

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**DEVELOPMENT & PLANNING AUTHORITY AND
COMMITTEE *FOR THE* ENVIRONMENT & INFRASTRUCTURE**

THE ISLAND DEVELOPMENT PLAN – LAND FOR LIGHT INDUSTRIAL USE

The States are asked to decide:-

Whether, after consideration of the Policy Letter of the Development & Planning Authority and the Committee *for the* Environment & Infrastructure entitled 'Land for Light Industrial Use' (dated 25th April, 2017), they are of the opinion:-

1. To note that, of the areas of land identified by the States Trading Supervisory Board in consultation with the Committee *for* Economic Development, it would be acceptable in principle under the existing policies of the Island Development Plan (2016), subject to the meeting of the relevant policy criteria, to use the sites at Mont Crevelt/Longue Hougue reclamation site, Griffith's Yard, Brickfield House (excluding the field where the pump house is located) and Pitronnerie Road for industrial purposes without amendment to that Plan.
2. To note that to enable the sites at Fontaine Vinery, Springfield Cottage, the former Bordeaux Landfill Site, Belgrave Cottage (derelict) & Belgrave Lane (part), the field part of Belgrave Vinery Site, Grand Marais Vinery, Brickfield House field where the pump house is located and Primrose Vinery to be used for industry an amendment to the Island Development Plan and potentially the Strategic Land Use Plan would be required and that this would require a public Planning Inquiry and approval of amendments to the Island Development Plan by the States of Guernsey.

The above propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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THE ISLAND DEVELOPMENT PLAN – LAND FOR LIGHT INDUSTRIAL USE

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

25th April 2017

Dear Sir

1. Executive Summary

- 1.1 The States resolved (Resolution 9) concerning Billet d'État No XXVII, dated 18th October 2016, to direct the Development & Planning Authority and the Committee *for the* Environment & Infrastructure to submit proposals for consideration by the States which would enable, or potentially enable, an area or areas of land consisting of at least 4 acres owned, or the occupation of which is controlled, by the States, identified and indicated by the States Trading Supervisory Board (STSB), in consultation with the Committee *for* Economic Development, to be used for planning purposes for light industrial use.
- 1.2 The reference to light industry in this context refers to the types of uses that currently take place at Fontaine Vinery. This includes predominantly open storage but with elements of general and light industry, generally in outdoor compounds. In the context of this policy letter industrial use could include the erection of buildings for industrial purposes as well as open yards.
- 1.3 The Development & Planning Authority and the Committee *for the* Environment & Infrastructure were provided with 15 areas of land identified by the States Trading Supervisory Board in consultation with the Committee *for* Economic Development.
- 1.4 The STSB methodology used to identify the 15 sites has included sites which are smaller than the threshold of 4 acres (9.88 vergées) required by Resolution 9. For the purposes of the resolution, sites of less than 4 acres (9.88 vergées) have been considered as they could contribute cumulatively with other sites to provide at least 4 acres (9.88 vergées) in combination. It

has been clarified by the Deputies who proposed and seconded the amendment that the intention of the resolution was not that all identified sites would be pursued for industrial development.

- 1.5 Four of the identified areas of land are in private ownership and control so, given the wording of the resolution, they have not been considered further. The remaining areas have been assessed to consider how the Island's planning policies can accommodate their industrial use or how the Island Development Plan ("the IDP") would need to be amended to allow use for industry. The planning merits of each area have also been assessed.
- 1.6 The analysis has concluded that four of the identified areas could be considered for industrial use under the existing planning policies and therefore, without the need to amend the IDP. These areas are at Pitronnerie Road adjacent to the existing industrial estate, Griffith's Yard, Mont Crevelt/Longue Hougue reclamation area and at Brickfield House (excluding the field where the pump house is located).
- 1.7 The use of any of the other sites identified by STSB for industry would require an amendment to the IDP to be approved by the States, following a public Inquiry. If such an amendment rendered the IDP inconsistent with the strategic direction given in the Strategic Land Use Plan (SLUP), a revision of the SLUP may also be required.
- 1.8 The amendment of the IDP is required because some of the identified areas lie 'Outside of the Centres'. The IDP's strategy for industry is to focus this use in the Main Centres (and, to a lesser extent, the Local Centres) as per the direction of the SLUP. Also, as two sites are located within areas allocated specifically for housing development in the IDP, an amendment would be needed to alter this allocation.
- 1.9 The IDP policies make provision for small-scale industrial and storage uses Outside of the Centres, such as some of the types of uses currently located at Fontaine Vinery, through the policy for redundant glasshouse sites (OC7). However, none of the sites indicated by STSB, in States ownership or control, are redundant glasshouse sites to which this policy would apply.
- 1.10 In each case, therefore, a proposal for industrial use would not comply with the principles or policies of the IDP and it could not be treated as a minor departure from the IDP as allowed under planning legislation.
- 1.11 The amendment of the IDP to facilitate industrial use of the sites would also have implications for other policy matters in the IDP which would need to be examined by the related public Planning Inquiry. The Inquiry would be anticipated to take around 12-8 months and cost approximately £100,000.

- 1.12 The independent Planning Inspector, when carrying out a public Inquiry, is obliged to consider whether a proposed amendment is sound, i.e. is supported by robust and credible evidence and that there are clear mechanisms for implementation. An inspector must also take into account representations made and any Environmental Statement (an Environmental Impact Assessment of the amended policies) which is likely to be required if a site were to be reallocated to industrial use.
- 1.13 The Inspector would also take into account the current evidence of need for further land for industry as identified in the Employment Land Study 2014. This found that the Island is likely to need around 2.26 hectares (13.79 vergées) less industry and storage and distribution land over the period between 2012 and 2025.
- 1.14 The Development & Planning Authority and the Committee *for the Environment & Infrastructure* note that Resolution 9 does not require the Authority and Committee to recommend further steps which they consider should be taken having identified the land which can be used for planning purposes. However, further work, separate from this policy letter, would be needed to consider the financial and resource implications of any reallocation, development and management of a particular States administered site or sites for industry. Such work should properly be done prior to a decision on what amendments to the IDP should be advanced.

2. Background

Resolution

- 2.1 The States resolved (Resolution 9) concerning Billet d'État No XXVII, dated 18th October 2016, after considering a report of the Development & Planning Authority attached to the policy letter entitled 'The Island Development Plan-Development & Planning Authority Recommendations' to direct –
- (a) the States Trading Supervisory Board in consultation with the Committee *for Economic Development*, by no later than 31st January, 2017 to identify and indicate to the Development & Planning Authority and the Committee *for the Environment & Infrastructure* a suitable area or areas of land consisting of at least 4 acres owned, or the occupation of which is controlled, by the States (such as the Belgrave Vinery site or part of that site) that could be used for light industrial use if suitable amendments were made to Guernsey's planning regime; and
 - (b) the Development & Planning Authority and the Committee *for the Environment & Infrastructure*, by no later than 30th April, 2017, to submit proposals for consideration by the States which would enable, or potentially enable, the area or areas of land identified and indicated

further to paragraph (a) of this Proposition to be used for planning purposes for light industrial use.

