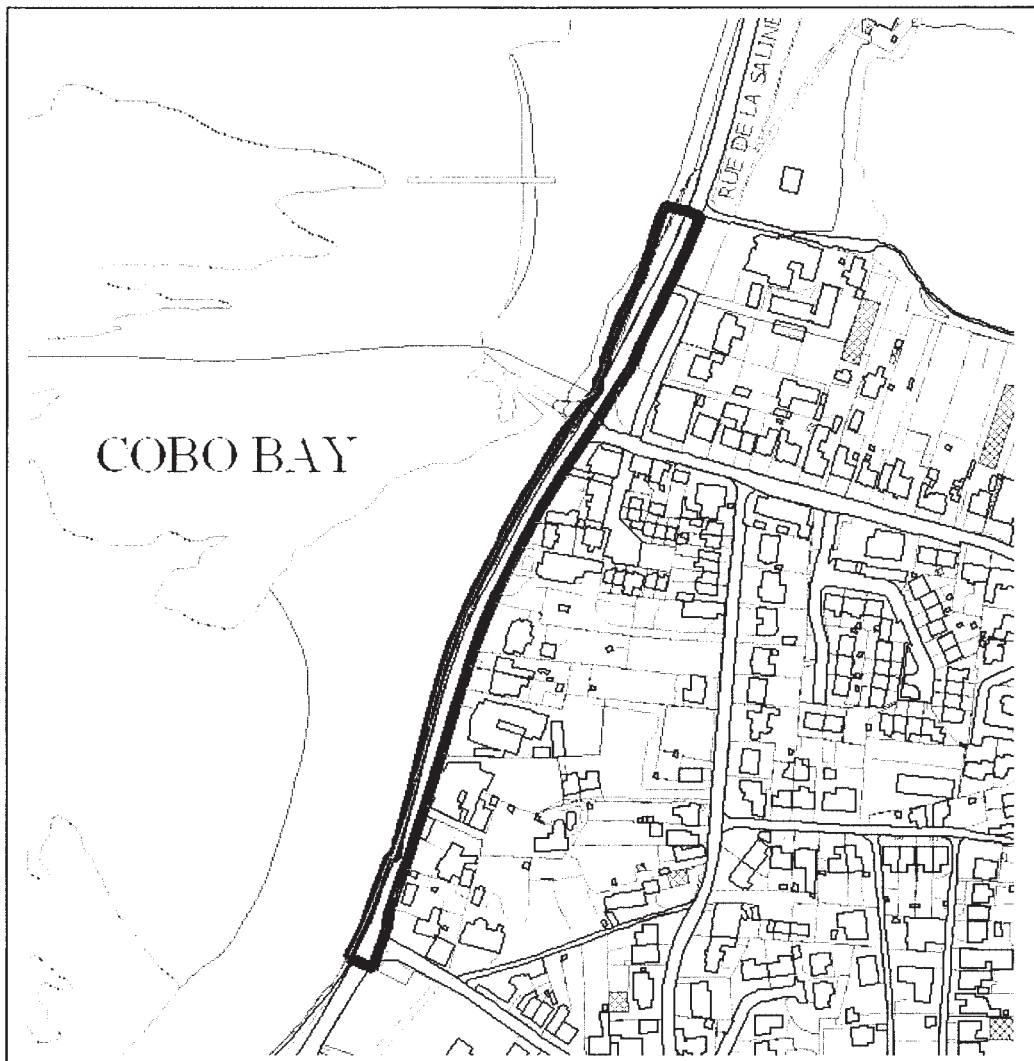
Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 48

Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations**Site:** Cobo Coast Road, Castel**Recommendation:** Delete AHLQ designation within shown boundary.*Map not to scale*Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 64

Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Richmond Headland, St Saviour

Recommendation: Delete AHLQ designation within shown boundaries.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 64

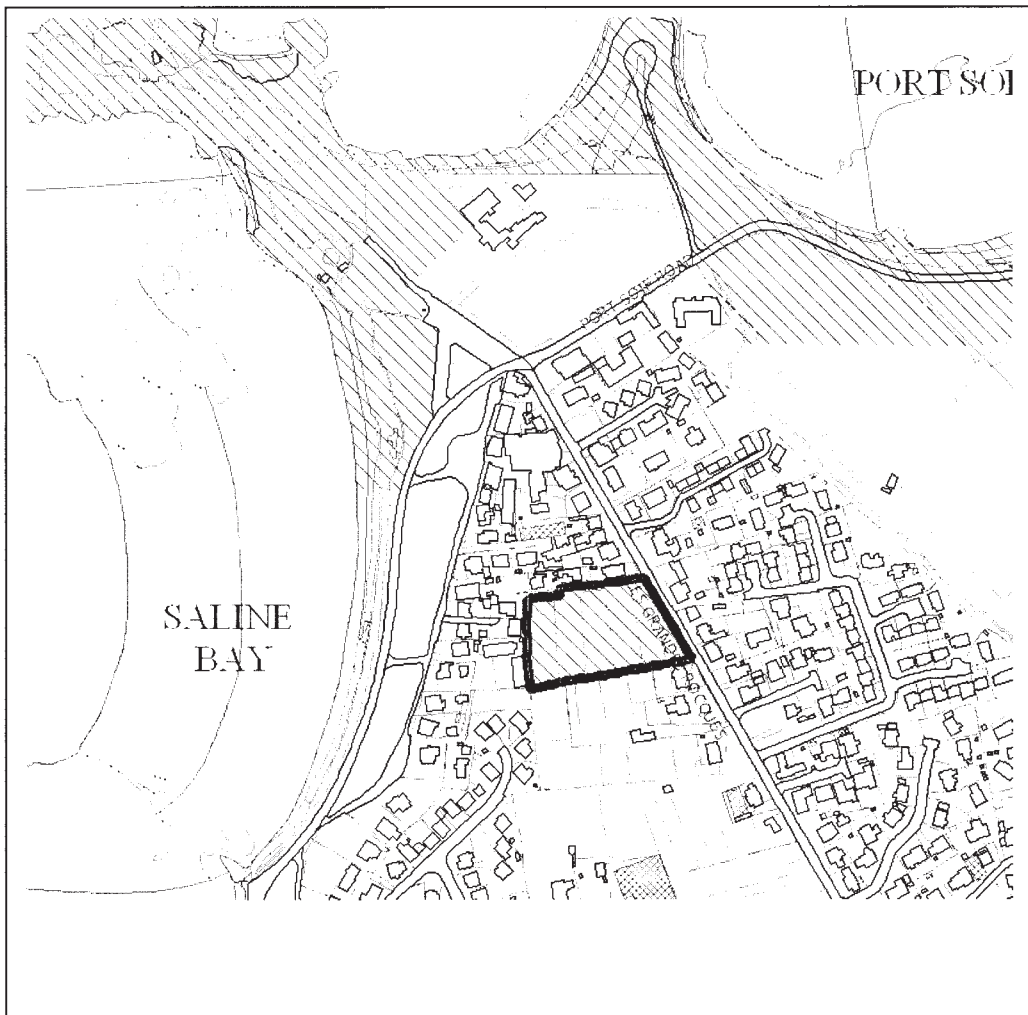
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Les Grandes Rocques, Castel

Recommendation: Designate new SNCI to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 66

Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Le Villocq, Castel

Recommendation: Extend SNCI designation to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 66

