

ISLAND DEVELOPMENT COMMITTEE

URBAN AREA PLAN REVIEW NUMBER 1

Report of Inspector

Inquiry: 27 November 2001 and 3, 4, 8-11, 15-18, 22 and 28 January 2002

Inspector: Michael Culshaw MA (Cantab) MA MRTPI

Guernsey Urban Area Plan Review No 1 - Inspector's Report

CONTENTS

	Page
1 REPRESENTATIONS CONCERNING THE WHOLE PLAN	
1.1 THE SCOPE OF THE PLAN	3
2 CHAPTER 3 GENERAL POLICIES	
2.1 PLAN FORMAT	4
2.2 GEN2 COMPREHENSIVE DEVELOPMENT	5
2.3 GEN3 LANDSCAPE ECOLOGY AND WILDLIFE	5
2.4 GEN4 THE BUILT ENVIRONMENT	6
2.5 GEN6 CHARACTER AND AMENITY	7
2.6 GEN7 ROADS AND INFRASTRUCTURE	8
2.7 GEN8 SAFE AND CONVENIENT ACCESS	9
2.8 GEN9 OPEN SPACE AND PARKING	10
2.9 GEN11 PUBLIC ENJOYMENT	12
2.10 GEN12 EFFECT ON ADJOINING PROPERTIES	13
3 CHAPTER 4 DESIGN AND THE BUILT ENVIRONMENT	
3.1DBE2 DEVELOPMENTS WITH SIGNIFICANT TOWNSCAPE IMPACT	14
3.2 DBE3 HIGH BUILDINGS	14
3.3 DBE7 NEW DEVELOPMENT IN CONSERVATION AREAS	15
3.4 DBE8 BUILDINGS OF SPECIAL INTEREST	27
3.5 DBE10 ARCHAEOLOGICAL REMAINS	29
4 CHAPTER 5 HOUSING	
4.1 HO1 HOUSING PROVISION IN THE URBAN AREA PLAN	30
4.2 HO2 OPPORTUNITY SITES	36
4.3 HO7 FLATS, HOUSES IN MULTIPLE OCCUPATION AND STAFF HOSTELS	65
4.4 HO8 HOUSING TARGET AREAS	66
4.5 HO9 RETENTION OF THE EXISTING HOUSING STOCK	80
4.6 HO10 RESIDENTIAL DENSITY AND AMENITY	81
4.7 HO14 DOWER UNITS	82
5 CHAPTER 6 EMPLOYMENT	
5.1 EMP1 NEW OFFICE DEVELOPMENTS	84
5.2 EMP2 SMALL SCALE PROFESSIONAL AND SUPPORT SERVICES	84
5.3 EMP4 CONVERSION OF OFFICE SITES FOR ALTERNATIVE USES	85
5.4 EMP5 KEY INDUSTRIAL AREAS	86
5.5 EMP13 NEW TOURIST ACCOMMODATION	96
5.6 EMP15 RATIONALISATION OF VISITORACCOMMODATION	97
6 CHAPTER 7 CENTRES	
6.1 CEN1 NEW SHOPPING FACILITIES IN THE CENTRAL AREAS	99
6.2 CEN4 COMPLEMENTING THE RETAIL FUNCTION	100
6.3 CEN6 PARKING IN THE CENTRAL AREAS	100
6.4 CEN7 TEMPORARY CAR PARKS	102
6.5 CEN11 SHOPFRONTS	105
6.6 CEN12 SIGNS	105
7 CHAPTER 6 EXTERNAL TRANSPORT LINKS	
7.1 ETL3 QUAYSIDE DEVELOPMENT	106
8 CHAPTER 10 SOCIAL, COMMUNITY, RECREATION	
8.1 SCR1 COMMUNITY SERVICES AND EDUCATION FACILITIES	107
8.2 SCR5 THE ESTABLISHMENT OF SPORTS PERFORMANCE CENTRES	108
9 CHAPTER 11 COUNTRYSIDE POLICIES	
9.1 CO1 RURAL DEVELOPMENT	110
9.2 AREAS OF LANDSCAPE VALUE	118
9.3 CO5 WILDLIFE AND NATURE CONSERVATION	144
APPENDIX 1 ALPHABETICAL LIST OF REPRESENTORS	148
APPENDIX 2 NUMERICAL LIST OF REPRESENTATIONS	159

1. REPRESENTATIONS CONCERNING THE WHOLE PLAN

1.1 THE SCOPE OF THE PLAN

Representation

66 **La Société Guernesiaise**

Further Representation in Support

363 **The National Trust of Guernsey**

Summary of Representation

The written statement and proposals map should include the foreshore, i.e. the inter-tidal area.

Inspector's Reasoning and Conclusions

1.1.1 I understand the reasons behind this representation. Proposals which affect the foreshore or involve development between the mean high and low tide marks could have far-reaching effects on the appearance of the Island, and on nature conservation and archaeological interests. However the foreshore is, I am advised, Crown Land. It is outside the normal planning control of the IDC. I do not therefore consider it would be appropriate for the foreshore to be included within the area covered by the Proposals Map, since it would imply a control over development which the IDC does not possess and would in this way be misleading. The IDC are consulted by the Crown when development is proposed on Crown Land, and I can understand the concern of the Société that on those occasions there should be a coherent basis on which the IDC would respond.

1.1.2 The IDC indicated to the inquiry that in such situations they would take into account any policies in the Plan relevant to the proposals. These would be likely to include GEN3 (landscape, ecology and wildlife), DBE5-6 (open spaces, skyline and public views), ETL3 (quayside development), CO3 (landscape character), CO5 (wildlife and nature conservation) Annex 5 (nature conservation), Annex 7 (environmental impact assessment) and Annex 8 (landscape character assessment). It seems to me that these, together with any other policies relevant to the particular proposal, would form a sound basis from which the IDC's response to proposals could be formulated.

RECOMMENDATION

I recommend no change to the Plan or Proposals Map.

2. CHAPTER 3 GENERAL POLICIES

2.1 PLAN FORMAT

Inspector's Comments

2.1.1 The structure of the Plan is helpfully explained in Section 2.3. The progression from the policy context to policy principles and then to specific policies is made clear. Paragraph 3.1 explains that Chapter 3 of the Plan takes the considerations that the Law requires the Committee to take into account and translates them into General Policies, which inform the rest of the Plan and the Committee's decision-making in general. The distinctive nature of GEN policies is emphasised by that fact that the policies are preceded by a section headed General Policy Principles, whereas other chapters have a Policy Context preface.

2.1.2 However in terms of their use in assessing planning applications it was clear from the responses of the IDC to particular representations that GEN policies are not just policies of an over-arching, strategic nature, but are as likely to be used for development control as others. Exactly how they are used varies between policies. I note that while in most cases GEN policies are followed up by more detailed policies elsewhere in the Plan, cross-referenced in the margin, policy GEN9 has no 'daughter' policies elsewhere in the Plan, and relies for implementation on Annexes 2 and 3. Policy GEN7, which deals with roads and infrastructure has 'daughter' policies in relation to water supply in WWM2 and 3, but in relation to significant roads infrastructure it relies on Annex 6 (Traffic Impact Assessments). In passing, I have noticed that annex 2 is alone in not having an introduction referring the reader to the policies to which it is relevant. Such an introduction would be helpful.

2.1.3 Since GEN policies appear to be used in some circumstances for normal development control purposes, I am not clear why they are differently worded. The wording of the policies in the rest of the Plan makes it clear that this is the way the IDC intends to act (e.g. The IDC will require; or Development will only be permitted if....) The GEN policies, however, are phrased as if mandating the IDC to act in a particular way (e.g. the Committee shall have regard to...). The General Policy Principles set out in paragraph 3.2 are explained as being derived from the planning principles set out in the preceding Legal Context section.

2.1.4 If the GEN policies are intended to have a different standing to other policies in a policy hierarchy, or to have different weight attached to them, as might be implied by the difference in emphasis, I think this should be explained in the text of the Plan. Otherwise, I would suggest that the Plan will be more easily understood if a consistent phraseology is used throughout the document.

RECOMMENDATION

I recommend that consideration be given to the difference in phraseology used between GEN policies and other policies.

2.2 GEN2 COMPREHENSIVE DEVELOPMENT

Representation

47 **John Gollop**

Summary of Representation

The words 'optimum efficient use of land' were imprecise and should be replaced by 'the most appropriate use of land resources, having regard to the conservation of the area.'

Inspector's Reasoning and Conclusions

2.2.1 As with all the GEN policies, this is a statement of general policy which will be applied in conjunction with the subsequent, more detailed policies of the Plan. Thus proposals for commercial development or residential development will be judged against the policies of the Plan relevant to those uses and not simply against whether they represent the most efficient use, however that might be expressed. Thus, for example, while high buildings might be considered the most efficient way of developing town centre land, their erection is subject to other policies of the Plan, notably DBE3. I do not share the representor's fear that the policy could be anti-conservation or anti-environment through its concentration on efficiency, since it is not intended to be used in isolation from other policies, which would in the necessary circumstances protect those interests.

RECOMMENDATION

I recommend no change to the Plan.

2.3 GEN3 LANDSCAPE ECOLOGY AND WILDLIFE

Representation

48 **John Gollop**

Summary of Representations

The policy is supported. The representor would like to encourage a more proactive role for ecology.

Inspector's Reasoning and Conclusions

2.3.1 I endorse the support for this policy provided by the representor. In my view the policy could be strengthened along the lines he suggests to remedy an omission. Policy GEN 3 requires the IDC to have regard firstly to existing features of landscape, ecological or wildlife value, and secondly to opportunities to provide new landscape features which are appropriate to the location. I am not sure why, having referred to landscape, ecological and wildlife value in the first criterion, the policy makes no reference in the second criterion to

the provision of new or improved ecological or wildlife features as part of development. New development proposals often provide the opportunity to create new habitats as part of landscaping schemes, and it would be helpful if the policy could provide support for such provision.

2.3.2 Having said that, I note that there is support in the more detailed policies of the Plan. Paragraph 4.2.1.4 says that landscape schemes should take full account of existing natural features and where necessary improve their ecological value. Policy CO6, in dealing with the restoration and beneficial after-use of derelict land, says that in identifying sites with potential for creating new habitats, the IDC will have regard to an ecological appraisal of the site and its surroundings.

2.3.3 While I recognise that the Plan must be read as a whole, in my view it would be helpful if GEN3, as the general policy from which these detailed policies derive, could contain similar provisions, which would underpin their aims.

RECOMMENDATION

I recommend that criterion (b) of Policy GEN 3 be enlarged to include reference to the appropriate provision of new or improved ecological or wildlife features as part of development.

2.4 GEN4 THE BUILT ENVIRONMENT

Representation

49 John Gollop

Summary of Representation

The representation questioned the wording of policy covering the built environment, and the omission of reference to gardens.

Inspector's Reasoning and Conclusions

2.4.1 The representor prefaced his remarks on this policy with a reference to the broader, criterion based approach of the Plan, which is explained at paragraph 2.3.1, and which I support.

2.4.2 He suggested that the words “and the surrounding landscape and open spaces” should be added to the policy, to emphasise that the policy should not be interpreted as covering only buildings.

2.4.3 However in my view the words ‘built environment’ in normal parlance incorporate the spaces which form part of that environment. Moreover, the attention to open space and landscape as part of the built heritage which the representor seeks is provided by the detailed policies of the Plan. DBE2(c) refers to the retention, enhancement and/or creation of urban

spaces. DBE5(a) protects open spaces which provide a valuable contribution to the character and visual amenity of an area. DBE8 protects the setting of buildings of special interest as well as the buildings themselves. In my view there is no need for the expansion of the policy in the way suggested by the representor.

2.4.4 In their response to the representation the IDC referred to policy GEN11 as also supporting the protection of open spaces. I deal with this policy below.

RECOMMENDATION

I recommend no change to the Plan.

2.5 GEN6 CHARACTER AND AMENITY

Representation

50 **John Gollop**

Summary of Representations

The policy is unclear.

Inspector's Reasoning and Conclusions

2.5.1 At the inquiry the representor explained his concern that this policy would discourage bold and innovative design by excessive concentration on conserving existing character. He suggested that the policy should cover redevelopment as well as development, should refer to the immediate rather than the wider environment, and should enable developers to consider the opportunity to incorporate innovative designs.

2.5.2 I do not share the representor's concern that Guernsey is in danger of becoming a theme park through the encouragement of too much pastiche architecture. As in many planning decisions, it is, of course, a question of balance, and in my view the need for balance between the pressure for development and change and the need to conserve and enhance the island's architectural and historic heritage as one of its greatest assets is well expressed in paragraph 3.3.4 as the preamble to this policy.

2.5.3 I do not believe that the Plan as a whole will discourage innovative design. Policy DBE1 requires new development, amongst other things, to achieve a good standard of architectural design, and paragraph 4.2.1.1 makes it clear that encouragement will be given to good contemporary design. Policy GEN4 is therefore only part of the picture, but a necessary part if the high quality of the urban area's built environment is to be maintained.

RECOMMENDATION

I recommend no change to the Plan.

2.6 GEN7 ROADS AND INFRASTRUCTURE

Representation

9 Michael and Heather Fattorini

Summary of Representation

Legislation to allow larger vehicles on the roads of Guernsey would cause problems for landowners who would need to improve their facilities to accommodate these.

Inspector's Reasoning and Conclusions

2.6.1 The representor returned to the inquiry after her main hearing in relation to Areas of Landscape Value (see below, Policy CO4) to deal with this additional matter. Although she did not express it as being related to a particular policy of the Plan, for convenience I have dealt with it as relating to Policy GEN7, which says that in considering proposals for development the Committee shall have regard to the adequacy of roads and public utilities to cope with the increased demand.

2.6.2 The regulation of oversized vehicles is not in itself a matter for the Urban Area Plan, or indeed strictly a planning matter at all. However I understand the representor's concern to relate to the impact on property owners of new regulations, approved while the inquiry was sitting, which would permit larger goods vehicles to use certain roads on the Island. Since no planning policy currently ensures the maintenance of a minimum road width she suggested that new policies should require the maintenance of a minimum width of road, and the creation of passing places on narrow roads. She also expressed concern that conservation policies might require the retention of roadside or gateway features which would hinder the passage of large vehicles and create safety hazards.

2.6.3 The four main uses of the Plan, as described in paragraph 2.1, are in making decisions on planning applications, encouraging suitable development on appropriate sites, protecting the environment and helping to guide public and private investment. While the widening and maintenance of roads as a result of the new legislation may be matters which will need to be addressed by an appropriate committee of the States, they are not in themselves issues with which this Plan is concerned, other than indirectly. Although the representor advocated a 'Roadside Policy Area' to ensure ease of changes for road users of oversized vehicles, she did not explain how such a policy change would operate, and in the absence of a specific proposal I am unable to progress this further.

2.6.4 As to her fear that conservation aims might conflict with the requirements of road widening, that is a matter which is common to many parts of the Island, where the visual attractiveness of narrow lanes, and the existence of trees, hedges and roadside banks compete with the need to ensure the safe passage of traffic. If applications for planning permission involving such issues come before the IDC I am confident that the policies of the

Plan provide clear criteria against which proposals could be judged. These include, though not exclusively, the aims of policies GEN7, DBE7 which deals with development in Conservation Areas, and CO5 which covers development affecting areas of wildlife habitat.

RECOMMENDATION

I recommend no change to the Plan.

2.7 GEN 8 SAFE AND CONVENIENT ACCESS

Representation

1 **Victor E Froome**

Further Representation

350 **John Gollop**

Summary of Representation

The containment of the urban areas of St Peter Port and St Sampson was supported. The creation of wooded walkways, cycle paths and safe routes for schoolchildren should be supported. When any major project goes forward IDC should insist on sufficient and satisfactory entrances and exits.

A further representation in support pointed to the importance of the pedestrian areas, and the vital role played by Routes Tranquils in the urban area.

Inspector's Reasoning and Conclusions

2.7.1 Mr Froome is actively involved, through a number of organisations, in promoting the creation of footpaths and walkways, and in planting trees to remedy the shortage of trees and woodland on the island. He has a number of suggestions for the creation of routes, which he illustrated to me, and in which the relevant organisations work alongside the IDC. Specifically he referred to a route from Delancey Park and St Sampson's School to The Bridge, and from Delancey Park to Cambridge Park and Beau Sejour. He did not suggest that such routes should be formally incorporated in the Plan, but asked that areas should be made available for such access.

2.7.2 His enthusiasm chimes well with a number of the Plan's policies. GEN8 aims to have regard to the need to ensure safe and convenient access, including the needs of people with mobility problems. GEN11 requires the IDC in considering proposals for development to have regard to the need to safeguard, and where appropriate, create opportunities for public enjoyment.

2.7.3 The IDC pointed to the relevance of CO6 in relation to derelict land, since many of Mr Froome's proposals involve such land. CO6 indicates that the IDC will encourage the restoration and beneficial after-use of derelict land, having regard to its location and relation with other land uses; the area's Landscape Character; and other policies of the Plan and any public or private sector scheme for environmental enhancement and management.

2.7.4 Also relevant in my view are the more specific requirements of policy CEN8 in relation to the Town and Bridge areas. This indicates that the IDC will seek attractive, safe and convenient access for pedestrians, including those with disabilities. Development proposals will be required to provide, where appropriate, safe direct pedestrian routes within the site, links to the pedestrian network and adequate landscaping and lighting of pedestrian routes provided as part of the development. This in my view meets his request that access should be properly considered in major development proposals.

2.7.5 As the IDC pointed out, a central concept of the Plan is the reduction of the need to travel through the control of the location of new development. The achievement of the representor's aim of providing and improving safe routes to schools would make walking and cycling to school a more attractive proposition, and thus reduce vehicular traffic.

2.7.6 The IDC have not included in this Plan the Statements of Intent which are a feature of the current Plan, largely because in their view they have been ineffective in promoting a corporate approach to meeting wider objectives. In my view they are right in focussing the Plan's policies on matters which can be directly influenced by the statutory planning process. If Mr Froome's aim was to secure the re-introduction of a statement such as Statement of Intent 4 in the current Plan, then I consider the IDC were right not to include it.

2.7.7 In summary, while part of the charm of Guernsey is its system of narrow winding lanes and roads, many of these lack pedestrian facilities. The aims of this representation to secure safe pedestrian access are therefore laudable. In my view the policies referred to enable the IDC to ensure that safe and convenient access forms part of development proposals, and to react to initiatives such as those of Mr Froome.

2.7.8 I note in passing that the reference in GEN8 to people with mobility problems might be considered somewhat narrower in its scope than the reference in CEN8 to people with disabilities (which may of course include disabilities other than restricted mobility). I make no formal recommendation in this respect, but the IDC may wish to consider whether an adjustment to the wording of the two policies is appropriate.

RECOMMENDATION

I recommend no change to the Plan.

2.8 GEN9 OPEN SPACE AND PARKING

Representations

51 **John Gollop**
78 **A D C Webber**

Summary of Representations

Representation 51 opposed policy GEN9 on open space and parking. The representor considered the policy was insufficiently flexible, and suggested that reference to parking should be omitted from the policy. In parts of the urban area there was insufficient space for

parking, and insistence on parking standards would act as a blight on planning and a restriction on the amount of housing which could be provided.

Representation 78 indicated that inadequate parking was being provided in residential developments, which resulted in cars being parked on roads, with a resultant lowering of environmental standards. The Plan should ensure that there were sufficient green areas and play areas.

Inspector's Reasoning and Conclusions

2.8.1 I do not find the inflexibility in the Plan in this respect alleged by the representor. Paragraph 3.3.9, the preamble to this policy, says specifically that the strict application of minimum standards can have an undesirable impact on the appearance of a development. It goes on to say that the guidance will be interpreted flexibly where it is considered that, as a result, a better development could be achieved.

2.8.2 It was said a number of times at the inquiry on behalf of representors that the approach of the IDC to its policies was to interpret them narrowly, and that I should bear this in mind in dealing with objections to policies. However the interpretation of policy is in my view a matter of judgement for the IDC in the particular circumstances of a case, and not something in which I have any role.

2.8.3 It is now a commonly held view that the availability of car parking has a major influence on the means of transport people choose for their journeys. I note that the Plan has not taken the step of moving to maximum rather than minimum car parking standards as a means of discouraging car use, and the emphasis in paragraph 3.3.9 is on the effect of parking on the appearance of a development rather than on other factors such as choice of transport mode. No evidence was presented to me to support the fear expressed by the other representor that the parking standards were inadequate. The standards for housing in Annex 2 take into account the size of dwelling, requiring more car spaces as the number of habitable rooms increases. This is a similar approach to that in Annex 1 of the current UAP, but substituting the number of habitable rooms for the number of persons the dwelling is designed for. This seems to me a justifiable change. Monitoring of the Plan will reveal whether these standards meet the aim of Policy GEN9 of providing adequate levels of parking while implementing the overall aim of the Plan expressed in paragraph 7.2.3.1 that parking requirements should be kept to the operational minimum and alternatives to the car encouraged. As the Plan recognises, there is a balance to be maintained.

2.8.4 However I consider the Plan is sufficiently flexible to take into account the different circumstances which will arise in different parts of the urban area. Policy GEN9 is only one of a number of policies which are likely to be taken into account in dealing with a development proposal, and the weight which is to be given to compliance with the guidance in Annexes 2 and 3 compared to other policies will be a matter for the IDC in any particular case.

2.8.5 Turning to the question of open space provision, the representor expressed the view that insufficient open space provision in new housing would lead to cramped conditions and

result in poor social conditions. Policy GEN9 and Annex 3 deal with the provision of adequate levels of open amenity space. The representor produced no evidence to support his contention about the social effects of inadequate open space provision, but I fully accept that pleasant areas for recreation and play are important to the amenity of housing developments. Policy GEN9 ensures that the IDC will have regard to such provision in dealing with applications for planning permission.

RECOMMENDATION

I recommend no change to the Plan.

2.9 GEN11 PUBLIC ENJOYMENT

Representation

52 **John Gollop**

Summary of Representation

The policy was supported but should be more clearly defined.

Inspector's Reasoning and Conclusions

2.9.1 I can understand that if GEN11 is read in isolation it might not be clear what is meant by the term public enjoyment. Some explanation is provided in paragraph 3.3.11, which says that the open spaces and routes within the Urban Area, and features within them such as places to rest and seek shelter, form the setting for people to enjoy. The emphasis is thus on assuring and improving the quality of experience which users of open spaces and routes in the Urban Area provide.

2.9.2 As the IDC pointed out, a clearer definition of the aims of the Plan in relation to the creation of opportunities for public enjoyment is provided in policies DBE4, DBE5 and CEN10, which are cross-referred in the margin of the policy. DBE4 seeks, where appropriate, to ensure that development proposals incorporate good quality landscape schemes. DBE5 seeks to resist the loss of open space which provides an opportunity for public access or enjoyment. CEN10 indicates that the IDC will encourage proposals and support initiatives which will enhance the quality of the urban environment and contribute to local distinctiveness through paving materials, street furniture and works of art.