- 2.2 Further to part (a) of this resolution, in December 2016, the States' Trading Supervisory Board (STSB) in consultation with the Committee *for* Economic Development provided the Development & Planning Authority and Committee *for the* Environment & Infrastructure with information on 15 areas of land. This Policy Letter relates to part (b) of the resolution and sets out what planning policy changes would be required to enable, or potentially enable, each of the relevant sites identified to be considered for use for industry. The planning merits of allowing industrial use on these sites and the implications for the IDP, the SLUP and resources are considered below.
- 2.3 The requirements of the resolution have been clarified in discussion with Deputies Laurie Queripel and Matt Fallaize ("the Deputies"), who proposed and seconded the amendment that led to the resolution. The reference to light industry in this context refers to the types of uses that currently take place at Fontaine Vinery. This includes predominantly open storage but with elements of general and light industry, generally in outdoor compounds. In the context of this policy letter industrial use could also include the erection of buildings for industrial purposes.
- 2.4 In addition, the STSB methodology used to identify the 15 sites has included sites which are smaller than the threshold of 4 acres (9.88 vergées) required by Resolution 9. It was confirmed by the Deputies that, for the purposes of the resolution, sites of less than 4 acres (9.88 vergées) should be considered as they could contribute cumulatively with other sites to provide at least 4 acres (9.88 vergées) in combination.
- 2.5 The Deputies also clarified that the intention of the resolution is not that all identified sites would be pursued for industrial development; therefore, the policy letter has not assessed any cumulative impact.
- 2.6 The resolution refers to sites in States ownership or control and, therefore, consideration of sites in private ownership and control would go beyond the intentions of the resolution and have not been considered. This approach was also confirmed as acceptable by the Deputies.

Approach to industry in the Island Development Plan

- 2.7 The IDP's approach to industry (set out in policies MC5 (A), MC5 (B), MC5(C), LC4 (A), LC4 (B) and OC3) reflects the direction of the SLUP which is to focus this use within and around the Main Centres, but also highlighting the potential of Local Centres to provide some opportunities for industrial development of an appropriate scale.

- 2.8 This approach also reflects the findings of the Employment Land Study 2014. This technical report, produced as evidence for the IDP, through econometric modelling, forecasts and assessment of trends in planning consents found that overall, as a result of the economic downturn and loss of Low Value Consignment Relief on exports, the Island is now over-provided with industrial and storage and distribution space. Forecasts indicate a decline in the industrial sector. The study shows that the Island is likely to need around 2.26 hectares (13.79 vergées) less industry and storage and distribution land over the period between 2012 and 2025.
- 2.9 There is, therefore, no sound evidence available to the Development & Planning Authority or the Committee *for the* Environment & Infrastructure that demonstrates that, in terms of land supply, there is a need for a further area or areas to be allocated specifically for industry over and above the approach in the adopted IDP.
- 2.10 This information would be pertinent to a Planning Inquiry examining the justification for any amendment to the IDP which is obliged under the Land Planning and Development (Plans) Ordinance, 2007, to consider the soundness of the IDP if amended. This includes that the policies represent the most appropriate ones in all the circumstances and are founded on robust and credible evidence. This relates to land supply and not to issues of affordability over which the IDP policies have no control.
- 2.11 In view of the evidence of an oversupply of industrial and storage & distribution land which supports a policy approach of allowing a managed reduction in the amount of industrial land and premises, the policies of the IDP are generally flexible to allow the change use of existing industrial sites to other suitable uses except where these are identified as Key Industrial Areas (KIAs).
- 2.12 In managing change in this sector it is recognised that there remains a need to specifically protect some land for industry and storage and distribution to ensure suitable land is available that can be readily developed for a range of industrial and storage/distribution purposes. The IDP, therefore, seeks to protect certain areas for industry and storage and distribution uses – Key Industrial Areas (KIAs) and Key Industrial Expansion Areas (KIEAs) – while the policies are generally supportive of change of use away from industry elsewhere. The IDP is also supportive in principle of the continued use, extension, alteration and redevelopment of existing industrial sites throughout the Island.
- 2.13 The policies of the IDP would support, in principle, a new site for industry without requiring amendment to the Island Development Plan providing that the site is in a Main Centre, within a Key Industrial Area, a Key Industrial Expansion Area (KIEA) (subject to criteria) or elsewhere within a Main Centre or a Main Centre Outer Area through conversion of a redundant building.

There is also potential through existing IDP policies to establish new industrial sites within Local Centres, provided the scale is appropriate for the particular Local Centre (Policy LC4 (A)) and it would not undermine the vitality of a Main Centre, and also Outside of the Centres (Policy OC3) at the KIEA at La Villiaze, St Saviour and through the conversion of redundant buildings (GP16 (A) and GP16 (B)).

- 2.14 The IDP, following direction given in the SLUP, also makes provision for small scale industrial or storage uses, such as those requiring workshops, secure storage or open yards, which may have a justifiable need to develop outside the Main and Local Centres due to the special requirements resulting from the nature of their operations. This could include small industrial and storage businesses that have no operational requirement to be located within or on the edges of the Main Centres and are unable to find sites within the Key Industrial Areas, or businesses that are unable to compete with larger firms looking for higher quality accommodation.
- 2.15 These businesses are directed to either brownfield sites or redundant glasshouse sites through Policies OC3 (Offices, Industry and Storage and Distribution Outside of the Centres) and OC7 (Redundant Glasshouse Sites Outside of the Centres). This will ensure that they take advantage of being located on previously developed land or land which may contain a certain level of infrastructure as a result of its former use. This will also ensure that small scale industrial or storage uses do not occupy open land and, in some cases, the development may positively enhance a site through the clearance of redundant glass or associated structures from the landscape.
- 2.16 With the exception of the KIEA at La Villiaze, St Saviour the IDP does not allocate sites Outside of the Centres for industry and/or storage use as the technical study undertaken in support of the IDP found there to be no strong evidence of a requirement to provide additional land for such businesses through the planning system over the lifetime of the IDP. There was also no direction in the SLUP to make provision for a States controlled site for small-scale industrial and storage use.
- 2.17 The Employment Land Study 2014 concluded that allocation of sites specifically for small scale businesses, in the absence of demonstrable need would severely restrict the use of areas of such land and would introduce inflexibility for the future use of land contrary to the intentions of the Strategic Land Use Plan and the aims of the IDP.
- 2.18 The case-by-case approach of Policy OC7 can deliver a range of potential sites, in a range of locations across the Island, meeting any identified need and allowing the merits of each proposal and individual circumstances to be considered whilst retaining flexibility to respond to the demands of other legitimate uses over time.

- 2.19 In summary, the existing policies in the IDP provide for a range of options for the development of new industrial and storage uses in a range of locations throughout the Island and support existing industrial and storage uses. For example, this policy approach recently resulted in planning permission being granted for a redundant glasshouse site in private ownership (Extension Vineries) to provide small-scale storage space to accommodate the types of open yard storage uses currently found at Fontaine Vinery.
- 2.20 There is a specific direction in the SLUP for the Development & Planning Authority to liaise with relevant bodies and report on a regular basis to the Committee *for the* Environment & Infrastructure on progress in achieving the objectives of the SLUP. The report should focus on, amongst other things, the provision of adequate employment-related development. The effectiveness of policies in the IDP relating to the provision of land for industry has to be regularly monitored to ensure adequate supply as part of the ongoing monitoring of the effectiveness of Plan policies.