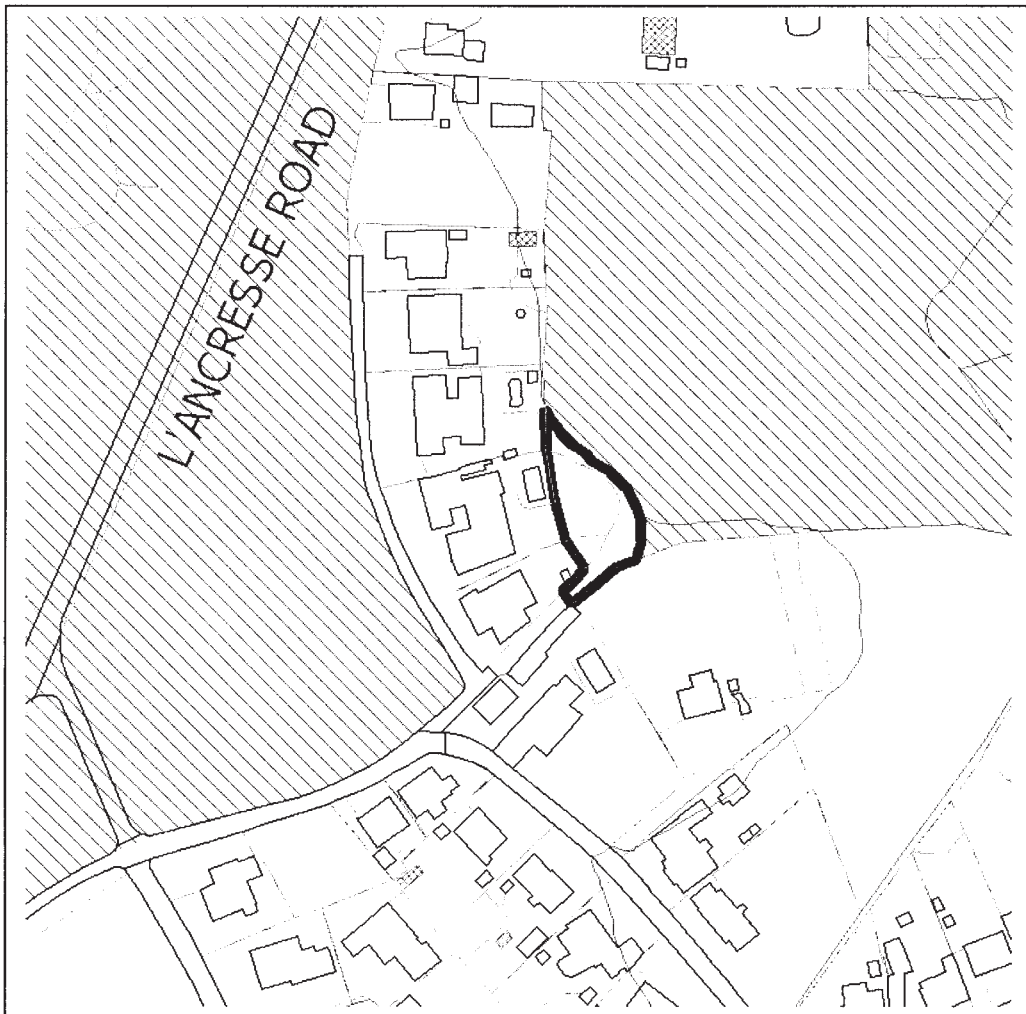
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Le Marais, L'Ancrese, Vale

Recommendation: Delete AHLQ & SNCI designations within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 70

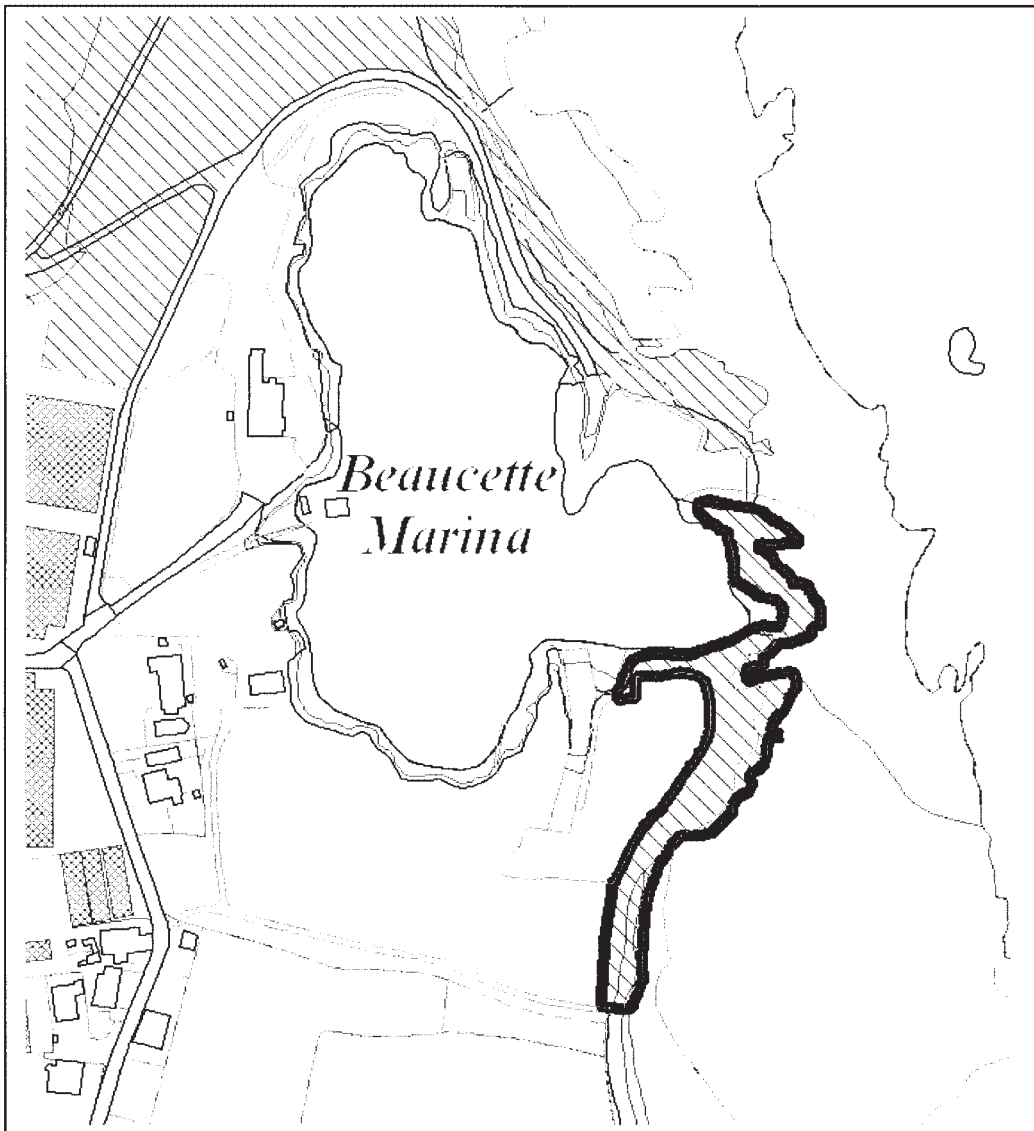
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Beaucette Marina, Vale

Recommendation: Designate new (geological interest) SNCI to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 70