2.9.3 I am satisfied that in conjunction with the specific policies mentioned above the aims of Policy GEN11 to safeguard and create opportunities for public enjoyment can be achieved.

RECOMMENDATION

I recommend no change to the Plan

2.10 GEN12 EFFECT ON ADJOINING PROPERTIES

Representation

53 John Gollop

Summary of Representation

The words 'and visual amenity' should be added to the policy. Many properties in St Peter Port were valuable because they had a scenic view. The loss of such views through development should be resisted.

Inspector's Reasoning and Conclusions

2.10.1 It is clear from a reading of both Paragraph 3.3.12 and Gen12 that the policy is intended to protect amenity (including visual amenity) in terms of the reasonable enjoyment of adjoining properties. However the loss of a scenic view from an individual property does not necessarily amount to a loss of visual amenity in planning terms.

2.10.2 Section 17 of the Island Development (Guernsey) Law 1966 as amended sets out the matters which the Committee shall take into account in exercising its powers of the control of development. In essence these relate to matters of public interest. The loss of a scenic view from a private property may be important to the individual concerned, and may indeed affect the value of property, but it is a private interest, and is not therefore in my view an appropriate matter for planning policy. Other policies in the Plan (including those in Chapters 4 and 5) protect the effects of development on the visual amenity of areas and localities, as opposed to individual properties.

2.10.3 Although this policy appears not to confine itself to residential amenity, a cross reference in the margin or in paragraph 3.3.12 to Annex 2 would in my view be useful, and a reference back to this policy in that Annex.

RECOMMENDATION

I recommend no change to the Plan.

3. CHAPTER 4 DESIGN AND THE BUILT ENVIRONMENT

3.1 DBE 2 DEVELOPMENTS WITH SIGNIFICANT TOWNSCAPE IMPACT

Representation

54 **John Gollop**

Summary of Representations

Policy relating to developments with significant townscape impact was unclear regarding their impact on Conservation Areas.

Inspector's Reasoning and Conclusions

3.1.1 Although the initial representation indicated a reference to both policies DBE2 and DBE3, the representor's comments at the inquiry were related to the justification for high buildings, and I therefore deal with this in the following section.

RECOMMENDATION

I recommend no change to the Plan.

3.2 DBE3 HIGH BUILDINGS

Representation

54 **John Gollop**

Summary of Representations

Policy relating to high buildings was unclear. The policy should be amended to read "...will only be acceptable where the building's need can be justified in development terms". If the proposal was justified in community terms, for example a high building needed to accommodate low cost housing, then the best possible design should be required.

Inspector's Reasoning and Conclusions

3.2.1 As the preamble to Policy DBE2 points out, the townscape of the Urban Area is of a remarkably high standard. Development is generally low rise, rarely exceeding 4 or five storeys in height. High development is therefore likely to be prominent, whether on the steeply sloping areas facing the harbour, the low lying areas to the north, or any other part of the urban area. I agree with the representor that buildings of this prominence will need to be well-designed, and this aim is addressed by a number of policies, notably DBE2, DBE6 and, in Conservation Areas, DBE7. Provided the Plan is read as a whole, there is in my view no vagueness about how proposed buildings of this type will be approached.

3.2.2 As to the need for the building in development terms, such a criterion would be open to wide interpretation, and in my view would make the control of high buildings considerably more difficult. Clearly if there are particular circumstances which provide support for a proposal for a high building that will be a matter which can be put forward as part of a planning application, and will be taken into account. The example given by the representor would be addressed by Policy HO10, which refers to higher density development. Paragraph 4.2.1.3 indicates a recognition that intensive use of land can contribute to sustainability objectives. However in view of the high townscape quality of the urban area I consider the Policy is correct in requiring a justification in urban design terms as the prime criterion for judging proposed high buildings.

RECOMMENDATION

I recommend no change to the Plan.

3.3 DBE7 NEW DEVELOPMENT IN CONSERVATION AREAS

Representation

55 **John Gollop**

Summary of Representation

The policy on new development in Conservation Areas should include reference to gardens as well as buildings.

Inspector's Reasoning and Conclusions

3.3.1 The special character of Conservation Areas is usually related in the first instance to the built form of the area, but I entirely accept the representor's point that spaces within Conservation Areas, including gardens, can make an important contribution to their character. The representor suggested that at the end of the policy, after "features that contribute to the character of the area" should be added the words "such as gardens, open spaces, green areas and trees". This would, he felt, conserve habitats and create a stronger policy argument against random backland development.

3.3.2 The policies of the Plan in my view provide adequate protection against inappropriate backland development. I agree with the IDC that an amendment to the policy worded in the way suggested would risk too narrow an interpretation being placed on that reference. It might result in the exclusion of other features which contributed to character. There are already references in Paragraph 4.2.3 to trees, ground surfaces and spaces as features which may be important to the character of a Conservation Area, and Policy DBE5 already resists loss of important open space, whether or not it is part of a Conservation Area. A more specific reference to gardens in Paragraph 4.2.3 would however help to clarify the point raised by the representor, and this was accepted by the IDC.

RECOMMENDATION

I recommend that Paragraph 4.2.3 be expanded to include a reference to the contribution that gardens can make to the character of Conservation Areas.

Representation

36 **Roland Ogier**

Summary of Representations

This representation contained a number of comments and suggestions concerning the Bridge area. It covered a number of policy areas of the Plan, but I deal with it here for convenience.

Inspector's Reasoning and Conclusions

3.3.3 The representor pointed to the enormous potential of The Bridge area as a second urban centre for Guernsey. He sought an imaginative approach to its development as a centre, possibly seeking the views of major architectural firms and asking them to look at the Bridge as an entity to see if an overall solution can be achieved. The results of their deliberations could be publicised so that a major debate could take place, hopefully capturing the imagination of the public. The public would need to take ownership of the possibilities of development if they were to be successful.

3.3.4 He suggested that the development of buildings of some height would lend a sense of place to the area and be beneficial. He also suggested that a marina should be designed for the Bridge which would benefit the community by ensuring that the tidal barrier was a walkway linking the two sides.

3.3.5 Most of these suggestions go beyond the immediate land use remit of the Plan in its present form, and deal with matters which are largely the responsibility of the States. As the IDC pointed out, a number of aspects of the plan reflect matters about which the representor spoke, including the MURA identified at Leale's Yard, bringing new facilities, new residents and an environmental enhancement. Other aspects will be enabled by policies of the Plan, including the sections of the Plan dealing with development in the central and harbour areas.

3.3.6 In a written response forwarded to me following the close of the inquiry the Committee indicated that it would support the concept of a corporate vision and strategy for the enhancement and development of the Bridge area. The Committee agreed that the formulation of the proposals should involve all interested parties and should seek to engage the wider community. It referred to the approach that it has recently taken in relation to the Leale's Yard MURA. In that case the Committee has undertaken a preliminary public consultation exercise followed by the engagement of urban designers to prepare concept schemes, the resultant Urban Design Strategy will be the subject of further consultation with the public.

3.3.7 It saw the Leale's Yard project as a first step. It considered that the opportunity exists

to extend the Leale's Yard approach to encompass the wider Bridge Area. However, the Committee recognised that extending the approach to cover a wider area will require co-ordinated action by a wide range of other interested parties. The Committee referred especially to 7.2.4.1 and Policy CEN9 of the draft Plan. They recognised that the Plan cannot directly influence the non-planning policies of other agencies. However it seeks to be part of a framework for action. They will seek to promote and encourage environmental improvements through the preparation of Design Briefs in accordance with a Strategy for Environmental Improvements.

3.3.8 I recognise that there is likely to be a divergence of views as to how the Bridge area should develop, and the role of the Plan is to facilitate whatever final form of development is decided upon. A land-use plan such as this cannot provide the kind of pro-active approach envisaged by the representor – as the IDC point out, that is a matter for others. However I am satisfied that the Plan is sufficiently flexible to enable the relevant authorities to grasp the opportunity which is presented, to accommodate development which will benefit the area, enhance the Conservation Area and draw in economic benefits.

RECOMMENDATION

I recommend no change to the Plan.

Representation

17 Total Channel Islands Limited

Summary of Representation

Concern at constraints on development caused by the inclusion of the southern end of the depot within a Conservation Area.

Inspector's Reasoning and Conclusions

3.3.9 The representors operate a fuel depot on the north side of Castle Road St Sampson.

3.3.10 I have noted their description of the discussions which took place over this site at the inquiry into what is now the current UAP. These provide helpful background to my considerations, though of course my prime concern must be the appropriateness or otherwise of the provisions of the draft Review Number 1.

3.3.11 The site is clearly in active operation. Part of the site close to its southern boundary includes high and substantial granite walls. There is a clear visual association between these walls and the buildings immediately to the east, comprising Mowlem's Engine House, Water Tower and Crusher Shed together with the roadside wall, which are registered as Protected Buildings under the Ancient Monuments and Protected Buildings (Guernsey) Law 1967. They are part of a Conservation Area centred on St Sampson's Harbour and the Bridge. The Conservation Area Character Assessments referred to in paragraph 4.2.3 will be particularly useful in determining the contributions of various parts of the Conservation Areas

designated in the Plan to their character and appearance. Their early production will enhance the Plan.

3.3.12 The walls on this site thus form part of the setting of the Protected Buildings, but are not themselves protected by the Law. Their inclusion within the Conservation Area will ensure, through Policy DBE8, that any development which would affect the setting of the Protected Buildings will be carefully considered against three criteria and that any proposals to demolish them will be considered against the criteria in policy DBE9. Policy DBE7 requires that development in Conservation Areas should conserve or enhance the character and appearance of the area. Having seen the site myself, I am satisfied that the careful approach to development proposals represented by these policies is justified.

3.3.13 I also recognise that the continued commercial viability of the site is an important consideration, and I am confident that it will be taken into account by the IDC in considering any proposals which come forward. I note the representor's view that the current loading bay structures are coming to the end of their useful life and are in need of replacement.

3.3.14 The fuel depot as a whole is also included within an area subject to the External Transport Links policies of the Plan in Chapter 8, and in view of its clear association with the port, that is in my view correct. However I note that while most of it is also included within the Key Industrial Area notation on the Proposals Map the part of the site which is within the Conservation Area is excluded. This seems to me anomalous since the IDC's response to the representation did not contain any indication that they opposed the continued operation of this part of the fuel depot. They referred to paragraph 4.2.3 of the Plan and indicated that it was not intended to preserve Conservation Areas in aspic. Their concern was, rightly, that any future proposals should respect the setting of the important buildings with which these high granite walls are associated. In my view it would be a clearer expression of what I understand to be the IDC's intentions if the area of the representation site shown on the Proposals Map as within the Conservation Area were also included within the Key Industrial Area notation. If any other similar anomalies exist in this locality, no doubt the IDC will take them into account when considering my recommendation.

RECOMMENDATION

I recommend that the site the subject of this representation be retained within the Conservation Area notation on the Proposals Map, but that the Key Industrial Area notation should also be extended to cover it.

Representations

18 **Mr J V Pouteaux**

Summary of Representations

The rear garden of Sunnycroft, The Grange, St Peter Port should be excluded from the Conservation Area to allow it to be used for parking.

**Further Representation Opposing
107 Mrs C O Whittam**

Inspector's Reasoning and Conclusions

3.3.15 The representation site is a walled garden at the rear of Sunnycroft, an attractive building in The Grange and deservedly part of the Conservation Area. The reason for the representation was to leave open the possibility of part of the area being used for car parking, possibly in association with the nearby former Guernsey Telecoms building. Such a possibility had been examined in the past, and commented on by the Inspector reporting on the inquiry into the current UAP.

3.3.16 The Conservation Area boundary is widely drawn, and so includes some areas or individual buildings of lesser merit. Nevertheless both Sunnycroft and its walled rear garden in my view possess a character which merits inclusion in the Conservation Area. Policy DBE7 requires development within, or affecting the setting of a Conservation Area to conserve or enhance the character and appearance of the area and sets a number of parameters. In my view it is right that any future proposal to alter the walled garden or change its use should be considered against that policy. Paragraph 4.2.3 makes it clear that the intention is not to prevent new development, but the IDC in considering any application would have regard, amongst other things, to the retention or sensitive adaptation of existing features. They would also, no doubt, take into account the concern expressed by the Further Representor over traffic and access difficulties and the effect of such a change on the amenity of neighbouring occupiers. Those concerns do not, however, affect my conclusion on this representation.

RECOMMENDATION

I recommend no change to the Plan.

**Representation
65 I A Scott**

Summary of Representations

An area of land bordering the south west of Park Lane Steps, St Peter Port should be excluded from the Conservation Area and included in the neighbouring Area of Landscape Value and the border of the Area of Landscape Value should be the Park Lane Steps.

**Further Representation Opposing
282 MCT Investments Limited**

Inspector's Reasoning and Conclusions

3.3.17 The strip of land the subject of this representation comprises two enclosed plots adjacent to Park Lane Steps on the steep valley side above La Charroterie and Park Lane. They appear to be only accessible on foot from the steps, and through narrow gateways.

They are overgrown and untidy and have clearly been used for the unauthorised dumping of materials and even some domestic equipment.

3.3.18 They are overlooked from the dwelling occupied by the representor, who is concerned that the Conservation Area notation on the Plan would permit some form of development. This could in his view be effectively discouraged by including it within the Area of Landscape Value notation which covers the land to the west. I note the assurance by the land owner in his further representation, that there is currently no intention to develop the land, not least because of its inaccessibility. In practice, neither Policy CO4 which deals with Areas of Landscape Value nor Policy DBE7, which deals with new development in Conservation Areas, would in themselves rule out development in the way envisaged by the representor. Whichever policy applied, proposals would be considered on their merits, bearing in mind the criteria of these and any other relevant policies. For example, Policy GEN8 requires regard to be had to the need to ensure safe and convenient access, including the needs of people with mobility problems, while Policy DBE5 requires consideration of the impact of development on important open spaces.

3.3.19 In my view, therefore, the question of whether this land will be developed in the future is unlikely to turn on my decision on these representations. Nonetheless, in the light of the representations I have examined which would be the more appropriate policy context for this site. In theory, there is no reason why both policies should not apply, and the land be indicated as both within a Conservation Area and of landscape value. However that is not the approach adopted elsewhere in the Plan, and might be confusing. It seems likely that this land was formerly integrated with the land to the west, as part of a landscaped garden, though the function of these small enclosures is not immediately obvious to me. At the inquiry the IDC agreed that, on reflection, the steps would represent a clearer and more identifiable boundary. I support this view. However the high stone walls which flank Park Lane Steps and enclose the site give that pathway a character more associated with the urban area of St Peter Port to the east than the former parkland setting to the south and west. Thus my suggestion is that Park Lane Steps and its flanking walls should be protected by, amongst others, Policy DBE7 and should be included in the Conservation Area, but the remainder of the land should be indicated as within an Area of Landscape Value.

RECOMMENDATION

I recommend that the boundary between the Conservation Area and Area of Landscape Value at this point should follow the line of Park Lane Steps, and that the walls flanking the lane should be included in the Conservation Area.

Representation

69

John Rowe

Summary of Representations

The northern part of a site known as Cranbrook, Grandes Maisons Road, should be excluded from the Conservation Area to allow housing development.

Inspector's Reasoning and Conclusions

3.3.20 The representation site lies at the southern end of a Conservation Area centred on The Bridge. It is a small area of land at the rear of Cranbrook, a late 20th Century house of modern appearance. Paragraph 4.2.3 of the Plan describes the character of The Bridge as derived from its industrial heritage, contrasting the scale and form of an industrial port with charming harbour scenes and tightly arranged rows of cottages.

3.3.21 Although Cranbrook is a modern house, its main elevation is prominent in the frontage to Grandes Maisons Road at this point, and it is therefore in my view correctly included within the Conservation Area, which includes a cluster of mainly Edwardian and Victorian buildings at this point. The representation site is part of its curtilage, and therefore, consistent with the approach to delineation of boundaries adopted in the Plan, is also correctly included in the Conservation Area.

3.3.22 The criteria of policy DBE7 would be applied to any development proposed for this site. The IDC in its response accepted that the site does not itself possess any features which contribute to the character of the Conservation Area, and clearly this would be a significant consideration. Other policies of the Plan would also apply, and in the case of residential development this would include policy HO2. As paragraph 4.2.3 points out, it is not the intention of the Plan to prevent development in Conservation Areas.

3.3.23 The representation was accompanied by plans which indicated a possible development of the site but since any decision on these proposals would be a matter for the IDC in response to an application I make no comment on them.

RECOMMENDATION

I recommend no change to the Plan.

Representation

77

Board of Governors of The Ladies' College

Summary of Representation

Areas of land at the main entrance, north of the Melrose Building and around the 6th Form Common Room should be excluded from the Conservation Area but be within the Settlement Area.

Inspector's Reasoning and Conclusions

3.3.24 Although the representors specifically asked that these areas be included in the Settlement Area, they are already shown as such on the Proposals Map. The Settlement Area covers a wide area, and in particular covers the whole of the Ladies' College premises.

3.3.25 The concern of the representors in relation to the Conservation Area designation affecting the college entrance and the area close to the Melrose Building was that proposals for future improvements would be unduly hampered by the restrictive policies that apply in a Conservation Area. Firstly, I have noted that the Conservation Area boundary is widely drawn, and so includes some areas or individual buildings of lesser merit. However even where less important aspects of the area are concerned it is important that policy DBE7 should apply, to ensure that the effect of any development on the Conservation Area, however great or small that may be, is taken into account.

3.3.26 The entrance gates to the Ladies' College and the vehicle circulation and parking areas north of the Melrose Building are clearly visible from Les Gravées, and so affect the character and appearance of the Conservation Area. In my view it is important that they remain within the designated Area so that the aims of DBE7 are taken into account if any proposals come forward. As the IDC pointed out, policy SCR2 would apply to any proposals, in addition to the conservation and other relevant policies of the Plan.

3.3.27 As to the 6th Form Common Room, the IDC indicated at the inquiry that it had not been their intention to include this building within the Conservation Area, which to the north of the college grounds had been intended to approximate to the property boundary. I assume that if any alteration to the Proposals Map is necessary after more detailed investigation, it will be made.

RECOMMENDATION

I recommend no change to the Plan.

Representation

99 Sarnia Developments Ltd

Summary of Representation

The representation supports the inclusion of Cheltenham House and the adjacent Sarnia Car Hire site in Stanley Road, St Peter Port in the Conservation Area and the Settlement Area, and seeks assurance that a recently approved scheme for 27 residential units will be acceptable within this zoning.

Inspector's Reasoning and Conclusions

3.3.28 The representation site is I understand a former bus garage with associated land on the south side of Stanley Road. Although not of any great townscape or architectural merit in its own right it is surrounded by land which is both within the Settlement Area and the

Conservation Area of St Peter Port, both of which are, as I have indicated elsewhere, broadly drawn. The land is therefore appropriately designated in the Plan.

3.3.29 The representor supplied me with documents which show that permission in principle was granted by the IDC in December 2001 for the redevelopment of the site to provide 27 flats and associated car parking facilities, subject to a number of conditions. The permission expires on 3 December 2002. The content of that permission will not be affected by anything in this Plan, but of course any proposals which might come forward after the adoption of the UAP Review Number 1 would be considered in the light of its policies. I am satisfied that, subject to the comments I make elsewhere, the Plan will provide a suitable basis for the consideration of such proposals. However I make no comment on the detail of the proposals which were illustrated in the submission, since a decision on such matters is for the IDC, and beyond my remit in making recommendations on the Plan itself.

RECOMMENDATION

I recommend no change to the Plan.

Representation

106 Guernsey Brewery Company (1920) Limited
Further Representation Supporting
361 John Gollop

Summary of Objection

Although originally expressed as opposing the designation of the site as within a Conservation Area, at the inquiry it was explained that this representation sought a designation which would provide for the development of the site for a mixture of retail, offices and residential uses.

Inspector's Reasoning and Conclusions

3.3.30 The premises of the Guernsey Brewery Company occupy a prominent location on the South Esplanade at its junction with Havelet. At the request of the representors I have included in my considerations the keg store building which is also in their ownership. This lies behind the main buildings on the opposite side of The Strand, which is a narrow lane rising rapidly from Havelet to provide elevated views of the harbour and islands beyond. This part of St Peter Port is highly attractive and of distinctive character, with harbourside warehouses and houses facing out onto Havelet Bay. I strongly support its inclusion within a Conservation Area to which Policy DBE7 applies.

3.3.31 While the purpose of the policy is to conserve and enhance the special character and identity of the Conservation Areas at St Peter Port and The Bridge as an important physical record of the architectural development and historical growth of the area, paragraph 4.2.3 stresses that the intention is not to prevent new development. As I saw, there are good examples of new development appropriate to its setting within this part of the town. Thus if, as the representors say, there is no longer a commercial justification for the retention of a

brewery on this site, the development of the site for other purposes would not be prevented as a matter of principle by the policies of the Plan.

3.3.32 Any specific proposals would need to be measured against the policies of the Plan. The IDC pointed in particular to EMP9, which aims to protect industrial sites, and requires a clear demonstration that the site or premises are no longer suited in land use terms to continued industrial use; HO2, which deals with new housing; EMP1 which deals with office developments; and HO3 and CEN3 which deal with mixed use developments. They particularly referred to the Plan's restriction of large scale office development to Mixed Use Redevelopment Areas and existing office sites in the Central Areas. They pointed out that increased provision for new offices could seriously jeopardise the redevelopment of the MURAs, which were acknowledged to be strategically important.

3.3.33 The representors sought to compare the type of development envisaged at this site with the approach in the designated MURAs, and requested an appropriate wording which would allow for this type of development approach. However the site is not identified as a MURA, and does not have the size or strategic importance which would justify it being singled out in this way. It should therefore in my view be considered against the area-wide policies of the Plan. Only in this way can the competing interests of different aspects of land uses be fairly reconciled.

3.3.34 I recognise the arguments put forward by the representors and the supporting representor that office development could provide an economic driver for the refurbishment and redevelopment of this site to a standard which would satisfactorily reflect its importance in the townscape of the Conservation Area. However that is primarily a development control issue for the IDC when considering a Development Brief or a planning application. It would not be appropriate for me to indicate how the policies of the Plan should be applied in individual cases.

3.3.35 It was said at the inquiry on behalf of representors that the approach of the IDC to its policies was to interpret them narrowly, and that I should bear this in mind in dealing with this representation. However the interpretation of policy is in my view a matter of judgement for the IDC in the particular circumstances of a case, and not something in which I have any role. I am however satisfied that the policies of the Plan provide an appropriate framework for the consideration of any future proposals for this visually important site, incorporating sufficient flexibility for the individual circumstances of cases to be taken into account.

RECOMMENDATION

I recommend no change to the Plan.

Representation

277

Mr Pierre Payne

Summary of Representation

The site of Doyle Motors on land adjoining Doyle Road and Brock Road should be designated Settlement Area and not Conservation Area.