3. Assessment of Sites identified by the States' Trading Supervisory Board (STSB) in consultation with the Committee *for* Economic Development

- 3.1 The resolution required the States Trading Supervisory Board (STSB) in consultation with the Committee *for* Economic Development to identify a suitable area or areas of land in States ownership or control that could be used for light industry. In December 2016, STSB provided the Development & Planning Authority and Committee *for the* Environment & Infrastructure with information on 15 sites. Eleven of the sites are owned by the States and 4 are privately owned. The resolution refers exclusively to land owned by the States or the occupation of which is controlled by the States. The 4 privately owned sites have, therefore, not been considered further.

- 3.2 Of the remaining 11 sites:

- four are located within Main Centres and Main Centre Outer Area in the IDP;
- one site is partly in a Main Centre Outer Area and partly Outside of the Centres;
- six sites are located Outside of the Centres of which:
 - one site is largely a brownfield site which has been partly used for open yard storage in the past and which has an extant planning permission for light industrial use. However a small section of this identified site (the field on which the pump house is located) has not been used for industry in the past and has no planning consent for such; and
 - the remaining five sites are located on undeveloped land, 3 of which are within the Agriculture Priority Area. These sites include the Belgrave Vinery area that was referred to in the resolution.

The sites are indicated on the maps in Appendix 1 attached to this report. The key planning policy issues relating to use for industry and storage for each are set out below.

3.3 For the purposes of analysis the areas have been grouped into 3 categories:

- areas of land that could potentially be used for industry under existing IDP policies, subject to the necessary consents, without the need to amend the IDP or the SLUP as they lie within KIEAs or existing industrial sites where development is supported by the IDP;
- areas of land that would require an amendment to the IDP to be used for industry, but where the implications for other policies in the IDP or the SLUP are limited; and
- areas of land where an amendment to the IDP would be required and where such amendment may result in conflict with the SLUP or other IDP policies and where the evidence in favour of other policies and designations may outweigh the evidence for the provision of additional industrial sites, potentially resulting in the IDP being found by a Planning Inquiry Inspector to be 'unsound'.

As some areas of land fall into more than one category, the issues relating to any one piece of land are analysed in the relevant categories.

Areas of land where amendment of the Island Development Plan would not be required if needed for industry in the future

Pitronnerie Road Key Industrial Expansion Area. 1.8 acres (4.5 vergées) - shown on map 6 in Appendix 1

3.4 This identified site is designated in the IDP as a KIEA for the Pitronnerie Road industrial estate which itself is a KIA in the IDP. The site, on its own, would provide less than half of the required 4 acres (9.88 vergées) but could be considered cumulatively with other sites to achieve the minimum size required by the resolution and could provide a comprehensive use of the site with development guidance provided through a Development Framework as required by policy MC5(A). The site is adjacent to a residential area to the east and the boundary would, therefore, need careful treatment in order to maintain reasonable residential amenity. The site has good access.

3.5 The approach to KIEA sites is to allow for expansion of the adjacent KIA, if needed in the future, for further clustering of industrial type uses and enhancement in the quality of accommodation to meet modern needs. The IDP requires the re-use and redevelopment of existing sites before development of the KIEAs in order to consolidate activity and economic investment, primarily, in the KIAs. Applicants proposing development within the KIEAs will need to demonstrate that there is no suitable alternative site

available within any of the existing KIAs or within the Main Centres or Main Centre Outer Areas. If these criteria could not be met, an amendment to the IDP would be required to re-designate a KIEA as a KIA. The site would be suitable for light industry, given that there are adjacent residential areas, as light industry is by definition a use that can take place without detriment to residential amenity.

Mont Crevelt/Longue Hougue Reclamation Site. 33.3 acres (82.2 vergées) - shown on map 5 in Appendix 1

- 3.6 The area within Longue Hougue that could be developed for industry and storage, after taking into account the waste transfer station development in the KIA, would be in the remaining part of the KIEA. A 4 acre site would use the bulk of the remaining land reclaimed to date.
- 3.7 As explained above the IDP requires the re-use and redevelopment of existing KIAs before development of the KIEAs and proposals would need to demonstrate that there is no suitable alternative site available within any of the existing KIAs or within the Main Centres or Main Centre Outer Areas. If these criteria could not be met, an amendment to the IDP would be required to re-designate a KIEA as a KIA.
- 3.8 The site, while clearly industrial in character, and capable of accommodating heavy industrial uses is in a prominent location and development proposals may require mitigation to reduce impacts. The potential impact of development on the Mont Crevelt protected monument would need to be considered. Parts of Longue Hougue are within the Major Hazards Public Safety Zone (see IDP Annex IX for further details). However, the developable area of the site which falls within the Major Hazards Public Safety Zone would be mainly in the 'outer zone' and this would not preclude consideration of development for industry. The site has good access.
- 3.9 However, the IDP approach to Longue Hougue is for this site to be reserved for a range of heavy and specialist industrial development and strategic infrastructure, including waste facilities (Policy MC5(A)). Although the IDP policies allow for industrial development here, use of the site for other types of industrial or storage use would necessitate a review of potential alternative sites for heavy and specialist industry as part of an amendment to the IDP. An amendment to the policy approach to Longue Hougue to remove the restriction for heavy and specialist industry may not be consistent with the SLUP Policy LP11 which directs that the first priority for land reclamation areas should be strategically essential development.
- 3.10 Any industrial or storage development would need to ensure that it would not prejudice bringing forward the Local Planning Brief for the St Sampson Harbour Action Area. There is a requirement for a Development Framework

to ensure the most effective and efficient use of the site, including the remaining area to be reclaimed.

Griffith's Yard. 3.7 acres (9.2 vergées) – shown on map 4 in Appendix 1

- 3.11 This site is in use for storage of boats and States Works vehicles on Northside and is within a KIEA in the IDP. Current adopted policies would therefore allow for the principle of industrial and storage use of the site subject to the requirements for KIEAs set out above but if the criteria set out in policy MC5 (A) could not be met, an amendment to the IDP would be required to re-designate a KIEA as a KIA. This part of the KIEA is within the Major Hazards Public Safety Zone relating to fuel storage blast safety and notably is within the inner area where restrictions on use will occur. The Development Proximity Zone covers a proportion of the site and this would have significant restrictions on the use of this part of the site for health and safety reasons.
- 3.12 The potential impact of development on the setting of protected monuments (Vale Castle and Mont Crevelt) would need to be considered. While allocated for industry in the IDP the site is highly visible as a minor gateway to the Island and part of the St Sampson Harbour Action Area and Conservation Area. Any proposal would need to demonstrate that the development would not prejudice bringing forward the Local Planning Brief for St Sampson Harbour Action Area. The site has good access. The displacement of existing uses would need to be considered.
- 3.13 The site lies within a Major Hazards Public Safety Zone (IDP Policy GP17) relating to fuel storage at Northside and North Pier. The purpose of the Major Hazards Public Safety Zone is to manage and limit the number of people who may live, work or congregate within this area in order to limit the consequences of any accidents and to ensure that new development does not significantly worsen the current situation should a major accident occur.
- 3.14 Whether or not a development proposal will be acceptable from a health and safety aspect is dependent upon in which zone the development lies in relation to the major hazard and what type and number of people will be the primary users of the development. The zones include a Development Proximity Zone and Inner, Middle and Outer Zones. Griffith's Yard is partly within the Development Proximity Zone where development should not normally be occupied and partly within the Inner Zone where development should be occupied only by a small number of people for a short time. Therefore, the site may be better suited to certain types of storage use, rather than a light or general industrial use. Amending the Major Hazards Public Safety Zone would undermine the Island's approach to health and safety in relation to fuel storage approved by the Guernsey Health and Safety Executive.

