

Addenda to Written Statement
Feb 2007 to April 2010



Rural Area Plan

Review No.1



This document must be read in
conjunction with the Written
Statement.



ENVIRONMENT

A States of Guernsey Government Department



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Introduction

Since approval of the Rural Area Plan (Review No.1) in December 2005 it has been necessary for the Department to re-assess certain parts of the Plan in light of changing circumstances and corporate requirements. A number of these have been areas directly outlined within the Strategic Land Use Plan and in all cases, amendments certified by the Policy Council as being in conformity with that strategic document.

a) **Visitor Accommodation Development and Rationalisation (Policies RE11 & RE12)**

These amended policies provide a more flexible approach to developments affecting visitor accommodation, no longer referring to a 'core bed-stock', but instead looking at overall occupancy rates across the Island as well as the size, location and quality of facilities of individual establishments.

(Approved 1st February 2007, Billet D'Etat II)

b) **Les Vardes Quarry Extension and Water Resource Safeguarding Area (Policies RE16 & RE17)**

These new policies facilitate the extension to the quarry and safeguard the potential water storage resource to address the forecasted, potable water supply needs of the Island in the longer term.

(Approved 29th April 2009, Billet D'Etat X)

c) **Interim Amendments (Policies RCE14, RH1, RH3, RH6, RE7, new Policies RE7(A) & RE7(B))**

A package of revised and new policies which serve to retain the responsive nature of the Plan and cover a range of matters, including: domestic forms of development and land for industry with particular attention given to small workshops and yards.

(Approved 29th April 2010, Billet D'Etat VIII)

A full copy of each set of alterations to the Rural Area Plan has been lodged at the Greffe.

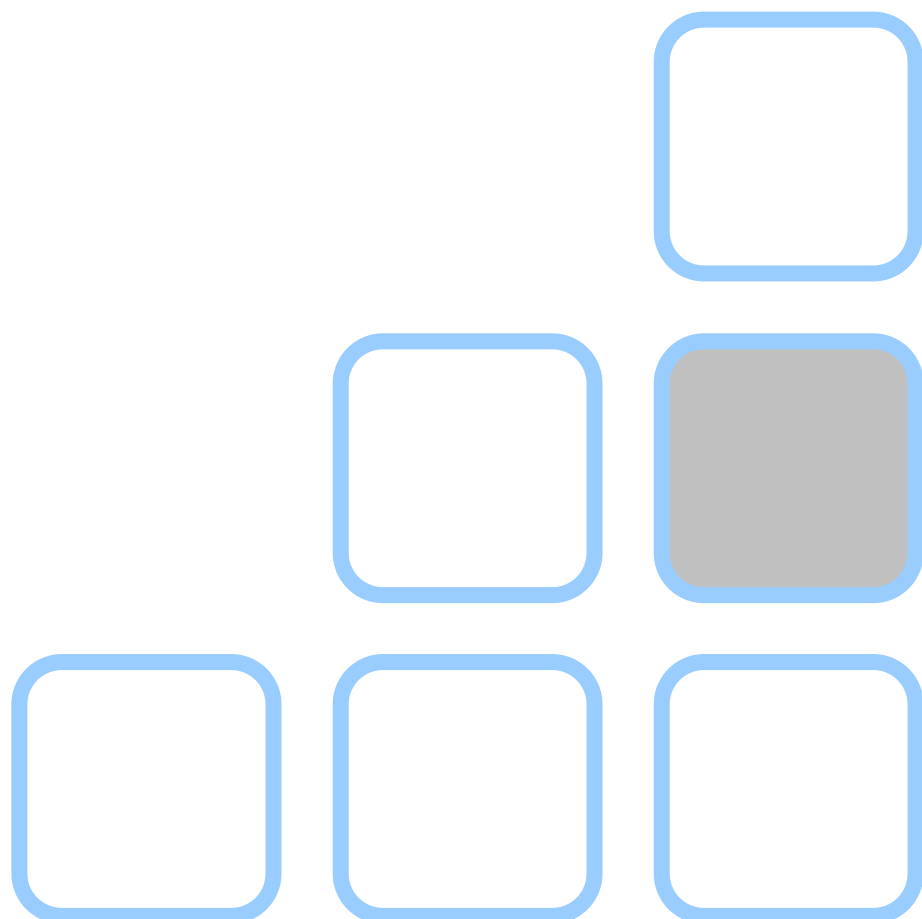
As these changes have occurred over a number of years, the Department have produced this booklet to bring these addenda together. The booklet sets out all the relevant policies and explanatory text from the Rural Area Plan (Review No.1) as amended by the alterations and additions procedure. The extracts are shown in sequential order to match the Written Statement.

To fully represent each of the changes to the Plan, amended and additional text has been integrated where necessary with retained original wording from the sub-section concerned. Also, unchanged text in some cases is shown for other policies which occur either on the same page or chapter as the subject amendment.

About the Plan

One

(amended)



Background to the revised Rural Area Plan

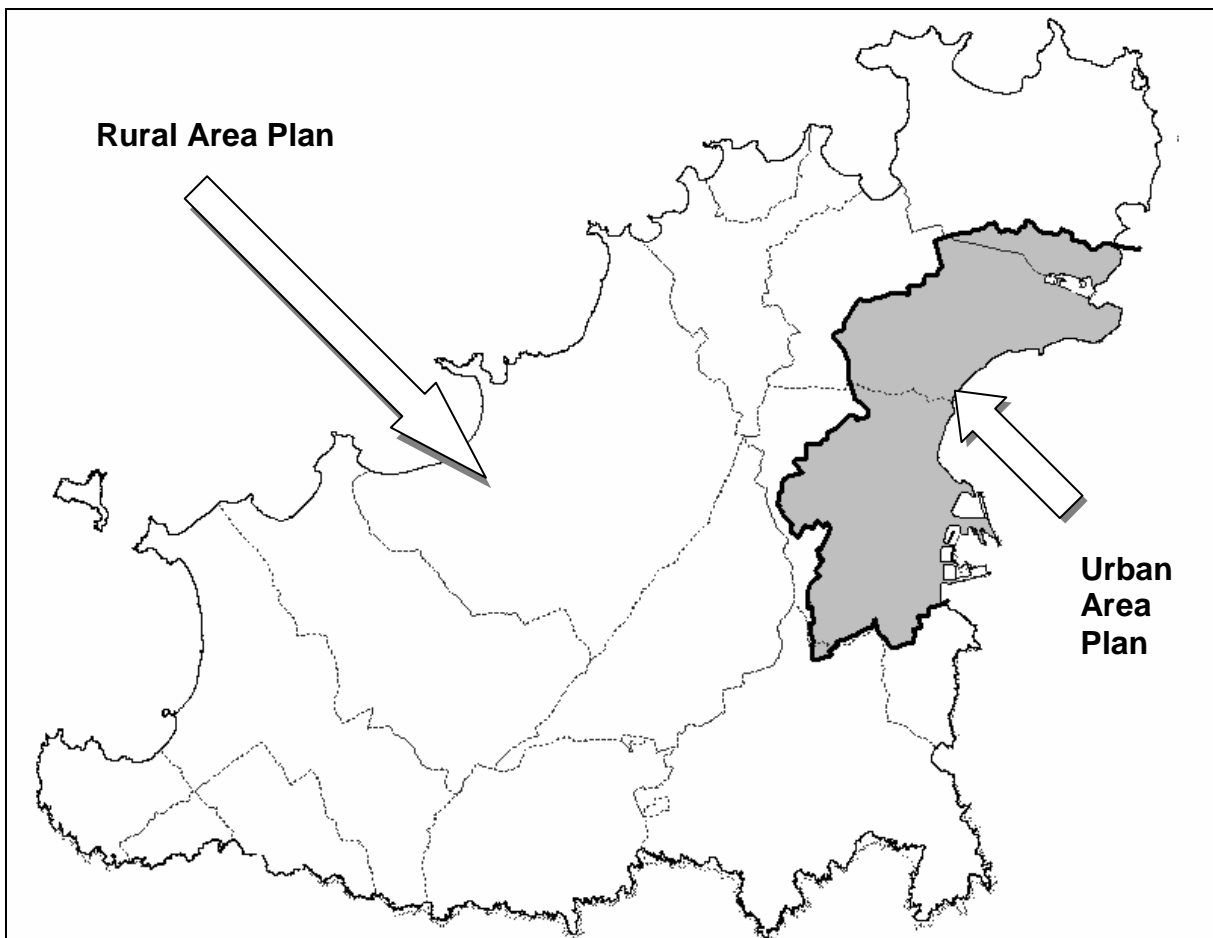
1.1 What is the revised Rural Area Plan (RAP)?

The Rural Area Plan is a Detailed Development Plan, prepared by the Environment Department (the Department), which sets out the planning policy for the whole of the rural area in a single document. The revised RAP replaces Rural Area Plan, Phase 1⁽¹⁾ and Rural Area Plan, Phase 2⁽²⁾. Their validity was extended in order to allow the plan review process to be completed.

The RAP has been prepared in accordance with Section 8 of the Island Development (Guernsey) Law 1966 (as amended) – (the Law). This Law also requires that Detailed Development Plans be reviewed every five years unless, as was the case here, the States have agreed to extend their life.

1.2 What area does the Plan cover?

The Plan covers approximately 21 square miles (55 sq.km), representing 87% of the Island's landmass, considered to be primarily rural in character. The Island's two principal settlements of St Peter Port and The Bridge form the urban area, which is covered by a separate plan - the Urban Area Plan Review No. 1⁽³⁾. The extent of coverage of the RAP is shown below.



(1) Approved October 1994 – Billet d'Etat XVIII, 1994

(2) Approved July 1997 – Billet d'Etat

(3) Approved 31 July 2002 - Billet d'Etat XVII, 2002

1.3 Strategic context

The relevant policies of the States are set out in the Strategic Land Use Plan, which is incorporated into the Strategic and Corporate Plan, prepared and reviewed annually by the Policy Council. The Department is required to take into account the policies of those documents by virtue of Section 2 (4) of the Island Development (Amendment) (Guernsey) Law, 1990*. The RAP has been certified by the Policy Council as being in conformity with the Strategic and Corporate Plan.

It should be noted that whilst the Strategic and Corporate Plan is one of the principal factors to be taken into account when drafting the policies of the RAP, once the RAP has been formally adopted, its policies and provisions cannot be overridden by any subsequent Strategic and Corporate Plan.

The Strategic and Corporate Plan emphasises the overriding strategic importance of conserving and enhancing the rural environment. Accordingly, **the primary objective of the Rural Area Plan is the conservation and enhancement of the rural environment.**

1.4 How does this Plan relate to the Urban Area Plan?

The RAP completes the up-to-date island-wide coverage of Detailed Development Plans as required by the Law.

The Strategic and Corporate Plan directs that the majority of the Island's development needs be met within the urban area. The emphasis of the Urban Area Plan is, accordingly, on facilitating development and in particular, steering it towards brownfield sites within that Plan area. This strategic approach requires relative development restraint in the rural area. Moreover, and in line with strategic guidance, any such development as may be allowed in the rural area must, wherever possible, contribute to the achievement of the primary objective of conservation and enhancement. It is on this basis, taking full regard of the policies and provisions of both the Urban Area Plan and the Strategic and Corporate Plan, that the RAP has been written.

1.5 What is this Plan used for?

The plan has four main uses:

- 1) promoting the conservation and enhancement of the rural environment;
- 2) supporting the Urban Area Plan by steering the majority of new developments to sites within the urban area;
- 3) guiding decisions on planning applications; and,
- 4) guiding essential development to appropriate sites.

1.6 What does the Plan contain?

The Plan has two components: The **Written Statement** and the **Proposals Map**.

Plan format

The RAP has been prepared on a policy, rather than 'land-use zoning', based format. This brings it into line with that adopted by the Urban Area Plan and ensures consistency of approach to planning issues island-wide.

1.7 Written Statement

Although Rural Area Plans 1 and 2 were more policy-based than previous plans, specific zonings remained an important element in them. Monitoring of the plans has shown that the policy-based, rather than land-zoning, approach has been very successful in meeting the plans' objectives. The revised RAP, in common with the Urban Area Plan, aims to build on the success of the policy-based approach.

The Plan has been structured to reflect the prime objective of conserving and enhancing the rural environment. Each chapter begins with a reference to the **policy context** approved by the States of Guernsey, which is then translated into a set of **policy principles**. These are the tenets upon which the planning policies are based.

Each policy principle is then developed into a **policy** or series of **policies** for the use of land and related matters, with explanations of how these policies were reached. The policies are highlighted on a light blue background. Each policy has a title and a policy reference, which should be quoted in any correspondence.

The Plan commences with a series of **general policies**. These set the scene for the remainder of the Plan and are taken to apply to the whole of the Plan area, regardless of policy area as may be indicated on the Proposals Map. They are, in effect, the base layer upon which other Plan policies are added.

The Land Planning and Development (Guernsey) Law, 2005 requires the Department to take the provisions of the relevant Development Plan into account when considering a planning application. Where a development does not conform to the requirements of the Plan the Department must refuse permission, unless the departure is of a minor nature. As a result, the absence of a specific enabling policy for a particular form of development means that it is prohibited by the Plan and the Department cannot approve it.

The Department recognises, however, that it is not possible to foresee all the circumstances that may arise in relation to future development proposals. As a result, policies RD1 and RD2 of the Plan make provision for development essential to the public interest, health or security of the community even if they may conflict with other certain specific policies. However, there may be occasions when development that is not regarded as essential is not specifically provided for within the Plan but where it is of such a scale and nature that it would not significantly affect the objectives of the Plan. In such circumstances this development will be considered against the policies of the General chapter, the Conservation and Enhancement chapter and any others that the Department considers relevant.

Individual policies or paragraphs of the Written Statement should not be read out of context.

The policies outline where, in certain circumstances, more specific planning guidance will be required, such as Rural Planning and Design Statements.

The policies are backed up by a set of **annexes** providing development guidance and useful supplementary information. The annexes are very much part of the Plan and should not be regarded as being separate. The Department will always encourage applicants to take full notice of the annexes when preparing planning applications.

The Department may publish further guidance on these and related planning matters in due course under the 2005 planning legislation.

1.8 Proposals Map

The various **policy areas** referred to in the Written Statement are identified on the Proposals Map. The revised Rural Area Plan moves away from the tightly drawn landuse zonings of Rural Area Plans 1 and 2. Instead, the new policy areas are broadly defined to present a clearer picture of the Department's overall strategy.

The policy areas are described in the following pages:

Areas of High Landscape Quality

The most environmentally important areas of countryside and coastline are identified as Areas of High Landscape Quality. These areas generally possess some or all of the distinctive features of the relevant landscape type described in Annex 1 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. As the Areas of High Landscape Quality are broadly drawn and may include small clusters of buildings and land of varying quality, comparisons between different areas of land should not be made out of context. In some cases, land within Areas of High Landscape Quality may need to be reclaimed and enhanced in order to restore the integrity and visual continuity of the underlying landscape. The Department will encourage such an approach where appropriate. The overall intention is to protect and enhance the landscape character and visual quality of the area. In this respect, direct reference to the landscape character assessment will form an important part of the decision making process.

