

**Response to a Question Pursuant to Rule 14
of The Rules of Procedure of the States of Deliberation and their Committees**

Subject: Planning application for Key Worker Housing at Le Bordage Seath
States' Member: Deputy Yvonne Burford
Date received: 6th January 2023
Date acknowledged: 9th January 2023
Date of reply: 19th January 2023

Question

When do Policy & Resources intend to submit the "*detailed and comprehensive site selection study, together with more technical evidence such as environmental, economic and social assessments*" to the Development & Planning Authority, which the Island Development Plan states is "*expected as part of the submission for planning permission*" if considering applications under Policy S5?

Response

Without prejudice to consideration of a formal planning application for specific development proposals, pre-application discussions included formal correspondence with the Development & Planning Authority (D&PA). The Committee was advised that development of this nature could, in principle, be considered under Island Development Plan (IDP) Policy S5 as a development of strategic importance, and that no Development Framework would be required. The application would have to comply with IDP Policy S5 and the Principle Aim and relevant Plan Objectives of the IDP as well as the material planning considerations as set out in planning legislation.

As the Committee is mindful not to invest public money into application costs for schemes that cannot be progressed it has proceeded with care and is seeking only outline approval at this stage, noting that the proposed location is sensitive, which any detailed plans submitted for consideration will need to respect. The submitted application notes that measures to mitigate any negative impacts will be addressed alongside the submission of reserved matters.

The Committee notes that there is no requirement under IDP Policy S5 to submit a site selection study or technical assessments and it believes that the application would not have been accepted by the D&PA and published if it fell short of the IDP requirements. The Committee has received and displayed the site notice in accordance with legislative requirements which further indicates that the application meets the requirements at this stage. The D&PA needs to be satisfied that the choice of location is justified and represents the best practicable option available. If it determines that it requires more information to satisfy it on these points, it may write to the Committee accordingly but that is a matter for

that Committee of the States to assess with its professional officers. No such request has been received to date.

Question

The Sustainability Checklist submitted as part of the planning application refers to “reusing and maximising the utility of the existing building”. What building does this refer to?

Response

Due to the high-level nature of this application the Sustainability Statement is a generic document which sets out the sustainable principles that will be applied to the development. In this case there are no existing buildings.

Question

Given the undisputed need for this type of accommodation, why has it taken nine months since discussions commenced with the Development & Planning Authority to put together and submit a seemingly incomplete planning application?

Response

This matter was held in abeyance pending the States conclusion of their consideration of a Requête focused on this area of land. To progress the application at that stage would have drawn prematurely on limited resources that additionally were also identifying and negotiating for other sites including ensuring the States’ requirements for the Duchess of Kent House while properly explored. During this period the Committee has concluded the purchase of the former CI Tyres site and is close to completing on another site. However, these do not address the remaining requirements set out in the application. The Committee *for* Health & Social Care has also used this period to review and confirm the requirement for key worker accommodation on or very close to the PEH campus.

Question

What discussions, if any, have taken place with the owner of St Martin's Hotel in respect of the States of Guernsey purchasing that property?

Response

The Committee has actively been supporting the purchase of appropriate sites or sites with potential for affordable housing, the statutory definition of which includes homes for key workers. In some cases, discussions have been on-going in confidence for several years. The former St Martin’s Hotel site is an example. It has a lengthy planning history including lapsed permissions for development but has remained undeveloped.

Discussions are not progressing quickly because the owner has also been in discussions centred on the publication of a Development Framework. This would both assist in establishing a range of value for the site and determine its affordability for key worker homes or a mixed tenure site.

This Committee has a responsibility to encourage measures that stimulate the delivery of the Government Work Plan category 1 recovery actions and in October of last year I wrote to the D&PA with respect to housing, and specifically with regard to streamlining the Development Framework process with examples such as this in mind.

The Committee is extremely keen to take any opportunity to help expedite deliverables and make best use of time and collective efforts. It is aware that the D&PA continues to exercise discretion on a case-by-case basis regarding the requirement for a Development Framework when considering proposed housing schemes which go beyond the recently increased higher thresholds. Nevertheless, for larger housing sites the planning policy requirement for a Development Framework is clear.

Although the Committee understands that this requirement is intended to front-load the planning process and ensure that key opportunities and constraints are properly and transparently considered prior to submission of a formal application for planning permission, this process can be seen as an impediment to delivering completion on sites when site evaluations and acquisitions are linked to Development Frameworks. However, the Committee would also observe that commercial acquisitions can only move at a pace that satisfies the requirements of both parties.

Question

Has compulsory purchase of any disused hotels been considered by the Committee, given the vital community importance of key worker housing for healthcare staff? If so, what was the outcome of that discussion and if not, why not?

Response

The Committee has resisted the use of compulsory purchase as it is its least favoured route when it is a landowner itself and hadn't fully explored all possible options which the current application for Le Bordage Seath is assisting it to do.

Question

Does the Committee consider that, given the evident and predictable public opposition to building on this green field site, the significant uncertainty surrounding any application that is reliant on a narrow policy gateway, the potential for a challenge by means of a Judicial Review, and the urgency with which these units are needed, the approach adopted by Policy & Resources to pursue this particular avenue is risk-laden and it would have been more expeditious to have sought to build on brownfield sites from the outset in order to be confident of achieving the necessary key worker housing as soon as possible?

Response

The question suggests that this is the only solution that the Committee has explored, which is resolutely refuted.

The Committee has been the driving force behind an accelerated programme of brown field and previously developed site purchases to facilitate the affordable housing programme overseen by the Committee *for* Employment & Social Security, built and managed by the Guernsey Housing Association; a successful relationship which has a history of providing much needed key worker homes.

Those sites most easily secured in the vicinity of the PEH, a specified requirement stated by the Committee *for* Health & Social Care, are being progressed as explained in a previous answer. The unavoidable fact is that these are not providing enough homes given the demand forecasts provided by health and care services operated by the States, notwithstanding other key worker requirements within both the public and private sectors.

The Committee anticipated opposition to the proposal and it did not easily itself make the majority decision to submit the application, however on balance and given the continued demand for the accommodation, it considered that it had no option but to explore the potential through IDP Policy S5. In support of this decision the Committee would point out that the land within the PEH campus was specifically secured to support the medical needs of islanders.

These efforts to secure land and permission to build homes for all those contributing to the delivery of critical services in the Island will continue and this Committee will consider all options.

Question

If planning permission is refused or overturned, what is the Committee's alternative plan to provide this housing, and is it being progressed in parallel?

Response

The Committee is not prepared to expand beyond the information already set down in response to these questions which it considers demonstrates that as islanders would hope, it is actively exploring in parallel every available option.

Deputy Peter Ferbrache
President
Policy & Resources Committee