

# **Best Way to Have Your Say**

## **Tuesday 12th November**



Development &  
Planning Authority

**A Welcome from Deputy Tindall**

**President of the Development &  
Planning Authority**



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# Join the conversation

To submit your questions go to [www.slido.com](http://www.slido.com)  
and use the code #DPAhaveyoursay



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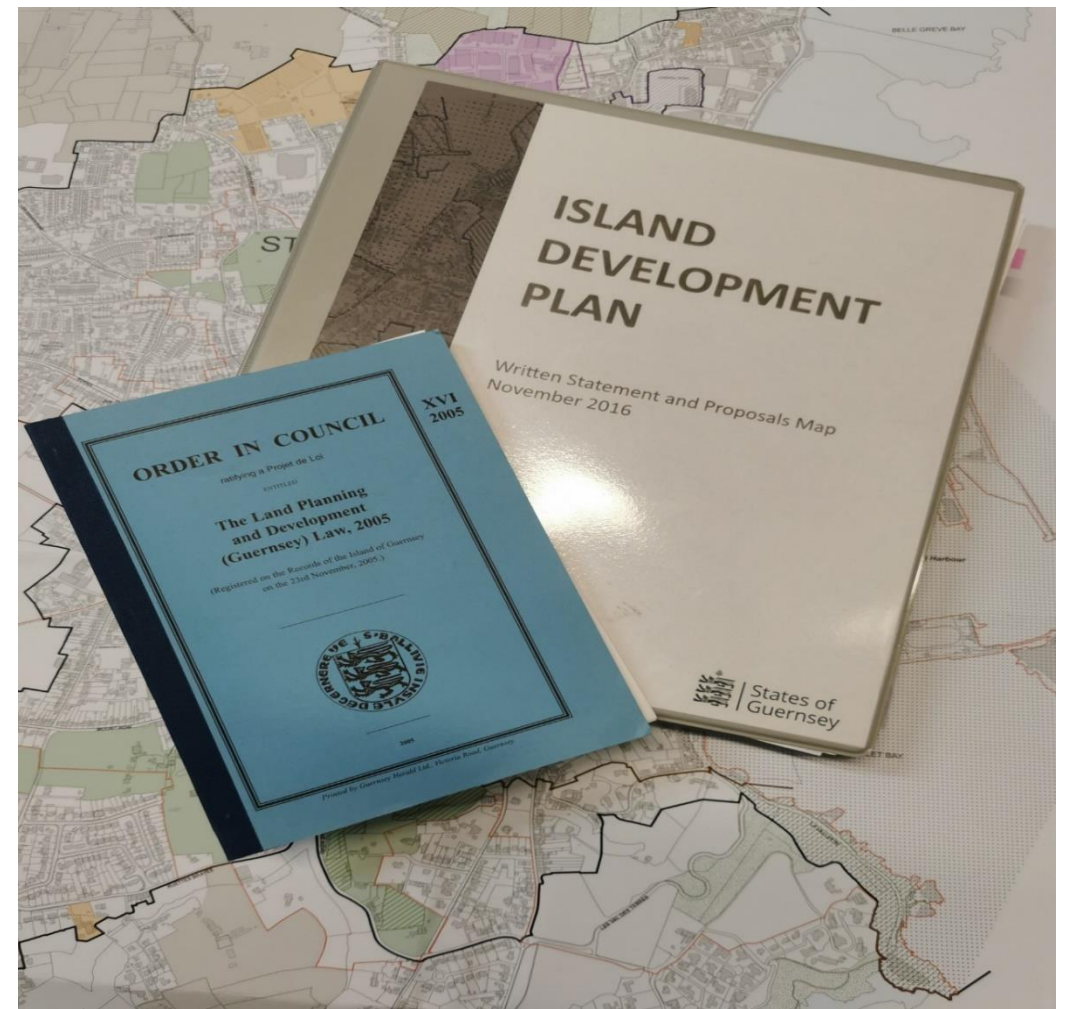
# Plan making, Policy & Planning Inquiries

**Claire Barrett, Director of Policy**



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- How to influence Plan making
- What the Law requires
- The best way to make your opinions count