Opportunities for development will be very limited.

Conservation Areas

Conservation Areas cover parts of the rural area where the distinctive character of the existing built environment merits a special level of protection. The emphasis will be on conserving and enhancing the character and appearance of these areas, ensuring that any new development respects their special qualities. It will be important to consider individual buildings and spaces within the context of the wider area which forms their setting. Special attention must be paid to the value of groups of buildings and the spaces between them, as well as to the buildings themselves.

Rural Centres

The rural area's main centres of Cobo, St Martin's, St Peter's, Le Bourg and L'Islet are indicated on the Proposals Map. These are the areas that are well located in relation to facilities such as shops, post offices, schools, banks, doctors' surgeries and other community services. 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. However, when assessing proposals that may affect a Rural Centre, the Department will give consideration to the need to maintain and strengthen the balance between shops and services and the local population.

The Plan aims to support the vitality and viability of the Rural Centres by allowing limited forms of development that would serve to further sustain these areas. In general terms, properties should be within easy walking distance of the shops and services in order for them to be considered an integral part of the Rural Centre.

Within the Rural Centres, high priority will be given to the protection of important aspects of the environment and to the achievement of good design and appropriate amenity standards. Careful attention will be given to the protection of valuable open spaces and important public views.

Annex 8 provides further detailed information relating to the rationale for the inclusion of Rural Centres within this Plan.

Sites of Nature Conservation Importance

Sites of Nature Conservation Importance identified on the Proposals Map represent some of the Island's most important and often irreplaceable habitats. They also include examples of the range of habitats found in the rural area, illustrating Guernsey's rich and interesting biodiversity. Even modest changes in land management can make significant differences to the improvement or the loss of a site's biodiversity. The intention is to ensure that proposed new development, including changes of use and land management schemes protect and enhance these habitats. In cases where unacceptable damage to the habitat is inevitable, planning permission will not normally be granted.

Land Reserved for Industry

Continuing with the aims of the industrial policy of Rural Area Plan, Phase 2, this Plan also reserves a site at La Villiaze for light industrial use, including; manufacturing, research and development and e-business purposes. The policies of the Plan seek to achieve a high quality development by emphasising protection of the environment and the importance of achieving high design and amenity standards.

No other sites have been reserved for industrial development as the Urban Area Plan is considered to make adequate provision in respect of the Island's industrial land supply.

Airport Safeguarding Areas and Public Safety Zones

The safe and effective operation of the airport is vital to maintaining the Island's fast transport links with the UK and the rest of Europe. Physical obstructions to aircraft as they prepare for landing or take-off must be avoided. Within Airport Safeguarding Areas, therefore, additional restrictions on development, particularly in relation to building heights, may be required. The two Public Safety Zones are intended to keep to a minimum the numbers of people on the ground where there is greatest risk of aircraft accident.

Mineral Resource Safeguarding Areas

The Policy Council will be reviewing the policy approach for minerals extraction within future Strategic and Corporate Plans. In the meantime, although not implying any commitment, the Proposals Map identifies areas on the Chouet headland and at Les Vardes, which will be safeguarded from any development that may compromise their possible future working for stone.

This policy area is carried forward from the Rural Area Plan, Phase 1.

Non-designated areas

The remainder of the Plan carries no specific designation and is left white on the Proposals Map. The emphasis within these parts of the Plan will be on maintaining and enhancing the openness of the countryside and on safeguarding areas of agricultural land. The policies of the Plan make provision for some limited forms of development in these areas, primarily through redevelopment and conversion works.

1.9 How do I use the Plan?

The policies, their supporting text and the annexes, together with the Proposals Map are all integral parts of the Plan. For this reason, it is important that they are read as a whole and that no part is taken out of context.

Every effort has been made by the Department to make this Plan as simple and as easy to understand as possible. Nonetheless, it deals with a number of complex and often inter-related issues. Anyone unfamiliar with the Plan is recommended to seek professional guidance. The Department's staff will be pleased to provide advice and assistance with interpretation of the Plan if required.

If you are a regular user of the Plan you will probably develop your own method of working with it. However, for the less experienced, we recommend that you follow these steps:

- Step 1: In all cases, please refer to the General policies in Chapter 2. These are, in effect, the basic planning considerations that the Department is duty bound to take into account.
- Step 2: Ensure that your proposal respects and accords with the policies for Conservation and Enhancement in Chapter 3.
- Step 3: Find your site on the Proposals Map. Consider any policies relevant to the policy area or areas within which the site is located.
- Step 4: Refer to the policies specifically relevant to the existing use of the site and the proposed land use or building. For example, if the existing use of the site is industrial, refer to Rural Economy Policy RE7 and RE8; if the proposal is for a new house, then refer to Housing Policy RH1.
- Step 5: Refer to any of the annexes that may be relevant to the site or proposal. Where possible, the use of jargon has been avoided. Where technical or unfamiliar terms have been used, an explanation of their meaning is provided in the Glossary.

Note: Other than those specifically referred to within Policy RH6, the General policies (chapter 2) and Conservation and Enhancement policies (chapter 3) will not apply to domestic/householder development within a recognised existing curtilage (garden area).

1.10 How will the Plan be monitored?

It is recognised that plan making does not end with the States' approval of the Plan. It is an on-going process involving the collection of information and data to enable the performance of the Plan to be monitored effectively. It also allows the use of that information in the evaluation and review of the policies and proposals of the Plan.

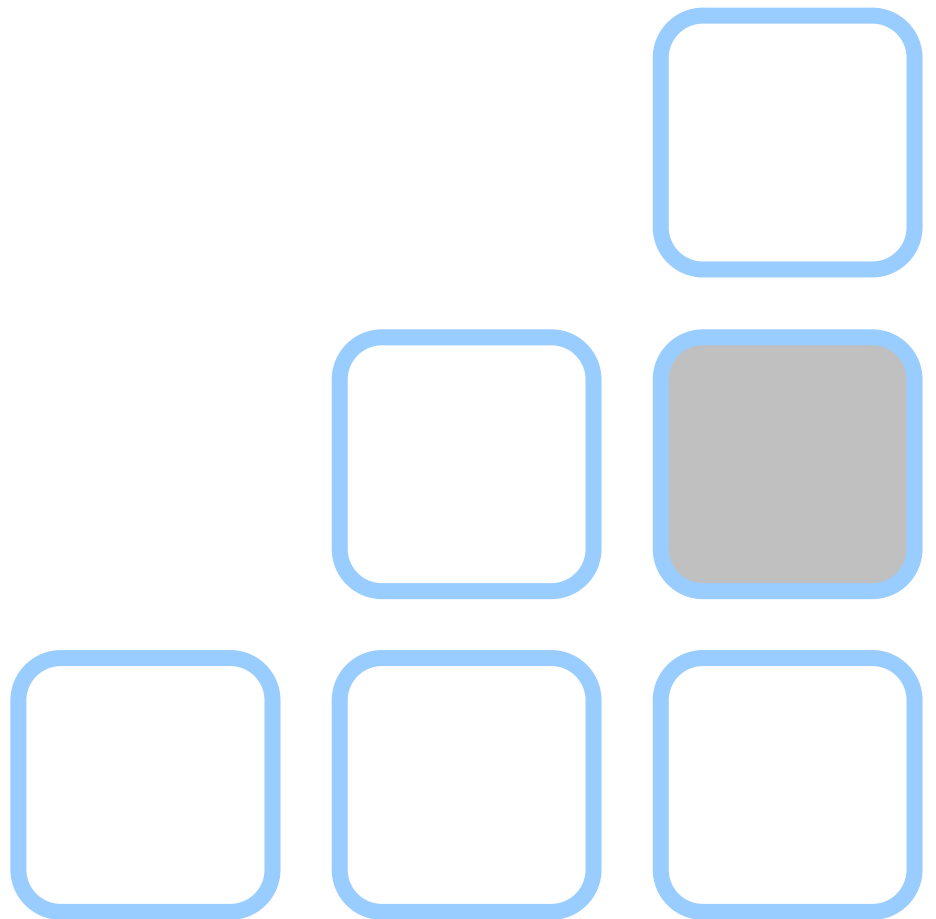
Since the preparation of the original Rural Area Plans (Phases 1 and 2), the monitoring procedures have been improved greatly. In particular, the Department's quarterly housing land availability statistics and the Policy Council's Sustainable Guernsey Monitoring Report are valuable tools in the review process. This process of regular review provides vital information for the policy planning process.

Where monitoring indicates that the Plan is not working effectively, consideration will be given to altering it accordingly.

General Policy

two

(amended page ref. 13)



General Policies

All the policies in this chapter are statements of general policy which will be applied in conjunction with the subsequent, more detailed policies of the Plan. These basic considerations apply to any form of development in any location except where the proposals relate to domestic/householder development and in these circumstances Policy RH6 of this Plan sets out which of the general policies are applicable. The basic planning principles outlined in this chapter underpin the whole Plan and introduce policy themes that are developed in more detailed and specific policies in the chapters that follow.

2.1 Sustainable development

The Department considers it of utmost importance that the quality of the environment be conserved and enhanced and that existing resources be used efficiently. 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 (February 2005).

Proposals that, for instance, require significant quantities of fresh water will be considered in light of adequacy and availability of water resources. The Department will resist proposals that place an excessive demand upon the Island's fresh water resource. Similarly, the Plan safeguards known, good quality stone resources. The States will review the policy approach for stone extraction as part of its consideration of the Strategic and Corporate Plan, prepared by the Policy Council.

Policy RGEN1

In considering proposals for development the Department will take into account the need for the development to be beneficial to the community and sustainable in terms of its location, design, use and conservation of resources and impact on the environment.

The Department will encourage the use of design and technology to achieve sustainable forms of development.

RGEN
1

2.2 Comprehensive development

It is vital that land is used in ways that make a positive contribution to the environmental, social and economic well being of the Island. The Department will, accordingly, seek to ensure that, where appropriate, development sites are planned in a comprehensive way where this will not conflict with the primary objective of the Plan. The Department may require a Rural Planning and Design Statement to provide practical guidance as to how sites can be developed beneficially in terms of land use and form. The circumstances when these are required are set out within Annex 4.

Policy RGEN2

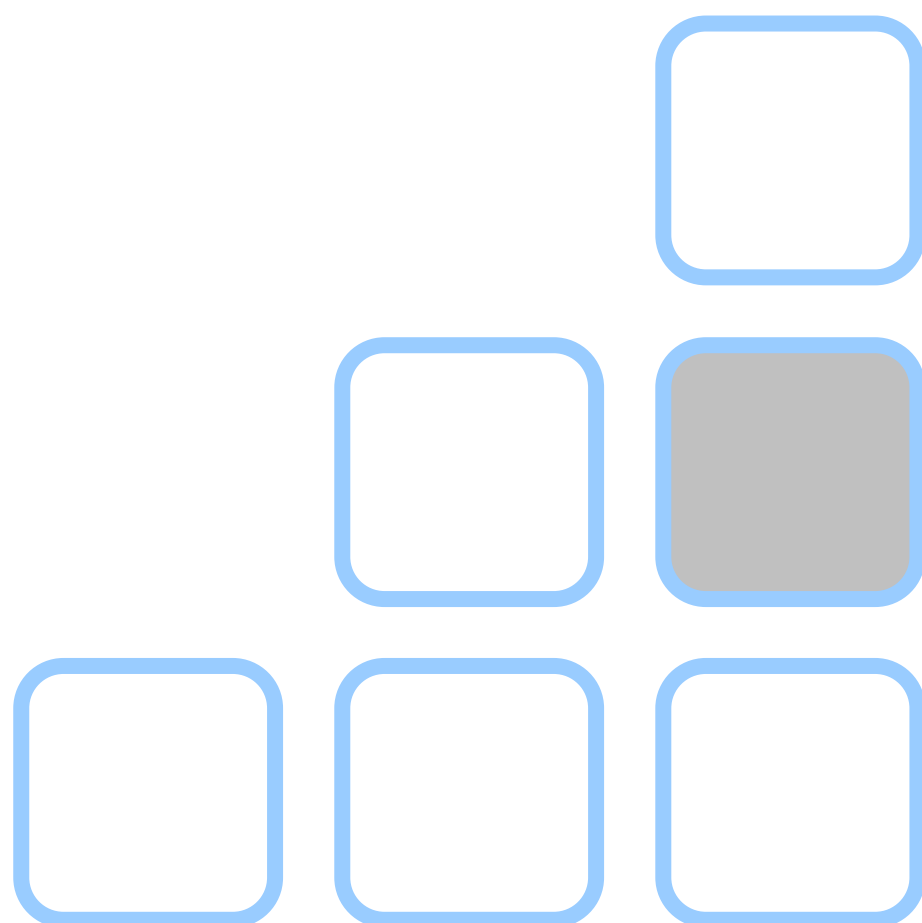
In considering proposals for development the Department will take into account the need, where appropriate, for individual proposals to conform to a comprehensive scheme for the area where implementation of the project in isolation would not accord with the general principles of good planning.

RGEN
2

Conservation & enhancement

three

(amended page refs. 23,32,33)



Conservation and Enhancement Policies

The policies contained within this chapter seek to protect and enhance those valuable features of the rural environment that combine to shape its unique character. This includes open landscape through to buildings of special interest. Even gradual erosion of these features could have a detrimental impact on Guernsey's local distinctiveness and result in an island that is a less special place to live or visit.

The majority of policies in this chapter will be applied in conjunction with the General policies and the subsequent, more detailed policies of the Plan, together with any other relevant parts, when assessing all forms of development in any location.

However, the Department is keen to ensure that householders are allowed flexibility in planning for extensions and other forms of domestic development within residential curtilages. Therefore the policies of this chapter will not apply to proposals relating to domestic/householder development, except those specifically identified as applicable within Policy RH6 of the Housing chapter of this Plan.

The preparation of Rural Planning and Design Statements will be encouraged in order to illustrate how design solutions have been reached, taking full regard of the policies of this chapter. Please refer to Annex 4 for further information.

3.1 Protecting open land & avoiding unnecessary development

The non-designated areas represent the foundation level of protection provided under Policy RCE1 that will be applicable throughout the Plan area either on its own or, where other designations exist, in conjunction with the policies relevant to those designations. In support of the strategic objectives of the States, the Plan aims to protect and enhance the open and undeveloped character of the rural area and to restrain development. Accordingly, under Policy RCE1, unnecessary incursions of development into the rural areas should be avoided. In this respect it is important to note that the Island's many glasshouse sites, whether still in operation, unused or derelict, are also regarded legally as undeveloped land with glasshouses being classified as temporary structures sited on agricultural land ⁽⁴⁾. 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 in consultation with the Commerce and Employment Department.