Inspector's Reasoning and Conclusions

3.3.36 As the representors pointed out, the Conservation Area designation which covers most of the older part of St Peter Port is a broad brush designation, and includes areas of varying quality. Given the generalised nature of the Conservation Area designation it would be contrary to the spirit of the Plan to exclude small isolated areas on the grounds put forward in this representation. In any event I am satisfied that, while the immediate locality contains relatively few buildings of significant individual merit, the area possesses a character and identity through the use of materials, the arrangement of buildings and their curtilages and other factors which justifies its retention within the Conservation Area.

3.3.37 The notations on the Proposals Map are not mutually exclusive – they merely indicate in plan form those areas where particular policies apply. Other policies will also apply, depending on the nature of the development proposed. The Settlement Area notation underlies the Conservation Area notation in this part of the Plan area, and so policies relevant to a Conservation Area, including DBE7, would apply to this site in addition to those applicable to the Settlement Area. Other policies would also apply, depending on the nature of the particular proposal.

3.3.38 The purpose of the representation was to seek flexibility in relation to the future use of the site, which includes a garage, car sales and petrol filling station in a backland site within a predominantly residential area. Paragraph 4.2.3, the supporting text to Policy DBE7, indicates that the intention is not to prevent new development in Conservation Areas, but it is intended to respect architectural details and other features where these contribute to the special character of the area. It goes on to say that there will usually be considerable scope for architectural interpretation within these parameters. I agree with the representors that the publication of Conservation Area Character Assessments intended by the IDC will be useful tool in guiding developers as to the appropriateness of individual proposals.

3.3.39 I am satisfied that the policies of the Plan provide sufficient flexibility to enable proposals such as that mooted in the representation for residential or small scale professional office/commercial development to be considered. However I make no comment on the likely acceptability of such a proposal, which would be a matter for the IDC on receipt of a planning application.

RECOMMENDATION

I recommend no change to the Plan.

Representation

346 Piette Limited

Summary of Objections

The Conservation Area designation should be removed from the site and replaced with a Mixed Use Redevelopment Area allocation.

Inspector's Reasoning and Conclusions

3.3.40 The area enclosed by the plan accompanying this representation covered a variety of buildings and land bounded by St George's Esplanade, Piette Road and New Paris Road. The fear of the representors was that the inclusion of the site within a Conservation Area might conflict with established proposals for the redevelopment of the complex, which would be likely to involve the demolition of many of the buildings within the area. At the inquiry concern was also expressed about an application at that time before the IDC proposing 25 dwellings and a mixture of offices and car parking. I make no comment about the merits of that proposal, which in any event I have not seen.

3.3.41 The Conservation Area defined on the Proposals Map covers a very wide area of the older parts of St Peter Port. In relation to this site, I am satisfied from a tour of the streets surrounding the representation site that they have a character and appearance which is worth conserving. While some of the buildings within the site are of no particular merit, others, including those on the periphery, make a contribution to their surroundings. Given the generalised nature of the Conservation Area designation it would be contrary to the spirit of the Plan to exclude small isolated areas on the grounds put forward in this representation.

3.3.42 Policy DBE7 of the Plan relates to new development in Conservation Areas, while DBE9 relates to demolition. Neither policy would prevent development of this site, but it would require proposals to have regard to the character and appearance of its surroundings, and would demand that it conserves or enhances it.

3.3.43 I do not accept the view put forward at the inquiry that the wording of DBE7 can be interpreted to mean whatever a planner intends it to mean. The character of an area can be assessed and described in an objective way, and the Conservation Area Character Assessments referred to in paragraph 4.2.3 will be a valuable aid when they are produced. That paragraph also says that there will usually be considerable scope for architectural interpretation within the parameters it sets out, which include respect for architectural details, street patterns building lines, roof profiles, ground surfaces and spaces. Any decision by the IDC as to whether a particular proposal conserves or enhances character is bound to involve an element of judgement, but as I understand it there is a remedy under section 26 of the Law if that judgement is exercised unreasonably.

3.3.44 The proposal that a MURA should be created to deal with the development of this site would in my view be taking a sledgehammer to crack a nut. Such areas are generally large, and are created in the Plan to deal with particular problems requiring a comprehensive solution. They are not a solution to the small scale regeneration of sites such as this. Other

policies of the Plan exist against which proposals such as residential or office development would be considered, which enable the competing interests of different aspects of land use to be fairly reconciled, and they are considered elsewhere in my report.

RECOMMENDATION

I recommend no change to the Plan.

3.4 DBE8 BUILDINGS OF SPECIAL INTEREST

Representation

66 **La Société Guernesiaise**

Further Representation in Support

363 **The National Trust of Guernsey**

Summary of Representation

Not only the Island Development Committee but also other bodies should play a part in deciding which structures are “Buildings of special interest”. Paragraph 4.2.4 should be amended by the addition after “IDC” of the words “after considering advice from the relevant experts on the island”.

Interior features of special interest of Buildings of special interest should be treated in the same way as those on the exterior.

Inspector's Reasoning and Conclusions

3.4.1 Paragraph 4.2.4 and Policy DBE8 of the Plan deal with Buildings of special interest. They are said to include Ancient Monuments, Protected Buildings and other buildings (including boundary walls and railings) that the IDC considers have special qualities and make a valuable contribution to the character or appearance of an area. Ancient Monuments and Protected Buildings are included in a statutory Register by virtue of the Ancient Monuments and Protected Buildings (Guernsey) Law 1967. However the Plan contains no definitive list of any “other buildings”, and no definition of the term in the list of Key Terms at page 149. A judgement is therefore apparently necessary in each individual case as to whether a building the subject of a development proposal falls into this category and is therefore of special interest.

3.4.2 If I am correct in this, then the inclusion of the amendment requested by the Société would necessitate a consultation with them on every proposal involving a building of any sort, since it would only be at that point that a decision would be made as to whether it was of special interest. This would not seem the most effective way of achieving the protection of buildings of merit.

3.4.3 I acknowledge, and support, the aim of the policy to protect the setting of Ancient Monuments and Protected Buildings, a matter which, as I read it, is not addressed by the

Ancient Monuments and Protected Buildings Law. However in the absence of a list of “other” buildings to which this policy would apply I am not certain how it could be complied with. Prospective developers would not be in a position to meet the requirement in paragraph 4.2.4 that their proposal must be accompanied by sufficient information to enable its effect on the character and setting to be fully understood, since they would not necessarily know at that stage whether they were dealing with an ‘other’ building. Furthermore it leaves the decision on whether a building is of interest or not in the hands of IDC officers on an ad-hoc basis, which risks an appearance that the process is not sufficiently open or fair. The preparation of a list of all buildings to which the policy would apply is not a light undertaking, but its absence is in my view likely to weaken the policy, and I recommend that consideration be given to this matter.

3.4.4 The preparation of a list to be annexed to the Plan must be a task for the plan-making body, and it would not be appropriate for me to require that the Société be formally part of that process. However I understand it is the practice of the IDC to seek the views of the Société on cases where their expertise is relevant. At the inquiry the IDC recognised the accumulated wealth of experience and local knowledge which they could bring to such matters. They undertook to continue to consult them.

3.4.5 The control of works affecting an Ancient Monument and Protected Building is a matter for the Heritage Committee, and planning applications involving those interests would, I assume, be the subject of consultation between the two committees. However as I understand it the Société does not enjoy any special status under Island Law which would justify the inclusion of a formal requirement in the Plan for its consultation. I therefore do not recommend such a change.

3.4.6 As to the matter of the interior of Buildings of special interest, I understand the concern that there should be protection for the interior of those buildings where internal features contribute to their character. However at the inquiry it was accepted by the Société that the Law as presently formulated only gave the IDC control over changes to the exterior of buildings. Section 40 states that the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building are not deemed for the purposes of the Law to involve development. That being the case, it is not open to me to recommend the change suggested by the Société, since it would be contrary to the Law.

RECOMMENDATION

I recommend that a list of buildings to which Policy DBE8 applies, supplemented by plans as necessary, be annexed to the Plan.

3.5 DBE10 ARCHAEOLOGICAL REMAINS

Representation

66 La Société Guernesiaise

Summary of Representation

The representation while welcoming the sentiments of policy DBE10 and Annex 4 expressed concern at the lack of compulsion for developers to undertake archaeological work, allow access by professional archaeologists or protect or preserve sites.

Inspector's Reasoning and Conclusions

3.5.1 It was accepted by the Société that the lack of legislative backing made it difficult for the Plan to introduce any compulsion into the protection for archaeology which these policies propound, however desirable that might be. They indicated that, as with a number of their points made in representations, they were in effect putting down a marker for the revision of the Island planning laws which I understand is in progress. Nevertheless the criteria contained in this policy represent a significant elaboration on policy CEB5 of the current UAP which simply says that proposals which would lead to the loss of, or damage to, a known area of archaeological importance or its setting will not normally be permitted.

3.5.2 Part of the problem, of course, lies in the extent to which archaeological potential of sites in the Island remains unknown. Statutory protection for sites of archaeological interest is contained in the Ancient Monuments and Protected Buildings (Guernsey) Law 1967, which (briefly) empowers the Heritage Committee to formally register them, and makes it an offence to damage them. However some sites are not registered, while others lie undiscovered. Part of the purpose of this policy is therefore to encourage the investigation of archaeological potential at an early stage, and to incorporate appropriate mitigation measures for any harm which may be caused.

3.5.3 In the absence of any provision in the Law I recognise that it is not possible for the policy to go further by making protection mandatory. However the conditions referred to in the policy, which would be imposed to secure the detailed implementation of mitigation or investigations provide a potentially powerful means of control. I do not necessarily agree with the implication by the representor that they lack teeth.

3.5.4 A significant problem, recognised in Annex 4, is the lack of appropriate expertise on the Island other than the museum's Archaeology Officer. This is bound to constrain both the efforts which potential developers can make from their own resources to carry out investigations prior to the submission of an application, and the ability of the IDC to police and enforce any conditions. Nevertheless I find the content of the policy, and particularly of Annex 4, a helpful and positive step towards providing appropriate levels of protection for the archaeological heritage of the Urban Area.

RECOMMENDATION

I recommend no change to the Plan.

4. CHAPTER 5 HOUSING

4.1 HO1 HOUSING PROVISION IN THE URBAN AREA PLAN

Introduction

4.1.1 Before dealing with specific representations on this Chapter I feel it is appropriate to examine the policy context for housing, which is set out in paragraph 5.1 of the Plan, since it is against this background that subsequent policies are set, and it is on these assumptions that they are based.

4.1.2 The general direction of policy on housing development is heavily constrained by the policies of the Strategic and Corporate Plan 2001. Section 8.3 The Housing Requirement sets a benchmark target based on an analysis of Census figures. It states that in assessing the supply and demand for housing the IDC shall be guided by forecasts of demand in the Strategic and Corporate Plan, or its reviews. Strategic Policy 1 says that provision will be made for an additional 250 homes each year. The purpose behind this policy can be found in Strategic Statement 1, which describes the provision of adequate opportunities to meet the identified housing requirement, with minimum detrimental impact upon the environment and good design to create a high standard of living and social conditions. There is an implication in some of the objections to the draft UAP that in arriving at the target of 250 homes per year in the Strategic and Corporate Plan, the balance between meeting the housing requirement and minimising the environmental impact has not been correctly arrived at. However the correctness or otherwise of a target contained in the Strategic and Corporate Plan is outside my remit. In any event, the opportunity to revise that target is available each year, as a new Strategic and Corporate Plan is produced.

4.1.3 Strategic Policy 2 says that the housing requirement will be subject to regular monitoring and review, while Strategic Policy 3 requires the majority of provision to be within the Urban Area. In examining the Plan, therefore, I have considered the extent to which the housing policies of the Plan accord with the requirements of the relevant Strategic Policies, and the extent to which they are likely to achieve the requirement of making provision for 250 homes per year.

4.1.4 The seven housing policy principles on which the policies of this section of the Plan are based are set out in paragraph 5.1. The first is that the Urban Area Plan should allow for 90% of the Island's housing requirement to be accommodated in the Plan area. This seems to me a reasonable interpretation of Strategic Policy 3, and no alternative percentage has been put forward in any representations.

4.1.5 The second policy principle is that as much new housing as practicable should be accommodated within the Settlement Areas and on previously-developed land (brownfield

sites). This is a direct translation into land-use planning terms of paragraph 8.3.7 of the Strategic and Corporate Plan, which refers to achieving as much new housing as practicable and possible within the existing urban areas. Paragraph 2.3.2.1 of the Plan defines the Settlement Areas as covering the main concentrations of urban development, which are best located in relation to facilities, and where development will be concentrated by taking advantage of underused sites and redevelopment opportunities.

4.1.6 The third housing principle is that the potential for conversion and re-use of derelict or vacant buildings and upper floors should be encouraged, while the fourth indicates that development of open and undeveloped sites should be minimised and the release of Housing Target Areas carefully controlled, reflecting the content of Strategic Policies 9 and 4.

4.1.7 The remaining housing principles relate to the retention, improvement and appropriate replacement of the existing housing stock; the achievement of optimal density compatible with good standards of design, accommodation and residential amenity; and the provision of a wide range of housing reflecting housing needs. These find their roots in Strategic Policies 9, 5 and 8 respectively.

4.1.8 Overall, therefore, the housing principles accord closely with the policies of the Strategic and Corporate Plan, and are to be supported as representing a sustainable approach to meeting the needs of the Island. It is, however, an assumption of the Plan that a combination of development in these various categories will result in 90% of the benchmark target of 250 homes being achieved in the Plan area. No calculations have been produced of the numbers of dwellings expected from each source. In response to representations seeking the allocation of additional land either as Settlement Area or as Housing Target Area the IDC consistently said that they were satisfied that adequate housing provision had been made in the Plan without the need to encroach further upon the countryside. However there is no evidence in the Plan to support that claim. The monitoring of the achievement of this aim will thus be important.

4.1.9 At the inquiry, in relation to a number of representations, figures from the Economic and Statistics Review 2001 were put forward showing units of housing accommodation constructed as follows:

Year	Private Units	States Units	Total
1995	145	12	157
1996	158	0	158
1997	160	10	170
1998	95	2	97
1999 (provisional)	72	21	93

These figures do not include conversions etc., but the representors said that they indicate that construction has fallen well short of the 250 homes target.

4.1.10 In response the IDC produced a Housing Land Availability Study for the last quarter of 2001. This showed a rather different picture. At the end of the quarter

- 157 additional dwelling units (90 urban) had full permits where work had not yet commenced;
- 387 (302 urban) additional units had a permission in principle or a preliminary declaration where work had not yet commenced;
- 423 additional units were under construction;
- in total, 967 additional units were either under construction or 'in the pipeline' with some form of permission.

4.1.11 These two sets of figures are difficult to reconcile, and because the IDC's figures were submitted later in writing there was no opportunity for debate at the inquiry. A written supplementary response from one of the main representors on this subject pointed to the difficulty in making comparisons between the figures. The figures in the Economic and Statistics Review do not include conversions, and units under construction cannot be equated with completions. However a difference between 93 completions provisionally recorded in 1999 and 423 units under construction in Oct-Dec 2001 seems a large difference which needs explanation. The explanation may lie in the way statistics are collected or analysed by the respective Committees, but I have no means of pursuing this matter. While I understand the IDC's reasons for compiling the statistics by reference to permissions and units under construction, I also accept the force of the representors' argument that only completions represent 'true' availability. The achievement of housing completions is of course an important barometer of success in meeting the housing targets. It would no doubt be helpful to the representors who raised this point if the IDC's response to this report could deal with the apparent discrepancy in more detail. For the purposes of this report I have assumed that the picture provided by the IDC's Housing Land Availability Study is accurate.

4.1.12 The IDC's aim, expressed in paragraph 5.2.1, is to ensure that a 2 year housing supply (new build or conversion) is effectively available at any one time. It says that new housing will be deemed to be effectively available where planning permission has been granted but the development is not yet complete, and where the development of new housing is acceptable in principle subject to obtaining the necessary approvals.

4.1.13 On the basis of the figures quoted above, 157 dwellings had full permits and a further 387 had permission in principle or a preliminary declaration, a total of 544. Of course one quarter's figures do not give the full picture, but taking them at face value, they appear to demonstrate that the target of the Strategic and Corporate Plan to make provision for 250 dwellings was being significantly exceeded in the final quarter of 2001, and that the IDC target of a two year supply was also being met with some comfort.

4.1.14 One aspect of that quarter's figures which gives some cause for concern is the indication that the rural/urban split was some way from the Plan's 90%/10% target. 65% of the units approved in that quarter were in the urban area and 35% in the rural area. While this is not in itself a matter for this Plan, it does given an indication that some care is needed

to ensure that the balance over the Island as a whole between urban and rural development is secured.

4.1.15 I assume that the urban/rural split in these figures relates to the Urban and Rural Plan areas. If I am correct in that assumption, once this Plan is adopted it will also be necessary to monitor the extent to which sites come forward within the Settlement Areas as opposed to the remainder of the Plan area, in order to reach a judgement as to the effectiveness of the Plan's strategy.

4.1.16 This brings me to the role of the Housing Target Areas in the achievement of the housing strategy. In response to a question from me, the IDC supplied the following figures on the size of the designated HTAs:

Housing Target Area	Area	
	<i>Hectares</i>	<i>Vergees</i>
Bulwer Avenue	1.303	7.950
Belgrave Vinery	16.190	98.791
La Vrangue	6.428	39.223
Pointues Rocques	2.366	14.437
Salt Pans	2.460	15.010
Franc Fief	4.767	29.088

4.1.17 The Housing Target Areas thus amount to 33.514 hectares (204.499 vergees) of land. I understand that new housing development in England is currently built at an average of 25 dwellings per hectare but more than half of all new housing is built at less than 20 dwellings per hectare. That represents a level of land take which is historically very high and which UK Government Policy indicates can no longer be sustained. However, if, hypothetically, all the land in Guernsey's HTAs were assumed to be developed at 20 dwellings per hectare, that would represent a reserve of about 660 dwellings available.

4.1.18 I recognise that not all land in HTAs is likely to be developed solely for housing. Paragraph 5.2.4 refers to them as reserved for major new housing *and other forms of development* in accordance with an Outline Planning Brief. Nevertheless the size of land bank that they represent and this admittedly crude estimation of their capacity gives some comfort that they will be sufficient to make up any shortfall from the target which may appear during the Plan period.

4.1.19 The clear preference in the Plan is that sites within the Settlement Areas and on previously developed land should be the first choice for development. If it is necessary to release greenfield sites for development in order to meet needs which demonstrably can not be met elsewhere it seems to me that those areas should be carefully selected to ensure that they conform as far as possible to the overall philosophy of the Plan. HTAs are on greenfield

sites and together with the release of a new Key Industrial Area they represent the only mechanism in the Plan for developing beyond the defined Settlement Areas. It is therefore important that their location is sympathetic to the principles which lie behind the designation of the Settlement Areas, and this is represented in the criteria for their selection, which are described in paragraph 5.2.4.

4.1.20 There are site-specific objections to the location of a number of the proposed HTAs, and I deal with those individually below, but I examine here the consistency with which the Plan's principles are applied. HTAs must firstly be well related to the existing pattern of development, with access to local facilities and secondly accessible by public transport. In the case of the St Sampson HTAs this is achieved by physical proximity to the centre at the Bridge. In St Peter Port, where land constraints are greater, La Vrangué HTA is on the urban fringe, but nonetheless convenient for access to the centre by public or private transport.

4.1.21 The selection of HTAs must thirdly avoid areas of important landscape, conservation, wildlife or other environmental interest. Understandably, there was not full agreement among representors that individual HTAs had met this criterion, and landscape or nature conservation qualities were attributed to some areas. Nevertheless it is in my view possible to discern a sifting process behind the selection of HTAs, in that of those areas which most closely met the first proximity and accessibility criteria, those identified as HTAs were the areas of land with lesser claims to landscape or habitat value. Any development on greenfield land is bound to be controversial, but I am satisfied that the IDC have made efforts to ensure that the selection has been objectively based.

4.1.22 Finally, the fourth criterion requires that appropriate infrastructure can be provided in a sustainable manner. This has strong links to the first two criteria, in that infrastructure links are likely to be most accessible close to the centres of St Sampson and St Peter Port.

4.1.23 In general terms it seems to me that the criteria in paragraph 5.2.4 represent sensible criteria for their selection and have been properly applied. The Plan is thus in my view consistent in its approach to the control of development through the criteria it applies to the definition of the Settlement Areas and to the designation of Housing Target Areas.

4.1.24 Paragraph 5.2.4 of the Plan says that HTAs will only be released for housing development, through an Outline Planning Brief, when monitoring indicates that the housing supply is insufficient to satisfy Policy HO1 or when the IDC is directed by the States. The Plan contains no mechanism for determining which of the HTAs should be developed if and when the need arises. Paragraph 2.3.2.9 says that in order to give firm priority to previously developed land and sites within the Settlement Areas, the release of HTAs for development will be phased. It does not, however, say how that phasing will be determined. I am aware that the means by which a HTA is brought forward for development may be a complex one, and the suitability of different sites for early development may vary over time, depending on a number of factors including the availability of infrastructure and finance. Nevertheless it is important that the process of phasing is seen to be open, and that the IDC's reasons for deciding to proceed with one HTA in preference to another are set out clearly, based on objective criteria.

4.1.25 I am aware that following the publication of the current UAP, the Order of Release of Housing Target Areas was the subject of a policy letter from the Island Development Committee to the States. It may be that such a procedure is contemplated for this Plan. However it would seem to me a more transparent and more integrated process if the order of release of HTAs and the criteria for that release were included in the Plan.

4.1.26 Presumably, at any OPB inquiry following a decision by the IDC to proceed to releasing a HTA, it would be open to anyone concerned to challenge the justification for making the release as well as the reasons for selecting a particular HTA in preference to others. However it seems to me it would reduce the need for such challenges and avoid accusations of expediency such as were hinted at during the inquiry if the mechanism for deciding upon the release were openly published.

4.1.27 Concern was expressed by some objectors that the inclusion of HTAs in the Plan would lead to pressure from developers for these areas of land to be developed in preference to brownfield sites. They feared that because greenfield sites were intrinsically easier to develop, any difficulties in bringing forward previously developed land would result in a clamour for the release of HTAs which would be difficult to resist.

4.1.28 I do not doubt the strength with which that view was held. My understanding of the representations was that the omission of HTAs they proposed was intended to be a psychological device to concentrate the minds of all concerned on the priorities of the Plan. However it is not for me to prejudge the rigour with which the IDC, and ultimately the States of Deliberation will discharge their duties. I am satisfied that, with the changes I have suggested, mechanisms will be in place to achieve the expressed aim of the Plan to give priority to the development of land in the Settlement Areas and previously developed land. The omission of the HTAs would not change the rate at which housing was required, but it would put the Plan at risk of conflict with the Strategic and Corporate Plan.

4.1.29 The Housing Target Areas are therefore an important reserve, which will need to be available to be drawn on if monitoring reveals that insufficient dwellings are being developed to meet the strategic targets. Attention was drawn at the inquiry to recent increases in house prices on the Island. Whilst I profess no expertise in the operation of the housing market, I suspect that a Plan which deliberately restricted the amount of housing for which it made provision by omitting the HTAs would increase rather than decrease the strains on the market, and hence on prices.