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# Stage One

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# Stage Two

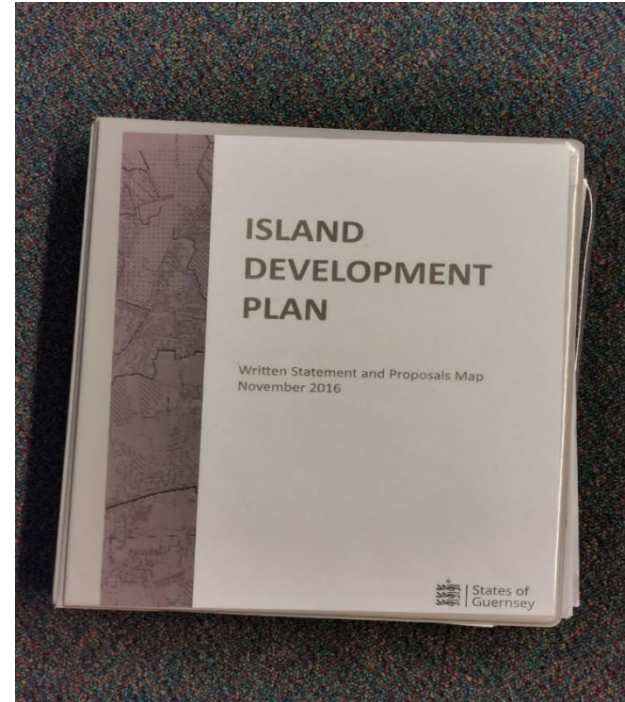
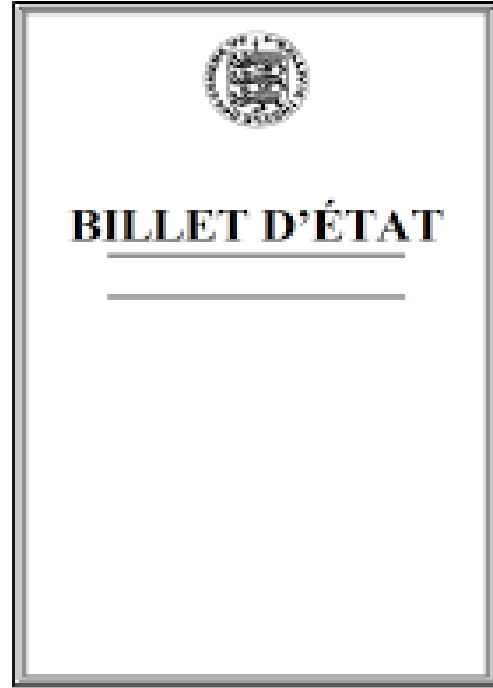
- Initial Representations
- Further Representations
- Planning Inquiry Hearing



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# Stage Three

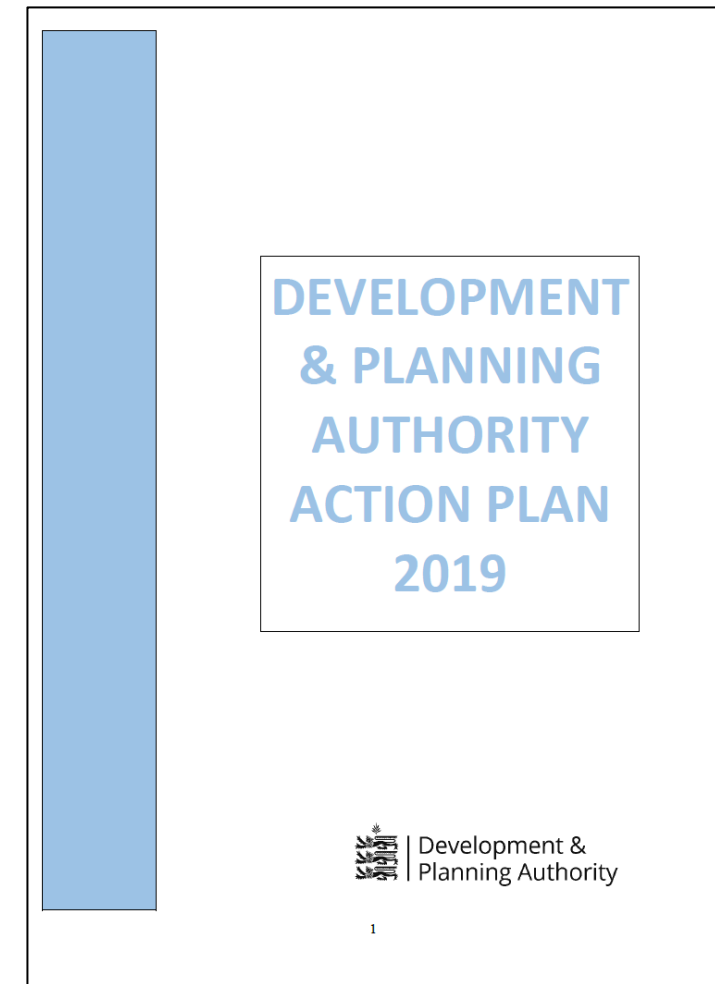


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- Local Planning Briefs & Subject Plans
- The 5 Year Review



# Planning Applications

**Jayne Roberts, Development Control  
Manager**



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# Objectives

- When can you make representation?
- What can you expect when you submit your representation?
- How/what method can you use to make your representation?
- What should be included (general details)?
- What can be taken into account?
- Why can the Planning Service only consider certain aspects?
- How are representations perceived by the Planning Service/how are they used?
- Can you have help in making my representation?
- How do I monitor what is happening?
- What happens at the point of decision/what should you expect?
- Where can I find further information?



# Myths and Truths

1. Is it better if you get an advocate or person of standing to act on your behalf?

False – All letters providing they relate to matters than can be considered as planning material considerations are regarded the same despite who has written them.

2. Letters don't get read by the planning officers

False – you can make representation on a planning applications as many times as you wish, however only certain matters can be considered.