The Department accepts that some forms of development may necessarily require a rural location such as those associated with agriculture, horticulture, extensions to existing rural tourist facilities and outdoor recreation. Similarly, it may occasionally be desirable that developments needed for public utilities such as pumping stations and wastewater treatment are located within the rural area outside of the more densely populated areas. However, it will only be in these non-designated areas that 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 recreation facilities other than by conversion under Policy RS3 will be permitted.

Where such development is considered appropriate it should, wherever possible, contribute positively to the area by protecting and enhancing the rural character of the locality or by consolidating and enhancing an existing group of buildings.

Development on greenfield sites outside of the Rural Centres will only be considered in very exceptional circumstances where they are in the public interest, in full compliance with the provisions of Policy RD1.

~end~

RCE 1

(4) Part iv, Section 40 of the law

Poor condition of a building alone will not normally be considered to be adequate justification for its demolition. The Department may, therefore, require the submission of information to demonstrate that the structure is beyond reasonable repair and could not be reinstated without incurring costs that would not be offset by the resultant development.

Policy RCE13

Proposals to demolish buildings, walls and other distinctive features will only be permitted where the importance of the proposed replacement, other development or resultant vacant site would produce substantial benefits for the community that would outweigh the loss resulting from demolition; or,

- a) where the existing structure clearly does not make a positive contribution to the character or appearance of the area; and,
- b) the proposed replacement, other development or resultant vacant site would make a positive contribution to the character or appearance of the area.

Where it is important for the character or appearance of an area that the structure be replaced or the site otherwise enhanced, any consent involving demolition may be subject to a condition that the structure shall not be demolished until a contract for acceptable new work has been made.

3.14 Conversion and re-use of buildings

In considering proposed conversions, the Department will wish to be satisfied that the existing building is no longer useful or reasonably capable of being used for its original or last known purposes and, that the proposed new use represents a more appropriate use of that building. Conversions that would result in the unacceptable loss of accommodation to another sector of the rural economy or that would necessitate the construction of replacement buildings that may harm the open nature of the countryside will, generally, be resisted. The Commerce and Employment Department may be consulted on applications proposing the removal of buildings from agricultural use.

It is also important that conversions do not result in the continued retention of inappropriate buildings in open or potentially open areas. Hence, the Department will generally support the removal of undistinguished impermanent forms of building, and those that are clearly unsound, structurally. Conversions that would involve major re-building works may, depending on the scale and nature of works proposed, be assessed as being 'new-build' and will, accordingly, be considered under the relevant Plan policies.

In most cases, the Department will require the submission of a structural survey prior to determining an application for the conversion of a building. Glasshouses are, by definition, not regarded as being of sound and substantial construction as, in law, they are regarded as being temporary structures on agricultural land.

In determining whether a building is capable of conversion, the Department will assess whether it can be carried out without extensive alteration, rebuilding or extension. Where a degree of alteration or extension is proposed, the acceptability of its extent will be assessed in relation to the overall scale of the conversion as well as any impacts or benefits that would result. For example, in the case of a conversion to a single residential unit, there must be adequate space within the existing structure to accommodate the essential elements of a dwelling.

It is important that the new use is suitable to the site and its setting. A housing conversion, for example, can result in significant change to the fabric of buildings and to their appearance in the landscape through the introduction of gardens, driveways, walls, fences and ancillary buildings. A conversion for business use may have less effect on the fabric of the building and therefore may be considered acceptable where an application to convert the same structure to residential may not. However commercial uses may have potential effects on neighbour's amenity and this will need to be carefully considered. Particular care will be required where RCE14 is used in conjunction with RE7(B) (Open Yards).

RCE
14

The Department will carefully consider whether individual proposals can comply with the conservation and enhancement objectives of the Plan. All ancillary features should be clearly indicated in the planning application along with any proposed measures to mitigate potential impacts or to provide positive environmental improvements. Permission will not be given to proposals that would destroy the very character that would otherwise justify a building's retention.

As the Areas of High Landscape Quality represent the most sensitive landscapes within the rural area, the Department will only permit the conversion or re-use of buildings that make a positive contribution to them. The conversion or re-use of buildings that are not of any distinguished character or that detract from the character of the area will not be permitted within the Areas of High Landscape Quality.

Where a building is protected or of other special interest, great care will be taken to ensure that the original character of the building is retained. Policy RCE11 and Policy RCE13 address this issue further.

Policy RCE14

Proposals to convert or re-use buildings will only be permitted where:

- a) it has been clearly demonstrated to the satisfaction of the Department that the building is no longer useful, or capable of being used for its current or last known viable purpose or that more appropriate buildings are available to accommodate such use;
- b) the building is of sound and substantial construction and is capable of conversion without extensive alteration, rebuilding or extension;
- c) in Areas of High Landscape Quality, the building is of architectural or historic interest or makes a positive contribution to the character of the rural environment;
- d) the conversion can be implemented without adversely affecting the character or appearance of the building; and,
- e) the provision of curtilage, road access, driveways and parking, ancillary buildings and boundaries would not adversely affect the character of the building or its setting.

Where it is considered acceptable to convert an existing structure into an alternative use and the provisions of policies RCE11 and RCE13 are not applicable, an existing permission, without being implemented by carrying out the work would provide an adequate means from which to request permission to demolish and rebuild it on the same site. However, the rebuild, should wherever possible, be for the same nature and scale of development. Minor alterations to the footprint, siting, materials and external appearance of the structure that provide opportunities for environmental enhancement may be acceptable where this results in the physical enhancement of an area, including the consolidation or creation of open space.

When the Department has determined that the conversion of a structure is acceptable, and has issued outline or planning permission, the Department will consider such permission to provide an adequate base from which to request permission to demolish and rebuild it on the same site. The actual redevelopment need not be carried out to enable this assessment to be made.

Clearly, such an approach would not apply in cases where the structure is regarded as a building of architectural or historic interest, for reasons explained above. Therefore, the option to seek permission to rebuild such a structure on the basis of receiving consent to convert will not apply in Areas of High Landscape Quality.

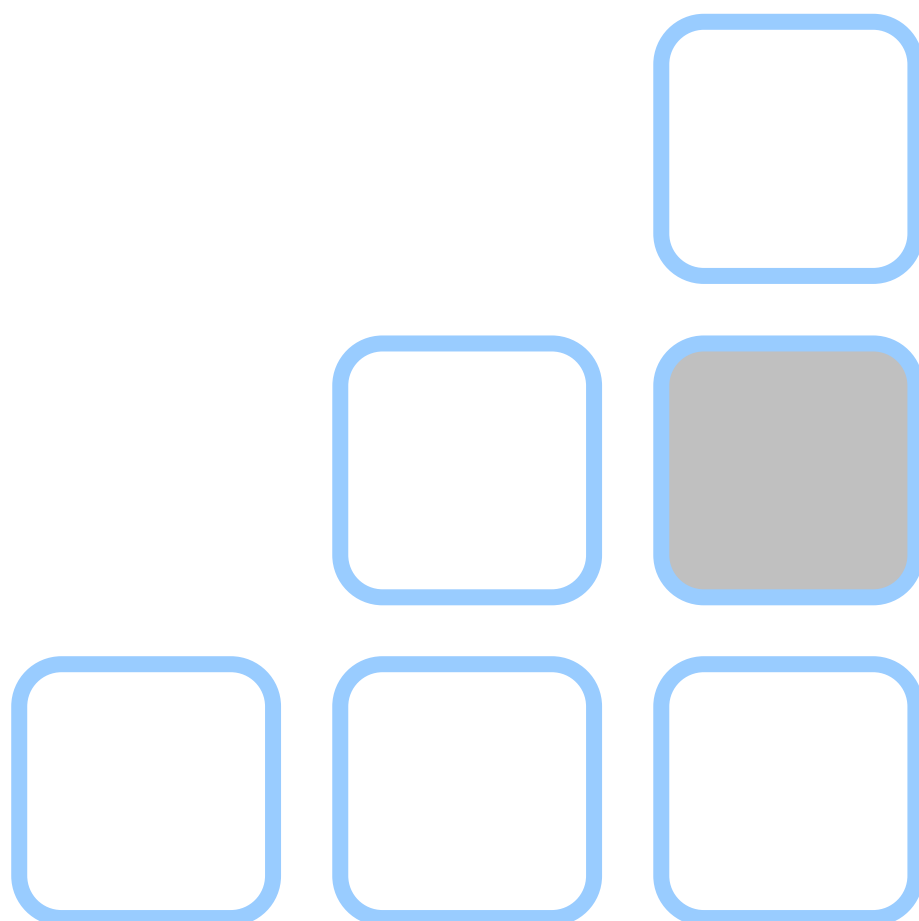
In assessing whether buildings located within non-designated areas are suitable for rebuilding following receiving consent for conversion, the Department will first need to be satisfied that the structure is of substantial construction, normally consisting of stone/block/brick walls and a durable roof covering. Bearing in mind the conversion of a building is likely to be more sustainable than total demolition and rebuild, through the use of fewer building materials and production of less waste, the Department will also need to be satisfied that some environmental benefit will be gained. This could be through physical enhancement of the locality, improvements to the levels of onsite and/or neighbour amenity or through longer-term environmental enhancements. The Department may require substantial supporting evidence before it is prepared to accept that rebuilding is an appropriate course of action.

~end~

Housing

four

(amended)



Policy Context

The Strategic and Corporate Plan seeks to allow adequate opportunities to meet the Island's housing requirement, but without impacting upon the character or appearance of the rural environment. The Urban Area Plan makes provision for at least 90% of the Island's housing requirement for five years to be met within that Plan area, in accordance with the policies of the Strategic and Corporate Plan. The UAP incorporates a number of methods for achieving this including development on opportunity sites, conversion and sub-division and, if needed, through the release of Housing Target Areas. Hence, the majority of new residential development will be guided to sites within the urban area.

There will, however, be some scope for the creation of new homes in the rural area through methods such as conversion and subdivision of existing buildings. Every encouragement will be given to the re-use of surplus accommodation for housing purposes including the re-use of visitor accommodation, but only where this can be balanced with the need to maintain an adequate stock of visitor accommodation. Methods for making better use of the existing housing stock will also be encouraged through proposals for improving properties, bringing empty houses back into use and reducing under occupation.

The Strategic and Corporate Plan requires the Detailed Development Plans to achieve a sustainable mix of housing. Specific issues identified include affordability and the ability to accommodate a range of housing needs for all members of the community, including elderly people and those with disabilities.

It has not yet been possible to bring forward a practical and legally robust policy for affordable housing as part of the Rural Area Plan, in a situation where firm proposals for the provision of affordable housing have yet to be established. From experience however, where the Department has made provision for new houses within the rural area, they are often sold for a premium and command a commercial value well above that of a similar home within the urban area. This situation does nothing to help local housing needs. Therefore, for the time being, the delivery of affordable homes to meet identified social needs will be limited to sites where the States is able to exert controls as landowner or other enforceable means.

Having regard to the Strategic and Corporate Plan, the housing policy principles are that:

- the erection of new housing, other than on a one for one replacement basis, will be guided towards sites within the urban area
- provision for a limited amount of the Island's housing requirement will be made within the rural area where this can be achieved through the sub-division or conversion of suitable buildings and where the primary objective of conserving and enhancing the rural environment is not compromised
- in very exceptional circumstances, provision will be made for the erection of social housing that meets a clearly identified need.

Housing Policies

For the purposes of this chapter, 'housing' is taken to mean that which is usually regarded as being conventional residential use. Private or rented accommodation in the form of houses, bungalows, flats, bed-sits or lodging houses are all considered to be forms of housing. Nursing or care homes, residential schools and colleges, hospitals and other forms of accommodation for people requiring care or special attention are not considered to be 'housing' for the purposes of this chapter and will be regarded under the provisions of the Social, Community and Recreation chapter.

4.1 New housing

One of the strategic policies of the States is that the majority of new housing provision should be within the urban area on previously developed land (6). In light of this and with regard to the primary objective of this Plan, the Department acknowledges that opportunities for new housing development within the rural area will be very limited. Such opportunities will, therefore, be restricted to the subdivision of existing dwellings, the conversion of buildings and to the replacement of dwellings on a one for one basis within the same site. Proposals involving subdivision of existing dwellings will be considered under the provisions of Policy RH3.

The provision of new housing through other means, such as new-build, will not be permitted unless the proposal fully satisfies the provisions of Policy RH2

In the case of replacement dwellings, proposals will be expected to conserve or enhance the character and appearance of the locality and, in particular, respect the feeling of openness within the rural area. For this reason, the siting, design, scale and massing of such developments especially within Areas of High Landscape Quality and in Conservation Areas will be given very careful consideration by the Department. Proposals that would result in any detriment to the character or appearance of the area will not be permitted. All proposals involving demolition and rebuild will also be considered under the provisions of Policy RCE13 and, where appropriate, RCE11.

Where conversions are proposed, the Department will wish to be satisfied that the site is suitable for the introduction of residential use in terms of the existing characteristics of the site and its relationship with the surrounding area. Full compliance with the provisions of Policy RCE14 will be necessary in all cases. The establishment of new residential curtilages to serve such conversions will be considered under the provisions of Policy RCE6.

Owing to the impact that even a modest replacement dwelling or conversion may have on the rural area, the Department may, at its discretion, request a Rural Planning and Design Statement. Further information can be found in Annex 4.

Proposals for special forms of housing such as sheltered accommodation will generally be supported where they form part of a sensitive conversion scheme, although it is acknowledged that most of the opportunities for new housing are likely to be too insignificant to achieve the necessary economies of scale to support such accommodation. Where the States have clearly identified a need for specific forms of social housing, then the provisions of Policy RH2 may, exceptionally, override those of RH1.

All proposals for residential development will be considered very carefully against all relevant policies of this Plan, particularly policies RCE1, 6, 7, 8, 13 and 14.

RH1

(6) Strategic Policy 3
2002 SLUP

Policy RH1

Proposals for residential development (excluding the subdivision of existing dwellings) will only be permitted where:

- a) they involve the conversion of existing buildings or the replacement of existing dwellings on a one for one basis; and,
- b) the site is suitable having regard to the existing characteristics of the site and its relationship with the surrounding area;
- c) the development is acceptable in terms of siting, design, scale, massing, amenity and provision of a satisfactory living environment; and,
- d) in the case of replacement dwellings, they also satisfy the provisions of Policy RCE13 and where appropriate, RCE11.

4.2 Social housing

RH2

Where a need has been established by the Housing Department for specific forms of social housing, then the provisions of Policy RH2 may, at the Environment Department's discretion, override those of Policy RH1.

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.

The provision of social housing is part of the Corporate Housing Programme. The majority of this accommodation is expected to be provided within the Settlement Areas of the urban area. However the Department acknowledges that an element of new social housing may be required in the rural area to ensure the local provision of social housing in different parts of the Island and to meet a range of different housing needs.