4.1.30 In conclusion, therefore, I find the housing policies of the Plan are in accordance with the Strategic Policies in the Strategic and Corporate Plan, and are broadly applied consistently across the Plan area. My sole recommendation for change below relates to the question of the publication of criteria for the phasing of HTAs.

RECOMMENDATION

I recommend that the IDC publishes as part of the Plan the criteria which it will use to determine the order in which the development of HTAs is to be phased.

4.2 HO2 OPPORTUNITY SITES

Introduction

4.2.1 I deal in this section firstly with representations concerning the policy, including the approach to the definition of the Settlement Areas, and then with a series of site-specific representations. I have dealt here with most of those representations which sought the inclusion of sites within the Settlement Area.

Policy Representations

Representation

10 Mr K Tostevin

Summary of Representation

The Capelles area from the St Sampson/St Peter Port boundary at the Coutanchez to Les Effards Road, Baubigny Arsenal and Hougue Nicolle is an established settlement area and should be designated as such.

Inspector's Reasoning and Conclusions

4.2.2 The representation was expressed as being related to the General policies of the Plan in Chapter 3. However since in essence it suggests that the Capelles area should be designated as a Settlement Area, and thus come within Policy HO2, I have treated as a representation on this policy.

4.2.3 The general approach of the Plan is to concentrate development within the Settlement Areas by taking advantage of underused sites and redevelopment opportunities. Paragraph 2.2 says that since 1989 the land-use strategy for the Island has been to concentrate development in the Urban Area, while conserving and enhancing the rural environment. Most new development is now accommodated on previously developed land in the Urban Area. The centres of St Peter Port and St Sampson provide the focus for the Settlement Areas defined in the Plan.

4.2.4 It is worth noting that although, in pursuance of the Strategic and Corporate Plan, the IDC aims to concentrate 90% of housing development in the urban area, which I take to equate to the area of the Urban Area Plan, the Plan actually concentrates priority for development in the Settlement Areas (a matter I refer to above). There are thus significant parts of the UAP Plan area which are not favoured for development, despite being in the urban area.

4.2.5 Dealing with this representation is complicated by the fact that the area covered by the representation lies within the Urban Area Plan area, but the Capelles area is wider. The centre of the village containing many of the facilities which the representor listed as being enjoyed by the Capelles area including the church, community centre and schools is within the area of the Rural Areas Plan (Phase 1). Much of the area is genuinely rural, or comprises built development within a rural setting. In its present state it could not in my view be

validly described as part of the urbanised area. The representor indicated that the facilities in the Capelles area were similar to those offered in places such as L'Islet, Cobo St Peter's and Forest. However all these places are within the Rural Areas and are thus not expected to accept more than a very small proportion of the housing development on the Island as a whole.

4.2.6 I accept that if the Belgrave Vinery Housing Target Area is developed in the future, that will bring built development closer to the edge of the area described in this representation. But a large swathe of rural area would still remain between the Settlement Area around St Sampson and the built up parts of Capelles. While the list of facilities is an impressive one, and to my mind demonstrates the healthy state of this rural village, it does not justify designating the area as a Settlement Area.

4.2.7 The area has in the past been considered for inclusion in a Housing Target Area but that is not its status in the current UAP, where the majority falls within the Green Areas. It does not form part of the main urban settlement of St Sampson, and to designate it either as an extension to that area or as a Settlement Area in its own right would be contrary to the development strategy of the Plan as a whole, which conforms to the strategy set out in the Strategic and Corporate Plan.

4.2.8 In conclusion, therefore, I find no need to alter the Plan in the way suggested by the representor.

RECOMMENDATION

I recommend no change to the Plan

Representation

41, 42 **P A C Falla**

Summary of Representations

The proposals were intended to enable the Island Development Committee to consider applications for limited new housing on more Opportunity Sites inside and outside the Settlement Areas than the proposals in the Draft Urban Area Plan allow. The following should be added to the bullet-pointed list in paragraph 5.2.1 dealing with Housing Provision in the Urban Area Plan that details how the housing requirement of 250 new homes each year will be met:

“...• New development on derelict land and disused glasshouse sites both within the Settlement Areas and within the White Areas not hatched in green: (i.e. not of Landscape Value)”.

The following words (in italics) should be added to section 5.2.2.1 “...The development of underused sites within the Settlement Areas and previously developed land, both within and outside the Settlement Areas, *and on disused glasshouse sites both within the Settlement*

Areas and within the white areas not hatched in green could make a major contribution to satisfying the housing requirement...”.

The following words (in italics) should be added to policy HO2 “...Proposals for housing development within the Settlement Areas and on previously developed land *and on disused glasshouse sites both within the Settlement Areas and within the White Areas not hatched in green* will be permitted provided that:- ...” etc.

Further Representation Supporting

356 John Gollop

Further Representations Opposing

136 Victor and Jill Froome

333 Peter and Jacqueline Joy

Inspector's Reasoning and Conclusions

4.2.9 The aim of the representor was to alter the Plan to enable derelict glasshouse and vinery sites to be developed, primarily for housing purposes. A similar purpose lay behind a number of representations, including those by the same representor in relation to paragraphs 11.2 and 11.2.11 and Policy CO1 (representation 43). Site specific representations in relation to a number of sites, including one by this representor (68) make similar points. Since the representor made a single presentation to the inquiry in respect of representations 41, 42 and 43, I deal with his arguments here. The site-specific elements I deal with at representation 68.

4.2.10 The background to the pressure from these representations is clearly the decline in the horticultural industry in Guernsey, which has resulted in a large number of empty and derelict glasshouses of varying size and age being spread across the countryside. The reasons for the decline, whether related to the economics of horticulture or the widespread damage caused in the past by extreme weather, are not a matter which I need to examine in detail. There can be no doubt that the unused sites represent a considerable problem not only for their owners but for the island as a whole in terms of the effect on the landscape of the countryside, in addition to the economic effects.

4.2.11 On reading the policy statement in paragraph 5.2.1 it is not surprising that many owners of rural glasshouses expect to take comfort from what it says about previously developed land. I can understand why they consider that they consider their vineries should fall into this category. The erection of glasshouses frequently involves considerable engineering work in the form of extensive and complex drainage arrangements, terracing and levelling of sloping sites, concrete foundations and impermeable or semi-permeable surfaces around and within the glasshouses. Moreover reference at paragraph 8.9.5 of the Strategic and Corporate Plan to the amount of derelict glass on the Island is preceded by the sub-heading “Derelict Land”. However their hope is dashed by the definition of previously

developed land provided on page 150 of the Plan, which specifically excludes land previously used for agricultural/horticultural purposes such as glasshouses.

4.2.12 Whilst there is some force in the argument that, in terms of their physical infrastructure and building operations, horticultural sites are little different from sites formerly developed for, say, industrial or commercial purposes, there are clear reasons why it would not be appropriate to include them within the definition. Firstly, my understanding of section 40 of the Island Development (Guernsey) Law 1966 is that it defines agricultural land as including land which is covered by a glasshouse. The use of land for agriculture, horticulture or forestry is specifically excluded from the definition of development by the same section. It would be illogical (whatever the situation in law) for land which was not defined as developed when the activity was taking place to be defined as previously developed when it ceased. Secondly, the number of glasshouses within the rural areas covered by this Plan is so great that to treat them as previously developed land, and therefore available for development under Policy CO1, would create such a large amount of potential housing land that the aim of concentrating development in existing urban areas would be entirely frustrated.

4.2.13 The same reasons apply to the proposal to include new development on disused glasshouse sites in the categories of development permissible under Policy CO1. I agree with the IDC that this would lead to the undesirable suburbanisation of the island. It is an inevitable fact that most of these glasshouses lie in areas outside the Settlement Area defined in the Plan, since that area is defined in accordance with the overriding aim, governed by the policy of the Strategic and Corporate Plan, that as much housing as possible should be achieved within the existing urban areas and on previously-developed land, in order to minimise the amount of development which will be needed on open and undeveloped sites. Paragraph 8.3.10 of the Strategic and Corporate Plan says that the spread of housing development across the countryside is one of the most potent symbols of perceived environmental damage.

4.2.14 At the inquiry the representor indicated that the thrust of his representations was to create more sites within the Urban Area for housing. This, he felt, would help to hold prices down for building plots. To avoid the large price increases of the past enough available supply was needed to more than meet demand. However the benchmark for adequate housing provision is set by the Strategic and Corporate Plan, and Strategic Policy 1 requires that provision should be made for an additional 250 new homes each year. The representor did not argue that the policies of the draft UAP would not meet that target. Rather, as I understood it, his argument was that a higher target should be aimed at in order to reduce house and land price inflation. However such an approach would place the Plan in conflict with the Strategic and Corporate Plan.

4.2.15 The further representation in support sought to limit the amount of development by

restricting the change in policy to small vinery sites. The further representor put forward the proposal that the States should acquire derelict vinery sites and develop them with high quality small developments. It would give the opportunity to encompass green walks and green areas within them (meeting the aims of Representation1), possibly with shared gardens and shared allotments. Even if it were practicable to confine release to small sites, perhaps by defining a maximum size of glasshouse or some other mechanism, it would release for development a large number of such sites. No estimate was made either by the further representor or by the IDC, but my travels round the Plan area revealed many pieces of land containing small glasshouses. I was told at the inquiry on more than one occasion of the history of the growth of horticulture from small holdings attached to isolated dwellings, many of which would qualify for development under this proposed change to the policy. Further, I can see no need for it in planning or housing terms, since in reviewing the housing strategy of the Plan earlier in this Chapter I have taken the view that the Plan will release sufficient land to meet the requirements of the Strategic and Corporate Plan.

4.2.16 I understand the feelings of the owners of previously flourishing vinery sites who can find no viable outlet for their land, and face the costs not only of removal of structures and infrastructure, but the extreme difficulty of removing contamination in the form of glass shards. However I believe the approach of the Plan to be correct.

RECOMMENDATION

I recommend no change to the Plan.

Representation

56 **John Gollop**

Summary of Representation

The policy was supported. The representor sought a definition of `public amenity`.

Inspector's Reasoning and Conclusions

4.2.17 The representor expressed the hope that the IDC's policies would enable public and private bodies to work together, and would exert greater control over development. Greater use should be made of development briefs. As the IDC pointed out, Policy DBE2 requires development briefs to be produced for sites of more than 0.5 hectares (3 verges), 20 dwellings or 2,000sq.m. Such a requirement for smaller sites would in my view risk being obstructive and unnecessarily bureaucratic, though of course for any planning application of any size sufficient detail needs to be supplied to make the developer's intentions clear.

4.2.18 In my view the meaning of "amenity" in this policy is readily apparent from the context, from the preamble in Paragraph 5.2.2.1, which refers to the relationship of the site with the surrounding area, and from the other policies of the Plan which are invoked in criterion c) of the policy. Annex 3 of the plan gives detailed guidance on the subject of

residential amenity.

RECOMMENDATION

I recommend no change to the Plan.

Site Specific Representations

4 Enterprise Plant and Equipment Limited
Further Representation Supporting
378 Peter Derham
Further Representation opposing
276 R C Johns

Summary of Representation

Land south of La Route du Braye and west of Lowlands Road should be rezoned to Key Industrial Area or as Settlement Area.

Inspector's Reasoning and Conclusions

4.2.19 I deal with this representation under Policy EMP5.

RECOMMENDATION

I make my recommendation under Policy EMP5.

Land at Route Militaire

Introduction

4.2.20 A number of representations referred to land at the rear of properties on the east side of Route Militaire. I have grouped these representations together.

Representation

5 Mr J H Dunn and Mrs S Martel-Dunn

Summary of Representation

Land between Doyle Clos and Salt Pans Road should be included in the Settlement Area.

Further Representations Opposing Representation 5

183 Mr K Taylor
184 Mr and Mrs Brian Dyke
284 Rob Yeates
295 Mr and Mrs L J Allen
299 Mrs N Allen

305	Mr and Mrs K R Toomey
308	J L E Waters
312	M E Le Maitre
377	Mrs de Garis

Representation

123	Colin Teers and Jane Wendy Teers
------------	---

Summary of Representation

Land at the rear of Dalston, Route Militaire, should be included in a designation which would allow the development of dwellings.

Further Representations Opposing Representation 123

298	Mr and Mrs L J Allen
302	Mrs N Allen
304	Mrs R A Holbrook
307	Mr and Mrs K R Toomey
311	J L E Waters
315	M E Le Maitre

Representation

8	G Payne
----------	----------------

Summary of Representation

Land at rear of Beachgrove, Route Militaire should be included in the Settlement Area.

Further Representation Supporting Representation 8

116	Mr N C Teers
------------	---------------------

Further Representations Opposing Representation 8

182	Mr K Taylor
296	Mr and Mrs L J Allen
300	Mrs N Allen
303	Mrs Radmilla A Holbrook
306	Mr and Mrs K R Toomey
309	J L E Waters
313	M E Le Maitre

Inspector's Reasoning and Conclusions

4.2.21 These representations relate in part or in whole to an area of land bounded to the west by the Route Militaire and to the east by the proposed Salt Pans Key Industrial Area. To the north is Doyle Clos, and to the south is further residential development within the defined Settlement Area. I deal elsewhere under policy CO4 with a representation that this land should be included in an Area of Landscape Value.

4.2.22 All the representations and further representations deal in one way or another with the question of whether the policies of the Plan should enable land to the rear of the frontage properties on Route Militaire to be developed. At present this part of the Plan area lies outside the Settlement Area defined on the Proposals Map. The simplest means of making development more readily acceptable within the policies of the Plan would be to extend the boundary of the Settlement Area to include it. In order to consider this question I first look at the wider question of whether the Settlement Area boundaries are appropriately drawn in this western part of the Plan area.

4.2.23 Although it was argued in support of Representation 5 that a larger Settlement Area was needed to enable more than 250 houses per year to be made available, such an aim would put the Plan in conflict with the Strategic and Corporate Plan from which the benchmark of 250 houses is derived. It was also argued at the inquiry that the boundary shown on the Plan did not actually exist on the ground. At my site visit I saw nothing to support that view. The boundary between these properties and the Salt Pans KIA to the east seems to me to be well defined.

4.2.24 Paragraph 2.3.2.1 of the Plan, in describing the Policy Areas shown on the Proposals Map, describes the Settlement Areas as covering the main concentrations of urban development and being the areas that are best located in relation to facilities. In looking at the claim of any area to be included in the Settlement Area, I therefore examine the extent to which it fits those criteria, which for convenience could be described as the urban concentration test and the location test.

4.2.25 The facilities to which the location test relates are mainly concentrated in the central areas of St Peter Port and St Sampson, though there are of course facilities of various kinds scattered throughout the Plan area. The areas best located in relation to facilities are thus likely to be those closest to those two centres.

4.2.26 In my view the area south of Doyle Clos on the east side of Route Militaire does not satisfactorily fit either test. It is at the north western extremity of the Plan area, and thus one of the least conveniently located parts of the Plan area for access to the facilities of St Sampson and St Peter Port. The housing along this side of the road is an almost continuous ribbon, but each property has land to the rear, presumably all at one time in vinery use, and in some cases with remnants of the glasshouses remaining. It would therefore not be accurate to describe this as one of the main concentrations of urban development.

4.2.27 In some cases the suggestions that areas in this locality be included in the Settlement Area were influenced by the proposal in the Plan for the extension of the Key Industrial Area at Salt Pans, the western boundary of which would abut the rear of Route Militaire properties. I can understand the argument that the development of that area will result in an urbanisation which would justify including land to the west as part of the urban area. However the form of that development is not yet known, and may not have that consequence. Policy EMP5 requires the production of a development brief for this area, and a high standard of design and landscaping. The present semi-rural character of the smallholdings to the rear of Route Militaire properties may thus be protected, and it should not be assumed that the land will become more urban.

4.2.28 I conclude, therefore, that none of the pieces of land referred to in these representations is appropriate in terms of its nature or location for inclusion in the Settlement Area. Other matters raised by objectors, including the (disputed) propensity of the land to flood, loss of wildlife, harm to views and traffic considerations would be taken into account if an application were made to the IDC for planning permission, but are less compelling considerations in this context. However consideration of these representations has led me to examine other land in the vicinity.

4.2.29 To the north of the land subject of these representations, at the junction of La Route Du Braye and Route Militaire is an area which has a better claim to be a concentration of urban development, with more densely developed housing including the dwellings in Doyle Clos. No representations have been made in respect of this area, and I consider that it fails the 'proximity' test, being at the extreme edge of the Urban Area.

4.2.30 I am therefore slightly surprised at the inclusion in the Settlement Area of land on the west side of Route Militaire and north of Les Sauvagées. It is a concentration of development, but is if anything more remote from facilities than the representation sites on the east side of Route Militaire. Its inclusion in the Settlement Area makes it more difficult to resist the claims of other representations in the vicinity such as Representations 24, 29 and 368, all of which I deal with elsewhere in this report. While in all those cases I recommend no change to the Plan, it would in my view be more consistent with the approach adopted elsewhere in the Plan area if this group of houses were excluded from the Settlement Area. Because it is already developed and established its exclusion would have no real effect on the ability of the Settlement Area to absorb further housing development on brownfield land. Further to the south, close to the long-established development area of the Belgrave Vinery HTA, I think there is justification for the Settlement Area extending west of Vale Road and Route St Claire, but in my view the same does not apply further north.

4.2.31 Because no representations have been made in respect of this land, and therefore the IDC have not been given the opportunity to explain their position, I do not make a firm recommendation that the land be excluded, but I do suggest that further consideration be given to this part of the Proposals Map.

RECOMMENDATION

I recommend that further consideration be given to the western boundary of the Settlement Area in the vicinity of Route Militaire and Les Sauvagées.

Representation

12 **Mr K Tostevin**

Summary of Representation

Willow Ranch, Les Osmonds Lane is split between an Area of Landscape Value and land outside the Settlement Area. It should be included in the Settlement Area or designated as a Housing Target Area.

Inspector's Reasoning and Conclusions

4.2.32 I deal in Representation 10 with the same representor's suggestion that the area within which this site lies is an established settlement area, and should be designated as such on the Proposals Map and I recommend no change to the Plan. Although this area has in the past been considered as a Housing Target Area, it is not included as such in the current UAP.

4.2.33 As the representor pointed out, there are a number of representations in this locality which seek to alter the Plan to allow for development. I deal with them individually, but in relation to this property, which lies close to the western extremity of the Plan area in a rural locality, I consider the Plan correct in excluding it from the Settlement Area and in not designating it as a Housing Target Area.

4.2.34 Under the provisions of the Plan any development of the bungalow and workshop/store buildings on the site would be subject to policy CO1, while the agricultural land beyond, which is included in an Area of Landscape Value, would also be subject to policy CO4. The criteria contained in those policies are in my view appropriately applied to the situation of this rural holding.

4.2.35 I recognise the wish of families to stay together, and of parents to make provision for their children on their own land. These were aspirations commonly expressed to me during the inquiry. However if acceded to these proposals would result in a completely sporadic pattern of development across the Island, as each family land holding was subdivided to provide building land for the children. With the decline in horticulture it is apparent that children are much less commonly engaged with their parents in cultivating the land. The functional need for families to live close together is thus far less strong. The need for the Plan to conform to the Strategic and Corporate Plan and to concentrate development in the urban areas is in my view an overriding consideration.

RECOMMENDATION

I recommend no change to the Plan.

Representation

24 D O Norman and Sons Limited

Summary of Representations

Land behind Beaulieu Crescent, Route Militaire should be included within the Settlement Area and either identified as an Opportunity Site or designated as a Housing Target Area.

Further Representations Opposing Representation 24

222 Mr and Mrs S J Willcocks

285 Mrs A B Le Page

Inspector's Reasoning and Conclusions

4.2.36 This flat site, a former vinery, has been the subject of representations at inquiries into earlier plans, but has not previously been allocated for housing purposes. It lies on the west side of Route Militaire, to the north of the westernmost part of the Settlement Area.

4.2.37 I note the view of the representor that the Settlement Area immediately to the south of the site has been artificially restricted. Elsewhere I consider the appropriateness of the inclusion of land west of Route Militaire, and suggest that it would be more consistent with the approach adopted elsewhere in the Plan area if this group of houses were excluded from the Settlement Area. Because it is already developed and established its exclusion would have no real effect on the ability of the Settlement Area to absorb further housing development on brownfield land.

4.2.38 It follows that I do not consider that the extension of the proposed Settlement Area to include the representation site would be appropriate. It would be at the furthest extreme from the centre of St Sampson, at the edge of the Plan area and thus would not meet the criteria set out in paragraph 2.3.2.1 as governing the definition of the Settlement Areas. It would tend to consolidate development west of Route Militaire, which I consider undesirable.

4.2.39 I accept that the site is flat with apparently satisfactory access and drainage, but that is true of a very large number of sites in the Plan area. Even if, after reconsidering as I recommend, the IDC comes to the view that the land to the south should be retained in the Settlement Area, I would still be of the view that this representation site should be excluded. Further extension of the Settlement Area would be unnecessary to achieve the housing aims of the Plan, and contrary to its intention to restrict development to areas close to the centres of St Sampson and St Peter Port.

4.2.40 As to its selection as a Housing Target Area, I deal at earlier in this chapter with the selection of these areas. In my view no further HTAs are likely to be needed during the Plan period to meet the housing targets set in the Strategic and Corporate Plan, as those already identified are likely to provide a more than adequate reserve of greenfield land if land within the urban areas and previously developed land proves insufficient.

4.2.41 I have noted the opposition to this representation on grounds which include increased traffic and lack of privacy for residents of Beaulieu Crescent. However these are matters which would be more appropriately taken into account if a planning application were made to the IDC.

4.2.42 I conclude that the land should remain outside the Settlement Area, and should not be designated as a Housing Target Area.

RECOMMENDATION

I recommend no change to the Plan.

Representations at La Couture

Introduction

4.2.43 A number of representations sought changes to the Proposals Map on the west side of La Couture. I deal with these together.

Representation

25 Guernsey Brewery Company (1920) Limited

Summary of Representation

Proposal to change the zoning of a site known as La Couture Inn and car park at La Couture from “Outside the Settlement Area” (white zone on proposals map), which allows some limited forms of development, to “Settlement Area”.

Further representations opposing Representation 25

111 John and Annette Hare

129 Sylvia Bennett

135 H N L Chivers

Representation

30 R G Haines

Summary of Representation

Land on the western side of La Couture and adjoining the rear of La Couture Inn and car park should be included in the Settlement Area.

Further Representations Opposing Representation 30

112 John and Annette Hare

131 Sylvia Bennett

137 H N L Chivers

Representation

375 Brian Rabey

Summary of Objection

Daisy Hill Cottage, La Couture, should not be indicated as outside the Settlement Area but should be included in it.