3. The more letters that are written the better chance there is of the application being refused

False – the application will be considered in light of all representations, purposes of the Law, IDP policies and material planning considerations. A decision is not based on the number of reps.





# Myths and Truths

4. You can only make a representation if you live near the development

False – representations can be received from any islander however the content must be relevant to the development and relate to planning matters

5. All letters of representation are confidential

False – letters of representation are confidential up until a decision. Once the decision is issued the applicant/agent can request copies of any letters received.

6. Representations can only be made in written form

True – voicing your views in person or over the phone cannot be taken into account.



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# When can you make a representation?

- When an application is valid
- 21 Days
- Site Notice
- Press advert – Tuesdays
- Register of valid planning applications - [www.gov.gg/comment on an application](http://www.gov.gg/comment_on_an_application)

**DEVELOPMENT & PLANNING AUTHORITY SITE NOTICE**

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005  
THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

DATE OF DISPLAY OF SITE NOTICE.....

**APPLICATION FOR PLANNING PERMISSION**

APPLICATION ADDRESS: Sir Charles Frossard House La Charroterie St. Peter Port

DESCRIPTION OF WORK: Extend & Alter Variations - Test

APPLICATION NUMBER: ZDUM/2012/O116

DATE REGISTERED AS VALID:

NAME & ADDRESS OF APPLICANT: Audric  
Test Test p  
Test Test P Test C POSTCODE

NAME & ADDRESS OF AGENT:  
Test Company Big house 12 Small Clos Left Street Bouet St.  
Peter Port Guernsey PO CODE

**IT IS THE RESPONSIBILITY OF THE APPLICANT TO REMOVE AND DISPOSE OF THIS NOTICE  
AFTER THE STATUTORY DISPLAY PERIOD OF 21 DAYS HAS EXPIRED**

**FURTHER DETAILS OF THE PROPOSED DEVELOPMENT**

Members of the public are welcome to view the details of this application and associated plans at the Planning Service, Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH between 9.00am and 5.00pm, Monday to Friday.

**COMMENTING ON AN APPLICATION**

Any comments that you may have about this application must be submitted in writing to the Planning Service, quoting the Application Number. Representations must be received by the Planning Service within 21 days of the display of this Notice (see date above). Please note that representations are not treated as confidential and once the application has been determined, will be disclosed, on request, to the applicant. Representations will also be made available to the Planning Tribunal in the event of an appeal, and could be considered at a public Tribunal Hearing or Open Planning Meeting.



# How/What method can you use to make a representation and what should it include?

- Post – The Planning Service, SCFH
- E-mail – [Planning@gov.gg](mailto:Planning@gov.gg)
- Your Name
- Your Address
- Application number or address of the development site



# What can you expect when you submit a Representation?

- Via email – email message and acknowledgement letter

## THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

**PROPOSAL:** Demolish dwelling and erect replacement dwelling, create vehicular access for detached garage and associated landscaping.

**LOCATION:**

**APPLICANT:**

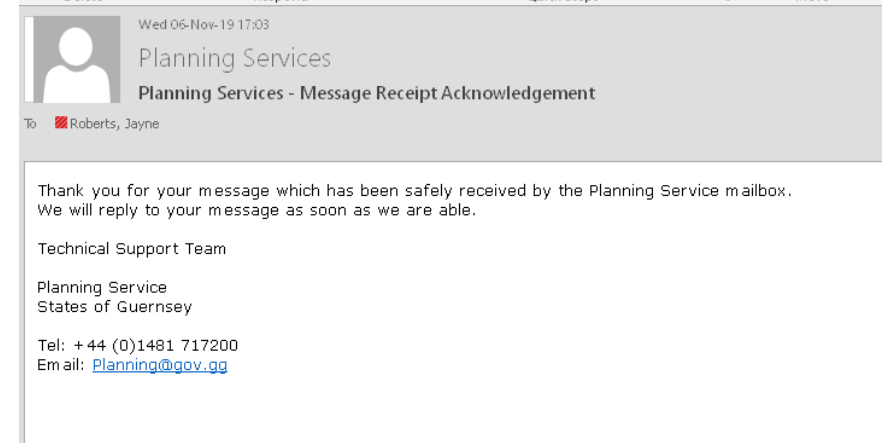
Thank you for your letter regarding the above proposal, which will be taken into account in determining the application. You will be advised in writing of the Development Planning Authority's decision in due course.

The Authority can only take into account material planning considerations within the terms of The Land Planning and Development Law, and is unable to consider non-planning matters such as the effect of development on the value of property or private views

All decisions made by the Authority are without prejudice to third party rights and cannot address civil matters such as boundary, or third party disputes or other related matters of ownership, and where necessary such cases should be resolved by seeking legal advice.

Please note that the content of representations is not treated as confidential and will be disclosed, at their request, to the applicant, once the application has been determined. Representations will also be made available to the Planning Tribunal in the event of an appeal, and could be considered at a public Tribunal Hearing.