It is, however, important that a satisfactory balance is struck between the provision of genuine social housing and the general objectives of the Plan, which are taken to be the primary objective of conservation and enhancement, together with the policies of the General and the Conservation and Enhancement chapters.

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.

The creation of social housing through the conversion or replacement (on a one-for-one basis) of buildings or through the sub-division of existing dwellings will be considered under all other relevant Plan policies and in particular, Policies RH3, RCE14 and, where appropriate, RCE11 and RCE13.

Policy RH2

Proposals for the erection of social housing will only be permitted where:

- a) the site is suitable, having regard to its characteristics and neighbouring land-uses and is, or can be, integrated into the existing built environment;
- b) the site is within or would round off existing States-controlled housing or is well related to one of the designated Rural Centres;
- c) the development would be of a scale and design appropriate to the rural setting; and,
- d) adequate provision is made for the protection of the rural character of the site and appropriate measures for the general environmental enhancement of the locality.

The erection of new housing in Areas of High Landscape Quality will not be permitted.

4.3 Subdivision of dwellings to provide additional housing units

RH3

Within the rural area there are a number of dwellings and other buildings that are too large for a single household, do not make efficient use of the accommodation or are simply no longer required for their current or last known viable use. The subdivision of dwellings into self contained units and into houses for multiple occupation can be an effective way of providing relatively low cost accommodation without the need to develop on greenfield sites. The Department will ensure that satisfactory living standards are provided and that a concentration of such property does not adversely affect the mix and balance of housing types and amenity of an area.

The subdivision of dwellings often results in an intensification of ancillary domestic fixtures and features on the site, such as car parking, bin storage, clothes drying areas, sheds and dividing fences. Where appropriate, the Department will require such facilities to be incorporated into the overall design of the development.

Schemes to subdivide dwellings may be accompanied by a modest extension under Policy RH6, provided that the extension is not of such scale or significance that a new-build unit would be created contrary to Policy RH1.

Proposals involving the creation of additional housing units through conversion of non-residential buildings are addressed in paragraph 3.14 and must satisfy Policy RCE14, as well as Policy RH1.

When the Department has determined that the subdivision of a dwelling is acceptable, and has issued outline or planning permission, the Department will consider such permission to provide an adequate base from which to request permission to demolish and rebuild the structure on the same site. The actual redevelopment need not be carried out to enable this assessment to be made.

However, the Department will need to be satisfied that such redevelopment will result in a similar physical form or that the rebuilding results in significant environmental benefits such as decreasing the impact of the structure on the landscape character of the area. The rebuilt structure will however be required to be similar in nature and scale to the existing building.

Policy RH3

The subdivision of a dwelling into two or more self contained units or into a house of multiple occupation will only be permitted where:

- a) the density of occupation is compatible with the character and residential amenity of the surrounding area;
- b) the proposal would not result in an excessive concentration of such uses in the locality; and,
- c) the development would be acceptable in terms of provision of a satisfactory living environment and amenity.

Proposals must adequately demonstrate methods for addressing intensification of ancillary domestic fixtures and features and include these as part of the integral design of the development.

Where it is considered acceptable to subdivide an existing dwelling into two or more self contained units and the provisions of policies RCE11 and RCE13 are not applicable, an existing permission would, without being implemented by carrying out the work, provide adequate means from which to request permission to demolish and rebuild the units on the same site.

4.4 Protection of housing stock

RH4

In order to support the objectives of the Strategic and Corporate Plan and the Urban Area Plan, it is important that there is no overall loss to the existing housing stock either through redevelopment or change of use. Generally, the Department will support proposals to upgrade substandard accommodation where this can be achieved in accordance with the primary objective of conserving and enhancing the rural environment.

There will be a general presumption in favour of the retention and improvement of existing housing. Redevelopment or refurbishment schemes that affect existing housing, will be required to incorporate proposals to maintain the number, and where possible improve the quality, of housing units on the site, where this can be satisfactorily achieved. The Department will, where possible, require the new development to provide better standards of accommodation and layout and accord with the primary objective of the Plan and the provisions of Policy RH1 and RH3.

In exceptional circumstances it may be acceptable to allow the loss of residential units that offer poor amenity standards and which are not practical to improve. The loss of housing may also be acceptable where the site or building is needed to meet an essential social or community requirement, or where the removal of the building could lead to the creation of an important open space or view into undeveloped countryside.

Policy RH4

The loss of existing housing or of a building designed for residential use, but presently vacant, will only be permitted where:

a) the accommodation is substandard by virtue of its size, location or means of access and there is no reasonable prospect of upgrading the accommodation to provide satisfactory living conditions;

OR

b) the site or building is needed to meet an essential social or community requirement;

OR

c) the resultant open site would lead to the creation of an important open space or view into such a space.

4.5 Dower units

RH5

In order for close family members to be accommodated as part of an extended household, it may be possible for an additional living unit to be linked to, either physically or through association with, the main dwelling. Such developments are usually referred to as dower units or granny wings and form a traditional method of providing informal sheltered accommodation on the Island.

Dower units can be acceptable in circumstances where a completely independent unit of accommodation would not comply with the normal criteria regarding access, space about dwellings and residential amenity. Proposals usually take the form of extensions to the main dwelling but can also include conversion of outbuildings within the recognised domestic curtilage, where these are reasonably close and well related to the principal dwelling. In order to prevent dower units being used as conventional dwellings, proposals will be expected to clearly demonstrate that the unit will not be a wholly self contained unit of residential accommodation and that it cannot readily be converted to such. The Department will normally expect a dower unit to retain some shared facility, such as kitchen, with the principal dwelling.

The Department will treat proposals for dower units sympathetically, provided the property clearly remains as one dwelling unit and subject to the proposal being acceptable in terms of scale, design, materials and impact on the amenities of neighbouring residents.

Proposals involving the erection of a new building to serve as a dower unit will be considered additionally under the provisions of the policies of the General and the Conservation and Enhancement chapters.

Policy RH5

The alteration or extension of houses, including the conversion of outbuildings within the residential curtilage, to form additional living units for occupation in association with the principal dwelling will normally be permitted provided that:

- a) the accommodation would be clearly subsidiary to and dependent upon the main dwelling unit and be of appropriate design; and,
- 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.

4.6 Extensions and alterations to dwellings

The Department acknowledges the reasonable aspirations of people to extend or alter their homes to provide greater comfort, additional living or storage space or simply to improve the appearance of their dwelling. For the avoidance of doubt, this policy includes curtilage development that is incidental to the enjoyment of a dwelling and is applicable in both non- designated areas and Areas of High Landscape Quality.

Domestic/householder development confined to the curtilage of a dwelling is unlikely to significantly adversely affect the primary objective of the Plan and therefore the Department will offer a greater degree of flexibility to such work. Development proposals can best accord with the objectives of the Plan by adopting good overall design and respecting the setting and prominence of the particular locality.

In accordance with this approach and in order to avoid unnecessary planning control over householder development, the policies of the General and Conservation and Enhancement chapters will be applied more selectively. This is not to say that the matters these policies cover are not relevant, but do not need added control through planning policy. Therefore issues such as design, access, character and amenity and the effect of development on adjoining properties remain relevant planning considerations and together with other issues will, where appropriate be assessed as material considerations as set out within Part IV, sections 13 to 16 of the Land Planning and Development (General Provisions) Ordinance, 2007.

In specific circumstances the following General and Conservation and Enhancement policies may be considered relevant in assessing domestic/household development:

- RGEN3 when considering extensions to domestic curtilages (see also Policy RCE6)
- RGEN4 when considering applications affecting the special quality of the built heritage
- RCE1 when considering extensions to domestic curtilages (see Policy RCE6)

RH6

- RCE2 when considering the demolition and reconstruction of dwellings or where development would affect a significant tree or landscape feature
- RCE3 when considering the rebuilding of dwellings on land designated an Area of High Landscape Quality
- RCE6 when considering extensions to curtilages
- RCE10 when assessing development within or affecting the setting of a Conservation Area
- RCE11 when assessing development affecting Protected Buildings and Monuments
- RCE13 when assessing proposals involving the demolition of distinctive buildings and features

It is important, that no part of the Plan is taken out of context. Staff of the Department will be pleased to advise when so required.

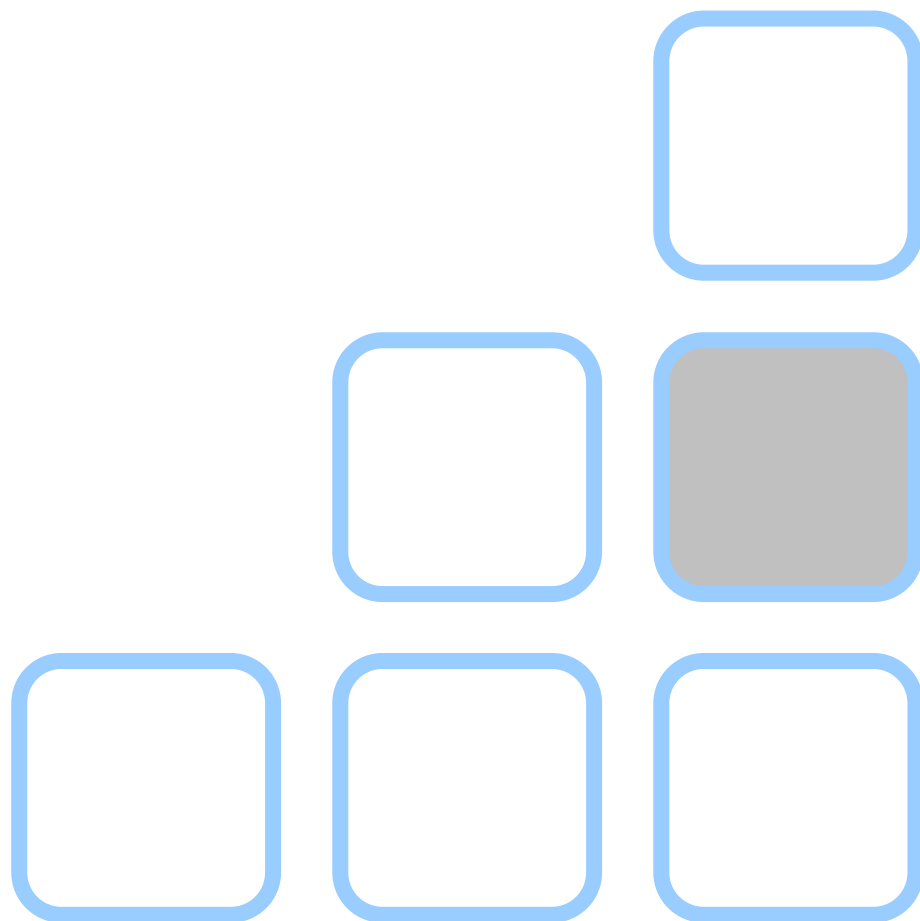
Policy RH6

Proposals for extensions or alterations to existing houses will normally be permitted. In specific circumstances, policies RGEN3 and 4 of the General chapter and policies RCE1, 2, 3, 6, 10, 11 and 13 of the Conservation and Enhancement chapter may be considered relevant and must be satisfied where appropriate.

Rural economy

five

(amended chapter)



Policy Context

The rural area supports a diverse economy ranging from traditional agricultural, horticultural and quarrying activities to medical, industrial and service-related employment. In addition, there are a number of smaller, more localised areas of employment such as the Barras Lane industrial estate in Vale and Garenne Park in St Sampson. It also includes the Island's airport and associated commercial activity. The rural area remains well served by shops and services located primarily within the centres of St Martin, Cobo, St Peter's, L'Islet and Le Bourg. A significant proportion of the rural community can easily access their nearest centre by bus, on foot or by cycling and the centres are, therefore, an important element in encouraging sustainable modes of transport within the Island.

However, the Department remains concerned that provision, within the rural area, for additional retail outlets outside of these centres could threaten their vitality and viability. In line also with strategic policy objectives, new retail developments will, therefore, generally be resisted where they do not help to sustain a Rural Centre.

There are, however, a number of new, emerging economic activities that may also need to be located within the rural areas. The Department will keep such activities as e-business under review and proposals for new forms of activity within the rural area will be judged against the Plan policies. In particular the General policies, those of the Conservation and Enhancement chapters and, where appropriate, those of this chapter will be relevant.

The Strategic and Corporate Plan recognises that where the rural landscape, nature conservation, historic interest or the land needed for farming activities will not be damaged, appropriate forms of development may be accommodated within the rural area.

Having regard to the Strategic and Corporate Plan, the policy principles for the rural economy are that:

- support should be given to agriculture and associated environmental management to maintain and enhance the countryside to the benefit of the farming industry, the rural environment and the Island community
- the rationalisation of horticultural holdings should be allowed to take place on suitable sites
- provision may be made for additional out of town retail developments only where there is an acknowledged demand, where the vitality and viability of any commercial centre would not be undermined and the local environment would be improved
- a diverse and sustainable mix of activities should be encouraged where they will support the Rural Centres
- a very limited amount of industrial development may be accommodated where this can be successfully balanced with the primary objective of conserving and enhancing the rural environment. Land designated for industrial development at La Villiaze will be carried forward from Rural Area Plan, Phase 2
- home based employment should be encouraged, where appropriate
- provision should be made for visitor related developments, taking into account the Tourism Strategy and the need to conserve and enhance the rural environment
- provision may be made for airport related uses requiring accommodation at or adjacent to the airport, as may be identified by the Department.

Rural economy policies

Agriculture

The open agricultural landscapes of the rural area contain a wealth of important natural and man-made features including flower rich grasslands, hedge banks, hedges, trackways, trees, walls, streams and dourits and historic features. Within the primary objective of conserving and enhancing the rural environment, the Department will ensure that the right balance is struck between encouraging a healthy agricultural sector and maintaining a high quality rural environment.

Viable and sustainable farming on Guernsey is essential to the protection of countryside character and quality. Agriculture makes use of approximately 1,640 hectares (10,000 verges) of land, representing 26% of the Island's total land area and 65% of all open land⁽⁷⁾. Farming plays an essential role in the management of the countryside and biodiversity and the Department acknowledges its valuable and significant contribution to the unique character and appearance of the Island's rural environment.

However, the Commerce and Employment Department has identified a steady decline in the number of farmers operating across Guernsey. In order to maintain a satisfactory and realistic balance between the primary objective of the Plan and a viable farming economy, the use of Farm Management Plans will be encouraged as a means by which this change can be managed effectively. The Environment Department will generally support proposals that form part of an approved Farm Management Plan, subject, of course to them being in line with the primary Plan objective.