Inspector's Reasoning and Conclusions

4.2.44 Representation 25 was concerned that future proposals for the development of this public house and its car park would be inhibited by the exclusion of the site from the Settlement Area. In the current UAP the pub itself was included within the Settlement Area and a Conservation Area, but the car park was within a Green Area which extended over a number of fields to the rear. In his report on that Plan the Inspector had concurred with the zonings proposed by the IDC, and in doing so indicated that he had been heavily influenced

by the remarks made by the IDC concerning the greater flexibility given in the policies relating to Green Areas. They should be given the opportunity to show that the policies worked satisfactorily. However in the period of the current Plan the representors pointed out that it had not been necessary for them to test the flexibility of those policies, in that no proposals had come forward for the development of the car park area.

4.2.45 In this Plan both the pub and its car park are part of a larger area lying outside the Settlement Area designated on the Plan. Policy CO1 indicates that, having regard to the criteria contained in the policy, the alteration, extension, rebuilding or conversion of an existing building, including limited ancillary or incidental buildings within the curtilage may be acceptable. This seems to be exactly the type of possible future development at the Couture Inn which the representors have in mind. The specific arguments put forward by the representor in this case do not therefore provide a justification for altering the provisions of the Plan and Proposals Map. Moreover it would be contrary to the general approach of the Plan to apply Settlement Area policies to this site in isolation.

4.2.46 However I have looked at the whole of the area enclosed by La Couture, La Neuve Rue and Water Lanes, thus including the sites of representations 30 and 375 on the west side of La Couture, as well as a significant amount of other land. I do not find the reasoning underlying the drawing of the boundary of the Settlement Area particularly easy to understand in this area.

4.2.47 Looking first at land beyond this area, land to the west of La Neuve Rue is within the Settlement Area, and its inclusion is justified by its urban character and its location. Although it lies on the outer edge of St Peter Port, it is sufficiently well related to the remainder of the urban area to be included in the Settlement Area. To the east of La Couture is further land included in the Settlement Area, and similarly I see no reason to question its inclusion.

4.2.48 However apart from a group of houses at the junction of Water Lanes and La Couture, a large island of land almost entirely surrounded by the Settlement Area is excluded.

4.2.49 The island comprises strips of development on the west side of La Couture and north of Water Lanes together with open farmland. The IDC, in addressing representations relating to sites fronting La Couture (there are none in relation to Water Lanes) described this development as ribbon development backing onto a significant area of open landscape. Whilst I agree that the landscape is significant both in extent and in rural character, the dwellings fronting La Couture seem to me to be no less urban in character than many others in the locality. An infill site near the junctions of La Neuve Rue, La Couture and Route De La Ramee has recently been developed. In other parts of this report I have supported the view of the IDC that there is no need to add to the Settlement Areas in order to increase the housing provision of the Plan, but it would seem to me to be logical to include these areas in the Settlement Area.

4.2.50 However the result of that action would be that only the intervening meadow land to the west of La Neuve Rue would be excluded from the Settlement Area. Given the broad

brush approach adopted elsewhere in the Plan it would seem to me more logical for the Settlement Area to include the whole of the area bounded by La Couture, La Neuve Rue and Water Lanes.

4.2.51 This would not weaken the annotation of the meadow land adjoining La Neuve Rue (which forms part of this block) as of Landscape Value – there are a number of large open areas within the Settlement Area which are similarly designated. For example, in relation to Representation 75 at Mont Arrivé I have concluded that the designation of land as both of Landscape Value and within the Settlement Area is both appropriate and defensible. I conclude in relation to representation 104 that the notation of this meadow land as of Landscape Value is correct.

4.2.52 I can understand fears that designation in this way would risk encroachment, but there is a clear and defensible boundary between the rears of the frontage plots and the meadows and this could be resisted.

4.2.53 I make no comment on the possible housing layout submitted in respect of representations 30 and 375, as this would be a matter for the IDC in the event of a planning application being made.

4.2.54 I have taken careful note of the points made by Further Representors. The inclusion of these areas of land within the Settlement Area would not necessarily or automatically render them available for development as some of them feared. Each would need to be considered on its merits, as applications came forward. I note the assurance given at the inquiry that there is no intention on the part of the Guernsey Brewery to demolish the pub and put properties on the pub site. Even so, and although the Plan aims to concentrate development within the Settlement Areas, individual proposals would still need to satisfy the other policies of the Plan, including those aimed at protecting the privacy and amenity of neighbouring occupiers and ensuring safe and convenient access. Local residents would have the opportunity to inspect proposals as they came forward and to comment on them to the IDC.

4.2.55 In conclusion, therefore, my consideration of these representations has led to an appraisal of the Settlement Area boundaries which covers a wider area of land. The change I suggest to the Plan would be consistent with its approach in other parts of the Urban Area.

RECOMMENDATION

I recommend that the area enclosed by La Couture, La Neuve Rue and Water Lanes is included within the designated Settlement Area.

Representation

26, 219 **Ensign Group Limited**

Summary of Representations

Representation expresses support for the inclusion of a site located between Tertre Lane, Vale and Rue de Tertre, Vale within the Settlement Area.

Inspector's Reasoning and Conclusions

4.2.56 Although on the northern edge of the Plan area, this former vinery site is within an established residential area close to the Bridge area of St Sampson and convenient for local facilities. Its inclusion within the Settlement Area is consistent with the general approach of the Plan to the definition of those areas.

RECOMMENDATION

I recommend no change to the Plan.

Representation

27 **Ensign Group Limited**

Summary of Representation

Representation expresses support for the inclusion of a site located south of Rue Des Barras, Vale in an area known as Maresquet within the Settlement Area.

Inspector's Reasoning and Conclusions

4.2.57 Although on the northern edge of the Plan area, this site to the rear of existing residences in the Rue Des Barras is close to the Bridge area of St Sampson and convenient for local facilities. Although close to the Key Industrial Area it is clearly separated from it, and its inclusion within the Settlement Area is consistent with the general approach of the Plan to the definition of those areas.

RECOMMENDATION

I recommend no change to the Plan.

Land at Le Foulon and Route Isabelle

Introduction

This site was the subject of 2 representations, one opposing its inclusion in the Settlement Area and the other supporting it, together with further representations.

Representation

33 Keith Birch

Summary of Representation

Land near the junction of Route Isabelle and Le Foulon should be excluded from the Settlement Area and included in the Conservation Area and Area of Landscape Value to prevent any future development. Further Representors 128 below propose the extension of this area to the north.

Further Representations Supporting Representation 33

128 Mr Iain and Mrs Joanna Timms

291 Steve McAvoy, Sharon McAvoy

324 Mr and Mrs D Hockey

Further Representation Opposing Representation 33

149 Peter N Lihou

Representation

35 Peter N Lihou

Summary of Representation

The location of this site within the Settlement Area was supported.

Inspector's Reasoning and Conclusions

4.2.58 The representation site is an L shaped area of land fronting Route Isabelle, St Peter Port, at the western edge of the Plan area. In the current UAP it is indicated as a Green Area, and I can thus understand the anxiety of representors that its inclusion in the Settlement Area heralds pressure for its development. It is not for me to deal in detail with the merits of development on this site – that would be a matter for the IDC in the event of a planning application being made. My role is to examine whether the policies of the Plan would provide a suitable framework for the consideration of any proposals for the land.

4.2.59 Paragraph 2.3.2.1 of the Plan describes the Settlement Areas as covering the main areas of urban development, which are best located in relation to facilities. The draft Plan, while aiming to concentrate development within the Settlement Areas by taking advantage of underused sites and redevelopment opportunities, takes a broader brush approach to the definition of these areas than is apparent in the current UAP, which has much more detailed and fine-grained policy areas.

4.2.60 Having broadly defined the Settlement Areas, the policies which apply to that area protect important aspects of the environment. For example policy DBE5 aims to protect

important open spaces which provide, amongst other things, a valuable contribution to the character and visual amenity of an area, a wildlife corridor or link or a link between other open spaces.

4.2.61 Although the land the subject of these representations is largely undeveloped, it lies to the east and south of established residential development in Foulon Road and Clos de Foulon and to the south and east is enclosed by a range of buildings fronting Route Isabelle and the southern part of the eastern boundary. There are views across it from the higher land at Clos de Foulon, as well as from other vantage points, and it has an attractive open feeling, but in my view in terms of its location and character the land is more closely related to the Settlement Area than to the rural areas beyond the Plan boundary.

4.2.62 Further Representors drew my attention to paragraphs 2.2.3 and 2.2.4 of the current UAP, which deal with the conservation and enhancement of the natural and built environment. Within the Settlement Area those aims are not neglected in the draft Plan, and in my view Policy DBE5 would enable those interests to be taken into account in any proposals for development.

4.2.63 My attention was drawn to traffic conditions in the vicinity of the representation land and the effect of recently permitted developments in the locality. Any traffic impacts of development proposed for this land, together with those already committed, would be taken into account before a decision was reached on any planning application. Policy GEN7 requires regard to be had to the adequacy of roads and public utilities to cope with increased demand.

4.2.64 I have taken into account the comments made concerning the drainage of the area, the effect on the quiet enjoyment of the adjacent Foulon Cemetery, and other matters raised in the representations. However I have concluded that the site is appropriately included within the Settlement Area.

4.2.65 I turn to the question of whether it should be included in the Conservation Area or the Area of Landscape Value. Conservation Areas are described in paragraph 2.3.2.3 of the Plan as covering parts of the Urban Area where the distinctive character of the existing built environment merits a special level of protection. Since the majority of the land is not developed, and the buildings in the south east corner are of little visual merit, that description could not in my view be applied to the representation site. It should not therefore be included in a Conservation Area, the nearest parts of which are in any event some distance away in Rohais Road. Areas of Landscape Value are described in paragraph 2.3.2.4 as areas of high quality landscape representing the best examples of the landscape types to be found in the Plan area. Although the land presents an attractive green appearance in an area of Valley landscape type as set out in Annex 8 of the Plan, it is not in my view of sufficient quality in isolation to merit that formal designation. I note however that other open land in the vicinity is within the Rural Areas Plan area, and I do not know what approach the IDC intends to take to landscape designations in that Plan when it is reviewed. The IDC's response to these representations did not specifically address the question of whether Area of Landscape Value designation was appropriate to this land. While I make no formal recommendation, they may wish to ensure that there is consistency of approach across the

boundary of the two Plan areas.

RECOMMENDATION

I recommend no change to the Plan.

Representation

44 Baubigny Flowers Limited

Summary of Representations

The Plan should either 1) permit residential development of a site on the southern side of Epinelle Road or 2) clarify/amend the written statement and/or policy and/or key terms so that the term “previously developed land” does not exclude horticultural land.

Inspector's Reasoning and Conclusions

4.2.66 I have dealt with this representation in this section of the report because the effect of the first proposal put forward would be to include the land within the Settlement Area. The Settlement Area defined in the draft Urban Areas Plan lies at some distance from this site, the nearest point being on the north side of Les Sauvagées. To extend the Settlement Area boundary to include this site would also include a large amount of land, and would require, in effect, a complete re-appraisal of the boundary in this area. It would be contrary to the general aim of the plan to confine the designated Settlement Areas to those close to and convenient for the main centres of St Peter Port and St Sampson.

4.2.67 It would clearly not be appropriate to designate this site as a Settlement Area in isolation. It has no particular features which set it apart from its surroundings, and in particular from the derelict vinery site to the east which is the subject of Representation 2.

4.2.68 As was pointed out at the inquiry, this site lies right at the edge of the area covered by the UAP in a location described by the IDC, correctly in my view, as on the rural fringe. On the opposite side of the road, to the north east, is a small housing area which is notated as Built Up Area in the Rural Area Plan (Phase 1). The area so notated is small, and is surrounded by predominantly Green zoned land. I note that a recent residential development has taken place on a former vinery site within that Built Up Area. However the representation site lies not within, but beyond that area, and its development would extend built development towards open countryside. Thus even if, as the representor’s advocate suggested, I consider this site in the context of its physical surroundings and not just its context in the Urban Area Plan, my conclusion remains that it would not be appropriate to apply policies which would permit the construction of low density development.

4.2.69 I do not dispute the representor’s view that the glasshouses on the site are beyond economic repair, following severe storm damage in 1987 and subsequent deterioration. I deal in relation to Representations 41-43 with the suggestion that former glasshouse sites should be brought within the ambit of Policy CO1, where I recommend no change to the

Plan.

4.2.70 The representor asked at the inquiry for clarification of the term “previously developed land”. In referring to the definition of previously developed land at Page 150 of the Plan he pointed to the statement at the top of page 149 that these “are not legal definitions and some of the terms may have other meanings in different contexts”. I take that to be an explanation that terms used in the specialised context of the Plan may be understood differently when used in other circumstances. Such specialised meanings are a normal part of dealing with a technical subject. I accept that many of the definitions on pages 149-151 of the Plan might be looked on as ‘terms of art’, but the definition of previously developed land has backing in the Island Law, to which I have referred earlier.

4.2.71 I accept that if the ‘ordinary’ meaning of previously developed land were applied, a different outcome would result. But as I explain in respect of Representations 41-43, such an outcome would negate the aims of the Plan. In the context of this draft Plan I consider the definition is clear in its own terms and requires no further explanation.

4.2.72 Nor do I consider the Plan unfairly discriminatory in this respect. It is inevitable that in the creation of planning policy there are some potential winners and some potential losers. However I note that in the current UAP Policy HORT2 contains a presumption against any form of development other than horticulture on the site of derelict or redundant glasshouses unless the site is identified in a Outline Planning Brief, Mixed Use Redevelopment Area or Housing Target Area for housing or other development, or is within a MURA or Built Up Area. The position of such buildings is thus essentially unchanged between the two Plans.

4.2.73 This site is not within an Area of Landscape Value in the Plan. However the open farmland elsewhere in this locality is so designated. In some parts of the Plan area this notation washes over glasshouses, in accordance with the statement in paragraph 2.3.2.4 that in some cases land may need to be reclaimed and enhanced in order to restore the visual continuity of the underlying landscape. I deal in relation to a number of representations with the consistency of the notation, and it seems to me that this is a location where the boundaries of the notation need to be examined to ensure consistency.

4.2.74 As to the representor’s submission that this aspect of the proposed plan is ultra vires the powers in section 6(3)(b) of the Law, I make no comment as this is a question of law.

RECOMMENDATION

I recommend no change to the Plan.

Representation

76 F Mallet & Son Ltd

Summary of Representation

Clarification was sought as to the use to which the site could be put.

Inspector's Reasoning and Conclusions

4.2.75 The site lies within the Settlement Area, on Les Banques. It has been cleared, and piles have been driven to enable future development to take place. I understand that planning permission has been granted for a petrol filling station and car showroom development, and a start has been made on that scheme.

4.2.76 Any alternative form of development would need to take account of the full range of policies in the Plan, and it would be inappropriate for me to comment on any specific possibilities, since these would need to be the subject of planning applications for determination by the IDC. I note the IDC's comment at the inquiry that the Settlement Area is favoured for development, but that office and retail proposals would need to be considered in the light of policies EMP1 and CEN2. They also commented that in the light of the history of the site and its filled nature an environmental risk assessment should accompany any application, in accordance with policy GEN10. The proximity of surrounding housing would also need to be taken into account.

4.2.77 The representors asked for clarification as to whether the site counted as previously developed land. Such clarification is not for me to provide, but the definition of that term on page 150 of the Plan is in my view clear, and should provide the information needed.

RECOMMENDATION

I recommend no change to the Plan.

Land at De Quetteville, St Jacques, St Peter Port

Introduction

This piece of land was the subject of a representation supporting the designation of the land in the Proposals Map but seeking clarification as to the application of certain policies. A number of further representations were submitted in opposition. The site was also the subject of representations opposing the designation shown on the Proposals Map; and others seeking various changes in the designation.

Representation

91 **Mr T Hutley**

Summary of Representation

The notation indicating that the site was within the Settlement Area was supported. The representor intended to bring forward proposals for the development of the land for residential purposes, and sought confirmation that the proposed access through a driveway which was within the Conservation Area would be acceptable.

Further Representations opposing Representation 91

142 **Mr and Mrs R G Battersby**

143 **Mrs Diana Nicole**

144	Mr R Angliss
153	Elizabeth Grace Evans
156	Mrs G M Trott
160	Mr and Mrs Harold Bond
170	Mr and Mrs D Nash
173	Mr and Mrs K R Trott
175	Cdr G W Harper USN Retd
176	Martin J Storey
177	Roy and Lindley Angliss
181	David Larkin and Karynne Larkin
198	Pamela Litchfield
200	Elizabeth Grace Evans
204	Irene Morris and Myrtle Tabel
229	J W Higgs
231	Mrs Michelle Yvonne Higgs
233	Andrew Higgs
240	Mrs R N Stoakes
245	Ian Smethurst
253	Sally Denton
255	Mr and Mrs F Kehoe
257	Mr John Jones
326	Mr R Green
343	Mr and Mrs S J Bearder
348	Kleinwort Benson (Guernsey) Trustees Ltd

Representations opposing the Settlement Area Designation in the UAP Proposals Map

169	Mr and Mrs D Nash
178	Cdr G W Harper USN Retd
179	Martin J Storey
180	Roy and Lindley Angliss
228	J W Higgs
230	Mrs Michelle Yvonne Higgs
232	Andrew Higgs
239	Mrs R N Stoakes
244	Ian Smethurst
256	Mr John Jones
325	Mr R Green
342	Mr and Mrs S J Bearder

Representations proposing that Conservation Area designation should cover the whole site

168	Mrs D M Nicole
172	Mr and Mrs K R Trott
193	Mr K Le Noury

Representation proposing that the designation should be changed from Conservation Area and Settlement Area to Area of Landscape Value

254 Mr and Mrs F Kehoe

Representations proposing that the designation should be changed from Conservation Area and Settlement Area to an unspecified designation

133 Mr and Mrs R G Battersby

252 Mrs Sally Denton

Inspector's Reasoning and Conclusions

4.2.78 The representation supporting the designations in the Proposals Map indicated that the landowner intended to bring land forward as an "Opportunity Site" at an early date, considering it suitable for a small group of town houses. Access would be through the existing driveway and courtyard off St Jacques. Since any such proposal would be the subject of an application for planning permission to the IDC I make no comment on its merits.

4.2.79 A larger area of land, extending beyond the site of Representation 91 to include the large gardens of properties in St Jacques and Upper St Jacques, was indicated as Green Area in the current UAP, and a Conservation Area covered most of the length of St Jacques and part of Rozel Road. Those seeking changes in the Plan designation generally referred to this larger area of land. In the draft Plan, following the broader brush approach common to this document, the whole site falls within the Settlement Area which covers most of the built up area of St Peter Port, and houses fronting St Jacques are included in the Conservation Area designation which covers most of the older areas of the town.

4.2.80 It should not be automatically assumed (as a number of those objecting seemed to assume) that the inclusion of the land within the Settlement Area creates a presumption that development will be permitted. Whilst it is true that the general thrust of the Plan, in accordance with the requirements of the Strategic and Corporate Plan, is that development should be concentrated within the Settlement Areas, any specific proposals for the development of this land would be assessed against a number of policies of the Plan.

4.2.81 Policy DBE5 says that development will be resisted where it would lead to the loss of open space which, amongst other things, provides a valuable contribution to the character and visual amenity of an area, or a valuable wildlife habitat, corridor or link. Many of those making representations to me referred to the landscape and nature conservation qualities of this site, and I am satisfied that this policy would ensure that any such qualities would be properly assessed in dealing with a development proposal. It would, however, be contrary to the general approach of the plan for this land in isolation to be identified as of Landscape Value, as some urged. That designation is reserved for larger swathes of land. Moreover, because of its isolation within an urban area this land does not readily fall within the description of the 'most valuable landscapes in the Urban Area' used in paragraph 11.2.2.2 to describe Areas of Landscape Value.

4.2.82 Policy DBE7 relates to development within or affecting the setting of Conservation Areas. While paragraph 4.2.3 says that the intention is not to prevent development, the policy states that development will only be permitted if it conserves or enhances the character and appearance of the area in terms of size, form, position, scale, materials, design and detailing. Consideration of any development proposal for the representation site would therefore have to take this policy into account.

4.2.83 However I do not agree with those representors who suggested that the Conservation Area boundary should be extended to include the undeveloped land to the rear of buildings fronting St Jacques, Upper St Jacques and La Gibauderie Close. Although the view of this land from the rear of these properties is clearly valued by their occupants, it does not in my view contribute in any significant way to the character of the Conservation Area, being largely unseen from public vantage points.

4.2.84 Policies GEN7 and GEN8 refer to the adequacy of roads and public utilities to cope with increased demand, and the need to ensure safe and convenient access. The concerns of local people about the adequacy of the access to this site, and about the suitability of St Jacques to take additional traffic would thus be considered.

4.2.85 Policy WWM4 indicates that proposals for development which would cause or exacerbate flooding problems will not be permitted, and so the adequacy of the drainage measures proposed as part of any application would be assessed. Policy DBE10 aims to protect areas of archaeological importance. In the gazetteer of areas with archaeological importance in Annex 4 the St Jacques area is mentioned in the context of ecclesiastical and hospice sites, but the text only refers to land west of Upper St Jacques. Although a number of representors referred to this site as being important, none of the documentary evidence presented to me seems to me to be conclusive on the matter. However this is a matter which deserves further investigation, and I make an appropriate recommendation.

4.2.86 One representor referred to the land as a possible future sports field for the Ladies' College, but that is a speculation which would also have to be the subject of a planning application, and on which I make no comment.

4.2.87 The future of this land is clearly therefore a matter of deep concern to many local residents, as well as to the owner of De Quetteville. I am satisfied that the policies of the Plan provide an appropriate context for the consideration of its future if a planning application is submitted in the future, and for the qualities described by so many residents to be assessed. I therefore see no justification for its removal from the Settlement Area, nor for its inclusion within the neighbouring Conservation Area or designation as of Landscape Value.

RECOMMENDATION

I recommend:

- (a) no change to the notation of this land on the Proposals Map as within the Settlement Area;

- (b) that further investigation be made into the archaeological potential of the land the subject of these representations, and if appropriate it be added to the Gazetteer in Annex 4.

Representation

93 **Miss R Townsley**
Further Representation Supporting
320 **M Hunter**

Summary of Representation

The representation supports the inclusion of a site south of Valnord Lane and north of Les Camps Collette Nicolle in the Settlement Area and indicates the intention to submit a planning application for the erection of a dwelling.

Inspector's Reasoning and Conclusions

4.2.88 The representation site is part of the rear garden of a dwelling fronting Les Camps Collette Nicolle in a residential area and is well within the Settlement Area of St Peter Port defined in the Proposals Map. I agree with the representor and supporter that it is appropriately notated.

4.2.89 The representation was accompanied by a Development Brief submitted to the IDC in December 2000. I make no comment either on the detail of the Brief or on the merits of any proposal for development of the site, since that is a matter for the IDC on receipt of a planning application.

RECOMMENDATION

I recommend no change to the Plan.

Land at la Route Du Braye

Introduction

A number of representations related to land to the south of Route Du Braye and proposed the inclusion of sites within the Settlement Area.