You can view the details of [Planning](#) applications online, including the decision, notification date and decision notice document, using the [Websearch](#) at [www.gov.gg/planning](http://www.gov.gg/planning)

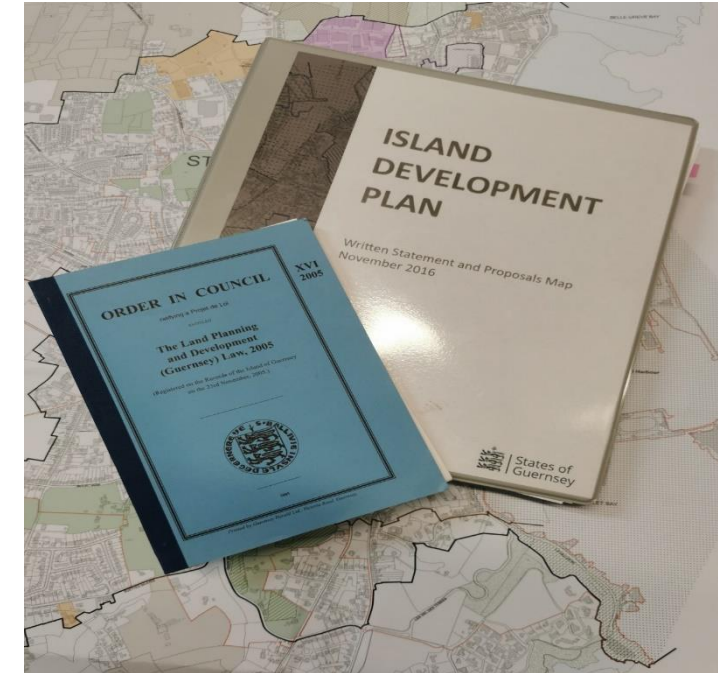




# What can be taken into account?

Material planning Considerations include:

- The Land Planning and Development (Guernsey) Law, 2005 (The Law)
- Any Development Plan (currently the Island Development Plan), Subject Plan or Local Planning Brief
- General Material Considerations
- Material Considerations in relation to Protected trees, monuments or buildings



# Why can we only consider certain aspects?

## How are representations perceived by the Planning Service and how are they used?

### General Material Planning Considerations include:

- Effect on natural beauty and landscape quality
- The character and quality of the natural and built environment created
- The appropriateness of the development in relation to its surroundings
- Effect of the development on the character and amenity of the locality
- Effect on roads and other infrastructure



# Why can we only consider certain aspects?

## How are representations perceived by the Planning Service and how are they used?

### General Material Planning Considerations include:

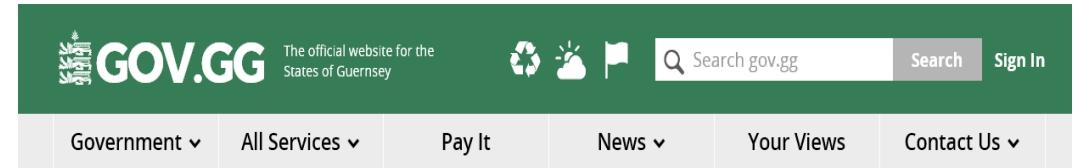
- Effect of the proposed use and that to which it could be put
- Any planning covenant which would have a material connection with the development
- Effect on parks, playing fields and other open spaces
- Effect on the reasonable enjoyment of neighbouring properties



# Is help available when making a representation?

## Yes

- Online at [www.gov.gg/comment on an application](http://www.gov.gg/comment_on_an_application)
- Development Control Duty Planning Officer
  - Monday to Friday 9am – 5pm
  - In person
  - On the phone – 717200
- Impartial
- Not Biased





# How do I monitor what is happening?

## What happens at the point of decision and what can I expect?

Application Progress				
Received	Valid	Consultation Commenced	Site Visit	Decision Notification

Application Details	
Application Number	
Site Address	
Application Type	
Applicant Name	
Development Description	
Current Status / Decision	PENDING
Agent	

Important Dates	
Received Date	24/07/2019
Valid Application Received Date	07/08/2019
Start of Consultation Date	14/08/2019
End of Consultation Date	04/09/2019
Decision Notification Date	

### THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

**PROPOSAL:** Change of use class from Horticultural to Light Industrial (use class 24).  
Erect out-building to south-east boundary and fencing.

**LOCATION:**

**APPLICANT:**

I refer to your letter of representation regarding this application and thank you for commenting.

The Development Planning Authority considered all material planning aspects of this proposal, including those raised in your letter, and refused permission within the terms of the Land Planning and Development (Guernsey) Law and related Ordinances.

The applicant has a right of appeal against this decision and should an appeal be made your letter will be copied to the appeal panel to be part of its deliberations.

It is possible that the applicant may decide to make a further application for development on the site, and that would be advertised by display of a site notice. The Authority can only consider representations received for specific applications so cannot take your recent letter as a representation in respect of any future application for development on this site.

You can view the details of Planning applications online, including the decision, notification date and decision notice document.