The keeping of horses on agricultural land can inflate its value and often brings with it a desire for more permanent forms of development such as stables and riding schools. The Department is also aware that land does not often revert to agricultural use once it has been used for the keeping or riding of horses. The loss of good agricultural land should be avoided if the character and appearance of the rural environment is to be conserved and enhanced. However, policies controlling such recreational development can be found within the Social, Community and Recreation chapter of the Plan.

The Plan aims to protect the extent of land currently in agricultural use and to promote its enhancement. In exceptional circumstances, however, some agricultural land may have to be released for an essential economic, social or community use of overriding importance to the Island. In such cases, the Department will need to be satisfied that the implications for farming have been satisfactorily addressed, that the chosen location is fully justified and that no other more appropriate, viable site on brownfield land or within the urban area is realistically available. The Environment Department will consult with the Commerce and Employment Department on all matters concerning the significant loss of agricultural land.

5.1 Agricultural development

RE1

As with any other sector of the economy, it is difficult to predict the future of agriculture on the Island. As the number of active farmers continues to decline, those remaining in the industry are being encouraged by the Commerce and Employment Department to move towards less intensive farming practices. This is, in itself, leading to a significant increase in the average size of farm holdings. The Environment Department is aware that with this change, there may be a requirement for new development to facilitate diversification, to improve the standard of accommodation, to help reduce pollution or to increase the capacity for foodstuffs, crops and farm vehicles within the holding. Farm Management Plans may be a useful tool in considering such proposals.

However, in order to minimise the need for new farm buildings within the countryside, it is important that full and appropriate use is made of existing structures. In all cases relating to agricultural development, the Department will need to be satisfied that the proposal is clearly essential to the proper running of an established, or proposed, agricultural holding or farmstead and to this end, may consult with the Commerce and Employment Department as part of its consideration, particularly where the requirement of acknowledged need has to be demonstrated.

Owing to the sensitive location of many of the Island's farms, the majority of which lie within Areas of High Landscape Quality, the Department will pay careful attention to the primary objective of the Plan and to the need to safeguard the reasonable amenity of nearby residential properties.

Proposals involving the conversion of agricultural buildings to other uses will be assessed under Policy RCE14.

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 existing 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; and,
 - iv) the proposal does not involve the erection of a new dwelling house which would be precluded under Policy RH1.

Horticulture

5.2 Horticultural development

RE2

As the horticultural sector continues to restructure and consolidate on fewer, but larger, holdings the productivity levels of individual businesses are expected to increase. This change must be managed in order to secure the conservation and enhancement objective of the Plan, whilst maintaining the viability of the sector and encouraging important new growth sectors in the industry. Accordingly, provision will be made to extend and develop horticultural holdings where the Department, in consultation with the Commerce and Employment Department, agrees that the consolidation of horticultural operations on a single site would be beneficial to the industry and where it would help maintain a sustainable balance of horticultural production and expertise.

It is the nature of commercial glasshouse operations that they have very large areas of glass in order to achieve the economies of scale required to sustain a viable operation. The Department is, nevertheless, concerned that the introduction of this form of development, if sited inappropriately, could have an adverse effect on the rural character of the Island. For this reason, any development involving commercial glasshouses in Areas of High Landscape Quality will be carefully assessed in relation to Policy RCE3 as well as to Policy RCE1, which 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.

In order to prevent incremental change away from horticultural use, the Department may attach conditions to any permission granted restricting the type of any goods sold on the premises and the scale of any ancillary or incidental operations.

Proposals involving the development or alteration of glasshouses located within the domestic curtilage of a residential property will be considered under other relevant Plan policies including RH6.

For the purposes of this policy, new buildings, including glasshouses that are clearly incidental and essential to the operation of the holding, will, at the discretion of the Department, be regarded as constituting an extension.

For the avoidance of doubt, non-domestic glasshouses are considered under the Law to be agricultural land. For the purposes of this Plan, however, proposals involving glasshouses will be considered under the provisions of this policy and not under Policy RE1.

Garden centres are not considered to be a primary horticultural use and are considered separately under Policy RE5.

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; and,
- d) the proposals are incidental and essential to the operation of the holding.

The establishment of new horticultural holdings will not be permitted.

5.3 Protection of key horticultural sites

RE3

The Department recognises that existing key horticultural sites are an important element of the Island's economy. As the restructuring of the sector continues, it is essential that those holdings identified as being of strategic importance to the future viability of the industry be safeguarded from proposals that would compromise their existing or potential contribution. The Department will work closely with the Commerce and Employment Department in order to identify the key sites and to assess the likely impact of any development proposals involving them.

Proposals that would undermine the future viability of key horticultural sites will be resisted.

Policy RE3

The change of use or redevelopment of key horticultural sites to other uses will only be permitted where:

- a) it can be demonstrated to the satisfaction of the Department that the site is no longer required for strategically important horticultural production and is not likely to be so required in the future; or,
- b) the proposed new use is of strategic importance and complies with the provisions of Policy RD1.

Retailing

Local shops and services provide for community needs and make a significant contribution to sustainability by reducing the need to travel by car to other more distant facilities and by supporting alternative means of transport to and from the Rural Centres. The Plan aims, therefore, to promote the vitality and viability of these centres by making provision for limited retailing opportunities that will serve to sustain and improve the quality and range of facilities they offer. The Plan will also seek to prevent those developments that could undermine their vitality and viability, or that of the Town and the Bridge.

In identifying Rural Centres, the Department uses a formula based on a set of indicators of sustainability, highlighting the common areas that lie within 500 metres of each indicator. Rural Centres must have good, easy access and contain such a mix of shops and services that they perform an important social, cultural and economic function – serving the everyday needs of the local community. The indicators include:

- general store selling fresh produce
- post office
- public transport with services at least once every hour during the day (excluding Sundays)
- primary public healthcare (doctor's surgery and pharmacy)
- public primary school
- bank or cash machine
- play area / open amenity area such as public park or garden and beaches with toilet or kiosk facilities
- recycling facilities.

Owing to the way in which rural communities and economies can change with 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, Rural Centres have not been defined on the Proposals Map. Areas clearly meeting the criteria for consideration as a Rural Centre are at Cobo, St. Martin's and St. Peter's. However, while lacking in some of the indicators of sustainability, L'Islet and Le Bourg are also acknowledged as Rural Centres in order to reflect their long-standing role in serving established communities. Annex 8 explains the rationale behind the Rural Centre designation in greater detail.

Outside of the Rural Centres, there are also a number of small retail outlets such as convenience stores and garages. Whilst these do not form cohesive shopping cores, many of them still play an important role in serving the rural community. The Department recognises the contribution that these facilities make to community life and the policies will generally allow, where appropriate, existing retail outlets to adapt and upgrade so they can continue to meet the changing needs of the community.

5.4 Retail Development

In line with the strategic objectives of the States, the Department aims to guide most new retail development to the Urban Area Plan Settlement Areas, in order to support the vitality and viability of the Town and the Bridge.

The Department will generally seek to resist the introduction of new retail development that would not serve to sustain the Rural Centres. This will help secure the primary objective of conserving and enhancing the rural environment and protect the vitality and viability of the existing centres. Particular care will be taken with commercial garage (including car show-room) sites, which often occupy locations outside the Rural Centres. The non-definition of a specified use class by the Land Planning and Development (Use Classes) Ordinance 2007, (Section 4 (3)) or sui generis status, requires that such sites would need permission for a wholesale material change of use. However, the Department adopts the view that existing car showroom and ancillary convenience shop space do represent a form of retail function but that all other elements of the commercial garage operation, such as workshops and yards, do not. Therefore retail development of those areas will not be permitted on sites unrelated to a Rural Centre. In the event that the

RE4

showroom and convenience shop space represents the majority of the premises, the Department will limit the amount of space considered as retail to 50% of the overall internal floor space of the commercial garage premises.

The Department will also ensure that alterations to existing retail uses are of an appropriate scale that would not lead to unreasonable competition with the other Rural Centres or with the main centres of Town and the Bridge, and that any related development is appropriate within the rural area.

Owing to their unique nature, garden centres and coastal kiosks will be considered separately, under the provisions of Policy RE5 and 6 respectively.

Policy RE4

- a) Proposals for extensions, alterations, re-building or other works to an existing retail outlet will only be permitted where:
 - i) they are of a scale in keeping with that of the existing retail operation and where the resultant outlet would not detract from the vitality or viability of any of the Rural Centres or of Town and the Bridge; and,
 - ii) associated ancillary development such as car parking and other related works do not conflict with the objective of conserving and enhancing the character and openness of the rural area.
- b) Proposals for the creation of new retail outlets will not be permitted unless they would support the viability and vitality of a Rural Centre and where:
 - i) they are of a type and scale consistent with the function and character of the Rural Centre and are not within an Area of High Landscape Quality; or,
 - ii) they satisfy the provisions of Policy RE10.

5.5 Garden centres

RE5

Garden retail developments fall into one of three broad categories – plant nurseries, plant centres and garden centres. Nurseries and plant centres, which comprise the smaller scale horticultural operations, will be considered against the relevant policies of the General, the Conservation and Enhancement and Rural Economy chapters of the Plan. Garden centres, however, are not considered to be a primary horticultural use and will be regarded separately owing to their unique nature and relatively extensive land requirement.

The States have resolved⁽⁸⁾ that there is a demand for a new garden centre and that certain new developments may be permitted within the rural area where they meet specified criteria and where more appropriate, alternative sites cannot be found in the urban area. However, in order to prevent any threat to the viability of Rural Centres, Town and the Bridge, the Commerce and Employment Department intends to licence and regulate garden centres when relevant legislation is enacted. This will allow further control over the scale and nature of the retail element of new garden centres. The Environment Department will, therefore, consult the Commerce and Employment Department on any new proposals.

In light of the primary objective of the Plan and of the objectives of the Strategic and Corporate Plan, the Department will need to be satisfied that any new garden centre would be sustainable in terms of location, access and effect on the environment. They will, therefore, generally only be permitted on substantial horticultural holdings that are not considered key horticultural sites or on other degraded sites that could be enhanced significantly through the development of a garden centre. They should have safe and convenient access and must clearly be able to be developed without unacceptable detriment to the landscape character of the area or to residential amenity.

It is recognised that most garden centres have similar requirements in terms of cultivation and sales areas, associated buildings, security fencing, open storage and car parking. Accordingly, their impact upon the character and appearance of the rural environment can be significant. With the primary conservation and enhancement objective of the Plan in mind, the Department will resist proposals for new garden centres within Areas of High Landscape Quality.

Where development is considered appropriate in principle, it should wherever possible, contribute positively to the area by protecting and enhancing the rural character of the locality. To this end, the provision of green space within the development will be expected in order to retain a generally open character, with the greater the size of garden centre, the greater the amount of open space required.

In all cases where a new garden centre is proposed, a Rural Planning and Design Statement will be expected. Annex 4 gives more information on this aspect of the planning process. Assessments may also be required to gauge the likely impact upon the environment and traffic flows. Annexes 5 and 6 will guide the preparation of environmental impact assessments and traffic impact assessments. Where permission is forthcoming, it is likely that the Department will attach conditions restricting both the nature and the scale of ancillary sales and facilities offered by the centre in order to safeguard the viability of the Rural Centres and the Town and Bridge. In certain instances, a retail impact assessment may also be requested. This will be expected to give details of the site selection process and of any issues that may be raised in respect of existing garden centres and any extant planning permissions for garden centres that have not yet been implemented.

Proposals for works to existing garden centres will be assessed on their individual merits in light of the policies of the General and the Conservation and Enhancement chapters of the Plan.

Where buildings are required for the operational use of the garden centre, preference will be given to the re-use or conversion of existing buildings on site rather than the erection of new buildings. Policy RCE14 will also be relevant in this respect.

Policy RE5

Proposals for new garden centres will only be permitted where they clearly meet the acknowledged demand of the Island community for a new garden centre and where:

- a) the site relates to a substantial horticultural holding or to a disused or degraded horticultural site;
- b) the site is not a key horticultural site (unless Policy RCE3(a) can be complied with) and the site is not required for any other strategically important use;
- c) the site would be used predominantly for the cultivation or sale of plants;
- d) adequate provision is made for the protection of the rural character of the site and its surroundings and that proposals include measures for the general environmental enhancement of the locality; and,
- e) open green space within the site is provided in accordance with the following;
 - i) sites up to 1 hectare – 20% of total site area to be green space
 - ii) sites between 1 and 2 hectares – 30%
 - iii) sites in excess of 2 hectares – 40%.

The establishment of new garden centres in Areas of High Landscape Quality will not be permitted.

5.6 Coastal kiosks

RE6

The kiosks along the coast and cliffs represent a unique form of facility providing simple food and recreational goods for sale. The role they play in support of the Island's tourism and informal recreation, especially during the summer months, is fully recognised by the Department. Modest up-grading and modernisation of these facilities will, generally, be encouraged, but the Department will wish to be satisfied that their prime function remains as an ancillary element to peoples' enjoyment of the outdoor, rural environment.

As most of the kiosks are sited within sensitive and prominent locations, applications involving them will be assessed very carefully to ensure that there will be no adverse effect on the character of the rural environment. With this in mind, proposals for new kiosks will only be allowed in very exceptional circumstances as detailed in clause (b) below.

Proposals for significant extensions or re-development works that are likely to result in the formation of shops or restaurants not allied to outdoor recreation on the Island will, generally, be resisted in order to safeguard the coastal kiosks as a major recreational resource.

Policy RE6

- a) Proposals for extensions, alterations, re-building or other works to existing coastal kiosks will only be permitted where the resultant facility would be of a scale and nature appropriate to meeting the demand of visitors to the coast and where the prime function clearly remains ancillary to peoples' enjoyment of the outdoor, rural environment.
- b) Proposals for new coastal kiosks will only be permitted in exceptional circumstances where it can be clearly demonstrated that they would make a significant contribution to the social wellbeing of visitors and the Island community and where they would serve to enhance the character of the area.

Industry

Industrial activities, including storage and distribution uses, within the rural area range from high-tech electronics manufacturing to more fundamental and often essential, small-scale service trades such as car mechanics' and builders' yards.

There has been a gradual evolution of these activities over time, resulting in a fairly haphazard spread of businesses across the area. Many developed close to where the trade originated such as the aeronautical engineering operations to the south of the airport runway and the industrial estate at Barras Lane which developed on land originally occupied by a large-scale horticultural enterprise.

However, the Department is aware that there is a shortage of industrial accommodation across the Island and has, therefore, introduced a number of measures into the Urban Area Plan to address this issue. Accordingly, and in recognition of the need to assist small businesses, new industrial developments will generally be guided towards sites specifically allocated within the urban area.

5.7 Industrial Development

Proposed alterations and extensions to industrial premises will be treated on their individual merits although any such works will be expected to comply with the primary objective of the Plan and to satisfy other relevant policies of the Plan.