Representations

96 **Mr Hubert**
103 **Mr and Mrs D Finn**

Summary of Representations

Land between the dwellings Braye Lodge in the west and Hanjan in the east should be included in the Settlement Area to allow the land to be treated as an Opportunity Site.

Further Representation Supporting Representations 96 and 103

372 **Andrew Marquis**

Further Representations Opposing Representations 96 and 103

362	Mr and Mrs N D Tanguy
371	Sergio and Ann Scilironi
373	Mr Paul Jackson
376	Andrew and Emma Sparks

Inspector's Reasoning and Conclusions

4.2.90 The IDC advised me that this land, the subject of a Preliminary Declaration of 1981, was discussed at the inquiry into the 1993 Urban Area Plan, in which it was proposed as part of the Salt Pans HTA. As a result of the inspector's comments, the HTA was removed, and the land in question was included in a Green Area. In the draft Plan the north western boundary of the Settlement Area is drawn to the east, and land to the west and north of the Salt Pans Key Industrial Area has thus been excluded from the Settlement Area.

4.2.91 Paragraph 2.3.2.1 of the draft Plan, in describing the Policy Areas shown on the Proposals Map, describes the Settlement Areas as covering the main concentrations of urban development and being the areas that are best located in relation to facilities. In looking at the claim of any significant areas to be included in the Settlement Area, I have examined the extent to which it fits those criteria, which for convenience could be described as the urban concentration test and the location test.

4.2.92 The facilities to which the location test relates are mainly concentrated in the central areas of St Peter Port and St Sampson, though there are of course facilities of various kinds scattered throughout the Plan area. The areas best located in relation to facilities are thus likely to be those closest to those two centres.

4.2.93 The area either side of the Route Du Braye to the north of what is presently the Braye Road Industrial Estate is at the north-western extreme of the Plan area, and consequently is the least able to meet the location test described above. Whilst its location on the Route Du Braye make it relatively accessible to the Bridge area, it is less so than other parts of the Plan area which lie within the defined Settlement Area. The land the subject of these representations also fails the urban concentration test, comprising ribbon development backing onto long gardens or former vinery sites. This part of the Braye Road gains a progressively less urban character as one heads eastwards.

4.2.94 I therefore consider the IDC correct in drawing the Settlement Area boundary to exclude this area. I do not, however, share their view that the land should form an important buffer for the existing and proposed industrial areas to the south. In my view as a general rule the prevention of harm through noise, disturbance or visual appearance of any industrial development should be achieved within the boundaries of the proposed development, rather than relying on land outside the control of the developer. To rely on land in the ownership of others to, for example, attenuate noise from industrial premises would be contrary to the 'polluter pays' principle, since the cost of attenuation by distance would fall on other landowners. The desirability of buffering the industrial estate has thus not influenced my recommendation. The design of any future development on the Key Industrial Area should

in my view incorporate measures to ensure that any harmful effects are not experienced beyond its boundaries.

4.2.95 The representation included reference to the need for the Plan to achieve sufficient housing to meet the targets of the Strategic and Corporate Plan. I deal with this matter in the introduction to my examination of Chapter 5 of the Plan. I am satisfied that the policies of the Plan will enable those targets to be met without altering its provisions in relation to this area.

4.2.96 I have noted the comments of those who opposed the representations concerning traffic and drainage matters. However the policies of the Plan would require such matters to be addressed in any event in an application for planning permission, and they have therefore had little influence on my recommendation since that would be a matter for determination by the IDC.

RECOMMENDATION

I recommend no change to the Plan.

Representation

97 Lions Table Tennis Association

Further Representation supporting

122 A and V Le Pelley

Summary of Representation

The inclusion of the Table Tennis Association's premises of Maurepas Road in a Settlement Area was supported. Assurance was sought that the refurbishment of the premises for continued use as a table tennis club was acceptable.

Inspector's Reasoning and Conclusions

4.2.97 A preliminary declaration has been issued by the IDC for the redevelopment of this site to provide residential units. That is a matter of fact and requires no comment from me. The Table Tennis Association have been seeking alternative premises, but recognise that if none are found their existing premises will need to be repaired and improved. If any such proposals require planning permission an application will need to be made to the IDC, and I therefore make no comment. The Further Representation supported the Table Tennis Association's representation, and pointed out that the further representors owned additional land to the north, also within the Settlement Area.

4.2.98 Neither the representation nor the further representation sought any change to the Plan.

RECOMMENDATION

I recommend no change to the Plan.

Representation

98

Mr and Mrs H Vaudin

Summary of Representation

Land known as Chez Nous Vinery south of Baubigny Road and east of Les Nicolles Vinery should be included in the Settlement Area and the adjacent Conservation Area designation extended to cover it.

Inspector's Reasoning and Conclusions

4.2.99 The representation site lies immediately adjacent to a traditional farm complex bounded by high granite walls, which is part of a Conservation Area designated on the Proposals Map. By contrast this site is open and was formerly the site of glasshouses and is now, I am told, contaminated with broken glass.

4.2.100 The Settlement Area defined on the Proposals Map is described in paragraph 2.3.2.1 as covering the main concentrations of urban development, which are best located in relation to facilities. The representation site lies some distance outside the defined area, and although there is some housing to the north west, and the Les Nicolles States Prison lies to the south, it is clearly part of a predominantly rural area. The farm and other buildings along Baubigny Road which make up the Conservation Area are themselves outside the Settlement Area.

4.2.101 The large Les Nicolles Vinery to the west is the subject of a representation to the inquiry, which I deal with elsewhere. Neither that site nor this should in my view be included as part of the Settlement Area, since to do so would be contrary to the whole approach of the Plan to concentrate development in those areas best located for the facilities of the main centres of St Sampson and St Peter Port.

4.2.102 While the site has in the past contained glasshouses, it does not fall within the definition of previously developed land contained at p150 of the Plan. For the purposes of the policies of the Plan it is therefore undeveloped land. While land immediately to the north has recently been developed for housing purposes I am not aware of the circumstances of that decision, and so cannot comment on it.

4.2.103 I have noted the representor's interpretation of the current policy of the IDC in relation to 'Other Sites' approved in 1999 which, it was said, enabled planning permission to be granted for sites such as this. However I have assessed this representation on the basis of its suggested change to the proposals in the draft UAP, and I make no comment on the interpretation of current policy.

RECOMMENDATION

I recommend no change to the Plan.

Representation

134 **Richard Collas, M Parry and M Hamilton**

Summary of Representation

A triangle of land between Braye Road and Mares Pellées Road should be included in the Settlement Area.

Inspector's Reasoning and Conclusions

4.2.104 Paragraph 2.3.2.1 of the draft Plan, in describing the Policy Areas shown on the Proposals Map, describes the Settlement Areas as covering the main concentrations of urban development and being the areas that are best located in relation to facilities.

4.2.105 I deal above with representations suggesting that land south of La Route Du Braye should be included in the Settlement Area, and conclude that no change should be made to the Plan. This triangular pasture lies further to the west, and is thus more remote from the centre of St Sampson. While it is opposite the entrance to an industrial estate, it is open and undeveloped, and thus does not meet either of the criteria for inclusion in the Settlement Area which I describe above as the urban concentration test and the proximity test.

4.2.106 I do not doubt that this land is under-used, nor that development could take place without harming the trees which line the site. However it lies at a prominent position at the road junction, and has importance in adding to the feeling of rurality as one progresses west along La Route Du Braye. It should not in my view be included in the Settlement Area.

4.2.107 As to the merits of its development for residential purposes which were put forward in the representation, I make no comment, since these would be matters for the IDC to determine in the event of an application being made.

RECOMMENDATION

I recommend no change to the Plan.

Representation

368 **Shirley Simon**

Summary of Representation

The garden of Pegal Cottage, Les Sauvagées should not be indicated as outside the Settlement Area but should be included in it.

Inspector's Reasoning and Conclusions

4.2.108 The garden of this cottage contains a number of structures and kennels, and a large shed which the IDC describes as unauthorised. The land backs onto an extensive area of countryside included in the proposals Map as of Landscape Value, although this site itself,

as part of a domestic curtilage along with a small group of cottages is excluded from that notation.

4.2.109 I deal in connection with Representation 29 with the question of whether this part of Les Sauvagées should be included in the Settlement Area, and conclude that it should not. My conclusions there apply equally to this site. Whilst I appreciate the personal circumstances which the representor describes in her statement, and her wish to provide a building plot for her children, the inclusion of this land within the Settlement Area would be inconsistent with the general approach of the Plan, which I support.

4.2.110 The question of the appropriateness of the high wall adjoining the property, which the representor claimed the IDC permitted, is not a matter for me, nor does it affect my judgement on the correctness of the provisions of the Plan in relation to this property.

RECOMMENDATION

I recommend no change to the Plan.

Representations

380	Elizabeth Hookway
381	Mr and Mrs Iles
Further Representations Supporting	
382	Mr and Mrs Wegerer
383	Mr and Mrs Roger de Carteret
384	Mr Robert de Carteret
385	Mr Prowse
386	Mr and Mrs Mancini
388	Brenda and Chris Hodder
389	Mrs Breban

Summary of Representations

The area known as Les Rocquettes and Woodlands should be excluded from the Settlement Area and included in the Conservation Area.

Inspector's Reasoning and Conclusions

4.2.111 This Plan introduces a large number of changes from the current UAP. In particular, as paragraph 2.3.2 points out, it moves even further away from the tightly drawn land-use zonings of previous plans. Instead the new policy areas are more broadly defined to offer greater flexibility and to present a clearer picture of the overall strategy. So while I understand the concern of the representors that urban conservation area status appears to be being withdrawn from Les Rocquettes (though under the UAP only a small area close to Woodlands at the junction of Rocquettes Road and Rocquettes Lane was designated Urban Conservation Area), the more relevant question is whether the policies of the draft Plan provide an appropriate basis for the consideration of any development proposals which may

come forward, whether for Woodlands or any other property.

4.2.112 As one of the representors pointed out, the general aim of the Plan is to further concentrate development within the settlement areas and to ensure that as much new housing as practicable is provided within the existing urban areas. However it also contains general policies to conserve and enhance the quality of the built heritage (GEN4), and to ensure that regard is had to locally distinctive features and characteristics of the environment (GEN6). More detailed policies in Chapter 4 aim to ensure good design (DBE1) and protect important open spaces (DBE5). Policy DBE4 requires landscape schemes of good quality, and paragraph 4.2.1.4 says that this should, amongst other things, include a survey of existing features including trees and hedges, and proposals for the retention of important features.

4.2.113 Among the further representations was a suggestion that the Conservation Area on the Proposals Map should be extended westwards to include the Ladies College site and the triangle formed by Rocquettes Lane, De Beauvoir and Rocquettes Road. However, while there are within that area some buildings of character and many attractive trees, much of it is of little architectural distinction. The overall character and appearance of the area is not in my view of sufficient merit to warrant recommending the extension of the Conservation Area to cover it.

4.2.114 At my site visit I viewed the properties under construction in Courtil St Jacques to which representors referred. It is not for me to comment on the likelihood of success of any proposals for development elsewhere in the area. That is a matter for the IDC to determine in the event of a planning application being made. However I am satisfied that the above policies, together with the other relevant policies of the Plan, provide a suitable framework for the consideration of any proposals, which will ensure that the characteristics of the neighbourhood which the representors care about will be properly taken into account.

RECOMMENDATION

I recommend no change to the Plan.

4.3 HO7 FLATS, HOUSES IN MULTIPLE OCCUPATION AND STAFF HOSTELS

Representation

57 **John Gollop**

Summary of Representations

The policy was too restrictive, and was self-contradictory. It could result in the rejection of all proposals, when there was a need for more effective use of existing properties.

Inspector's Reasoning and Conclusions

4.3.1 Strategic Policy 9 of the Strategic and Corporate Plan 2001 indicates that priority

should be given to making better use of the existing housing stock. Amongst other things it says that proposals would be supported which ensured that the environment of housing areas is of a good quality. In my view criteria a) and b) of Policy HO7 are directly related to that strategic policy. The representor argued that individual decisions in the past had resulted from a harsh interpretation of the policy (which I assume to be Policy H10 of the current Urban Area Plan).

4.3.2 A notable difference between the current policy and proposed Policy HO7 is the change to a negative form of wording, saying that conversion etc “will only be acceptable” subject to the criteria set out. Paragraph 3.5.17 of the current UAP is expressed more positively – “Also, the IDC will look favourably on proposals for the subdivision of larger dwelling houses into smaller units provided...”. It is not clear why the more negative tone of the proposed policy has been adopted, and in my view a more positively phrased policy would more accurately reflect the aims of Strategic Policy 9. However since such a change would have implications for other policies in the Plan, I make no recommendation for change, but suggest that the IDC consider the matter.

RECOMMENDATION

I recommend no change to the Plan.

4.4 HO8 HOUSING TARGET AREAS

Introduction

4.4.1 Housing Target Areas are proposed by the Plan at Bulwer Avenue, Belgrave Vinery, La Vrangué, Pointues Rocques, Salt Pans and Franc Fief. Although there were representations concerning individual HTAs, none addressed directly the principles underlying the concept of HTAs or the contents of either paragraph 5.2.4 and Policy HO8 (the relevant policy and supporting text), or paragraph 2.3.2.9 (which deals with HTAs in the general explanation of the Written Statement and Proposals Map in Chapter 2).

4.4.2 However some of the opposition to individual HTAs contained expressions of concern about the operation of this policy and its underlying principles. I deal above in the introduction to this chapter with the approach of the Plan to meeting housing needs, and with the concept of HTAs, where I conclude that the Housing Target Areas are an important reserve, which will need to be available to be drawn on if monitoring reveals that insufficient dwellings are being developed to meet the strategic targets.. My findings below in relation to individual HTAs take into account those conclusions.

Belgrave Vinery HTA

Representation

108 Constables and Douzaine of St Sampson

Summary of Representation

The HTA should be deleted because of housing density, drainage and traffic problems which would be associated with it.

Inspector's Reasoning and Conclusions

4.4.3 A Housing Target Area at Belgrave Vinery is a proposal of the current UAP. The report of the Inspector on the inquiry into that plan indicated that the Constables and Douzaine of St Sampson objected strenuously to the inclusion of the Belgrave Vinery HTA at that time, and for similar reasons. His report simply indicated that the IDC had been put on notice of the matters raised, and further comment would be pointless before the production of the Design and Development Brief. I understand from the IDC that a Housing Task Force has been asked to progress the implementation of this HTA, and that a preliminary proposal was presented in 1998.

4.4.4 My response to the representation must necessarily be somewhat similar to that of the previous Inspector. I acknowledge the experience which the parish representatives bring to the matters of traffic and drainage within their area. They see the existing conditions on a day-to-day basis. The low-lying nature of this area, receiving drainage from, I was told, 30% of the Island, means that both foul and surface water drainage proposals for any development must be carefully examined. The blockage of existing douits and drains can result in flooding, as instanced during the winter of 1998.

4.4.5 Similarly any increased population as a result of the development of Housing Target Area at this location will affect traffic on local roads and at junctions with the main coastal road and will place new loads on the education system, the refuse collection system and other aspects of infrastructure. There is no doubt that this is a large HTA, and if fully developed will have significant impacts.

4.4.6 However the Plan provides a clear mechanism for the consideration and discussion of these matters. It requires the production by the IDC of an Outline Planning Brief (the successor to the Design and Development Brief referred to by the previous Inspector). This document will give details of the type of development envisaged, and will assess its implications in terms of drainage, traffic and other infrastructure provision. The IDC indicated that the risk of flooding would be carefully assessed with the States Water Board and the Public Thoroughfares Committee. A Traffic Impact Assessment would deal with traffic matters. Once an Outline Planning Brief had been prepared it would be the subject of a public inquiry in front of an Inspector, and no actual development could be approved until the Outline Planning Brief had been approved by the States of Deliberation.

4.4.7 Thus while I comment on aspects of HTAs in this section of my report, it would be inappropriate to comment on detailed matters which are properly to be the subject of an

Outline Planning Brief. To do so would risk prejudicing the later consideration of those details by another Inspector at inquiry. Before that inquiry there will be an opportunity for all concerned to examine the details of the OPB, to form an opinion as whether they adequately deal with their concerns and to make representations in the light of what is proposed.

RECOMMENDATION

I recommend no change to the Plan.

Representation

90 Mr P Brown

Summary of Representation

The representation sought the removal from the Belgrave Vinery HTA of a small piece of land, part of the garden of Le Villocq, Vale Road and its inclusion in the Settlement Area to enable the erection of a bungalow. Those opposing the representation were opposed to the erection of a dwelling.

Further Representation Supporting

250 Mr & Mrs F Brehaut

Further Representations Opposing

268 P D Pattimore

269 Mrs M R Lacey

270 Mr P J Bretel

271 Mr & Mrs P Oliver

273 Caroline De Carteret

274 J H Le Blond

Inspector's Reasoning and Conclusions

4.4.8 The portion of the representation site which would, under the representor's proposals, provide access to Vale Road is indicated on the current UAP Proposals Map as included in an Urban Conservation Area, with an overlay indicating Potential for Enhancement. The area on which it would be hoped to erect a dwelling is indicated as within an existing built up area. It is not clear to me why the boundary of the Belgrave HTA has been extended to include this latter garden land, and no explanation is provided in the Plan, or in the response of the IDC at the inquiry. I accept that the future development of the HTA may possibly have implications for this land because of the proximity of the La Tonnelle stream culvert, but that must have been known when the HTA boundaries were drawn on the 1995 Proposals Map, and must also be true for land in the same curtilage further to the south east which has not been included. Although the IDC say that the access, drainage and other planning considerations for the HTA need to be addressed in a comprehensive manner, that

does not provide an obvious reason for this change.

4.4.9 Some of the further representors expressed concern that the inclusion of this land in the Settlement Area would set a precedent for land immediately to the west. However that land is within the HTA on the current UAP, and so the situation is unchanged. As to the question of whether vehicular access to the HTA might be proposed through this land, the details of development of the HTA would be the subject of an Outline Planning Brief, on which the public would be consulted and a public inquiry held. I do not therefore need to speculate on that possibility.

4.4.10 I make no comment on the proposal for the erection of a dwelling, which at the time of the inquiry was the subject of a current application to the IDC, following an earlier refusal of permission. The determination of such applications is a matter for them, and outside my remit. For the same reason I make no comment on those aspects of the further representations which directly related to the detail of such a proposal.

4.4.11 I recognise that if development of this land were not prejudicial to the development of the HTA it could be permitted under policy HO8(b) even if it were located within the HTA itself. However as indicated above I see no reason for the Plan's inclusion of this area in the HTA. Since surrounding areas lie within the Settlement Area, the exclusion of this land from the HTA would result in its inclusion within the Settlement Area.

RECOMMENDATION

I recommend that the site be excluded from the Belgrave Vinery HTA and included in the Settlement Area.

La Vrangue HTA

Representation

88 Guernsey Tobacco Company

Summary of Representation

The representation sought the incorporation of the site into the adjoining La Vrangue Housing Target Area.

Inspector's Reasoning and Conclusions

4.4.12 The La Vrangue HTA lies in the north west of St Peter Port, on the urban fringe, to the north of La Vrangue Road and east of La Couture Road. An HTA at La Vrangue was included in the current UAP, and although its boundaries have been adjusted, there have been no objections to its inclusion, and I see no reason to question its continued status as an HTA. The stated reason for the representor's request stemmed from uncertainty as to whether, since the site was included in the Settlement Area, residential redevelopment would be acceptable. The present industrial building on the site had been erected in 1955 but had ceased to be used for the production of cigarettes in the mid 1960s and was now subdivided

and leased to individual companies.

4.4.13 Under the policies of the draft UAP any residential redevelopment of this site other than as a HTA would be considered against policies HO2 and EMP9. The former indicates that housing development within the Settlement Areas and on previously developed land will generally be permitted provided the site is suitable having regard to the existing characteristics of the site and its relationship with the surrounding area; it is acceptable in terms of design, density and amenity; and it does not conflict with other relevant policies of the Plan. EMP9 seeks to protect sites that are well suited to continued industrial use.

4.4.14 It would not be appropriate for me to indicate how the policies of the Plan should be applied in individual cases, and so I make no comment on the prospect of residential development on this site under these policies.

4.4.15 As to its incorporation into the adjacent HTA, I note that while, in general, HTAs have been drawn to reserve predominantly open and undeveloped land for possible future housing development, in this case it incorporates the grounds and buildings of the College of Further Education, which are not within the HTA identified in the current UAP. The IDC indicated that the reason for this was to enable access and other planning considerations to be integrated with the future planning and development of that site. For similar reasons they said that there might be some benefit in including the representation site, which would offer increased road frontage for the HTA, though they pointed out that bearing in mind the scarcity of industrial premises, the provisions of EMP9 would need to be taken into account.

4.4.16 I am not in a position to assess the extent to which the Guernsey Tobacco Company premises are suited to continued industrial use in the terms envisaged in Policy EMP9. However from my inspection of the site it would seem highly unlikely that any access to the HTA through this land could be achieved without demolishing the existing buildings. There would seem to me to be benefits in considering at this stage where the balance of advantage lies between retaining them in industrial use and including the site within the La Vrangué HTA.

RECOMMENDATION

I recommend that consideration be given to the suitability of the premises the subject of this representation for continued industrial use, and an assessment made as to whether it would be appropriate to include them within the adjoining La Vrangué HTA.

Pointues Rocques HTA

The proposed Housing Target Area at Pointues Rocques, St Sampson on the St Clair Vinery site generated a significant number of representations. The content of representations ranged widely, from outright opposition to the proposed HTA, proposing that the land should be included as of Landscape Value, through suggested modification to its boundaries, to support and the proposal that it should be included in the Settlement Area, enabling its

immediate development. I group the representations below and summarise them briefly. My conclusions and recommendation deal with the gist of the matters raised in representations.

Representations

13, 171, 344 Briglea Investments Ltd.

28, 294, 338 Ensign Group Limited

100 Sarnia Seeds Limited

Summary of Representations

Support for the identification of the Pointues Rocques Housing Target Area at St Clair Nursery, requesting that it be changed from Housing Target Area to Settlement Area and brought forward as an Opportunity Site (includes further representations in response to representations and further representations opposing the HTA).

Further representation in support

321, 322 Mr R Plumley

345 Briglea Investments Ltd

Further representations opposing

223, 224, 226 Mr C & Mrs N Copperwaite

328 Adrian Lihou

Representation

16 Andrew Carré

Summary of Representation

Any development on the site would be contrary to the current UAP and would cause traffic congestion. The site should be defined as a Green Area.

Representation

40 Michelle Levrier

Summary of Representation

Pointues Rocques Housing Target Area is not suitable for housing because of inadequate access, risk to pedestrians from increased traffic and should be rezoned “Area of Landscape Value” or “Conservation Area”. The HTA zoning of the area contravenes the policy on roads and infrastructure; contravenes the policy on safe and convenient access; and does not comply with the criteria set out for HTAs.

Further Representations Supporting

225 Mr C and Mrs N Copperwaite

331 Adrian Lihou

352 John Gollop

Representation

110 Constables and Douzaine of St Sampson

Summary of Representation

This HTA should be deleted from the Plan. It would cause severe traffic difficulties on a road which was already inadequate and which served 3 schools.