Brickfield House (excluding the field where the pump house is located) - Total Area identified is 14.4 acres (35.5 vergées). Area available for industrial use is 2.1 acres (5.1 vergées) at either side of access road - shown on map 3 in Appendix 1

- 3.15 There is an area of vacant land at Brickfield House of around 2.1 acres at either side of the access road (excluding the field where the pump house is located which is considered separately below). This is brownfield land that has been used in the past for open storage and industrial purposes. There is an extant planning consent to erect light industrial units – 9 units with a floor space of 2223m², granted in February 2016 under the Rural Area Plan and which has not been implemented. The planning permission expires in February 2019 after which the IDP policies would allow for the principle of industrial development under policy OC3 which supports the redevelopment of existing industrial and storage sites Outside of the Centres. This site is within the Agriculture Priority Area. However, IDP policy OC5 (A) recognises existing uses and makes allowance for them. Development for industry would make use of the remaining undeveloped part of the wider Brickfield House site. A proposal would need to consider the impact on the adjacent brick kiln protected monument. The site is adjacent to a residential area to the north-east and the boundary would therefore need careful treatment to ensure reasonable residential amenity. Light industrial use would be, therefore, most appropriate. The site has good access.

Conclusion in relation to Areas of land where amendment of the Island Development Plan would not be required if needed for industry in the future.

- 3.16 Four of the areas could proceed to be used for industry in the circumstances described above and subject to meeting the relevant policy criteria, subject to the necessary consents, without any amendment to the IDP. The type of industrial use that can take place would vary between the sites with heavy industry best located at Longue Hougue, storage at Griffith's Yard and light industry or indoor storage at Pitronnerie Road and Brickfield House (excluding the site of the pump house).

Other Identified Sites

- 3.17 A proposal to develop any of the other areas of identified land would not comply with the policies of the IDP. Therefore, if the States wishes to pursue a development on one or more of these areas, it will be necessary to amend the IDP. The resolution refers to suitable amendments to Guernsey's planning regime. Such amendments would be confined to the IDP and potentially the SLUP, but no change would be required to any planning legislation. Where an amendment to the IDP would also require an amendment to the SLUP, this would need to be in place prior to the commencement of the statutory process for amending the IDP; any

amendment of the SLUP would be subject to consistency with the Policy & Resource Plan and subsequent approval by the States.

- 3.18 The implications of amending the IDP to allow for a particular area or areas of land to be developed for industrial use would vary depending on if there is an existing designation relating to that area or what other IDP policies are relevant. There are potential conflicts with other IDP policies and SLUP policies to consider particularly those relating to Landscape Character and Open Land (policy GP1) and Agriculture Priority Area (policy OC5 (A)). However, the IDP would remain generally consistent with SLUP Policy SLP3 (Industrial and Business Land Supply) which requires development plans to make provision for a comprehensive range of land opportunities for employment uses.

Areas of land where amendment of the Island Development Plan would be required, but where the implications for other policies in the IDP are limited

Belgrave Cottage (derelict) & Belgrave Lane (part). 5.3 acres (13.1 vergées) - shown on map 1 in Appendix 1

- 3.19 This site is made up of two fields/scrubland (except for Belgrave Cottage and a small storage building and hardstanding to the south of the site), on either side of Belgrave Lane, that are located Outside of the Centres in the IDP. Access is poor and is via Belgrave Lane from Victoria Avenue at the Les Banques junction. Some parts of the site are susceptible to flooding. The potential impact of the surface water and drainage of any development on the adjacent Marais Stream, pumping station and Barker's Quarry reservoir would need to be considered. The site is adjacent to a residential area to the south and the boundary would, therefore, need careful treatment in order to provide reasonable residential amenity.

Springfield Cottage (part of the site located Outside of the Centres). 3.6 acres (8.3 vergées) - shown on map 1 in Appendix 1

- 3.20 This part of the site is a field which is located Outside of the Centres in the IDP. Access is poor and is via tracks to the south (Belgrave Lane from Victoria Avenue at Les Banques junction) and from Fontaine Vinery to the north. Access from the north is likely to be compromised by development of the Allocated Housing Site identified in the IDP. This part of the site is less than 4 acres but could be developed with adjacent sites. A significant part of the site is within the 1:10 year flood risk zone and the associated costs of drainage infrastructure may inhibit development opportunities to certain types of industrial and storage provision such as open yards. The site is adjacent to a residential area to the east and the boundary would, therefore, need careful treatment in order to provide reasonable residential amenity.

Former Bordeaux Landfill Site. 11.3 acres (29.0 vergées) - shown on map 2 in Appendix 1

- 3.21 This is a former landfill site with woodland and grassland in recreational use. It is undeveloped land Outside of the Centres in the IDP and is prominent in open views of the landscape. The site lies within a sensitive landscape that is open to long distance views and development of the site for industry is likely to compromise landscape quality and character in this location and therefore conflict with policy GP1 of the IDP. Only about a third of the site would be required for an industrial site which could provide an opportunity to provide substantial landscape buffers and habitat enhancements to address conflicts with policy GP1. There are possible ground condition and safety issues relating to the site's former use as a landfill site that may affect the developable area and it is likely that an Environmental Impact Assessment would be required with an IDP amendment and planning application. The site has poor access and is adjacent to a residential area to the west and the boundary would, therefore, need careful treatment.

Conclusion in relation to Areas of land where amendment of the Island Development Plan would be required, but where the implications for other policies in the IDP are limited.

- 3.22 In relation to all of the sites identified in this section, the IDP seeks to limit development Outside of the Centres on open undeveloped sites, with limited potential for uses such as agriculture, camping and recreation. Use of open land in the countryside for industrial use may also be inconsistent with SLUP Policy SLP28 (Open Countryside) which seeks to protect such land from development more appropriately located in the centres and on previously developed sites. The most suitable of the open undeveloped sites in planning terms would be Belgrave Cottage due to the relative lack of other planning constraints (it is not located within an Agriculture Priority Area and not constrained by significant flood risk or contamination), the location on the edge of a Main Centre near to the inter-harbour route, although the access is poor, and the size which allows for 4 acres plus land for landscaping and screening.

Areas of land where an amendment of the Island Development Plan would be required and where such amendment may result in the IDP being found by a Planning Inquiry to be 'unsound'.