Link to the Website - [www.gov.gg/planning](http://www.gov.gg/planning)

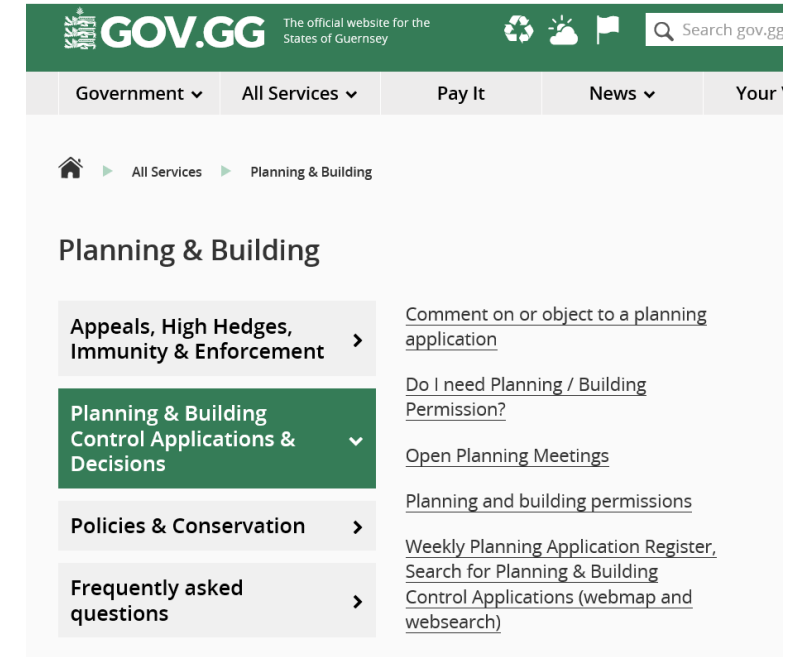


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# Where can I find additional information?

- Online at [www.gov.gg/planningandbuilding](http://www.gov.gg/planningandbuilding)
- Duty Planning Officer: Monday to Friday 9am-5pm
- Phone the Planning Service on 01481 717200
- [www.gov.uk/housing-local-and-community/planning-system](http://www.gov.uk/housing-local-and-community/planning-system)



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# **Development Frameworks and Tree Protection Orders**

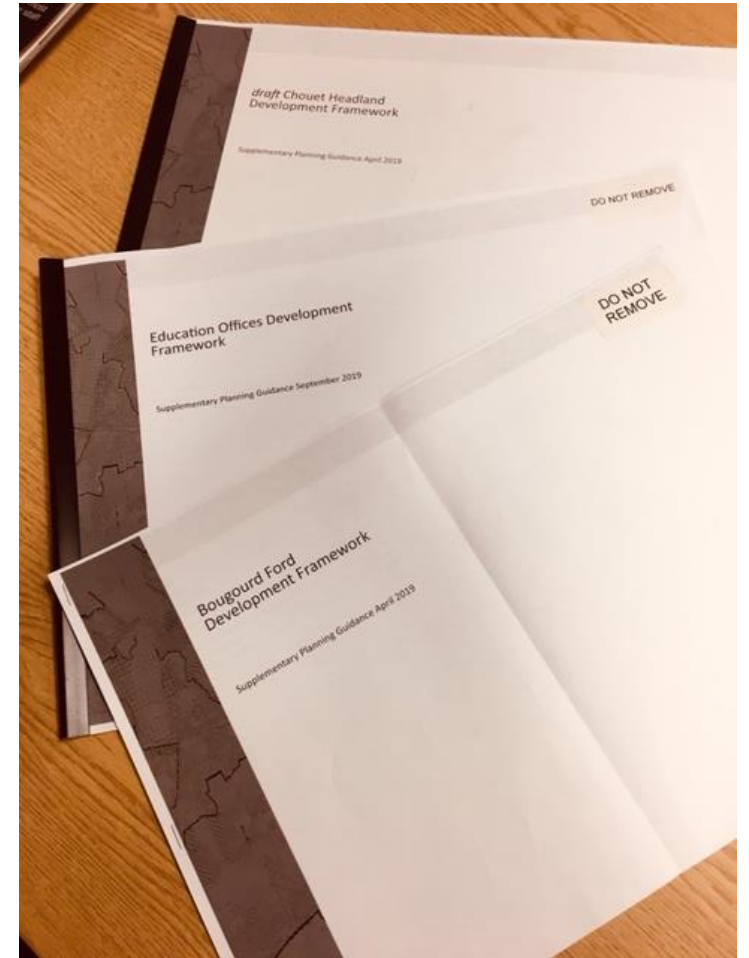
**Jim Rowles, Director of Planning**



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# Development Frameworks

A policy document which sits between the Island Development Plan and a planning application for a site