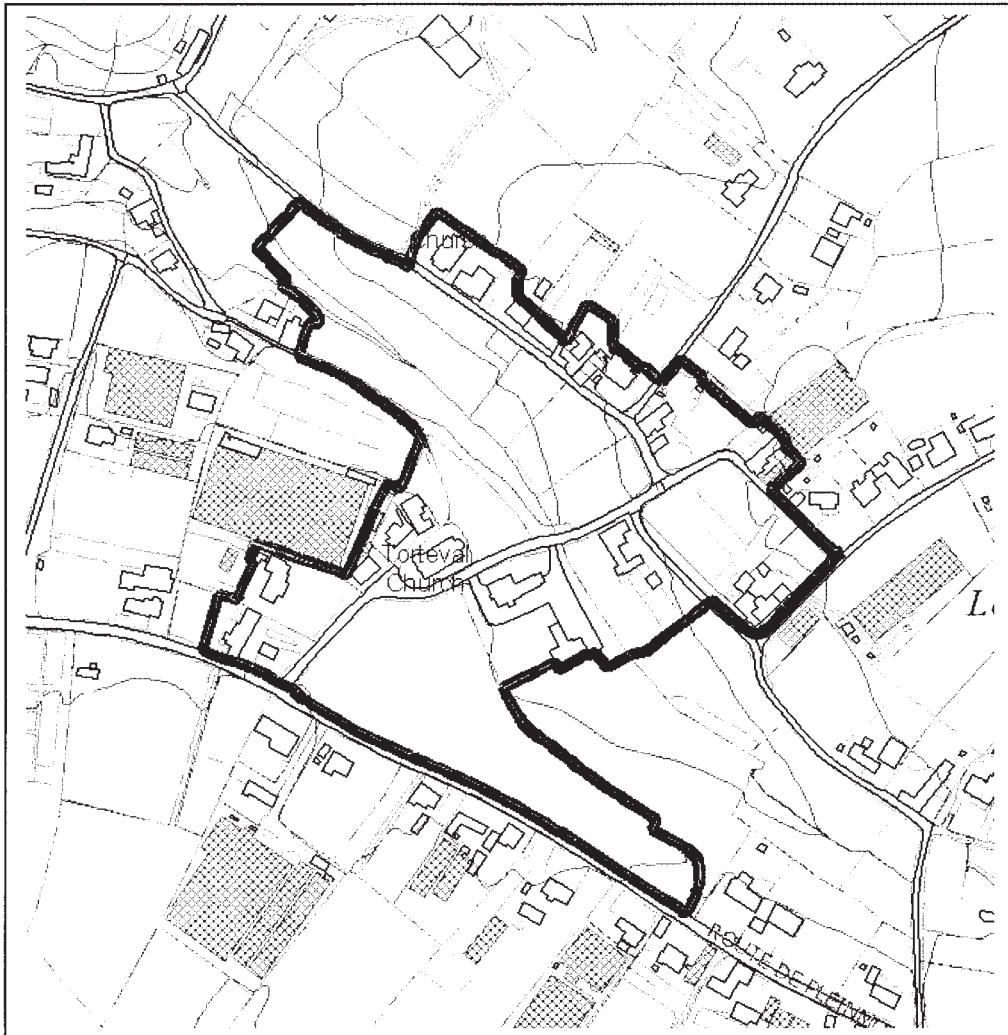
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Torteval Church & surroundings, Torteval

Recommendation: Designate new Conservation Area to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the principle of designating the area as a Conservation Area, but with the same boundary as that shown on the existing RAP (Phase 2) rather than that proposed by the Inspector.**

See Inspector's Report page 83

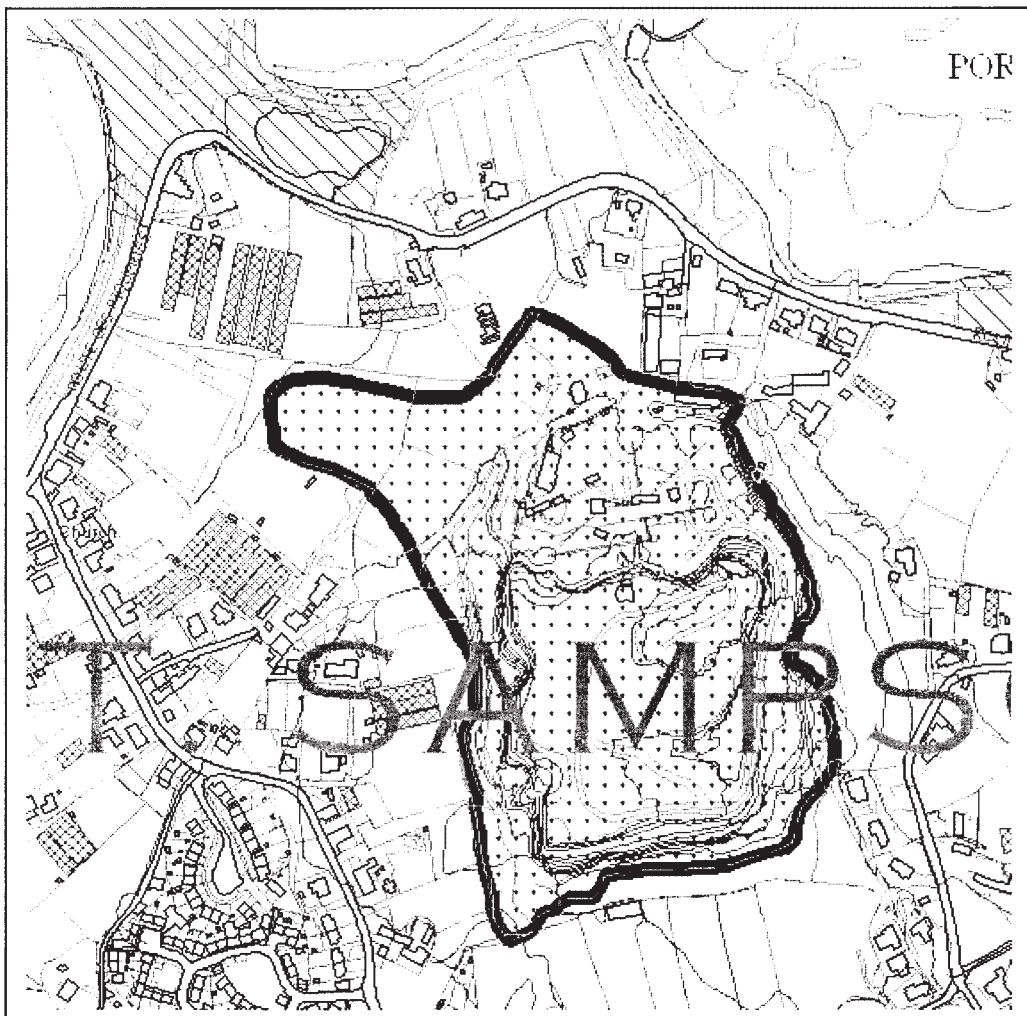
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: Les Vardes Quarry, St Sampson

Recommendation: Designate new Minerals Safeguarding Area to include all land within shown boundary.