Operations considered by the Department to be incompatible with neighbouring land uses will generally not be permitted to extend or redevelop unless conflicting issues can be fully resolved. Where appropriate, the Department will seek to ensure that proposals lead to a demonstrable enhancement of the site and that opportunities are taken to carry out other improvements such as soundproofing. In this respect, the Department wishes to ensure that the reasonable amenity of any nearby residents is safeguarded.

The Department will, generally, seek to resist the introduction of buildings for new industrial purposes in order to help secure the primary objective of conserving and enhancing the rural environment. Businesses that require substantial increases in floor area, either from new build or from extending existing premises or that require new, significant outside storage will be guided to sites within the urban area. This will support the objectives of the Urban Area Plan, which aims to facilitate such developments on allocated sites, in accordance with the strategic objectives of the States. Nevertheless, while 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 and enhancing the rural environment. Additional land requirements over and above that carried forward from 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.

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 being extensions, subject to compliance with any relevant General or Conservation and Enhancement policies of the Plan.

Proposals involving the conversion of existing buildings to industrial use will be considered against policy RCE14 of the Plan, with any related curtilages considered against Policy RCE6 of the Plan.

The States of Guernsey has instructed that, for strategic reasons, an area of land shall continue to be reserved for light industrial use, including manufacturing, research and development and e-business purposes at La Villiaze, to the north of the airport runway.⁽⁹⁾ The site is identified on the Proposals Map. The Department will expect any development of this site to respect its rural setting and to take into account the importance of conserving and enhancing the quality of the rural environment and the need to achieve high quality design and amenity standards. The relevant States departments, including the Commerce and Employment Department and the Public Services Department, will be consulted on any proposal. A Development Brief is likely to be required for any such development at La Villiaze and the Department will advise further as to its requirements when appropriate.

Occasionally it may be appropriate for land adjoining existing industrial areas to be developed. Where it is not feasible to develop in the urban area, as generally required, limited extension areas adjoining an existing industrial site/estate which represent a marginal rounding-off of the boundary configuration may be acceptable providing there is no significant environmental, amenity or highway objection. Policy RE7(b) offers a relevant context.

These proposals must accord with all relevant general policies of the Plan, particularly in terms of the proposed design, layout, amenity (including the amenity of nearby residents) and access.

RE7

(9) Billets D'Etat III, 2001 & XXI, 2002

In addition, schemes need to be of a scale appropriate to the character of their surroundings and not result in the destruction of significant landscape features. In addition they must be able to be absorbed into the landscape setting by landscape screening or other means. The proposals must contain measures for conserving and enhancing the quality of the rural environment.

Policy RE7

- a) Proposals for extensions, alterations, re-building or other works at an existing industrial site will generally be permitted where:
 - i) they are incidental and essential to the use of the site as an existing industrial reserve; and
 - ii) they resolve any conflicting amenity issues of operations considered to be incompatible with neighbouring land uses.
- b) Proposals for the limited extension of an industrial use on land adjoining existing industrial areas will be permitted where:
 - (i) it can be demonstrated that the accommodation is ancillary and incidental to the proper running of the existing uses on the site; and
 - (ii) the site is not within an Area of High Landscape Quality and the requirements of Policy RCE6 (extension of curtilages) can be satisfied.
- c) Proposals for the creation of new industrial establishments will not be permitted unless they satisfy the provisions of Policy RE7(A), RCE14 or RE10 and all other relevant Plan policies.

Notwithstanding c) above, an area of land has been specifically allocated for 'Light Industrial Purposes' and indicated on the Proposals Map. Permission will only be granted for development on this site where the proposals can satisfy all other relevant policies of this Plan, particularly in terms of design, layout, amenity, protection of open spaces, access and safe and efficient operation of the airport.

5.7.1 Small Workshops and Yards

RE7(A)

The maintenance of a viable industrial sector in Guernsey depends on there being sufficient accommodation for low key service trades. These are especially important because they provide essential services and utilise diverse skills. These firms generally require small, inexpensive workshops and yards, on accessible sites, perhaps with some shared support services.

An extensive survey was undertaken by the Department which examined locational land requirements for the sector. A wide selection of places within ten metres of the main arterial routes was assessed. Site survey work also focused on key determinants of access, open amenity value, neighbour impact, other strategic priorities and employment area location. A sieve process which was informed by other States Departments (Public Services and Commerce & Employment) on such matters as highway safety and horticultural sites protection helped to narrow down appropriate potential sites.

In order to meet this demand, a small number of sites, shown on the addendum to the Proposals Map, have been allocated for small workshops/yards in addition to any conversion opportunities which may occur in accordance with Policy RCE14.

Policy RE7(A)

Proposals for the development of the sites shown on the addendum to the Proposals Map as small workshops and yards will be permitted where:

- i) the site is properly laid out with buildings, materials, parking, access, appropriate density of built form and open storage areas designed to be in sympathy with the character of the area; and
- ii) the proposal makes a positive contribution to the visual quality of the rural environment through an appropriate soft landscaping scheme designed to sufficiently screen the industrial activities on the site and minimise any adverse effects on the character of the area;
- iii) there would be no adverse effect on the living conditions of neighbouring occupiers by reason of noise, odour, dust, pollution or significant visual intrusion. Mitigation measures should be put forward as appropriate;
- iv) highway safety and the free flow of traffic on the adjoining highway network would not be jeopardised by the proposal. A transport assessment may be required with details of any necessary mitigation measures.

Where necessary, the Department will impose conditions on any consent to control the nature of the industrial use and any future development as a low key workshop/yard. These are likely to relate to the size of any buildings on the site and the type of industrial operation proposed.

Where appropriate, the Department will require the submission of a Planning and Design Statement with the formal request for planning permission.

In considering applications for non-industrial development on these sites prior to their development for small workshop and yards, such proposals will be assessed on their merits and against other relevant policies in the plan, excluding Policy RE8, in order to avoid preventing the consideration of other forms of development on the site. Once an industrial activity has been established on the site Policy RE8 will also apply.

5.7.2 Open Yards

An on-going demand for open yards has been confirmed by survey research undertaken since publication of the Draft Plan in July 2003. The Business Premises Needs Survey published by the Commerce and Employment Department showed that additional land (3.1 acres) was needed. The focus of this policy is therefore to provide new opportunities for businesses such as builders, scaffolding firms and stonemasons, where no indoor workspace is required. It is considered that Policies RCE14 and RE7(A) will continue to cater for the general requirement for small workshops and yards.

In very limited and specific circumstances, the use of redundant horticultural sites to provide small-scale yards for service trades may be acceptable. Whilst releasing these sites for general development would have a negative effect on the rural countryside both in the short and long term and conflict with the strategic objectives of the States, through permitting some limited commercial activity that does not require the development of built structures it is possible that some environmental enhancement of the land could be achieved. Inversely, the use of undeveloped greenfield sites as open yards is only likely to lead to unacceptable environmental degradation.

Applications for open yards on redundant horticultural sites will be subject to rigorous assessment to ensure suitability for the proposed uses. Particular regard will be paid to the policy principles set out within the General and Conservation and Enhancement chapters including specific emphasis on Policy RCE5 (Derelict land in the countryside) together with the criteria set out within this Policy. The Development of open yards will not however be permitted within an Area of High Landscape Quality.

RE7(B)

Where businesses grow or change to the extent that buildings are required, they will be directed to; suitable sites within the Urban Area, sites identified by Rural Area Plan Policy RE7(A) (where appropriate) or to sites which might provide suitable accommodation through the conversion of a redundant building through Policy RCE14. These sites will also share the same locational characteristics identified in the survey for small workshops and yards detailed above.

Development of open yards recognised under Policy RE7(B) will only be granted in exceptional circumstances where there is a proven overriding need for such businesses to be located within the Rural Area and where it is either not practical or possible to accommodate such development within the Urban Area. It must also be proven to the satisfaction of the Environment Department that sites identified under Policy RE7(A) cannot provide a suitable site for the proposals.

Where these sites contain existing buildings, any development proposals which include them will in addition be considered under the provisions of Policy RCE14. In such circumstances, the Department may well accept the provision of less outside curtilage space than that required for a residential scheme. It may also be possible to convert a smaller structure for industrial purposes where the need for internal space is less than that required for residential purposes.

Policy RE7(B)

Development proposals for open yards will only be permitted in very limited and exceptional circumstances where they provide for appropriate measures for conserving and enhancing the quality of the rural environment on redundant horticultural sites and where they meet the following criteria:

- i) it can be demonstrated to the satisfaction of the Department that there is no real prospect of the continuation or reinstatement of horticultural activity on the site in the short to medium term;
- ii) there is no realistic prospect of the site being restored to agriculture or other open land use and areas of permanent hard surfacing are kept to an absolute minimum;
- iii) the site has adequate vehicular access;
- iv) the development would not be within an Area of High Landscape Quality or detract from the character and amenity of the surrounding area;
- v) the site can be adequately screened through an appropriate soft landscaping scheme; and
- vi) the usable site area, not including any screening or landscaping, would not exceed 0.5 hectares (3 verges)

Conditions will be imposed to control the use of the land as an open yard. Ancillary structures will not normally be permitted. Particular regard will be paid to the policy principles set out within the General and Conservation and Enhancement chapters including specific emphasis on Policy RCE5 (Derelict land in the countryside).

5.8 Protection of industrial accommodation

The Department recognises that existing industrial accommodation within the rural area makes an important contribution to the overall stock within the Island and often provides space for the smaller, more casual businesses. The Department will seek to retain good quality industrial accommodation, where it is appropriately located, in order to prevent a significant reduction of industrial sites within the rural area.

Policy RE8

The change of use or redevelopment of industrial premises to other uses will only be permitted where it would serve to enhance the amenity or character of the area and where:

- a) the existing premises provide unsatisfactory accommodation and cannot reasonably be upgraded to a satisfactory standard; or,
- b) the use of the existing premises for industrial purposes is not compatible with neighbouring land uses and cannot reasonably be altered or upgraded to ensure compatibility.

RE9

Commerce

Within the rural area there are a number of small-scale offices and commercial premises that are clearly distinct from retail and industrial uses. These uses include information technology related businesses, professional support services such as architects and surveyors and a small amount of independent office accommodation. The Department recognises the important contribution that these businesses make to the rural economy and will, generally, support proposals to upgrade them and will also encourage working from home, where this will not conflict with residential amenity.

For the purposes of this section, therefore, the term 'commerce' relates to all offices, financial and professional services, other support services and any other businesses not specifically covered under other sections of this chapter.

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 being extensions, subject to compliance with any relevant General or Conservation and Enhancement policies of the Plan.

In light of the strategic aims of the States, the Department will generally resist the introduction of buildings for new commercial operations within the rural area and will, instead, guide them to appropriate sites within the urban area.

5.9 Commerce related development

The Plan aims to support existing businesses within the rural area while resisting the introduction of new commercial uses that would be better located within the urban area. The Department will ensure that any extensions or other alterations to existing premises are appropriately located and designed so that they do not conflict with the Plan's primary objective of conserving and enhancing the rural environment. Operations considered by the Department to be incompatible with neighbouring land uses will generally not be permitted to extend or redevelop unless the Department is satisfied that the conflicting issues can be fully resolved. In this respect, the Department will seek to ensure that the reasonable amenity of any nearby residents is safeguarded.

The Department will seek to resist the introduction of buildings for new commercial purposes 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 within the Mixed Use Redevelopment Areas and the Centres within the urban area. Provision of new commercial units outside of these specific areas could seriously undermine the efforts of the States in regenerating the areas and could adversely affect their viability.

RE9

Proposals involving the conversion or re-use of existing buildings for commercial use will be considered against policy RCE14 of the Plan.

Policy RE9

- a) Proposals for extensions, alterations, re-building or other works to existing commercial operations will generally be permitted where:
 - i) they are incidental and essential to their proper running;
 - ii) they are of an appropriate scale that would not undermine the objective of the Urban Area Plan by competing with the commercial centres of Town or the Bridge; and,
 - iii) they resolve any conflicting issues of operations considered to be incompatible with neighbouring land uses.
- b) Proposals for the creation of new commercial establishments will not be permitted unless they satisfy the provisions of Policy RCE14 or RE10 and all other relevant Plan policies.

5.10 Home based employment

RE10

Working from home can reduce the demand for additional business accommodation and lessen the need to travel to the principal workplace. It is therefore a good example of sustainable development and will be encouraged where it will not have an adverse impact on neighbouring residents or the surrounding area as a result of increased activity and disturbance.

Uses which may be acceptable include those which rely on modern technology and communications as well as small-scale operations such as workshops and goods storage which can reasonably be carried out from a residential property.

In order to protect the amenities of nearby residents, conditions are likely to be attached to any planning permission granted for home based employment limiting the hours of work, the types of activities that can be carried out and restricting the business to the occupier of the house.

Proposals involving the conversion of outbuildings will also be considered under Policy RCE14.

Proposals involving the erection of a new building to support home based employment will be considered primarily under the provisions of the policies of the General and the Conservation and Enhancement chapters. If such proposal complies fully with those relevant policies then for the purposes of Policy RE10, it would be regarded as though it were a conversion of an outbuilding.

Policy RE10

The use of part of a dwelling, or the conversion of a building within its curtilage, for the purpose of a business carried out by the occupier will generally be permitted where the primary use of the property will clearly remain as a dwelling and where it will not lead to any significant impact on the amenity of the area or of nearby residents.

Tourism

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

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

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

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

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

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

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

5.11 Visitor accommodation development

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

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

RE11

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

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

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

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

Policy RE11

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

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

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

5.12 Rationalisation of visitor accommodation

RE12

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

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

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

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

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

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

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

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

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

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

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

- The location of the establishment, immediate surroundings and ease of access for visitors

[Those locations regarded as of importance are:

- (i) Within easy access of the Town Area
- (ii) On, or within easy access to the south and south-east coast cliffs
- (iii) On, or adjacent to, a good tourist beach, being a beach which has refreshment and toilet facilities and provides attractive bathing at all states of the tide
- (iv) Enjoying an attractive outlook or views
- (v) Adjacent, or within easy access, to special interest attractions, or important visitor facilities (including the Harbour and Airport]

- The size of the establishment (whether too large or too small) and the size of the site on which it is located;

RE12

- The current standard of accommodation and amenities and the potential for upgrading or conversion to other tourist accommodation uses, including the cost of the works involved;
- The nature and level of available facilities.

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

Policy RE12

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

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

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

Proposals for the re-use or redevelopment of former visitor accommodation for housing purposes comprising sheltered accommodation, residential or nursing homes or staff hostels will generally be supported.

5.13 Visitor facilities and attractions

RE13

Guernsey has a unique and attractive physical environment combining cliff paths, country walks and beaches with traditional buildings and other structures. Fortifications, museums, galleries and certain craft workshops all contribute to the character of the Island and are attractions in their own right.