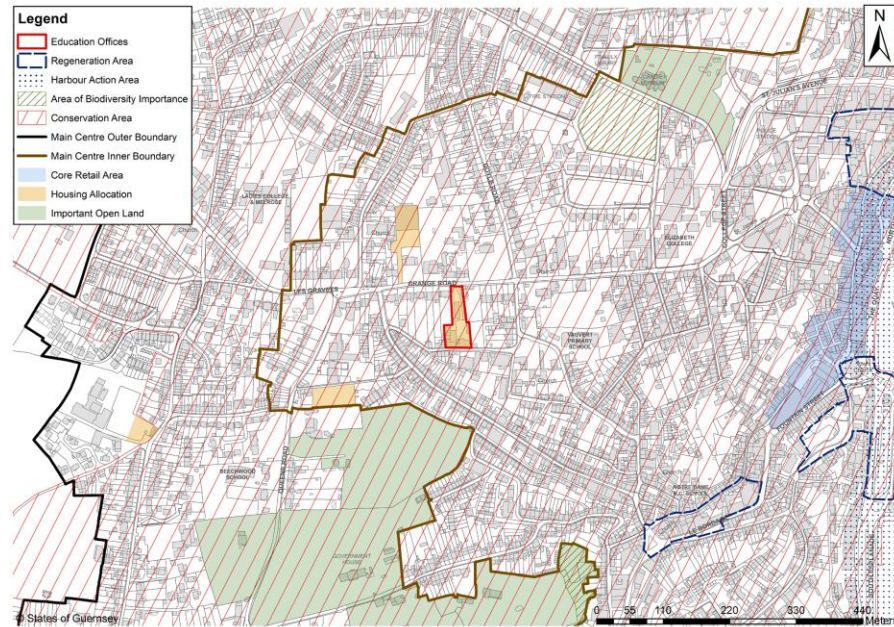
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# Policy context

A DF will clearly set out the Policy Context and summarise the relevant IDP policies that apply



Appendix 2: IDP Policy Context		Education Offices 2019	
IDP Policy	Policy Relevance	GPB: Design plus Annex 3: Amenities	GPB: Sustainable Development
IS: Spatial Policy	The spatial policy in the IDP sets out that the Main Centres and Main Centre Outer Areas have the role as the focal point for development in the Island to maintain the vitality of these areas.  This policy sets out that the Main Centres provide the core focus for development within the Island and proposals for development in these areas will generally be supported.	Development, including the design of necessary infrastructure and facilities, is expected to achieve a high standard of design which respects, and where appropriate, enhances, the character of the environment. Two or more storey buildings constitute a more efficient use of land than single storey buildings and therefore development proposals should consider a multi-storey design from the outset, unless there are overriding reasons why this design approach would be unacceptable. Proportionate residential amenity space must be provided that is appropriate to the housing type and location. Development must respect the character of the local built environment and provide soft and hard landscaping to enhance local character and/or mitigate the impacts of development including contributing to more sustainable construction. The amenity of occupiers and neighbours is also important – see IDP Annex 1 for further information.  Residential accommodation is required to be accessible for all and to be flexible and adaptable. Proposals will need to demonstrate that they have been designed in such a way that they include design features that assist people being able to live in their own homes for as long as possible and can easily be adapted or added in the future when required.	Development should also provide adequate areas for storage of refuse and recyclable materials.
MC2: Housing in Main Centres and Main Centre Outer Areas	Proposals for housing development will be supported in Main Centres. The area and type of dwellings provided on the site would be expected to be reflective of the demographic profile of households requiring housing. Therefore information such as the Island Housing Needs Survey and other information held by the States of Guernsey relevant to this issue would be considered. Given the overall capacity of this site, a variety of sizes and types should be included.		
GP1: Landscape Character and Open Land	Development must respect the relevant landscape character within which it sits and must not result in unacceptable loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness of the area.		
GP4: Conservation Areas	Development within Conservation Areas will be supported where it conserves and where possible enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.		
GP5: Protected Buildings	The particular special interest of the surrounding Protected Buildings, including its special character, features and setting, must be considered so that, as far as possible, that special character is not adversely affected and is preserved in a manner which is proportionate to its special interest.		
GP7: Archaeological Remains	Proposals that would be likely to adversely affect sites or areas of archaeological importance will be supported where they are in accordance with an agreed scheme to carry out archaeological investigation and make appropriate and satisfactory provision for an archaeological watching brief, as appropriate and proportionate to the archaeological importance of the site and development proposed.		
GP11: Affordable Housing	Developments which result in a net increase of 20 or more dwellings are required to provide a proportion of the developable land for affordable housing.		
GP12: Public Realm and Public Art	Any proposal should consider the relationship between the development and the public realm and it is expected to be enhanced where possible. Public art can take the form of an integral part of a development or as a standalone feature.		
GP1: Renewable Energy Production	Proposals for renewable energy installations (and ancillary and associated development) will be supported, where they can be satisfactorily incorporated into the built form of the proposed development.		
GP6: Transport Infrastructure and Support Facilities	Development proposals that encourage a range of travel options to and within the Main Centres and the Main Centre Outer Areas will be supported, where they are compatible with other relevant policies of the Island Development Plan. The Authority will require development to be well integrated with its surroundings. Pedestrian and bicycle access within the site must be incorporated to take opportunities to increase connectivity and create links and public walkways where appropriate.		
GP8: Private and Communal Car Parking	The parking standards for the GP are set out in the Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment. For residential development in the Main Centre Outer Areas the car parking standards are expected to be within these standards.  Provision will need to be made for secure covered bicycle parking for residents and visitors.		
GP9: Highway Safety, Accessibility and Capacity	The public road network's ability to cope with increased demand, physical alterations required to the highway, and the access requirements of all people will be considered.		
GP13: Small Scale Infrastructure Provision	Proposals for small scale infrastructure provision will be supported where this would contribute to the maintenance and support of efficient and sustainable infrastructure, the applicant being required to demonstrate that the sharing or co-location of facilities, buildings, apparatus and support structures is not practicable/probable.		
GP10: Comprehensive Development	Individual proposals must conform to a comprehensive scheme for the whole site or area in order to make the most effective and efficient use of land.		