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report page 404

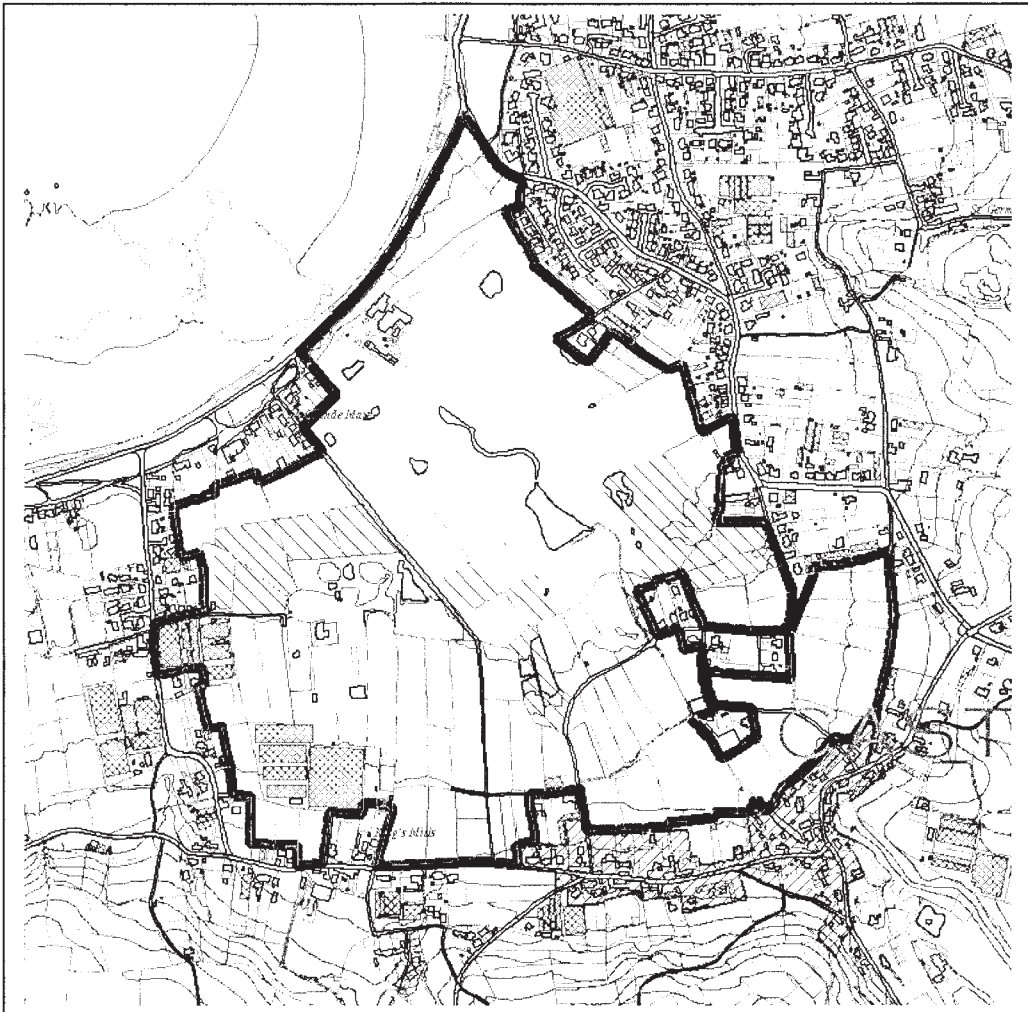
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: La Grande Mare, Castel

Recommendation: Re-instate Area of Search for a new 18-Hole Golf Course within shown boundary

Map not to scale



Environment Board recommendation; **Accept the proposed change**

See Inspector's Report pages 415/416

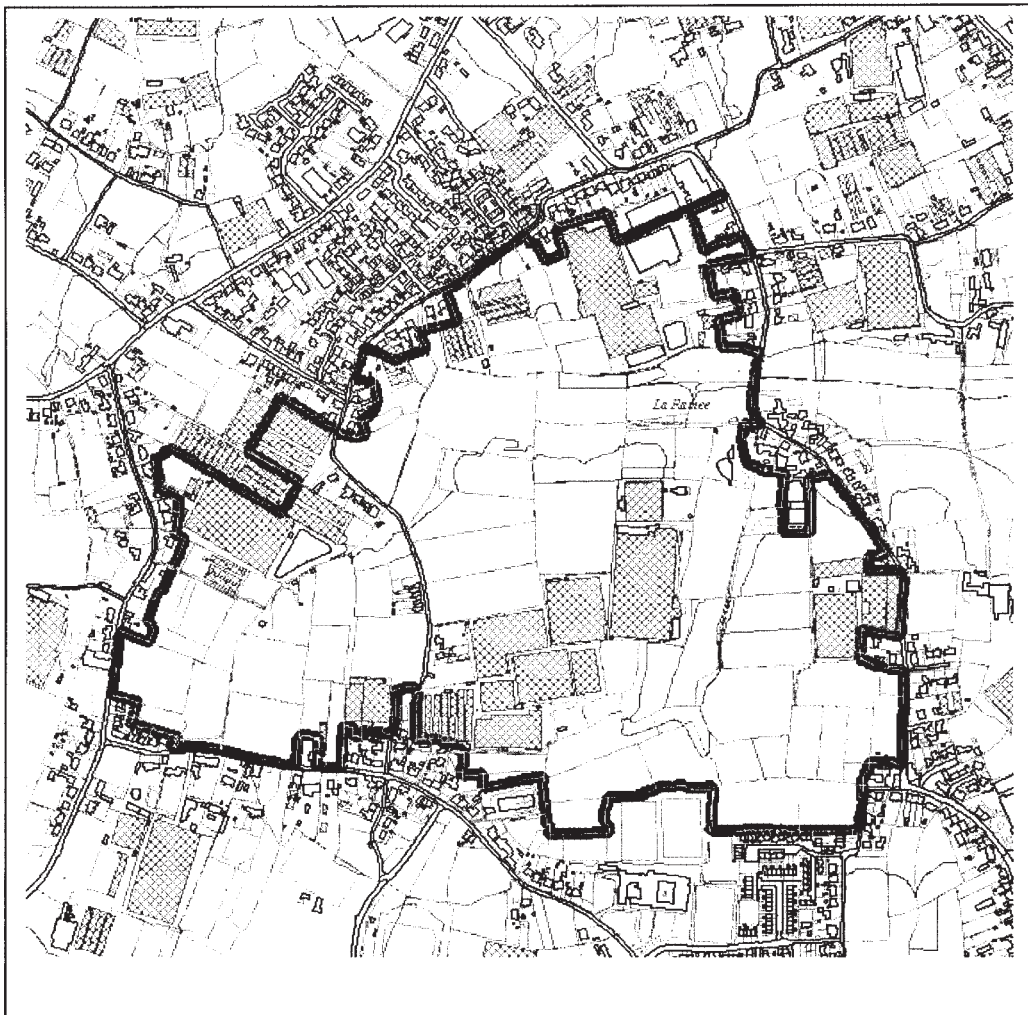
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: La Ramee, St Peter Port, Castel & St Sampson

Recommendation: Designate new Area of Search for a new 18-Hole Golf Course within shown boundary

Map not to scale



Environment Board recommendation; **Reject the proposed change for reasons given in Section 8.0 of this Report**