Fontaine Vinery. 6.4 acres (15.8 vergées) - shown on map 1 in Appendix 1

- 3.23 The Fontaine Vinery site is located within the Main Centre Outer Area in the IDP and makes up part of a site designated for housing development in the IDP, which, together with part of the Springfield Cottage site forms the Allocated Housing Site known as Belgrave Vinery. Part of the site to the south is within the 1:10 year flood risk zone. The development of the site would

have associated costs for drainage infrastructure, the funding of which would be more viable through development for housing rather than industry. The site is adjacent to a residential area to the east and the boundary would, therefore, need careful treatment. The site has good access.

Springfield Cottage (the part of the site located within the Allocated Housing Site) 4.4 acres (10.8 vergées) - shown on map 1 in Appendix 1

- 3.24 This part of the site is a field located within the Main Centre Outer Area in the IDP. The site makes up part of an Allocated Housing Site along with the Fontaine Vinery site. Access is available from the east via Vale Avenue and from Fontaine Vinery to the north. Access from the north would be likely to be compromised by development of the Allocated Housing Site. A significant part of the site is within the 1:10 year flood risk zone and there would be associated costs for drainage infrastructure, the funding of which would be more viable through development for housing rather than industry. The site is adjacent to a residential area to the east and the boundary would therefore need careful treatment.
- 3.25 These two identified sites (Fontaine Vinery and part of the Springfield Cottage site) are located within a Main Centre Outer Area in the IDP however they are part of the Allocated Housing Site known as Belgrave Vinery in the IDP. Policy MC2 would not support the use of this site in whole or part for industrial purposes. An amendment to the IDP would be needed to re-allocate either site for industry and this could have significant implications for the 5-year housing land supply required to be identified in the IDP by the SLUP.
- 3.26 The Belgrave Vinery Allocated Housing Site, as allocated in the IDP, was formerly part of a Housing Target Area (HTA) in the Urban Area Plan, and has long been identified as being important to strategic housing land supply. The SLUP required specifically that the five Housing Target Areas were reviewed as part of the plan review process to determine how they could contribute to meeting housing supply (Policy SLP14). There are no sites apart from this site and the other four previous HTAs that offer the potential scale of development and strategic location within and around the Main Centres and which are suitable, available and achievable for housing development.
- 3.27 The development would make a significant contribution to the provision of housing, including affordable housing, and could also contribute to addressing contamination and flood risk issues in the area and the associated infrastructure required to address this. The public Inquiry for the IDP amendment would consider the implications for housing land supply and it is likely that further land for housing would need to be identified and allocated elsewhere.

Field, part of Belgrave Vinery Site. 4.8 acres (11.8 vergées) - shown on map 1 in Appendix 1

- 3.28 This site is a field that is located Outside of the Centres in the IDP and is part of the Agriculture Priority Area. Access is poor and is via tracks to the east (Belgrave Lane from Victoria Avenue at Les Banques junction). The majority of the site is within the 1:50 year flood risk zone and the associated costs with drainage infrastructure may limit the type of development.

Grand Marais Vinery. 2.9 acres (7.1 vergées) - shown on map 1 in Appendix 1

- 3.29 This site is a field that is located Outside of the Centres in the IDP and is part of the Agriculture Priority Area. Access to the site is poor and is via tracks to the south (Belgrave Lane from Victoria Avenue at the Les Banques junction) and from Fontaine Vinery to the north. Access from the north is likely to be compromised by development of the Allocated Housing Site. The site is less than 4 acres but could be developed with adjacent sites otherwise it would be isolated.

Primrose Vinery. 1.6 acres (3.9 vergées) - shown on map 1 in Appendix 1

- 3.30 This site is a field that is located Outside of the Centres in the IDP and is part of the Agriculture Priority Area. Access is poor and is via tracks to the east (Belgrave Lane from Victoria Avenue at the Les Banques junction). A small part of the site is susceptible to flooding (1:100 year). The site is less than 4 acres but could be developed with adjacent sites. The site would be isolated if not developed with sites to the south or north.

Brickfield House (part of the site where the pump house is located) 0.74 acres (1.8 vergées) - shown on map 3 in Appendix 1

- 3.31 This site is a field that is located Outside of the Centres in the IDP and is part of the Agriculture Priority Area. Access is good.

This field does not form part of the brownfield land that has been used in the past for open storage and industrial purposes and is not part of the site where there is an extant planning consent to erect light industrial units. The site is adjacent to a residential area to the north-east and the boundary would, therefore, need careful treatment to ensure reasonable residential amenity.

- 3.32 The above sites are identified as Agriculture Priority Area in the IDP. The removal of areas of land which have been identified as APA would be inconsistent with the approach of the IDP and the decision of the States, in adopting the IDP, to give primary consideration in these areas to the need to support agricultural uses and operations. Some of the sites within the Belgrave area are within a tract of contiguous agricultural land so to remove

the land from APA is also potentially inconsistent with SLUP Policy SLP8 (Agriculture) which requires contiguous agricultural land to be protected for agricultural use.

4. Implications for the Island Development Plan

- 4.1 As set out above, four of the sites identified by the STSB could potentially be used for industry under existing IDP policies, subject to the necessary consents, without the need to amend the IDP.
- 4.2 If the States support the use of an undeveloped site Outside of the Centres, the IDP policies will need to be amended to refer specifically in Policy OC3 (Offices, Industry and Storage and Distribution Outside of the Centres) to the chosen site or sites. This would be similar to the existing approach in policy terms to the allocation of the KIEA at La Villiaze, St Saviour. This site was included in the IDP as an exception to the spatial strategy and Policy OC3 as it had been identified previously by the States as being of strategic value for light industrial use and reserved for such purposes. To be consistent, a Development Framework will be required for the identified site or sites to be approved by the Development & Planning Authority prior to a planning application being considered.
- 4.3 A proposal to use any of the areas of identified land for industry and storage that is not in accordance with the relevant IDP policies could not be granted planning permission as a 'minor departure' to the IDP or through any other mechanism without amending the IDP. A Local Planning Brief (LPB) would also not be appropriate as the LPB would be seeking to allow for development that would not otherwise be supported by the IDP. An amendment to the IDP is only possible through a formal statutory process including a public Inquiry in accordance with the Land Planning and Development (Plans) Ordinance, 2007.
- 4.4 A public Inquiry would follow the same process as was undertaken for the IDP and would involve a number of stages of consultation prior to and during a public Inquiry overseen by an independent inspector.
- 4.5 The procedure for amending the IDP is set out in the Land Planning and Development (Plans) Ordinance, 2007, the Land Planning and Development (Plans Inquiry) Regulations, 2008 and the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007. These require a minimum level of consultation and community involvement. The process would require:
 - A draft of the amendment to be prepared and an Environmental Impact Assessment Screening Opinion issued, an Environmental Impact Assessment carried out and an Environmental Statement prepared if required;
 - Pre-publication consultation with key stakeholders;

- A Certificate of Consistency with the Strategic Land Use Plan from the Committee *for the* Environment & Infrastructure;
- Appointment of an independent Inspector to oversee the Inquiry;
- Once the draft amended Plan is published, two stages of public consultation – initial and further representations;
- Response to all representations from the Development & Planning Authority;
- Public Hearings if any of those who made a representation wish to appear;
- A report from the Inspector;
- A policy letter from the Development & Planning Authority with their conclusions and recommendations.

The Inquiry may require to be re-opened if the States seek amendments to the draft amended Plan.