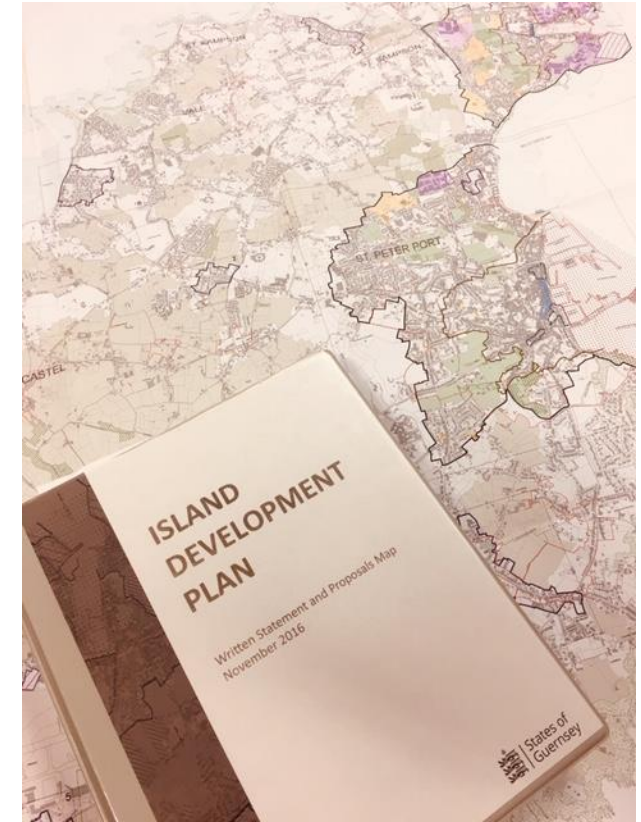
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# Principle of acceptable land use is already established through IDP

A DF is publicised in the media and through the consultation gives an early opportunity for public comment

The DF is primarily concerned with establishing development principles that apply the relevant IDP policies to the specifics of the site



# Specific material considerations

Likely to apply to the specifics of the site/development and can include for example:

- Access and traffic
- Heritage and landscape
- Density, height and massing
- Amenity and parking
- Public safety
- Flooding

# Development Guidelines

The DF will conclude with a series of written development guidelines which are supported or summarised by a plan



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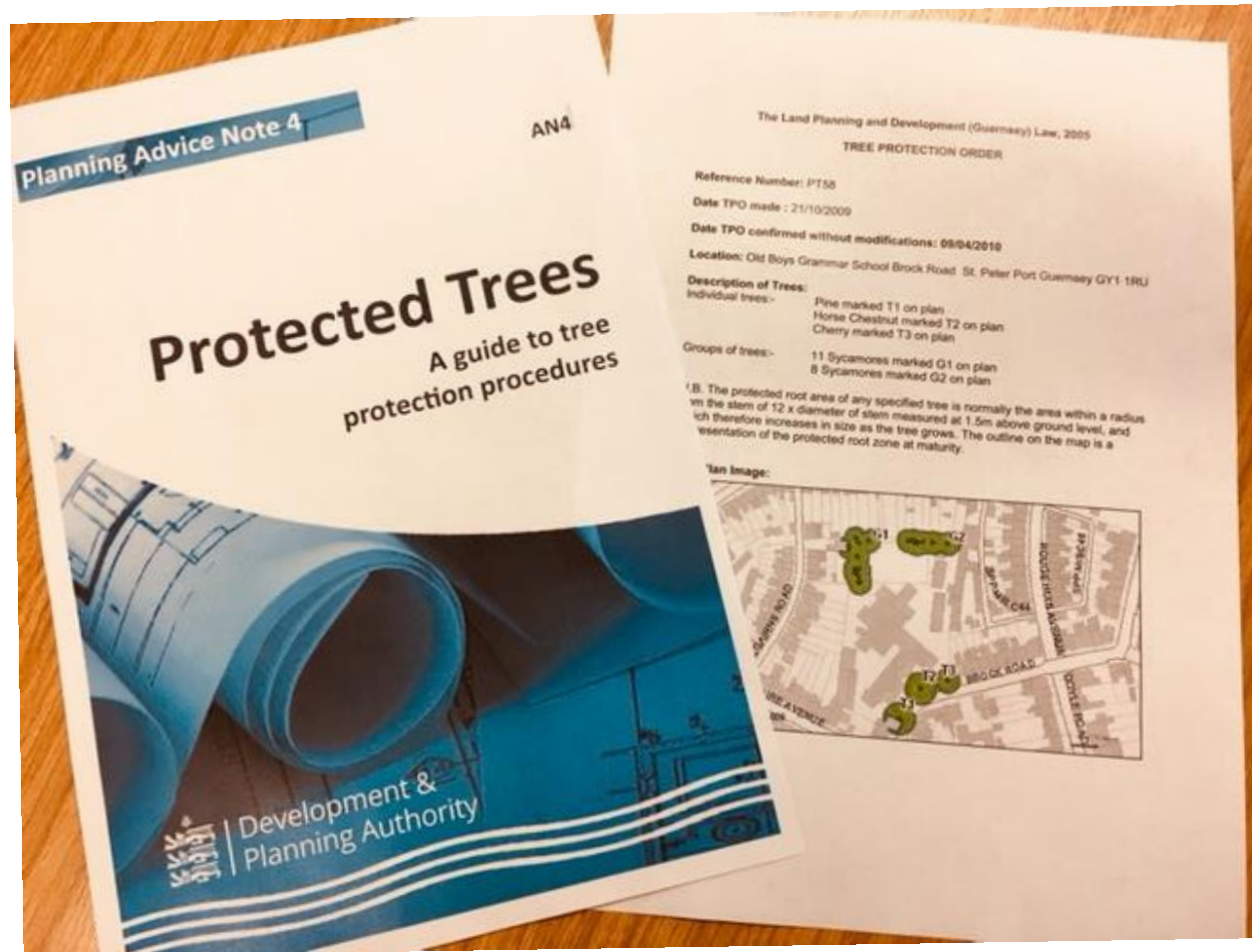
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# The best way to have your say