See also Inspector's Report pages 422

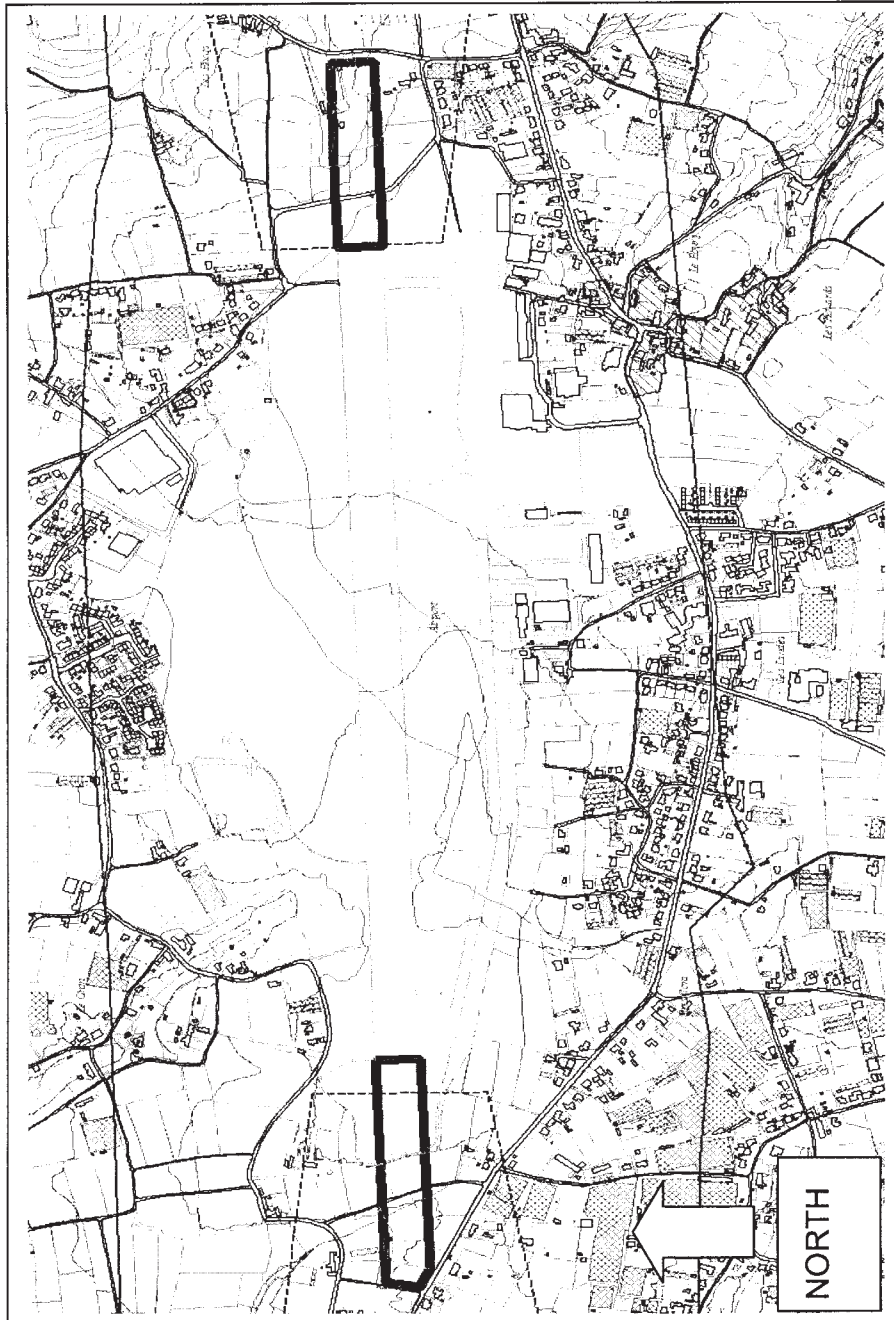
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: The Airport, Forest/St Pierre du Bois

Recommendation : Designate new Runway End Safety Areas / Runway Extension Safeguarding Areas to include all land within shown boundaries.

Map not to scale



Environment Board recommendation; **Reject the proposed change for reasons given in Section 9.0 of this Report**

See also Inspector's Report page 428

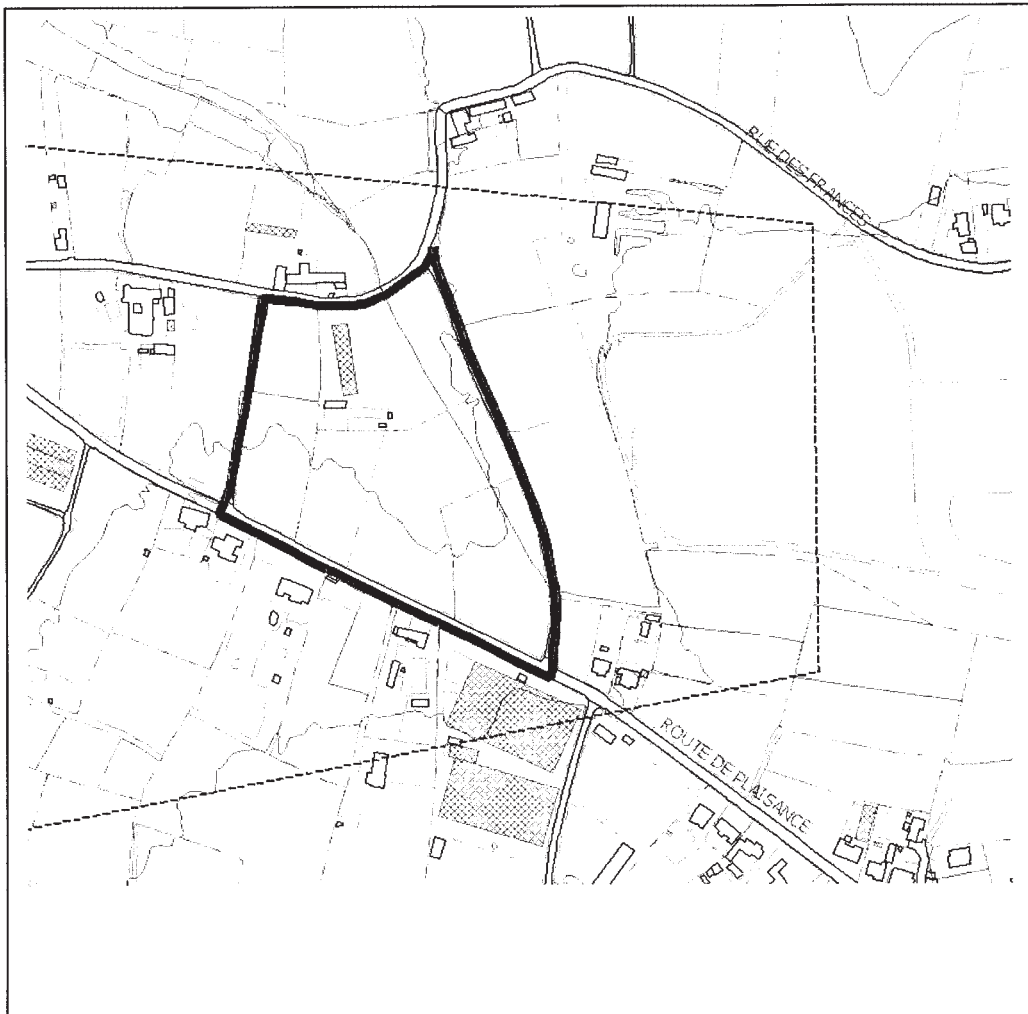
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: West of Runway, The Airport, Forest/St Pierre du Bois

Recommendation : Delete AHLQ designation within shown boundary.