- 4.6 This process is anticipated to take approximately 12-18 months and would cost in the region of £100,000.
- 4.7 One of the main purposes of the Inquiry would be to consider whether the proposed amendment is sound, i.e. is supported by robust and credible evidence and that there are clear mechanisms for implementation. The Planning Inspector would also take account of representations made and the Environmental Statement (if one is required).

5. Resources and Implementation

- 5.1 The identified financial and resource management implications from this policy letter relate to a public Inquiry should an amendment to the IDP be required. This policy letter does not address the costs of delivering the site for industry. There is no requirement for any new legislation.

6. Engagement and consultation

- 6.1 This policy letter responds to a specific resolution of the States and as such no additional consultation has been carried out.

7. Conclusions

- 7.1 The IDP (2016) was prepared by the Development & Planning Authority in accordance with the Land Planning and Development (Guernsey) Law, 2005 and sets out the land planning policies for Guernsey. It was approved by the States in November 2016. The IDP policies have been formulated in accordance with the guidance and direction in the SLUP which was approved by the States in 2011 and sets out the States strategic land use objectives for the Island as well as the findings of the Employment Land Study 2014 which found that the Island is now over-provided with industrial and storage and

distribution space and is likely to need around 2.26 hectares (13.79 vergées) less industry and storage and distribution land over the period between 2012 and 2025. There is a specific direction in the SLUP for the Development & Planning Authority to liaise with relevant bodies and report on a regular basis on progress to achieving the objectives of the SLUP focussing on, amongst other things, the provision of adequate employment-related development.

- 7.2 The effectiveness of policies in the IDP relating to the provision of land for industry will be the subject to ongoing and regular monitoring to ensure adequate supply. This review responds to a specific resolution of the States and, in addition to the regular monitoring, fulfils the States objective as expressed in the SLUP of making provision for a comprehensive range of land opportunities for employment uses (policy SLP3). The work is also relevant to the Policy & Resource Plan Phase 1 objective of 'ensuring conditions that encourage and foster enterprise and remove barriers to business, keeping regulation appropriate and proportionate, whilst respecting environmental and social safeguards'.
- 7.3 Of the fifteen areas of land indicated to the Development & Planning Authority and the Committee *for the* Environment & Infrastructure by the States Trading Supervisory Board, in consultation with the Committee *for* Economic Development, four were not considered further as they are in private ownership and control.
- 7.4 Four of the areas could proceed to be used for industry in the circumstances described above and subject to meeting the relevant policy criteria, subject to the necessary consents, without any amendment to the IDP. The type of industrial use that can take place would vary between the sites with heavy industry best located at Longue Hougue, storage at Griffith's Yard and light industry or indoor storage at Pitronnerie Road and Brickfield House.
- 7.5 The remaining seven areas may be suitable for a range of general and light industrial uses, storage and open compounds, subject to necessary mitigation of impacts, but would require an amendment to the IDP to be approved by the States in order for a planning application for those sites to be in compliance with the planning policy.
- 7.6 This would require draft amendments to the IDP to be subjected to a formal statutory process including a public Inquiry which includes public consultation. This would examine the evidence in support of the proposed amendment and the implications of the amendment for other IDP policies. The independent planning inspector may conclude that the amendments were not based on sound evidence if there was no need for further land for industry but there was a demonstrable need or justification for the designations and policies of the IDP as adopted by the States in 2016 which are amended as a result.

- 7.7 Before an Inquiry could proceed, the draft amended IDP would require a Certificate of Consistency with the SLUP from the Committee *for the Environment & Infrastructure* as required by The Land Planning and Development (Plans) Ordinance, 2007. The Committee would need to consider if the amendment to the IDP was consistent with SLUP objectives and policies. If not, amendments to the SLUP would be required to be prepared and approved by the States in the first instance. Any SLUP amendments would need to be consistent with the States Policy & Resource Plan.
- 7.8 The process to seek to amend the IDP could be triggered by a States resolution to make relevant amendments to the IDP to enable one or more of the 7 sites, where plan policies would not currently allow use for industry, to be used for those purposes. This policy letter provides information to inform such a decision and asks the States to note the implications for the planning system as a whole of a decision to enable particular sites to be used for light industrial purposes.
- 7.9 Further work is required to consider the full financial and resource implications of the States pursuing the development and management of particular site[s] for industry. In the event that the States decides to pursue this option for one or more sites there would need to be a more detailed estimate of the resource implications to the States consistent with rule 4(3) of the Rules of Procedure of the States prior to a decision being made on any amendment being directed to the IDP. This is why at this stage the Development & Planning Authority and the Committee *for the Environment & Infrastructure* are only asking the States to note the Authority's and Committee's conclusions.

The States are asked to decide:-

Whether, after consideration of the Policy Letter of the Development & Planning Authority and the Committee *for the Environment & Infrastructure* entitled 'Land for Light Industrial Use' (dated 25th April, 2017), they are of the opinion:-

1. To note that, of the areas of land identified by the States Trading Supervisory Board in consultation with the Committee *for Economic Development*, it would be acceptable in principle under the existing policies of the Island Development Plan (2016), subject to the meeting of the relevant policy criteria, to use the sites at Mont Crevelt/Longue Hougue reclamation site, Griffith's Yard, Brickfield House (excluding the field where the pump house is located) and Pitronnerie Road for industrial purposes without amendment to that Plan.

2. To note that to enable the sites at Fontaine Vinery, Springfield Cottage, the former Bordeaux Landfill Site, Belgrave Cottage (derelict) & Belgrave Lane (part), the field part of Belgrave Vinery Site, Grand Marais Vinery, Brickfield House field where the pump house is located and Primrose Vinery to be used for industry an amendment to the Island Development Plan and potentially the Strategic Land Use Plan would be required and that this would require a public Planning Inquiry and approval of amendments to the Island Development Plan by the States of Guernsey.

Committee Support for Propositions

In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the propositions above have the unanimous support of The Development & Planning Authority and The Committee *for the* Environment & Infrastructure.