Further Representation Supporting

227 **Mr C and Mrs N Copperwaite**

Representation

34 **Dr Carmen Wheatley**

Summary of Representation

The upper part of the Pointues Rocques Housing Target Area should be excluded from development to (1) create an open green space and a buffer zone between the designated Landscape Value Area of the quarry and fields behind St Mary and St Michael's School and (2) protect the historic views from Delancey. A nature reserve should be created there.

Inspector's Reasoning and Conclusions

4.4.17 The land included in the Pointues Rocques HTA was not included as an HTA in the current UAP, where it was part of a Green Area. However the Inspector who held the inquiry into the current UAP recommended at page 64 of his report that a HTA centred on the St Clair/Robergerie area should replace one then proposed in Duveaux Lane. In the discussion which followed the publication of his report the Committee conceded that the site may have some advantages for housing, in terms of making the best use of land and existing services, and agreed to review the development potential of this area at the appropriate time.

4.4.18 It occupies a sloping site which must at one time have been fully in horticultural use. The base map to the Proposals Map of the current UAP shows the land covered in greenhouses. A large group of greenhouses still occupies about a third of the site, and is still in some active use. The remainder has been largely cleared of structures and apart from some apparently temporary uses and external storage that I saw on site it is unused. To the south, west and east are dwellings and their curtilages within the Settlement Area, while to the north is land included in an Area of Landscape Value.

4.4.19 It is greenfield land in terms of the definition used in this Plan, and so it would not be appropriate for it to be included in the Settlement Area, which paragraph 2.3.2.1 describes as covering the main concentrations of urban development. The inclusion of this land within the Settlement Area would also amount to a major release of housing land for immediate development, putting back the development of other sites with a better claim in terms of the Plan's priorities. It would thus put at risk the achievement of the overall strategy. I therefore do not support those representations which sought its immediate development. I have concluded earlier in this chapter that the IDC is on course to meeting the requirement of the Strategic and Corporate Plan that provision should be made for an additional 250 dwellings each year, and the Plan's target of maintaining a 2 year supply of land available for housing.

There is therefore no urgent or overriding need for housing development to be brought forward immediately.

4.4.20 The land is surrounded on three sides by land which is appropriately included within the Settlement Area, and so I agree with the previous Inspector that in locational terms it is well positioned for designation as a HTA for possible future development for residential purposes. Although there was debate at the inquiry as to how accessible the site is in terms of current public transport provision, its proximity to the important Route St Clair means that even if buses do not currently run along that stretch of road, it could be readily provided with public transport and is therefore accessible.

4.4.21 It is sloping land, terraced in the past to enable the erection of greenhouses, and part of the hougue landscape type identified in Annex 8 of the Plan. Its quality has been substantially degraded by its previous and present use, and it could not be described as one of the best examples of the landscape type – the land to the north which is included in the Area of Landscape Value in the Plan much better meets that description. The designation of this land as HTA thus meets the criterion in paragraph 5.2.4 of avoiding areas of important landscape, conservation, wildlife or other environmental interest.

4.4.22 As to infrastructure provision, its location close to existing development and convenient for the centre of St Sampson would make the provision of adequate infrastructure possible in a sustainable manner, though of course the detail of that provision would be a matter for an Outline Planning Brief.

4.4.23 The IDC indicated that the Outline Planning Brief would address any potential traffic impact and any measures required to reduce that impact to an acceptable degree. A number of objectors, including the Constables and Douzaine of St Sampson, referred to the narrow winding nature of the road passing the site, and its use by schoolchildren attending local schools. The promoters of the development of the site put forward a number of ways of improving access to the site while also improving the alignment of Rue Des Pointues Rocques. The detail and the acceptability of any such proposals would be a matter for consideration through the mechanism of the Outline Planning Brief, which would enable their consideration at an inquiry. Annex 6 of the Plan sets out the parameters of Traffic Impact Assessment, which would, I imagine, be necessary in this case, but for the purposes of my consideration of the Plan I am satisfied that it should be possible to devise measures, possibly extending beyond the immediate vicinity of the site, which could provide safe and convenient access to the site without prejudicing the safety and convenience of existing road users, including schoolchildren. The policies of the Plan would ensure that these matters were given full consideration before any decision was taken to release the land for housing development, and if examination of any Traffic Impact Assessment revealed that unacceptable effects would result which could not be satisfactorily mitigated, then development could be prevented from proceeding.

4.4.24 Turning to the suggestions in Representation 34, the representor owns a large area of garden immediately adjoining the site to the east occupying some of the highest land in the north of the area. The garden was in process of being landscaped at the time of my visit, and the representor has mooted the possibility of making the land open to the public at times.

She expressed concern not only at the loss of openness in relation to her property, but also the obstruction of views. From what I saw, the down slope away from the high wall on the common boundary would be such that it is unlikely that there would be any significant obstruction of views. However the proposers of development on this HTA accepted that an element of open space within the development would be both necessary and desirable, and suggested that the upper parts of the slopes might be an appropriate place for its location.

4.4.25 Although this site adjoins an Area of Landscape Value to the north, it is separated from that land by high walls, and as I have already noted, is not itself of landscape value in its present degraded state. Whether the upper part of the site should be set aside, and if so whether it should form a nature reserve or some other kind of amenity space are all matters which would be addressed through the OPB procedure.

4.4.26 The understandable concerns of residents in housing close to the site, and particularly those on lower land in the recently constructed La Hougue St Clair, that their privacy and outlook should be protected would also be matters which an OPB would address. As with other aspects of this site, I am satisfied that if the land were to be brought forward for development, those interests would be properly taken into account by the policies of the Plan.

4.4.27 In conclusion, I consider this site is appropriately included in the reserve of possible housing sites as a Housing Target Area, and am satisfied that the policies of the Plan provide adequate safeguards to ensure that detailed consideration is given to the possible effects feared by objectors before development could proceed.

RECOMMENDATION

I recommend no change to the Plan.

Salt Pans HTA

Representation

15 Mrs M Helyer

Summary of Representation

The Salt Pans Housing Target Area between the Salt Pans Road and Lowlands Road is not suitable for further development for reasons of flooding and traffic and that the effect of nearby housing and industrial developments should be considered when considering the zoning.

Representation

114 Kenilworth Properties Limited

Summary of Representation

The land included in the HTA should instead be included in the Settlement Area.

Inspector's Reasoning and Conclusions

4.4.28 At the inquiry the representors put forward proposals for the comprehensive development of 9.5 hectares of land comprising the Salt Pans Key Industrial Area, the majority of the designated Salt Pans HTA and the intervening land. I am not concerned with the merits of that proposal, except that it demonstrates that a possible access to both the KIA and HTA areas could be achieved from La Route Du Braye. I assume that proposals will in due course be submitted to the IDC, and I therefore make no comment, to avoid prejudicing their consideration.

4.4.29 Turning to the criteria governing the selection of HTAs in paragraph 5.2.4 of the Plan, this land is bounded on all sides by existing development, the only significant gap being to the west where the remainder of the nursery lies. It is thus well related to the existing pattern of development and to the defined Settlement Area. It is close to the centre of St Sampson, and to public transport routes. It is former glasshouse land, but because of its relationship to existing housing does not have any significant landscape value within the Braye Du Valle landscape type, even if it were to be reclaimed. I am thus satisfied that the HTA meets the criteria for selection set out in the Plan.

4.4.30 I note the assertion made in that representation that a comprehensive approach to the whole land holding is necessary in order to achieve the infrastructure improvements contained in the proposals. I understand that it is for this reason, among others, that they propose that the HTA designation should be removed from the residential element of their scheme and it be included in the Settlement Area, to enable it to be brought forward for development. However such an approach would be inconsistent with the approach of the Plan as a whole. The development strategy of the Plan, which I support, has aimed to achieve as much new housing as practicable within existing settlements, and to avoid the release of significant greenfield sites for development other than through HTA process, which ensures that priority is given to the regeneration of the main urban areas and to the use of previously developed land.

4.4.31 It is greenfield land in terms of the definition used in this Plan, and so it would not be appropriate for it to be included in the Settlement Area, which paragraph 2.3.2.1 describes as covering the main concentrations of urban development. The inclusion of this land within the Settlement Area would also amount to a major release of housing land for immediate development, putting back the development of other sites with a better claim in terms of the Plan's priorities. It would thus put at risk the achievement of the overall strategy.

4.4.32 The retention of the land within the HTA would have the benefit of enabling the IDC to consider the appropriateness and timing of its release compared to others. I deal elsewhere with the mechanism for deciding the order of priority for the release of HTAs. I understand the representors' case that delay will prolong the dereliction of this now disused glasshouse site, but that argument carries no more strength in this case than for the many other vinery sites which have been the subject of representations to the inquiry. Although derelict, they are not previously developed land within the definition in this plan, and should not have

priority for development ahead of previously developed sites in the urban centres.

4.4.33 As for the effects of the development of the HTA which were the concern of the representor opposing this HTA, and were also the concern of others in relation to HTAs in the north of the Plan area, my main concern in dealing with this Plan must be to ensure that adequate policies are in place to assess the impacts of any proposed development, rather than to carry out that assessment myself. While I recognise the concerns of representors that current drainage and traffic arrangements may not be satisfactory, I am nevertheless satisfied that the Plan incorporates satisfactory mechanisms which can ensure that if this HTA is brought forward for development through an Outline Planning Brief full consideration will be given to its impacts not only on its immediate surroundings but on the wider locality. In terms of traffic this would be through a Traffic Impact Assessment, as described in Annex 6 of the Plan. In terms of flood risk, paragraph 9.2.3 says that the States Water Board and the Public Thoroughfares Committee will be consulted on proposals for sites that are susceptible to flooding. Policy WWM4 says that development of this type will only be permitted where satisfactory flood alleviation measures are incorporated in the scheme. Paragraph 9.2.4 and Policy WWM5 promote the use of sustainable urban drainage systems, which allow surface water to soak into the ground or gradually discharge to a watercourse, minimising peak flow and thus reducing flooding risks.

4.4.34 In conclusion, therefore, while I consider this an appropriate site for designation as a Housing Target Area, it is not appropriate for inclusion in the Settlement Area.

RECOMMENDATION

I recommend no change to the Plan.

Franc Fief HTA

Representation Supporting Franc Fief HTA 46 Franc Fief Vinery Limited

Summary of Representation

Development of this site should be supported. The traffic and drainage fears expressed by objectors can be overcome, and some NIMBY reaction is inevitable. Glasshouses on the site are no longer economic to maintain.

Further Representations Supporting

234 Mr P Collins
336 F R Whalley

Representations Opposing Franc Fief HTA

20 Graham J Carré
22 Mrs M Helyer
23 Mark and Jackie Troalic

32	Mr N S and Mrs K Jehan
70	R W Litten
80	Peter Bougourd
81	Lyndon Trott
82	RH and BA Bacchus-Robilliard
109	Constables and Douzaine of St Sampson

Summary of Representations opposing:

Developers should be forced to develop brownfield sites before any greenfield lands are released. The roads serving site are inadequate, and already used by children attending 3 schools. There would be an increase in traffic at the dangerous Salt Pans Road/Route Militaire junction. Traffic Impact Assessments should be required for all developments. The land should be designated as of Landscape Value; its development would result in the loss of fine views north from Robergerie Road, a reduction in green space in the parish, and the loss of a modern vinery. There was too much development in parish – development in rural areas would be preferable. Development would increase existing problems of flooding. Since it was not clear what forms of development would take place or their effect on neighbouring housing Outline Planning Briefs should be prepared now. There was a need to expand educational provision and this should be a pre-requisite of development.

Further Representations Opposing Franc Fief HTA

127	Mr C and Mrs P Niles
353	John Gollop
354	John Gollop

Inspector's Reasoning and Conclusions

4.4.35 I deal at the beginning of this chapter with the general approach of the Plan to housing and the identification of HTAs, including the argument that the inclusion of HTAs weakened the Plan by encouraging the development of greenfield sites ahead of brownfield.

4.4.36 Dealing first with the criteria for the selection of HTAs in paragraph 5.2.4 of the Plan, Franc Fief HTA is bounded to the north by housing along Saltpans Road and to the west by housing east of the Route St Clair/Route Militaire. It is thus well related to the western part of the urban area of St Sampson. There is also housing in a ribbon to the east, along Rue Queripel, though I am unsure as to the reason for the exclusion of these dwellings in almost the geographical centre of St Sampson from the defined Settlement Area. As far as I am aware it is not currently served by public transport, though its proximity to Route St Clair would make provision a straightforward matter.

4.4.37 By their nature, Housing Target Areas are greenfield sites, and so their development, if that proves necessary, will involve a loss of openness and of views. In the case of the Franc Fief HTA these areas of glasshouses and open land are close to existing areas of residential development to the west and north, and do not have the landscape qualities

possessed by the fields to the east and south. If the need arose they would form a logical extension of existing and proposed development in this part of the Island. In my view the Franc Fief HTA meets the criteria in paragraph 5.2.4.

4.4.38 As to the problems of traffic and drainage, there is no doubt that the existing roads serving this proposed HTA are narrow, single track in places and the photographic evidence presented to me shows that flooding of the Rue Queripel has taken place. What the cause is of the flooding is less clear, and whether it is attributable to wider drainage problems or local difficulties is not apparent.

4.4.39 However the Plan provides a clear mechanism for the consideration and discussion of these matters. It requires the production by the IDC of an Outline Planning Brief. This document will give details of the type of development envisaged, and will assess its implications in terms of drainage, traffic and other infrastructure provision. It would also be able to weigh in the balance the loss of greenhouses to the local economy, as raised by an objector. A Traffic Impact Assessment would deal with traffic matters including, I assume, material effects on roads and junctions further afield. Once an Outline Planning Brief had been prepared it would be the subject of a public inquiry in front of an Inspector, and no actual development could be approved until the Outline Planning Brief had been approved by the States of Deliberation.

4.4.40 Thus while I comment on aspects of HTAs in this section of my report, it would be inappropriate to comment on detailed matters which are properly to be the subject of an Outline Planning Brief. To do so would risk prejudicing the later consideration of those details by another Inspector at inquiry. Nor do I agree with those representors who considered that an Outline Planning Brief or Traffic Impact Assessment should be produced immediately. I understand their anxiety to know the details of any development proposed, but to set out the detailed requirements before it was known whether, or at what time the development of this reserve of land should take place would involve the IDC in a substantial amount of potentially abortive work. As to educational provision, this is essentially a matter for the States Education Council, but Paragraph 10.2.1.2 and policy SCR2 of the Plan set out the necessary planning framework for schools to be provided where they are required.

4.4.41 Some representations were concerned at the cumulative effect of various land allocations in this area, including the Pointues Rocques, Franc Fief and Salt Pans HTAs and the Salt Pans Key Industrial Area. The suggestion that their impact should be assessed cumulatively before decisions are taken on this Plan is understandable, as if all these possible developments were to take place a considerable change would result in this part of the Island. However the release of HTAs is to be phased according to the need for the release of land, a matter I deal with earlier in this report. It would be wrong to treat them all as firm proposals for development at this stage. The Outline Planning Brief procedure provides a mechanism for examining the implications of development of whichever areas come forward during the life of the Plan, including such cumulative effects. Public scrutiny through the public inquiry and associated public consultation should ensure that matters of concern such as these are addressed.

4.4.42 In conclusion, therefore, the inclusion of the Franc Fief HTA accords with the

general approach of the Plan, which I support, and is in my view an appropriate location for such an allocation.

RECOMMENDATION

I recommend no change to the Plan.

Inclusion of Additional Land in Franc Fief HTA

Representation

67 **Mr Adrian Dorey**

Summary of Representation

Land at the junction of Robergerie Lane and Rue Queripel should be included in the Franc Fief HTA.

Further Representations Opposing

126 **Mr and Mrs P Niles**

265 **B A Robilliard**

Inspector's Reasoning and Conclusions

4.4.43 This small field is indicated on the Proposals Map as of Landscape Value and was described by the IDC as part of a swathe of open Hougue landscape extending across Robergerie Road to the south and west. The land is in an untidy condition, not least because of the part-erected building and derelict cars in its south east corner, the legacy, I understand, of a previous tenant. Its contribution to the landscape at present is primarily its open nature.

4.4.44 The inclusion of this land within the HTA would not necessarily threaten its openness, or its consequent attractiveness to birds, as this could be a matter dealt with by the Outline Planning Brief. If in preparing the OPB it was felt important to keep the land open (and in view of its inclusion in the Area of Landscape Value I assume that would be the case) the OPB could contain provisions which assured this. However it could, as the IDC said, be beneficial to the overall planning of the HTA, offering additional amenity areas or improved access.

4.4.45 The fear of the Further Representors about the capacity of the existing lanes to deal with additional traffic, I have dealt with above in relation to the main HTA proposal. Any Traffic Impact Assessment prepared would cover this additional land, and would ensure that traffic impacts were acceptable.

RECOMMENDATION

I recommend that the land the subject of Representation 67 be included in the Franc Fief HTA.

4.5 HO9 RETENTION OF THE EXISTING HOUSING STOCK

Representation

57 **John Gollop**

Summary of Representations

The policy was too prescriptive. A more comprehensive approach was preferable, which allowed some increase while accepting some loss of housing stock.

Inspector's Reasoning and Conclusions

4.5.1 As the IDC pointed out, the second sentence of the policy makes it clear that it is a net loss of accommodation which is opposed by the policy, and so the comprehensive approach favoured by the representor is encouraged. However any more permissive approach to the loss of housing stock would in my view risk frustrating the aims of mixed use developments, in that developers might be encouraged to leave some residential elements unoccupied in the hope that change to a more profitable commercial use might be permitted later.

RECOMMENDATION

I recommend no change to the Plan.

Representation

379 **Karol Crispini**

Summary of Representation

More flexibility was sought in policy HO9 to enable loss of residential accommodation where a developer provided an equivalent number of units on another site.

Inspector's Reasoning and Conclusions

4.5.2 The representation arose from a specific case. The owners of Allez House, and of the now closed Hotel San Marco, wish to convert Allez House from its present use as three flats to offices. They also wish to convert the former hotel to form nine flats. The sale of Allez House would release capital for the conversion of the former hotel, but permission to convert Allez House to offices has been refused in the past.

4.5.3 Clearly I can make no comment on the specifics of this case, since that might prejudice the consideration of an application for planning permission to the IDC. However it is evident that preventing the loss of housing accommodation is vital to the achievement of the targets set by the Strategic and Corporate Plan. Paragraph 5.2.5 of the Plan sets out the

general approach, and in my view it is a reasonable and flexible one. First, and notably in the light of the particular scheme envisaged in this case, it says that it is important that there is no net loss of the existing housing stock. Where living accommodation is not of a satisfactory standard it says that the aim will be to seek refurbishment of the property, but goes on to say later that in exceptional circumstances it may be acceptable to allow the loss of residential units that offer poor residential amenity and which are not practicable to improve.

4.5.4 Criterion (d) of policy HO9 admits an additional possibility, namely that loss of housing may be acceptable where it would facilitate a development with substantial and overriding benefit to the Island and the housing will be replaced on a suitable commercial site in the Settlement Areas. I accept that, as the representors said, this is a tough test, but if tests were not tough the overall presumption would not be adequately protected. I also note that this exception arises from a provision in the 1998 Strategic and Corporate Plan which has not been repeated in the current (2001) version. That provision was aimed at providing flexibility for the financial sector's demand for offices rather than at the kind of circumstances envisaged by the representors. Nevertheless it enables the IDC to exercise discretion, and to weigh the circumstances of the case. As the representative of the IDC at the inquiry pointed out, Guernsey legislation does not include provision for planning gain of the kind envisaged in this criterion, and so it would need to be based on an element of good will, following negotiation and agreement.

4.5.5 In summary, it seems to me that the Plan is clear and consistent in its aims, but contains sufficient flexibility both in policy HO9 and in its supporting text to deal with circumstances which depart from the norm. These representors, as others who appeared before me, expressed the view that the IDC in exercising its development control functions did not show sufficient flexibility. I have no experience of that, and even if I had it would be improper for me to comment. How the IDC exercises its discretion is a matter entirely for that Committee.

RECOMMENDATION

I recommend no change to the Plan.

4.6 HO10 RESIDENTIAL DENSITY AND AMENITY

Representations

56	John Gollop
78	A D C Webber

Summary of Representations

The policy was supported but representor 56 considered that 'public amenity' should be defined.

Representor 78 pointed to the dangers of over-dense housing. Two-thirds of the island was restricted for building purposes, and as a result rural areas were stagnating.

Inspector's Reasoning and Conclusions

4.6.1 Representation 56 was combined with one relating to Policy HO2, which I deal with above, including the reference to public amenity.

4.6.2 The aim of concentrating development in the urban areas is the subject of Strategic Policy 3 of the Strategic and Corporate Plan. This Plan is required to conform to the Strategic and Corporate Plan, and is certified by the President of the Advisory and Finance Committee as so conforming. To the extent that Representation 78 was suggesting a departure from that aim, such an approach would take the Plan out of conformity, and I do not support it. Nor do I accept his contention that greater densities necessarily lead to poorer conditions for residents. In my experience it is perfectly possible to create excellent living environments while building at relatively high densities; it is equally possible to create poor environments at comparatively low densities. What is important is the quality of the design and the care which is given to the details of any proposal.

4.6.3 Paragraphs 8.3.10 and 8.3.12 of the Strategic and Corporate Plan encourage the maximisation of the number of dwellings on new housing sites without detriment to the quality of urban life, and Strategic Policy 5 mentions, amongst other factors, the need for good design and the provision of open space and landscaping. Policy HO10 reflects these aims in very similar terms, and I see no reason to recommend any change to it.

RECOMMENDATION

I recommend no change to the Plan.

4.7 HO14 DOWER UNITS

Representations

62 **John Gollop**

Summary of Representations

The following changes should be made to Policy HO14:

In criterion (b) 'would' should become 'might'.

An additional criterion (c) 'there is the feasibility for separate entrances and exits'.

Inspector's Reasoning and Conclusions

4.7.1 The IDC informed me that there is a long tradition in Guernsey of supporting 'dower units', which are extensions or additions to dwellings to provide accommodation for elderly relatives. However I agree with them that the policy needs to guard against abuse. In

situations where an additional separate dwelling would not be acceptable, this policy should not provide a loophole which could be exploited by creating what purported to be a dower unit, and then with minimal alteration creating a separate dwelling. The inclusion of the suggested alterations would make it much more difficult for the IDC to prevent the creation of separate dwellings in undesirable situations, since it would permit the creation of dower units which were effectively no different from separate dwellings in their layout and arrangement.

RECOMMENDATION

I recommend no change to the Plan.

5. CHAPTER 6 EMPLOYMENT

5.1 EMP1 NEW OFFICE DEVELOPMENTS

Representation

58 **John Gollop**

Summary of Representation

Office development should be resisted.