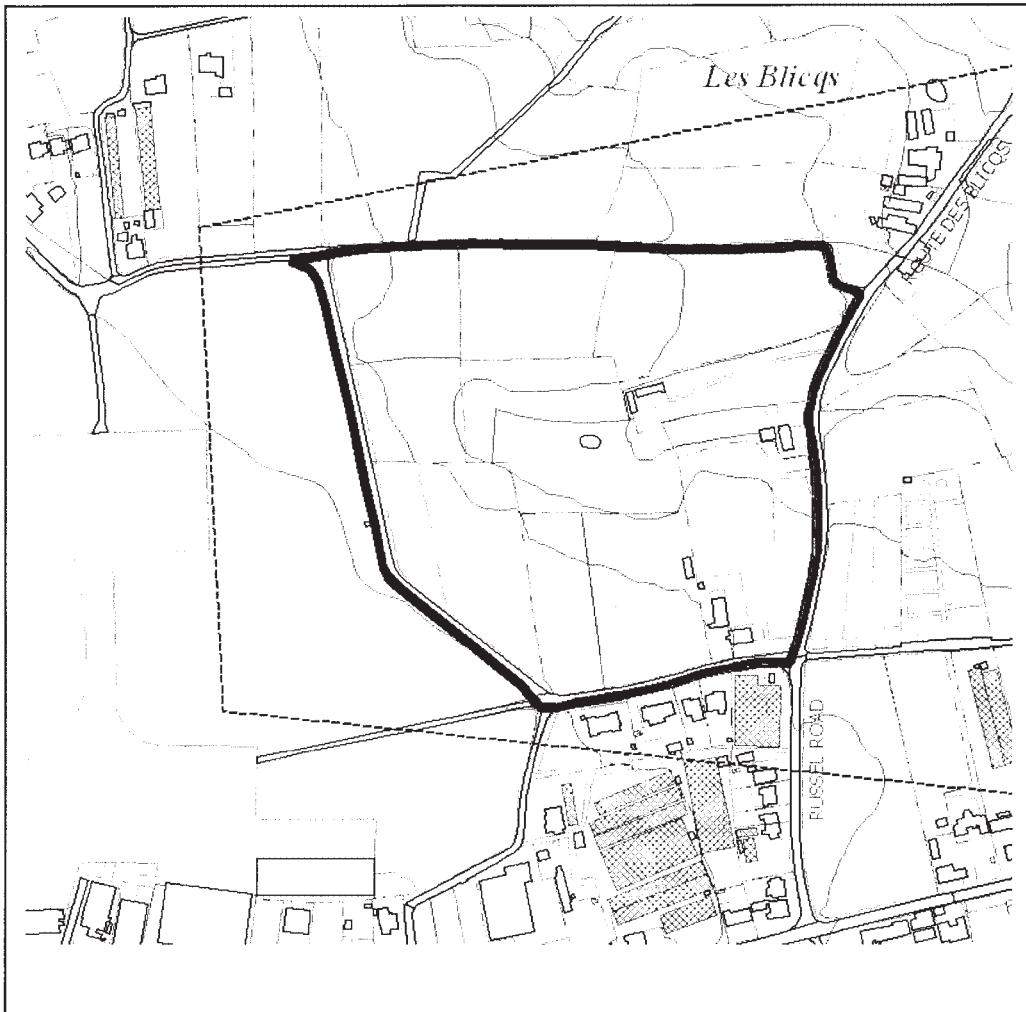
Map not to scale



Environment Board recommendation; Reject the proposed change for reasons given in Section 9.0 of this Report

See also Inspector's Report page 428

Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations**Site:** East of Runway, The Airport, Forest**Recommendation:** Delete AHLQ within shown boundary.*Map not to scale***Environment Board recommendation; Reject the proposed change for reasons given in Section 9.0 of this Report**

See also Inspector's Report page 428

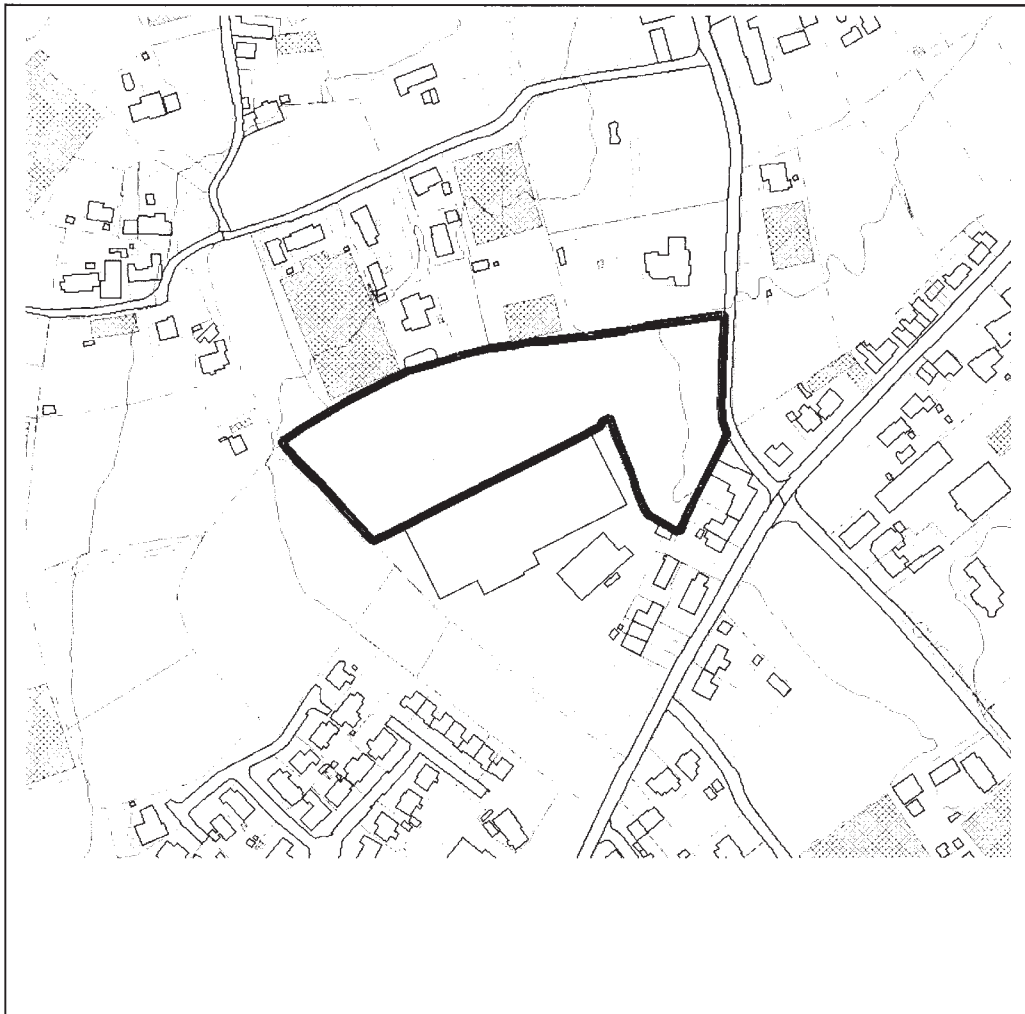
Draft Rural Area Plan Review No 1; Proposals Map

Inspector's Recommendations

Site: North of Landes Du Marches, Vale

Recommendation: Delete AHLQ within shown boundary.

Map not to scale



Environment Board recommendation; **Reject the proposed change as the removal of the AHLQ designation to facilitate an extension to the business premises to the south of the site would be inconsistent with the general policy and approach of the Plan.**

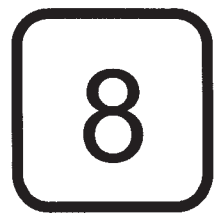
See also Inspector's Report page 367

Schedule 2

The Environment Department's proposed
additional annex on Rural Centres

Rural Centres

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Annex 8. Rural Centres

This Annex provides further detailed information relating to the rationale for the inclusion of Rural Centres within the Rural Area Plan.

The Plan identifies Rural Centres in response to Policy SP19 of the Strategic & Corporate Plan. This strategic directive notes that the provision of local shops and services is important in providing for local needs and reducing the need to travel. Therefore, where sites are well located to the Rural Centres the retention and improvement of local support services and community facilities may be supported, provided that the development is of a scale consistent with the function and character of the local area.