- Have a positive approach to engagement
- Have an understanding of the relevant policies that apply
- Recognise which principles are already established, and what can be influenced and improved
- Clearly explain in a letter or email any concerns about impacts and the reasons for them
- Recognise that finer detail will emerge at the planning application stage







# Tree Protection Orders

A statutory means of protection for trees in the interests of amenity



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There is a process for public consultation and making of representations on a TPO

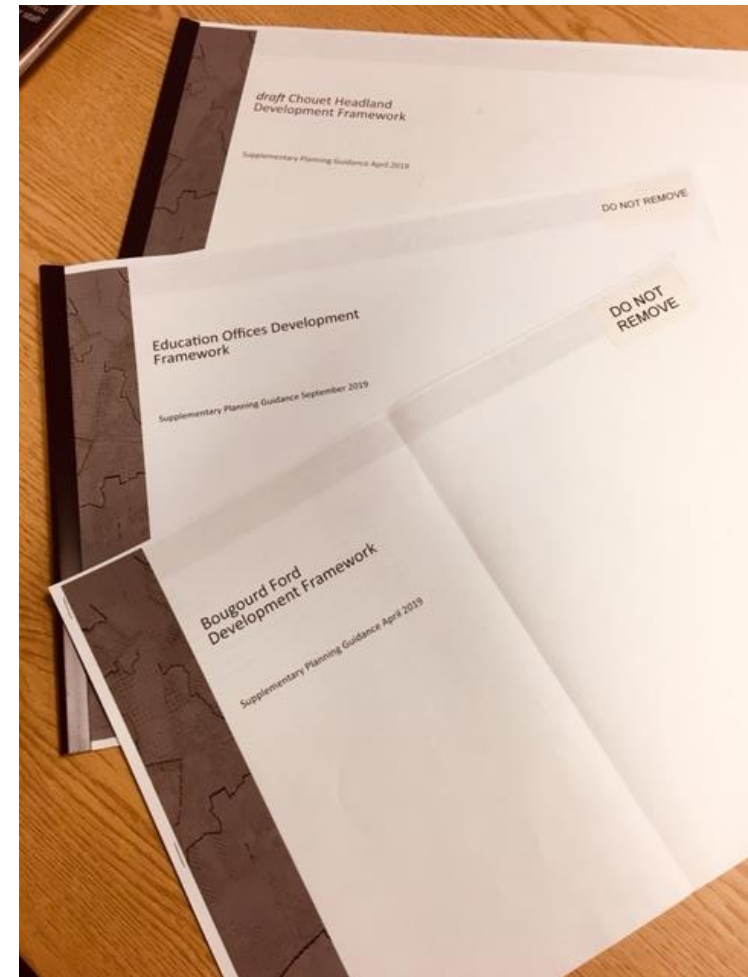
Protection through a TPO introduces a special set of additional material planning considerations



The Planning process includes a number of different opportunities, at various stages, for people to have their say.

It is important to know when and how best to engage at each stage.

If in doubt, we are always willing to assist with advice.



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# Any questions?

To submit your questions go to [www.slido.com](http://www.slido.com)  
and use the code [#DPAhaveyoursay](#)



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**Thank you for taking time out of your evening  
to attend our presentation on how best to  
engage with the planning process**

**planning@gov.gg**



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