However, tourists do not just enjoy the individual attractions but also the wider experience of the historic and cultural environment. In general terms, places and attractions enjoyed by locals are also likely to be visited and enjoyed by tourists. Whilst these facilities and attractions are enthusiastically promoted, VisitGuernsey notes that a number currently lack the level of investment necessary to meet rising visitor expectations. The Department is aware of this and will encourage, where appropriate, the sensitive modernisation or upgrading of existing facilities.

It is also important that new visitor facilities and attractions within the rural area complement existing tourism themes such as the Island's heritage, the built and natural environment, formal and informal recreation and any visitor initiatives promoted by the States. This will help strengthen and sustain the visitor economy.

Proposals involving significant extensions, rebuilding or the introduction of new buildings or structures will be assessed very carefully against other policies of the Plan. In this respect, the Department will need to be satisfied that the proposal relates to a genuine visitor facility and that it is not likely to be subjected to incremental change that would alter the principal use, character or nature of the facility. For this reason, conditions are likely to be attached to any permission granted, restricting the scale and nature of retail sales, opening hours and the nature and level of any ancillary or incidental activity.

Particular attention will be paid to those proposals falling within Areas of High Landscape Quality.

Policy RE13

Proposals for the development of visitor attractions and facilities will only be permitted where they complement and enhance existing tourism themes and where they clearly meet the acknowledged demand of the visitor population.

Airport Development

5.14 Development requiring an airport location

Guernsey Airport is a major asset, inextricably linked to the future of the Island's economy. However, any expansion of businesses located at or in close proximity to the airport, is likely to have some impact on the quality of the rural environment. In recognition of this, the States generally encourage the future development of the airport but only by businesses and industries that actually require an airport location. These are known as 'airport related uses'. Identified airport related uses include airline operations such as 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.

As the primary objective of the Plan is to conserve and enhance the rural environment, the Department will consider proposals for airport related uses very carefully and will generally only support them when they are clearly required for the safe and efficient running of the airport. Where such a development is proposed, then Policy RE14 will normally override the preceding policies of this chapter.

It is a fact that as air travel becomes more commonplace, travellers expect to be provided with higher levels of service. The Department acknowledges that, in common with most new airport developments across Europe, the terminal building should accommodate good quality passenger facilities such as retail outlets, cafes and bars.

The Department will support the provision of further passenger related facilities, where these require planning permission, but will ensure that new development remains ancillary or incidental to the normal operation of the airport. The Department will also ensure that new development is of an appropriate scale and that any proposed retail content would not unreasonably compete with the Rural Centres or those of Town and the Bridge.

Large-scale proposals that provide or support essential infrastructure related to the operation of the airport will be considered under Policy RD1.

Policy RE14

Notwithstanding the preceding policies of this chapter, proposals for development requiring close proximity to the airport may be permitted where the development:

- a) remains ancillary or incidental to the operation of the airport;
- b) would be of a scale that would not unreasonably compete with the Rural Centres or those of Town and the Bridge;
- c) would not be likely to prejudice the long-term operational needs of the airport; and,
- d) would not be within an Area of High Landscape Quality.

RE14

Minerals

5.15 Mineral Resource Safeguarding Areas

RE15

In 1994 when the States considered the review of the 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.

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.

Policy RE15

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.

5.16 Les Vardes Quarry Extension

RE16

In 2006, the States considered a review of its Strategy on Waste, Water and Stone (Billet D'État XV, 2006) and resolved that provision should be made in its Development Plan to facilitate the extraction of stone reserves on an area to the west of the existing quarry at Les Vardes, currently safeguarded under Policy RE15 of the Rural Area Plan (Review No.1).

By allowing for the extension of quarrying activities within the Safeguarding Area, there will be the dual benefit of not only providing for an additional 15 years extraction capacity up to 2030, but also the potential to maximise the volume for future water storage to address the forecasted, potable water supply needs of the Island in the longer term.

In its determination of any detailed planning application, the Environment Department will need to be satisfied that all environmental impacts arising from the quarry extension have been addressed and are capable of acceptable mitigation. Hence, any application needs to be supported by an Environmental Impact Assessment prepared in accordance with Annex 5 of this Plan and the Environment Department's Code of Practice. Proposals should also include a detailed landscaping strategy to demonstrate how the extension will meet the tests outlined in Policy RCE3 of the Rural Area Plan (Review No. 1) in relation to its location within an Area of High Landscape Quality, together with a detailed restoration scheme outlining how the site will be returned to the local landscape, once quarrying operations cease.

Policy RE16

Proposals to extend Les Vardes Quarry for stone extraction within the area identified as a Mineral Resource Safeguarding Area on the Proposals Map will be permitted provided that:

- a) adequate provision is made for the protection of the rural character of the area surrounding the quarry; and
- b) a comprehensive landscape scheme for the general environmental enhancement of the locality, as required by Policy RCE8, forms an integral part of the proposals.

Applications for development must be accompanied by an Environmental Impact Assessment and a scheme of aftercare/management to demonstrate how the site and surroundings will be restored once quarrying and related activities cease.

Water Supply

5.17 Water Resource Safeguarding Area

As in the case of Policy RE16, which is inter-related to this policy, the States resolved, as part of the review of its Strategy on Waste, Water and Stone (2006), to make provision in its Development Plan for the identification and safeguarding of Les Vardes Quarry as a strategic asset for freshwater storage, once quarrying activities cease.

The rationale behind this policy decision is the limitation imposed on the Island by the virtual lack of any underground water resources, forecasts in demand for supplies and restricted 'protection' in the event of drought or other unforeseen circumstances. In the longer term, these factors need to be weighed against uncertainties arising from global warming and climate change and the affect that these may have on future water supplies.

By safeguarding the potential asset at Les Vardes from alternative development proposals, the Island will be able to meet its need for potable water in the longer term.

Policy RE17
The area designated on the Proposals Map as a Water Resource Safeguarding Area will be protected from any development that may compromise its potential future use as a freshwater storage facility.

RE17

planning & design statement
(amended)

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This annex explains the range of planning and design guidance that will be available within the rural area. The purpose of this guidance is to help secure an appropriate planning and design approach to ensure that development achieves the conservation and enhancement objectives of the Plan.

The guidance offered here is designed to cater for a range of sizes or complexities of development, whether it be for an individual site or for various developments within a particular part of the rural area. The procedures in each case are similar with the site or area being carefully analysed so that all opportunities and constraints can be identified. Using this structured analysis, appropriate design principles will be established which will inform the planning and detailed design of development.

In all cases, the guidance offered will serve to highlight specific General and Conservation and Enhancement objectives of the Plan where there is discretion for interpretation and will assist both the applicant and the Department to reach a suitable planning and design approach for development. The guidance is not a substitute for an environmental impact assessment or a traffic impact assessment, which, in certain circumstances, may be required in addition to a Rural Planning and Design Statement.

The guidance detailed here should not be seen as a planning hurdle but rather as helpful advice that encourages good practice. However, **in appropriate circumstances the Department will require a Rural Planning and Design Statement to form part of a planning application for the development of specific sites.**

Types of planning and design guidance

There are two forms of guidance as follows:

Rural Planning and Design Statement

This is a site-specific assessment normally prepared by the applicant to demonstrate how individual sites can be developed beneficially in terms of land use, form of development and their relationship with the surrounding landscape.

Area Design Statement

This is guidance normally prepared by the Department applying to all developments within a particular area. It will identify and describe the unique or special character of an area and provide guidance on how its locally distinctive characteristics should be respected when formulating development proposals. Preparation of this form of guidance will involve local communities

In exceptional circumstances a Rural Planning and Design Statement may not adequately address issues arising from major development proposals. Opportunities for this kind of development within the rural area are very limited, however if the occasion for such development does arise, within the policies of the Plan, a Development Brief will be prepared by the Department. The Department has published a manual on development briefing, which contains additional information and the Department's staff will offer applicants appropriate advice in these circumstances.

The two forms of guidance are explained in further detail as follows:

Rural Planning and Design Statements

What is a Rural Planning and Design Statement?

A Rural Planning and Design Statement analyses the characteristics of a specific site and its surroundings in order to set out principles for its development. It will specifically address issues such as land use, access, form of development and assimilation within the landscape.

The objective of the Statement is to assist in the design process by ensuring that development proposals respond to the opportunities and demands of the specific site and its surroundings and take full regard of the conservation and enhancement policies of the Plan. If an Area Design Statement has been prepared for the area concerned, this will also need to be taken into account.

A Rural Planning and Design Statement, prepared by the applicant, is submitted alongside the planning application and assists the Department in its assessment.

When will a Rural Planning and Design Statement be required?

A Rural Planning and Design Statement can be carried out for any form of development and is an aid to the planning and design process that can resolve potential conflicts at an early stage.

As mentioned above, **in appropriate circumstances the Department will require a Rural Planning and Design Statement to form part of a planning application for the development of specific sites.** This is likely to include large-scale development or redevelopment proposals such as social housing proposals and substantial conversion schemes such as a disused hotel to residential accommodation.

The Department will not require a Rural Planning and Design Statement to be submitted with an application for a domestic extension. However, applications for any form of development within particularly sensitive areas such as Areas of High Landscape Quality and Conservation Areas may well benefit from the preparation of a Statement. **Applicants are therefore advised to ask for advice on whether a Rural Planning and Design Statement is required or would be beneficial and how it should be prepared at an early stage.**

Who will prepare a Rural Planning and Design Statement?

In most cases the prospective applicant will be responsible for the preparation of a Rural Planning and Design Statement which will be submitted with the planning application.

What should a Rural Planning and Design Statement cover?

The Statement should contain two elements; a Site Appraisal and a Planning and Design Statement. These are detailed below:

Site Appraisal

This could be a diagram, written description or both, which sets out the main characteristics of the site. This will enable the applicant to identify constraints and opportunities that may influence the development. This appraisal would cover:

- buildings or other physical features within the site
- the landscape character of the site and its surroundings, including trees and other landscape features within the site
- access and services
- boundaries
- levels within the site and in relation to adjoining land
- character of surrounding landscape and/or
- form, scale character and materials of surrounding built development; and,
- residential amenity issues (such as overlooking, overshadowing).

Planning and Design Appraisal

This will describe how the development will respond to the Site Appraisal to create an appropriate design, form and/or layout, to minimise the impact of the development and enhance the locality. The Appraisal would include:

- proposed uses
- buildings and other features, trees and landscape features to be retained
- access and parking areas
- any new boundary treatments and landscaping
- provision of amenity space
- provision of storage areas and management of other paraphernalia associated with a particular land use
- measures to protect neighbour's amenity
- form and layout
- materials and styles; and,
- any particular measures that have been taken to minimise the impact of the development.

It is important that the Statement demonstrates how it has been informed by the analysis.

Area Design Statements

What is an Area Design Statement?

An Area Design Statement is a detailed study of a specific area that describes and analyses its physical and social characteristics. This can include its character in terms of the buildings and spaces between them, overall architectural style, materials used, special features such as boundary treatments and the landscape setting, as well as the way a particular area is used by its local community. This Statement will then inform design guidance intended to help applicants create developments that conserve and enhance the area's special character.

An Area Design Statement will provide communities with an opportunity to have a role in the decision making process within an identified area by becoming actively involved in the Statement's production.

When should an Area Design Statement be prepared?

Unlike Rural Planning and Design Statements, the Department will not require an Area Design Statement to be prepared before considering applications. Instead, they will be prepared where the Department, in consultation with the community, considers that an area would benefit from this type of design guidance. Typical areas where they could prove beneficial include the Rural Centres and Conservation Areas. However the Department may identify other areas where they might prove beneficial.

Once prepared, the Department will use the guidance contained in the Statement when assessing whether a particular development is acceptable in terms of the policies of the Plan or the Law, for example when assessing whether development detracts from the character and amenity of the locality.

Who will prepare an Area Design Statement?

The Department will normally prepare the Statement and will work in close liaison with the local community to identify the matters to be addressed in the Statement and to collate the information necessary to prepare it. In some cases this will involve assistance with surveys, photography and other fieldwork, the analysis of information and the formulation of policy. In some cases it may involve questionnaires, workshops and public meetings to ensure that the Statement is a true reflection of the views of the community as a whole.

What will an Area Design Statement cover?

An Area Design Statement must accord with the objectives of the Rural Area Plan and will explain how the General and the Conservation and Enhancement policies in particular will be interpreted for a specific area.

The Statement will have two parts, which parallel the two stages of the Rural Planning and Design Statement:

Area Appraisal

This will describe the visual character of the area in terms of:

- the boundary of the area concerned
- the landscape setting
- the evolution of the area
- the characteristics and details of the buildings and spaces within the area
- local landmarks and special features
- roads, streets and pathways
- enhancement opportunities; and,
- in Rural Centres – analysis of local facilities and associated social issues.

Design Guidance

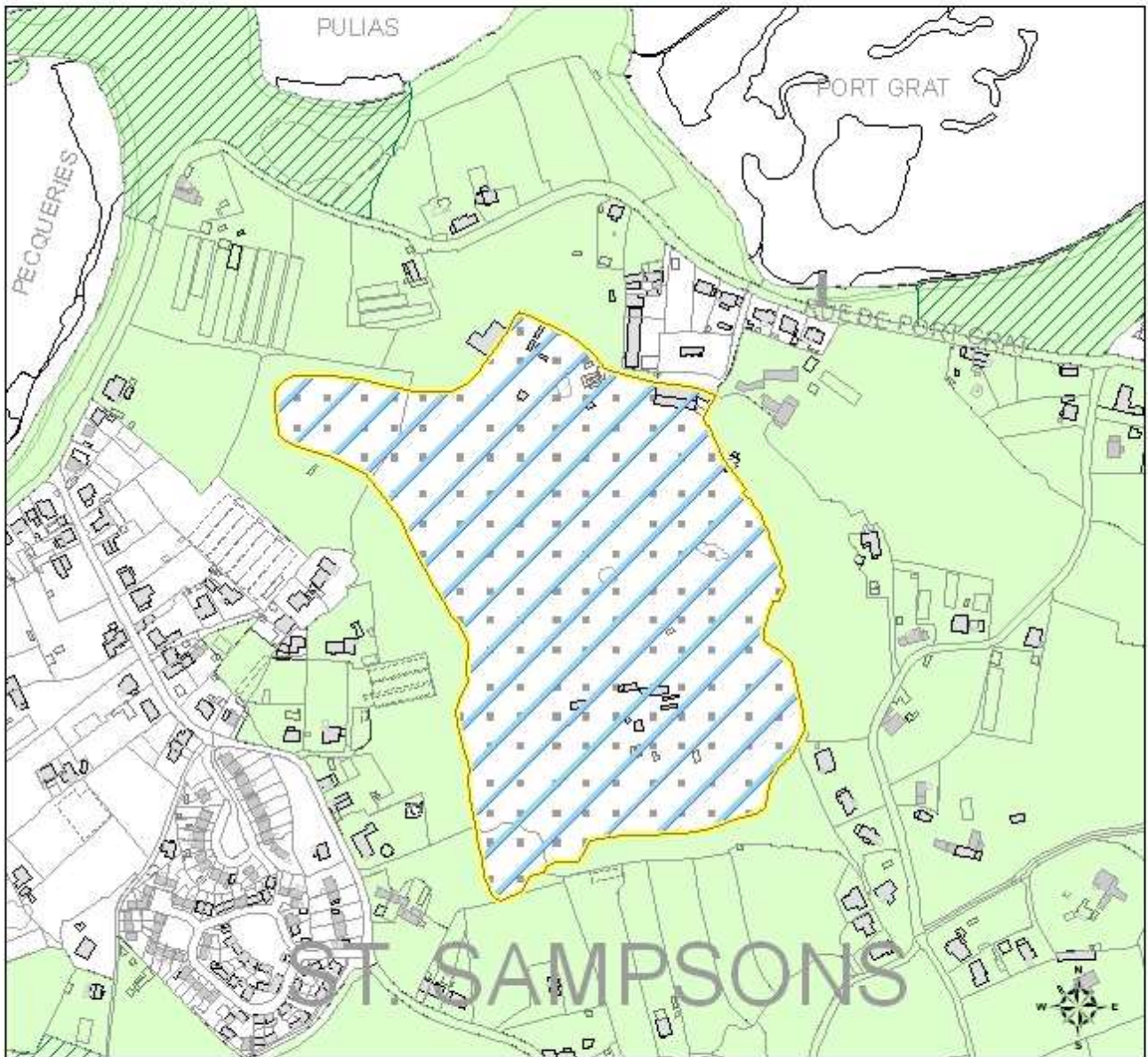
Design principles should be set out giving clear and practical advice, typically covering:

- general design approach
- advice on design for the various elements of the built environment
- built and natural features to be retained and enhanced
- spaces to be retained
- suggestions for enhancement
- advice on planting and landscaping; and,
- where appropriate, the compatibility of use within an existing area.