As a result, the Plan identifies five Rural Centres which are located in St Martin, Forest, St Peter's, Cobo and L'Islet. These are depicted by the use of a star symbol on the Proposals Map.

How have the Rural Centres been defined?

The Rural Centres have been defined by using a formula based on a set of indicators of sustainability, highlighting common areas that lie within 500 metres of each indicator.

The eight indicators are:

- A general store selling fresh produce
- A post office
- Public transport services at least once every hour during the day
- A doctor's surgery and pharmacy
- A public primary school
- A bank or cash machine
- A play area or open amenity area such as a public park or garden and beaches with toilet or kiosk facilities and
- Recycling facilities

All indicators within each of the eight groups are plotted on a map of the Rural Area and a 500 metre buffer is then placed around each group of eight indicators. The area where there is an overlap of at least five separate indicators represents an 'area of sustainability'. It is within these areas that the Rural Centres lie. By adopting such an approach, no one part of the Rural Centre is more than 500 metres away from at least five indicators.

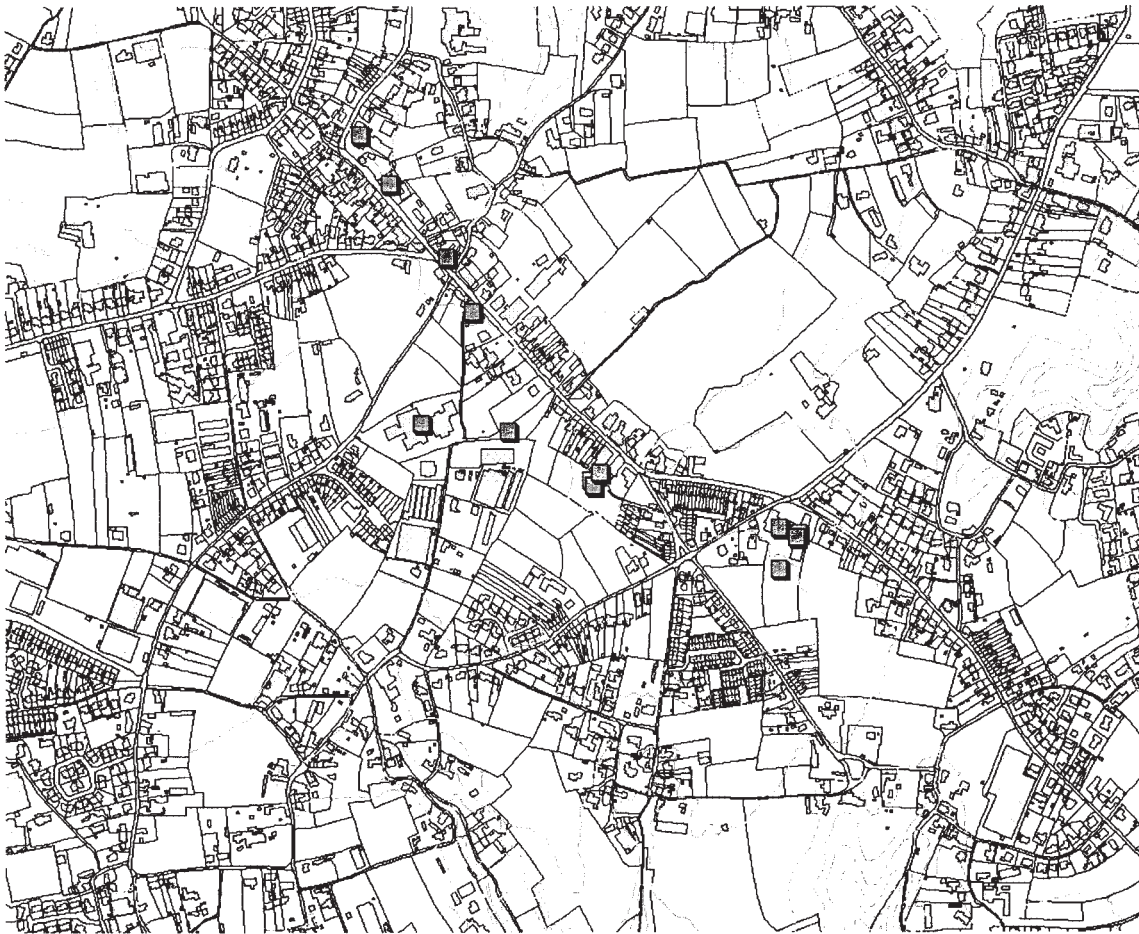
Owing to the way in which rural communities and economies can change over time, it is acknowledged that some areas may gain additional indicators of sustainability under the provisions of this Plan. For this reason and because of the ways in which local communities use them, it is important to note that **it is not possible to precisely identify the extent of the Rural Centres.**

The extent of each Rural Centre will be influenced by a number of interlinking factors such as the nature of the physical environment, the relationship of the shops and services within the area of sustainability and the nature of the local transport network.

The diagrams below illustrate the indicators of sustainability at St Martin, Forest, St Peter's, Cobo and L'Islet.

The information provided within this annex is intended to aid the interpretation of the information contained within the Plan regarding Rural Centres and is therefore included for guidance purposes only. The diagrams are not intended to define the extent of the Rural Centres. They illustrate the sustainability indicators that result in the Rural Centre designation. This information is not binding on the Department and should not be regarded as a definitive method of determining whether a particular site is considered to be well related to a Rural Centre.