Yours faithfully

DEVELOPMENT & PLANNING AUTHORITY

J A B Gollop

President

D A Tindall

Vice-President

L C Queripel

V S Oliver

M P Leadbeater

COMMITTEE *FOR THE* ENVIRONMENT & INFRASTRUCTURE

B L Brehaut

President

M H Dorey

Vice President

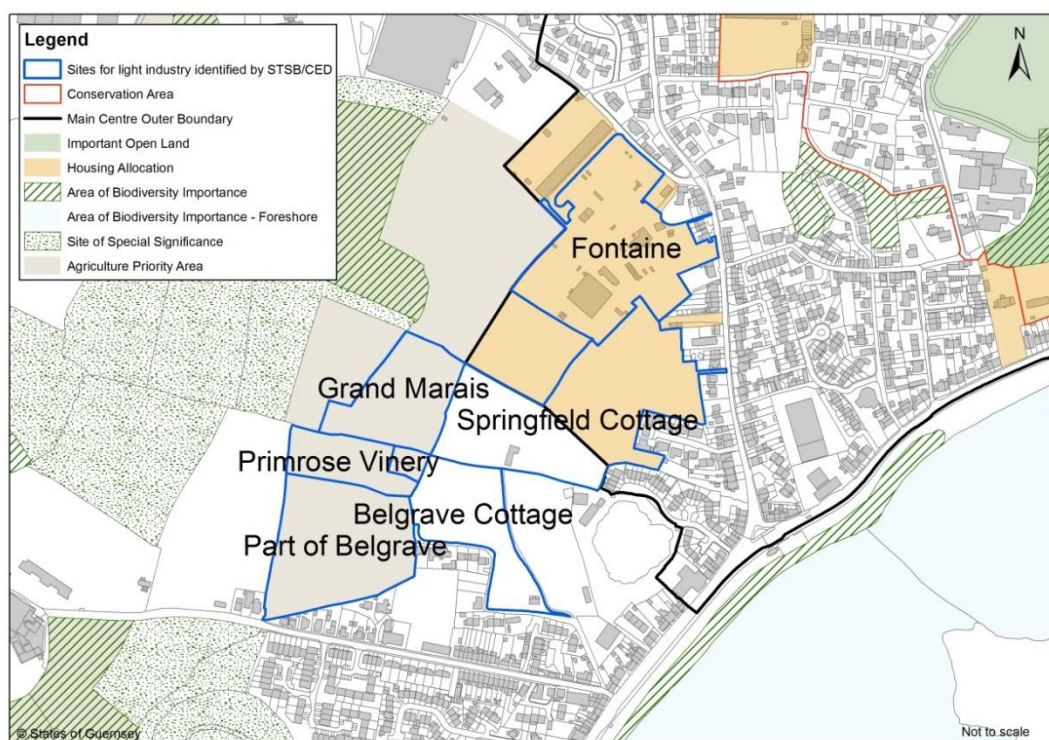
S L Langlois

H L de Sausmarez

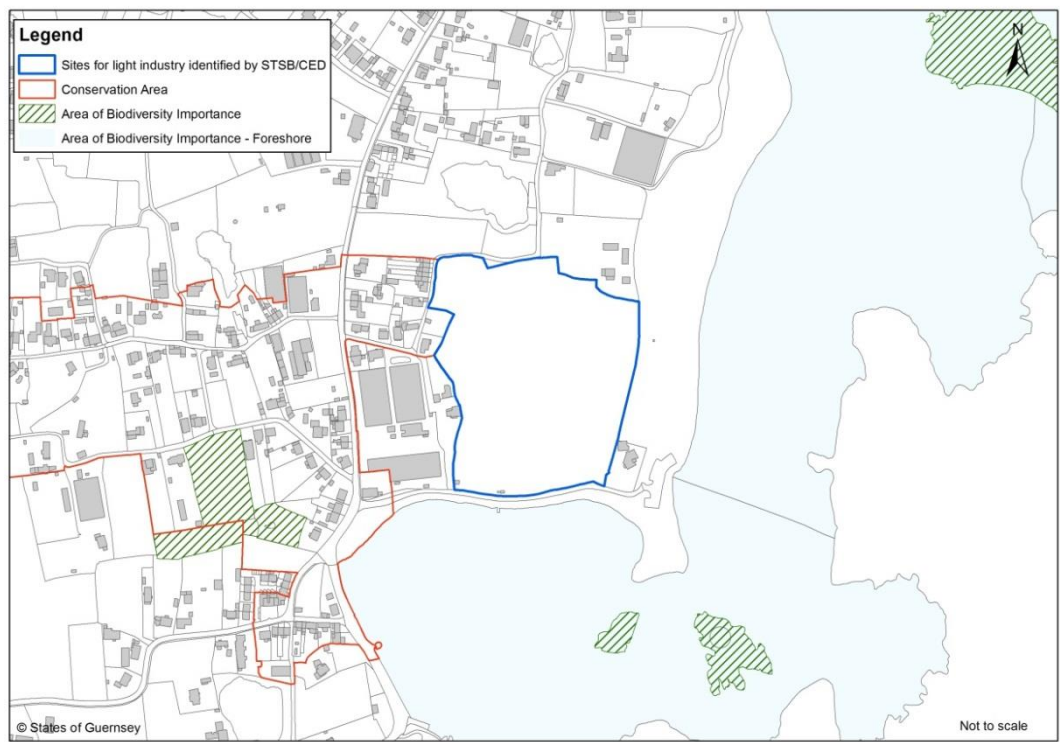
S T Hansmann Rouxel

MAPS OF THE SITES IDENTIFIED WITH THE ISLAND DEVELOPMENT PLAN
PROPOSALS MAP – EXCLUDING THOSE SITES IN PRIVATE OWNERSHIP AND
CONTROL

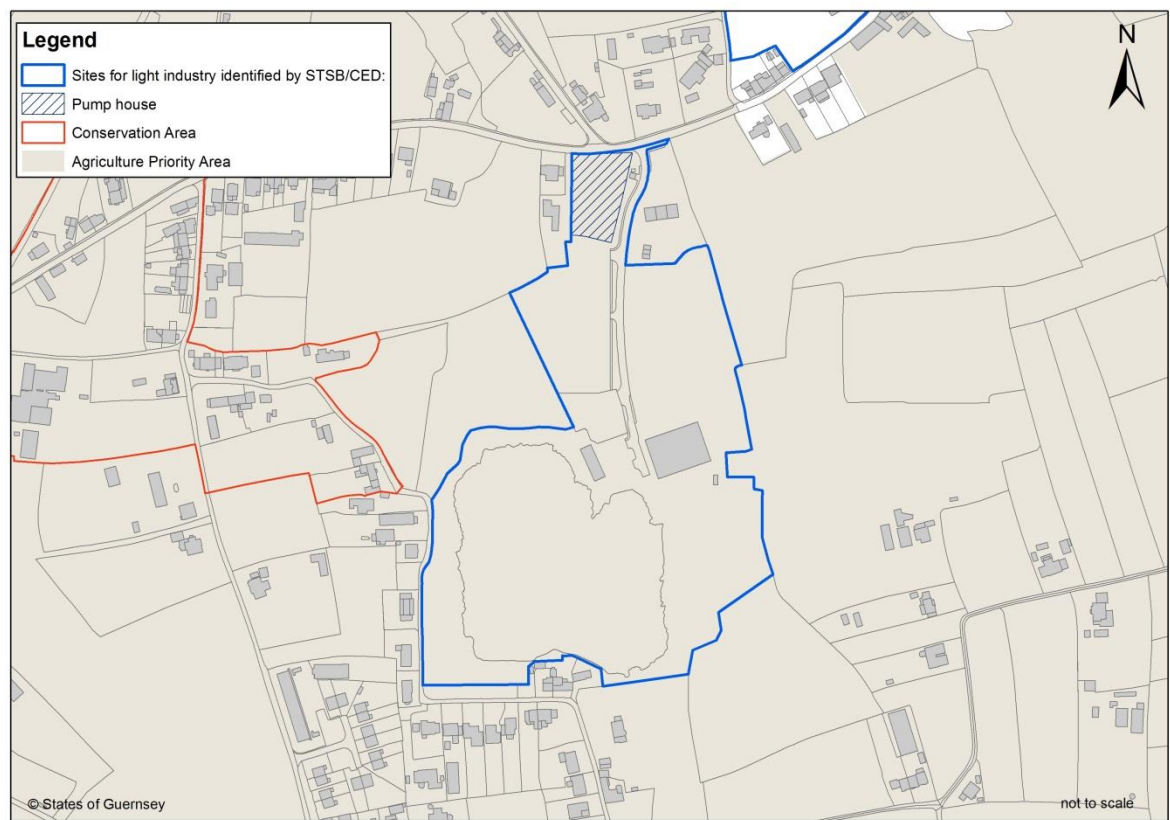
Map 1: Fontaine Vinery, Springfield Cottage, Belgrave Cottage (derelict) & Belgrave Lane (part), field part of Belgrave Vinery Site, Grand Marais Vinery and Primrose Vinery