Addendum to proposals map for Rural Area Plan

A p p e n d i x

Addendum to the Rural Area Plan Proposals Map & Legend



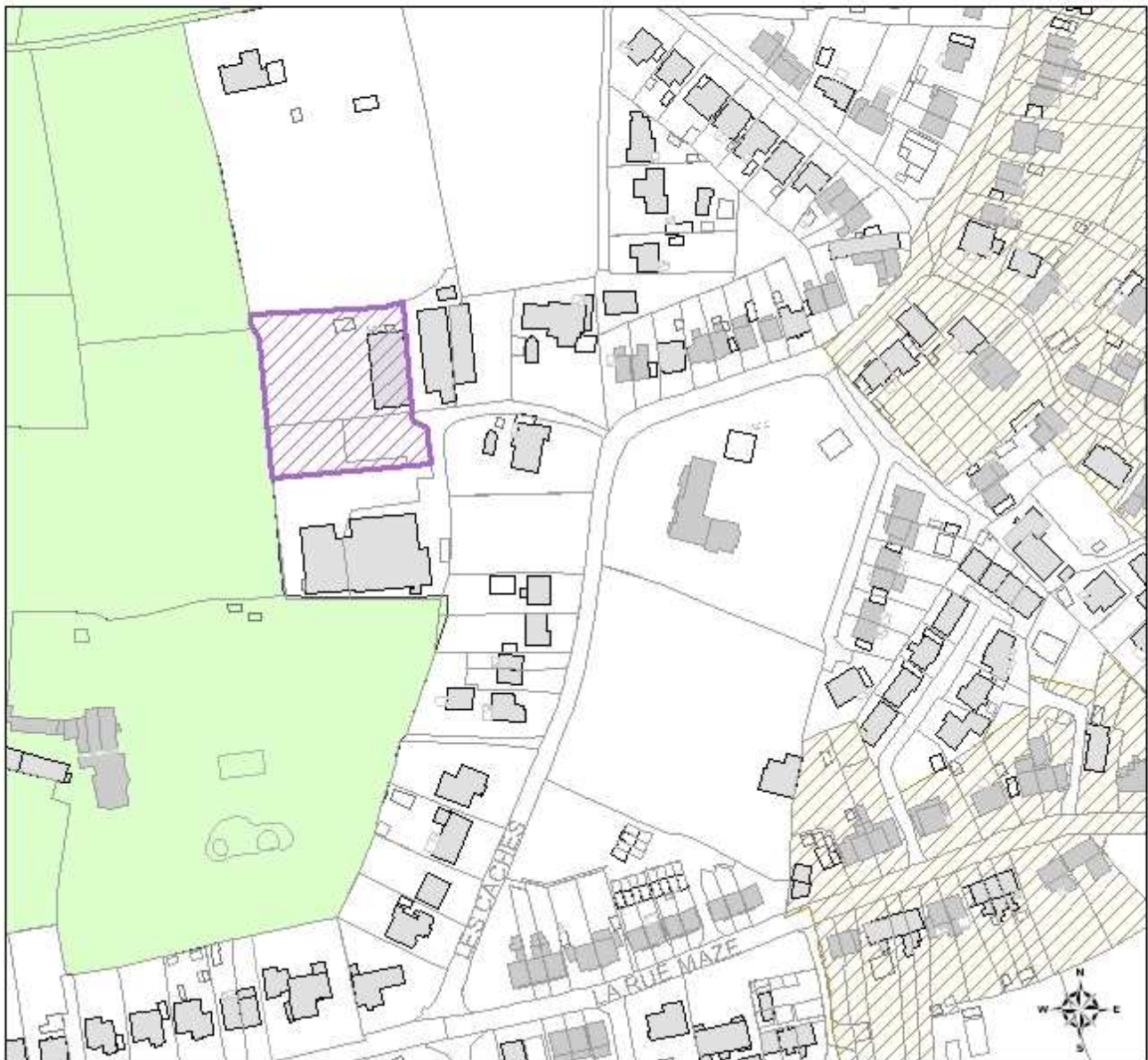
Les Vardes Quarry, St Sampson

- | | |
|--|---|
| Les Vardes Quarry Extension (Policy RE16) | Conservation Area |
| Water Resource Safeguarding Area (Policy RE17) | Sites of Nature Conservation Importance |
| Mineral Resource Safeguarding Area | Area of High Landscape Quality |

Billet X, April 2009

Note: The survey background data used in this map is based on data supplied by Digimap Ltd.
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Addendum to the Rural Area Plan Proposals Map & Legend



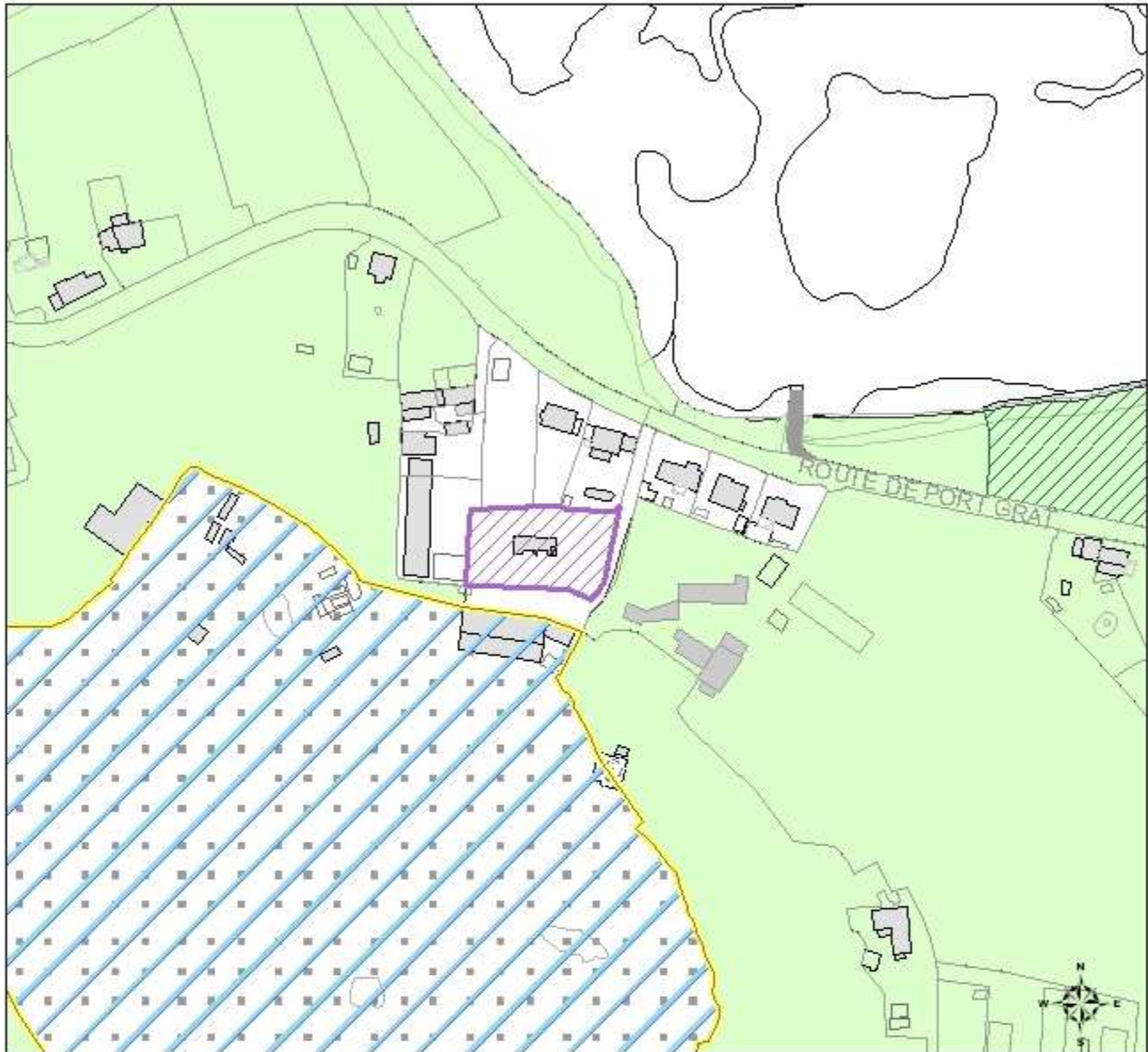
IS1: Land adj to Les Caches Business Centre, St. Martin

-  Small Workshops and Yards (Policy RE7(A))
-  Area of High Landscape Quality
-  Sites of Nature Conservation Importance

Billet VIII, April 2010

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Addendum to the Rural Area Plan Proposals Map & Legend



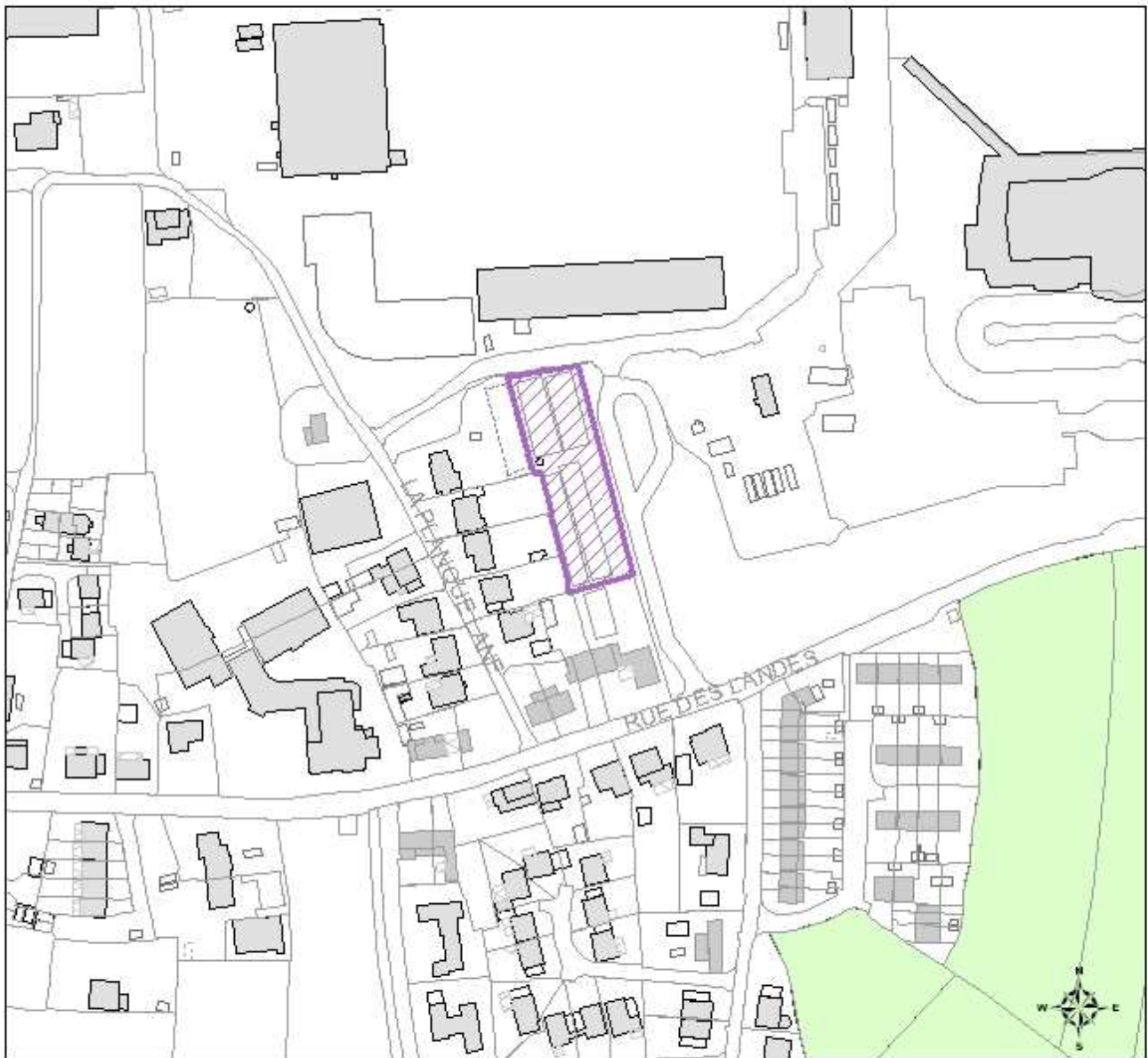
IS3: Les Vardes Farm, Route de Port Grat, St. Sampson

- | | | | |
|---|---|---|---|
|  | Small Workshops and Yards (Policy RE7(A)) |  | Mineral Resource Safeguarding Area |
|  | Water Resource Safeguarding Area |  | Area of High Landscape Quality |
|  | Les Vardes Quarry Extension |  | Sites of Nature Conservation Importance |

Billet VIII, April 2010

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Addendum to the Rural Area Plan Proposals Map & Legend



IS4: Rue des Landes (at rear), Forest



Small Workshops and Yards (Policy RE7(A))



Area of High Landscape Quality

Billet VIII, April 2010

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