St Martin's sustainability indicators

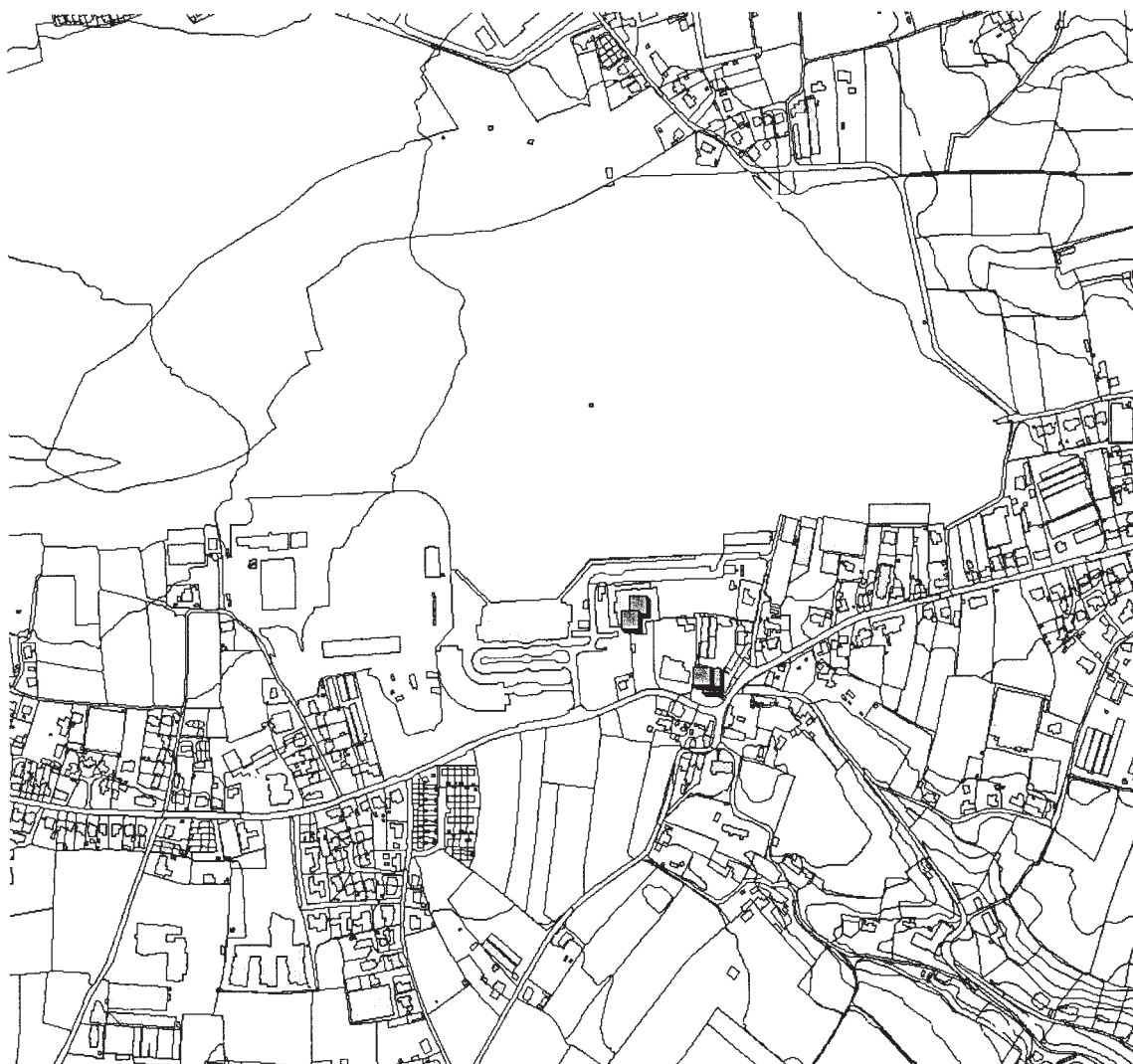


Not to scale.

For purposes of clarity, the Public transport services sustainability indicator is not illustrated.

Note: This drawing is not intended to define the extent of the Rural Centre

Forest's sustainability indicators



Not to scale.

For purposes of clarity, the Public transport services sustainability indicator is not illustrated.

Note: This drawing is not intended to define the extent of the Rural Centre

St Peter's sustainability indicators



Not to scale.

For purposes of clarity, the Public transport services sustainability indicator is not illustrated.

Note: This drawing is not intended to define the extent of the Rural Centre

Cobo's sustainability indicators



Not to scale.

For purposes of clarity, the Public transport services sustainability indicator is not illustrated.

Note: This drawing is not intended to define the extent of the Rural Centre

L'Islet's sustainability indicators



Not to scale.

For purposes of clarity, the Public transport services sustainability indicator is not illustrated.

Note: This drawing is not intended to define the extent of the Rural Centre

(NB Appendix A - The Inspectors' Report - and Appendix B - The draft Rural Area Plan Review No. 1 - are published separately in three volumes)

(NB The Policy Council welcomes the presentation of the Environment Department's report on the draft Rural Area Plan Review No 1 to the States.

It regrets that the process of review necessary to replace the current Rural Area Plan (Phases 1 & 2) with a single, comprehensive plan has taken so long to complete. That said, the priority now must be to put in place an up to date planning policy framework to replace plans that were adopted in the mid-1990s.

The Policy Council notes that the Planning Inspector generally endorses the approach that has been taken in the plan and in most cases where he has recommended amendments, the Environment Department has agreed to take these on board. The Policy Council supports those aspects of the plan where both parties are in agreement.

The Policy Council, through the Strategic Land Planning Group has also had reference to the Inspector's report preparing its review of the Strategic Land Use Plan. The new, draft strategic plan will be published in mid-November as part of the 2006 Policy and Resource Plan and Members may find it useful to read through the draft plan when reaching a view on the issues raised in this States report.

As the publication of the draft Rural Area Plan Review No 1 predated the establishment of the new system of government in May 2004, the Environment Department's report is being debated in highly unusual circumstances.

The draft Rural Area Plan Review No 1 was endorsed as being in conformity with strategic policy by the former Strategic Working Party of the Advisory and Finance Committee. The present Policy Council includes Ministers who were not States Members at that time or were not members of the Advisory and Finance Committee. Some have made representations to the Planning Inquiry on an individual basis.

In this situation, the Policy Council has decided that, as a body, it will adopt a neutral stance on those matters where the Environment Department disagrees with the Inspector's recommendations rather than trying to form a collective view. As a consequence, Ministers will debate these issues and vote according to their personal judgment.)

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

The States are asked to decide:-

Whether, after consideration of the Report dated 27th September, 2005, of the Environment Department, they are of the opinion:-

To approve the Rural Area Plan (Review No.1) together with those recommendations of the Planning Inspector supported by the Department together with the Department's own amendments made in response to the Planning Inspector's comments as set out in Schedule 1 to that Report

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 2nd DAY OF DECEMBER 2005

Meeting adjourned from 30th November and 1st December

The States resolved as follows concerning Billet d'État No XVIII
dated 28th October, 2005

ENVIRONMENT DEPARTMENT

RURAL AREA PLAN REVIEW No.1

After consideration of the Report dated 27th September, 2005, of the Environment Department: -

1. That, pursuant to Rule 13(9) of the Rules of Procedure and with the agreement of the Environment Department, any of the amendments tabled in respect of this article shall not be treated as an amendment to defer adoption (but not debate) of the Rural Area Plan Review No 1.

2. To approve the Rural Area Plan (Review No. 1) together with those recommendations of the Planning Inspector supported by the Department together with the Department's own amendments made in response to the Planning Inspector's comments as set out in Schedule 1 to that Report, subject to the modifications that:

1. the recommendations of the Planning Inspector concerning the insertion of an additional caveat at the end of Policy RH1 and consequential insertion of a sub-clause (a)(iii) into that Policy, alongside the Inspector's page reference 99 in Schedule 1, on page 2223 of that Report, shall be accepted;
2. for the whole of the second paragraph under "4.2 Social Housing" (on page 38 of the draft Plan) there shall be substituted:

"2. For the purposes of this Policy, social housing is taken to be that which is (a) provided by the States Housing Department, (b) provided by a recognised Housing Association in co-operation with that Department, or (c) in a scheme to secure specific forms of social housing sought in the Corporate Housing Programme, with the support of the Housing Department. Such housing would normally be for subsidised rent or for partial ownership but may include sheltered

- housing in schemes that are approved by the Housing Department.”;
3. the recommendations of the Planning Inspector concerning the provision of land for industry, alongside Inspector’s page reference 373, RAP page no. 54, paragraph no. 5.7 (second paragraph), in Schedule 1 on page 2227 of that Report, shall be accepted;
 4. the recommendations of the Planning Inspector concerning the possible provision of a third 18-hole golf course, alongside the Inspector’s page reference 422 in Schedule 1, on page 2233 of that Report, and in the upper box and map on page 2248 of that Report, shall be accepted;
 5. the recommendation of the Planning Inspector for deletion of the Area of High Landscape Quality designation from an area of land north of the Landes du Marché, alongside the Inspector’s page reference 367 on page 2235 of that Report, and in the upper box and map on page 2252 of that Report, shall be accepted;
 6. in addition to the conservation areas identified on the proposals map, all of the land designated as “conservation areas” for the purposes of the existing Rural Area Plan (Phase 1) and Rural Area Plan (Phase 2) shall continue to be designated as “conservation areas” for the purposes of the Rural Area Plan (Review No. 1).
3. To direct the Environment Department to undertake a more structured evaluation of the importance and value of all conservation areas, and a re-examination of their boundaries, at the time of the next Rural Area Plan review.

K. H. TOUGH
HER MAJESTY’S
GREFFIER