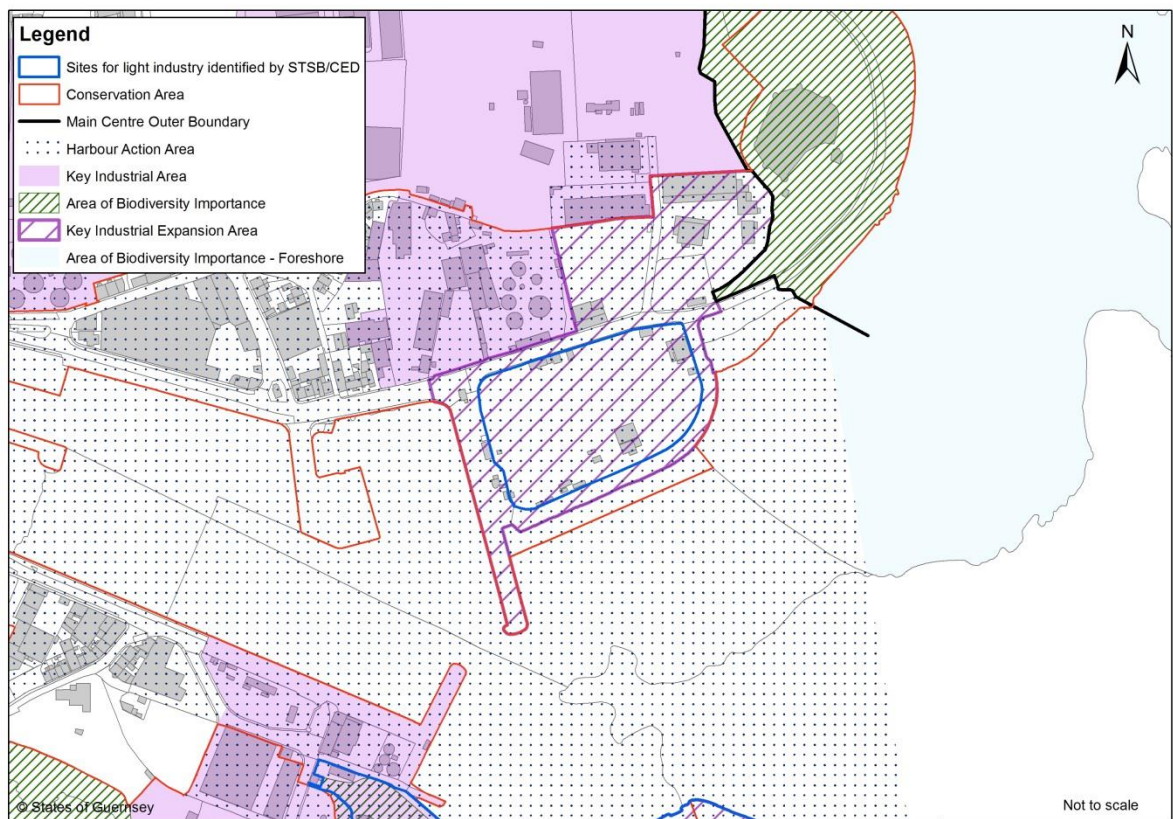
Map 2: Former Bordeaux Landfill Site



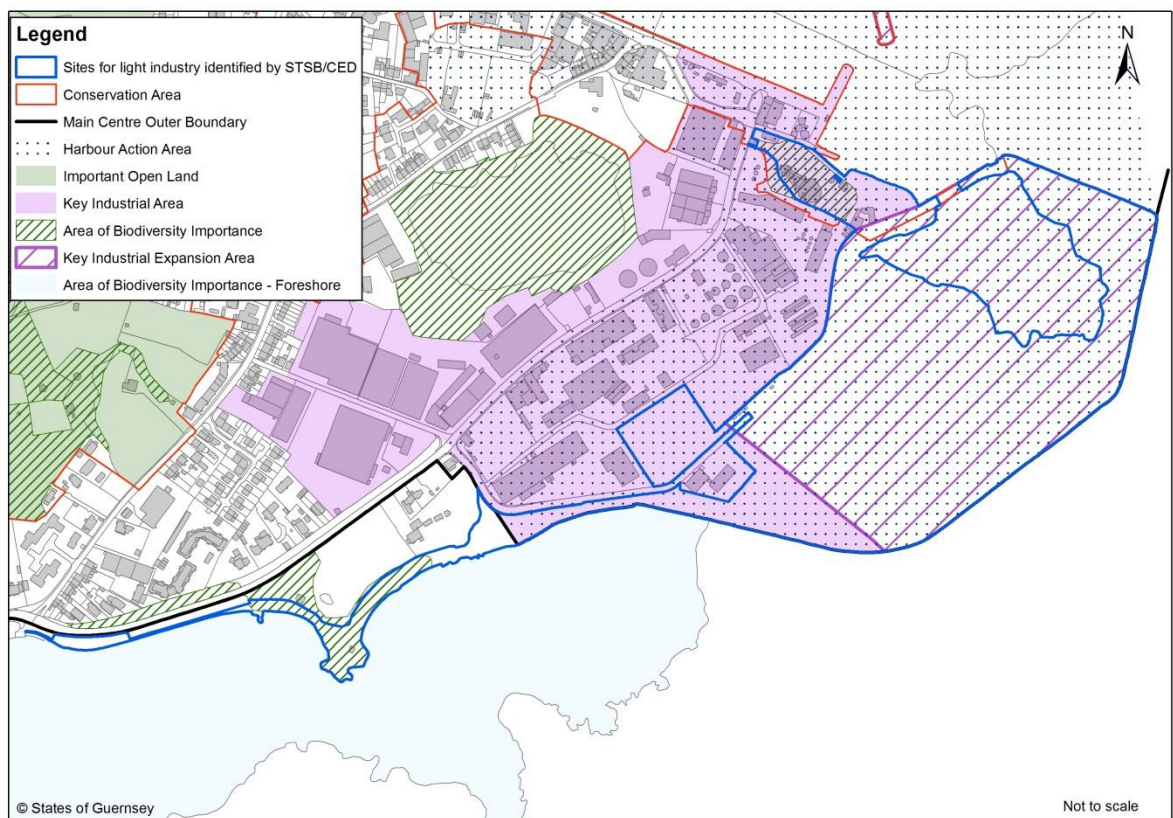
Map 3: Brickfield House



Map 4: Griffith's Yard



Map 5: Mont Crevelt/Longue Hougue Reclamation Site



Map 6: Pitronnerie Road Key Industrial Expansion Area