Inspector's Reasoning and Conclusions

5.1.1 The representor was concerned that the policy would encourage further office developments, which could result in greater massing and more intensive development. However the Strategic and Corporate Plan 2001 does not rule out additional office development, pointing to the need for the ageing office stock of the Town to be upgraded, and stating that investment in new office schemes should be associated with improvements to the environment and accessibility; a greater diversity of uses, including housing and improved leisure and retail facilities; and should not increase traffic congestion or displace other essential uses. Strategic Policy 10 states that the refurbishment of the existing office stock in the Town should be encouraged. New office development may be facilitated on redevelopment sites to secure a more diverse mix of uses including housing, subject to safeguarding the character of the Town.

5.1.2 In my view Policy EMP1 conforms to, and implements that strategic policy. I see no reason to resist office development in principle, particularly in view of the role that the office sector plays in the economy of the island.

RECOMMENDATION

I recommend no change to the Plan.

5.2 EMP2 SMALL SCALE PROFESSIONAL AND SUPPORT SERVICES

Introduction

5.2.1 There were no representation in relation to this policy. However during the inquiry the IDC introduced a proposed amendment to the policy. They pointed out that the main centres of Town and the bridge accommodate a mixture of uses, which the Plan aims to strengthen. As part of this general approach policy CEN3 and CEN4 facilitate a range of

complementary uses including the development of professional and client services within the Central Areas.

5.2.2 They went on to say that all proposals for office accommodation, which would include small scale offices for professional and client services, would have to comply with policy EMP12. Policy EMP1 restricts the development of new office accommodation to sites in the MURAs or existing office sites in the Central Areas or to situations in accordance with policy EMP2. Policy EMP2 deals specifically with the development of small scale office suites for professional and support services. However the policy as drafted relates only to proposals outside the Central Areas and MURAs and is therefore in conflict with the general approach for Central Areas. In order to be consistent with policies CEN3 and CEN4 the IDC submitted an amendment to Policy EMP2 at the inquiry, as follows:

“Policy EMP2

Outside the Central Areas and MURAs proposals for new office floorspace will only be permitted where:-

- a) the proposed offices are small-scale and would provide a direct service to members of the public calling at the site; and
- b) the site is located within the Settlement Areas or the proposals would result in the retention of buildings of architectural or historic interest in accordance with Policy DBE8;

OR

- c) the proposals are for home-working in accordance with Policy EMP11.”

5.2.3 I would suggest that the wording of b) should be adjusted to accord more closely with policy DBE8 by referring to buildings of *special interest*, but otherwise I support this change.

RECOMMENDATION

I recommend that policy EMP2 be revised in the form suggested by the IDC.

5.3 EMP4 CONVERSION OF OFFICE SITES FOR ALTERNATIVE USES

Representation

58 John Gollop

Summary of Representation

The policy seemed inflexible, placing a barrier before people with second-rate office accommodation wishing to convert them to residential use. The emphasis on marketing in criterion b) was excessive.

Inspector's Reasoning and Conclusions

5.3.1 While I agree with the representor that in isolation Policy EMP4 might appear somewhat inflexible in that it would apply to all property in office use, however unsuitable that use might be, this policy needs to be read in conjunction with Policy HO6. This is encouraging to the conversion of office space for residential use, or a mix of uses including housing provided there is no conflict with policy EMP4. Paragraph 5.2.3.3 says that such conversion of obsolete office space could help to revitalise an area. It goes on to say that obsolescence will be judged on evidence of positive attempts to seek an office occupier. The difficulty the Plan faces is that it attempts through this policy and HO9 to prevent unnecessary losses of both housing and office space. However whereas there is no encouragement at all to the loss of housing space to office use, this policy enables space that is no longer suitable for modern office requirements to be used for residential purposes. For this purpose there needs to be some means of testing whether the premises are, in fact, suitable for modern office requirements. The alternative to using attractiveness to the market as a test would presumably be to have some space or convenience standards measuring suitability, and these would be bound to be arbitrary to a degree, and unlikely to command widespread agreement.

5.3.2 Some test of obsolescence seems to me to be necessary, and evidence of attempts to market the property as offices is in my view an appropriate test, and one of reasonable objectivity.

RECOMMENDATION

I recommend no change to the Plan.

5.4 EMP5 KEY INDUSTRIAL AREAS

Introduction

5.4.1 The concept of Key Industrial Areas is contained in the current UAP, where paragraph 3.9.9 indicates that these are the areas where the IDC wishes to consolidate industrial activity. Policy IND3 aims to reserve premises within these areas for industrial activities which by their scale, form density and/or use should be relocated from existing uses.

5.4.2 The draft Plan proposes one extension to those areas, at Salt Pans Road. I deal first with a representation opposing that extension, and then with other representations suggesting changes to the policy or its application.

Salt Pans Key Industrial Area

Representation

21 **Mrs M Helyer**

Further Representation Supporting

216 **Mrs J M Wallis**

Summary of Representations

The Key Industrial Area at the Salt Pans is not suitable for industrial development and the effect on nearby housing of the industrial development and increased traffic should be considered, as should the close proximity of two Housing Target Areas and the MURA at Leale's Yard.

Inspector's Reasoning and Conclusions

5.4.3 In addition to the above, Representation 114, although not stated as supporting the extension of this KIA, contained proposals for development which included the implementation of this extension, together with accompanying road and access improvements.

5.4.4 The Strategic and Corporate Plan at paragraph 8.4.4 requires the Plan to seek to maintain an adequate supply of local industrial land and to manage that supply effectively. The Plan contains no specific justification for the provision of additional Key Industrial Area space. However evidence of demand from potential developers enquiring about industrial premises was produced in relation to another proposal to extend the KIA at Pitronnerie Road into an Area of Landscape Value (Representation 73, which I deal with under policy CO4). A letter from the Development Manager of the Board of Industry was produced in support of the existence of such demand. I conclude in relation to that objection that I do not doubt that there is some untapped demand for industrial premises. While the opposition to this extension was not related to the question of need, The Plan in my view ought to provide justification for the proposed extension, which involves an incursion into greenfield land. Such an incursion for housing purposes would need to be justified in housing terms, and in equity the same should apply to an industrial proposal of the Plan.

5.4.5 The representation referred to the unsuitability of the location at Salt Pans, its effect on residential amenity, its appearance, traffic and drainage effects, not only in isolation but in conjunction with other proposals of the Plan for HTAs in the locality. The cumulative effect with other committed development, including at Leale's Yard should also in their view be taken into account.

5.4.6 The Plan contains no justification of the selection of this area rather than any other, but as an extension to an existing, relatively modern industrial estate, the land would in my view be well located in relation to other industrial uses, and could be provided with access to the most suitable roads in this part of the Island to receive traffic of this nature. It would seem to me in principle to be appropriate to extend in this fashion rather than seeking a fresh greenfield site elsewhere. However it is essential that the Plan contains policies which will address the genuine and legitimate concerns of the representor.

5.4.7 Policy EMP5 indicates that a Development Brief will be required for this land, and that in addition to a mix of unit sizes a high standard of design and landscaping will be required. In any event, the Plan contains policies designed to assess the effect of proposals on residential amenity. Policy GEN 12 in particular relates to the impact of proposals on the reasonable enjoyment of adjoining properties, particularly in relation to overshadowing, overlooking, emissions, noise and disturbance. Thus if any proposals come forward for the development of this land this policy will ensure that the IDC takes these factors into account. Annex 3 of the Plan contains guidance for developers on protecting residential amenity. Policy GEN4 aim to ensure good design, siting, layout and scale of buildings in new development, and policies DBE1-4 expand upon these aims, including the need for good quality landscaping.

5.4.8 As to the concerns over traffic, a Traffic Impact Assessment, which I assume would be required for a proposal of this size under the terms of policy GEN7 and Annex 6 of the Plan, would enable an investigation to take place not only of the immediate impacts of the KIA extension, but of cumulative impacts with other committed proposals in the area.

5.4.9 The question of drainage in this low lying part of the Island was a concern of a number of representors in relation to different proposals of the Plan. Paragraph 9.2.3 of the Plan indicates that the risk of flooding in all low-lying land will need to be carefully assessed so that, where necessary, measures to avoid flooding can be planned and adopted at the outset of any development proposals. This would clearly be the case for any development on this land. Thus, in considering any Development Brief the IDC would consult the States Water Board and the Public Thoroughfares Committee, and the advice of those bodies would be taken into account.

5.4.10 In conclusion, while I understand the concerns of the representor and her supporter, I consider that the plan contains policies which should ensure that the matters which she has raised would be the subject of proper consideration when any proposals came forward.

RECOMMENDATION

I recommend that the Plan should contain a justification of the need for additional land, together with the reasons for selecting the Salt Pans area as an extension to the Key Industrial Area.

Representation

89 Guernsey Press Ltd
Further Representation Supporting
360 John Gollop

Summary of Representation

The designation of the Salt Pans Key Industrial Area and its extension was supported but clarification was sought on a number of matters.

Inspector's Reasoning and Conclusions

5.4.11 The representors own land which is indicated as Green Area on the current UAP, but is to be added to the KIA at Salt Pans under the provisions of this Plan. They have planning permission for the development of this land as car parking in association with the industrial use of their premises. They sought clarification as whether a Development Brief would be required in accordance with Policy EMP5 prior to the implementation of this permission; whether it would be required for any other form of development of the same land; and whether other land in their ownership and currently within an industrial designation could be developed without the need for a Development Brief.

5.4.12 These questions are essentially matters of interpretation of the law and of this policy, rather than being directed to the merits of the policy itself, and it would not be appropriate for me to offer my opinion. The questions should be discussed with the IDC.

RECOMMENDATION

I recommend no change to the Plan.

Other Representations

Representation

4 Enterprise Plant and Equipment

Further Representation Supporting

378 Peter Derham

Further Representation Opposing

276 R C Johns

Summary of Representation

Land south of La Route du Braye and west of Lowlands Road should be allocated as Key Industrial Area or Settlement Area. If allocated as Key Industrial Area Policy EMP5 should be re-worded as follows (additional wording in italics)

“The Key Industrial Areas are reserved for the development of business and industrial uses that require purpose built premises (*or which have successfully adapted non purpose-built premises*) and which cannot be reasonably accommodated elsewhere”.

Inspector's Reasoning and Conclusions

5.4.13 The representation site is an area of backland accessed from the Route du Braye and currently contains a bungalow and a number of outbuildings which were part of a former vinery. The southern part of the site, an open field, is included within the Salt Pans HTA designated in the draft Plan, while the remainder of the land lies within the Residential Area.

5.4.14 The land and buildings within the Residential Area have planning permission for business use, the representor's business being the provision of events equipment including

public address systems, marquees and mobile sanitation equipment. The area to the south is being used without planning permission for the outdoor storage of larger items and the parking of vehicles.

5.4.15 Whilst I understand the difficulties faced by the representor which have resulted from the success of his business and the need for outdoor storage of large equipment and trailers, the planning merits of existing authorised and unauthorised uses and of any potential planning applications are matters for development control by the IDC and are thus outside my remit.

5.4.16 The proposed change to the Plan involves firstly the exclusion of the site from the HTA designation, and then its designation either as an additional Key Industrial Area or as part of the adjoining Settlement Area. Although the IDC opposed the exclusion of the site from the HTA on the grounds that a comprehensive plan was needed in order to make the best use of the land available, the land in question would not appear likely to interfere with any access to other land or make any other part difficult to develop. It would simply make the total developable area smaller by about 2.5 verges (about 0.4hectares). However its inclusion within the Settlement Area would be contrary to the general approach of the Plan to achieve as much new housing as practicable within existing settlements and on previously developed land. It seeks to avoid the release of significant greenfield sites for development other than through the HTA process, which ensures that priority is given to the regeneration of the main urban areas and to the use of previously developed land. I deal with a similar proposal for other land within this HTA in relation to Representation 114.

5.4.17 This small area, isolated from the present Braye Road Industrial Estate and its proposed extension, would not, however, be appropriate for the creation of a Key Industrial Area. Such areas are described in paragraph 2.3.2.11 as being important reserves for the development of businesses that require purpose built industrial premises and cannot be accommodated elsewhere. The sole purpose of designating this area would seem to be to solve the locational and development control problems of one business, and that would not accord with the broader-based approach of the Plan.

5.4.18 The representation made reference to Policy EMP7 and its supporting text as possibly favouring the expansion sought by the representor. It is not for me to judge the acceptability of a particular proposal, but clearly that policy provides criteria against which an application could be judged. In the context of the representor's search for premises elsewhere in the area, I also note that Policy EMP6 makes it possible for brownfield sites within the Settlement Area to be developed, subject to meeting appropriate criteria.

5.4.19 In passing, I notice a difference of wording between paragraph 6.2.2.2, which refers to the development of sites in the Settlement Areas for industry and storage and distribution, and the text of policy EMP6, which refers only to industrial sites and premises. This discrepancy has the potential to cause confusion, and I recommend below that the IDC address this.

5.4.20 I note the efforts which the company has made to relocate to other sites over the past 8 years, and I also note the support claimed by the representors from the Board of Industry

that there is currently little provision for locating enterprises such as this on appropriate sites in the developed areas. Clearly in the present economic climate the site has little horticultural potential, in common with many sites in the Plan area. The fears of noise and pollution expressed in the counter-representation could in my view largely be mitigated by physical measures which could be required through conditions on a planning permission. However none of these factors is sufficient justification for the specific changes to the Plan which are sought in this representation.

RECOMMENDATION

I recommend that the IDC addresses the discrepancy between paragraph 6.2.2.2 and the text of policy EMP6 by including reference to both industrial and storage and distribution purposes in both places.

Representation

11 Alliance Cash and Carry Limited

Summary of Representation

Two adjacent parcels of land should be changed from Key Industrial Area to allow the development of the premises in accordance with their use as shopping premises.

Further Representation Opposing

355 John Gollop

Inspector's Reasoning and Conclusions

5.4.21 The representors occupy a large warehouse on the Braye Road industrial estate and the adjoining car park. Their business was originally entirely a wholesale operation, but as I saw at my site visit, is now a mixture of wholesaling and retailing, with the majority of the floorspace given over to retailing, with goods and shelves set out in the manner of a discount operation. The IDC stated that in their view the authorised use of the premises is as a wholesale warehouse. The representors found, they said, some confusion in the minds of IDC officers as evidenced in correspondence and discussions as to which Use Class the premises and the adjacent large car park fall into.

5.4.22 What the lawful use of the premises is can only be a matter of law, and I do not propose to enter into that. I note the evidence from the Managing Director that about 75% of the floor area has been given over to retailing for about 15 years, and the submissions on behalf of the representor as to the contribution the premises make to the provision of choice in shopping facilities, which is an aim of Strategic Statement 3 of the Strategic and Corporate Plan.

5.4.23 The representors indicated that uncertainty as to the legality of the present use had caused delays in the processing of an application to refurbish and reconstruct the premises, and permission had not subsequently been granted in the terms applied for. The inclusion of

the premises within a Key Industrial Area would in their view be likely to create further difficulties in the future, and they sought a different zoning which might reflect the *de facto* use of the premises as a part of Island life.

5.4.24 The zoning of individual premises for particular purposes would be contrary to the general, criteria-based approach of the Plan, an approach I support. I therefore do not recommend any different allocation for the representation site. However I have examined whether the policies of the Plan provide an appropriate basis for the consideration of any planning applications which may come forward in future.

5.4.25 Paragraph 6.2.2.1 of the Plan says that Key Industrial Areas represent the island's principal reserves of industrial land. These areas are big enough to accommodate large industrial premises and have good road access. It goes on to say that it is important that land that is particularly suitable for large-scale manufacturing or high technology businesses is used for those purposes. Policy EMP5 therefore says that KIAs are reserved for the development of business and industrial uses that require purpose built premises and which cannot be reasonably accommodated elsewhere. Whilst it does not repeat the reference in 6.2.2.1 to large-scale manufacturing or high technology businesses, its meaning is evident from the context. Development for other business and industrial uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals of the Plan.

5.4.26 The intention of the Plan to reserve KIAs for uses to which they are particularly appropriate, and to avoid their effectiveness in meeting those particular needs being diluted, is thus clear and in my view justified. What is more, paragraph 6.2.2.1 has a particular reference to uses such as the representor's. It says that there has been a tendency for some wholesale operations to gradually shift towards general retailing. In order to ensure that prime industrial land is safeguarded for manufacturing and other appropriate business use, any change from wholesaling to trade customers into retailing to the general public will be resisted. It would be a matter for the IDC to decide in dealing with any application whether, despite this general indication, the circumstances of the representor were so exceptional as to warrant consideration under policy EMP5.

5.4.27 Other policies of the Plan cater for the establishment or expansion of enterprises outside the Key Industrial Areas, notably EMP6 and EMP10. I include above in connection with Representation 4 a recommendation that EMP6 should be clarified to incorporate reference to storage and distribution uses. As to the provision of retail development, the Strategic and Corporate Plan acknowledges that although the plan is aiming to direct development to the existing centres, there may be circumstances where retail development may be acceptable elsewhere. It points first to the allocated areas at Le Bouet and Leale's Yard, and then at other appropriate edge of centre locations. Following this lead policies CEN1 and CEN2 of the draft UAP make provision for appropriate retail development in the Central Areas (which I assume would include edge of centre locations) and in the Mixed Use Redevelopment Areas at Le Bouet and Leale's Yard. Contrary to the representor's assertion that there is no general prohibition outside the Town and the Bridge, Policy CEN2 makes it clear that the provision generally of further new retail developments on sites away from the

Central Areas will be resisted. I note that an Island Retail Strategy is in preparation, but its completion date is not known, and this has therefore not affected my considerations.

5.4.28 The Plan thus contains clear policy guidance as to how proposals such as those propounded by the representor will be dealt with. The policy may not be what the representor would wish to see, but it is clear and well justified, and I see no reason to recommend its alteration. Indeed, I consider that to try to do so through special pleading on behalf of one particular operator would dilute the effectiveness not only of the Key Industrial Areas, which are a prime tool in securing the economic well-being of the Island, but of the Plan as a whole.

5.4.29 One further point arises. As the representor pointed out, and as I noted on my site visits, the Key Industrial Areas contain many operations which would not fall within the ambit of policy EMP5. While the Plan will have no effect on their continued occupation of their existing premises, the intention of the Plan to reserve the KIAs for developments with particular locational requirements will also apply to any future planning applications by those other operators. Many such proposals may only be of a minor nature, and it would in my view be helpful if either policy EMP5 or its supporting text gave an indication of the criteria the IDC would apply to such minor proposals.

RECOMMENDATION

I recommend that the Plan should include an indication of the criteria which will be applied to minor proposals related to non-conforming uses within the Key Industrial Areas.

Key Industrial Area at Bulwer Avenue

Representations

72 St Clair Products and Holdings Limited

Summary of Representation

A site on the eastern side of Les Grandes Maisons Road opposite Maison Le Marchant should be excluded from the Key Industrial Area and included in the Settlement Area.

Inspector's Reasoning and Conclusions

5.4.30 The site is a contractor's yard and store. It immediately adjoins other industrial premises in Long Hougue Lane. At first sight, therefore, in terms of its use and its location, it is appropriately allocated on the Proposals Map. However the site is divorced from the main group of premises in Longe Hougue Lane, and has a separate access to Grandes Maisons Road. It immediately adjoins new residential development to the south west and has existing residential development both opposite and to the north east along the road frontage.

5.4.31 Paragraph 2.3.2.11 of the Plan describes Key Industrial Areas as the principal industrial locations and as important reserves for the development of businesses that require

purpose built industrial premises and which cannot be accommodated elsewhere. Paragraph 6.2.2.1 emphasises the importance, in view of the limited number of Key Industrial Areas and the constraints on future land supply, of ensuring that land that is particularly suitable for large scale manufacturing or high technology businesses is reserved for this purpose. This site in its existing state would not appear to me to be particularly well suited to either of those purposes.

5.4.32 Both the representor's advocate and the IDC referred to the possibility of a planning application being submitted for residential purposes, and of course I can make no comment on the merits of such an application, which would be for the IDC to decide. However the representor's submission that a change from Key Industrial Area would enable such an application to be made is not strictly correct. An application can be made at any time, and whatever notation appears on the Proposals Map. The notation merely determines whether certain policies will be applied to the consideration of any proposal.

5.4.33 In this case, policy EMP5, which is under the heading of Key Industrial Areas, does not say in terms that proposals for other purposes will be resisted, or even that they will be subjected to any criteria. But it does say that such areas are reserved for the development of businesses that require purpose built industrial premises and which cannot be accommodated elsewhere.

5.4.34 On the other hand, if this site were removed from the Key Industrial Area notation and placed in the Settlement Area, its development for any purpose other than an industrial one would be considered against policy EMP9. This requires it to be clearly demonstrated that the site or premises are no longer suited to continued industrial use having regard to three criteria, including the standard of and demand for accommodation, the suitability of access and its potential for improvement, and the potential for remedying land use conflicts such as noise, smell or traffic impacts. Redevelopment for an industrial purpose would be considered against the criteria in policy EMP6, which include amenity and bad neighbour effects and access issues, as well as other policies of the Plan.

5.4.35 In summary, it seems to me that the present use and condition of this site make it less suitable for inclusion in the Key Industrial Area, while its exclusion would still leave in place safeguards requiring the proper and detailed consideration of any alternative proposals for development or redevelopment.

RECOMMENDATION

I recommend that the site the subject of Representation 72 is excluded from the Key Industrial Area and instead included within the Settlement Area.

Representation

74

Divad Limited

Summary of Representations

Mont Crevelt House, South Side, St Sampson should be excluded from the Key Industrial Area and included in the Settlement Area.

Inspector's Reasoning and Conclusions

5.4.36 The representation site comprises a range of quayside warehouse buildings close to the eastern end of the south quay of St Sampson Harbour. The buildings contain a variety of uses, including retail, offices, storage and industrial uses. On the Proposals Map it falls within an area allocated as a Key Industrial Area and also within the Harbour Area where the External Transport Links policies of Chapter 8 of the Plan apply. In the current plan the site is included within a Central Activities Area but is excluded from the Key Industrial Area to the south.

5.4.37 The site is divorced from the main central area, and is on something of a limb at the corner of Bulwer Avenue, and its exclusion from the Central Area in the draft Plan is in my view correct.

5.4.38 I can understand the representor's concern that in terms of its present use it does not sit happily with the Key Industrial Area within which it is included in the draft Plan. He says that inclusion in the Settlement Area would fit more closely with the mix of uses to which the building is currently put, and the industrial use within the buildings represent a small fraction of the total use. However the policy areas on the Proposals Map seem to me to be neither intended to reflect present use, nor to dictate future use. They are intended to ensure that particular policies apply to proposals within those areas. Therefore the more relevant question would seem to be whether the policies applied by inclusion in a Key Industrial Area and a Harbour policy area are appropriate to the building and its location, or whether the Settlement Area notation put forward by the representor would be preferable.

5.4.39 There can be no doubt that in this harbourside location the inclusion of the site within the Harbour area is appropriate. In this area paragraph 2.3.2.6 says that the attractiveness of the quayside environment and the public enjoyment of the area will be considered in addition to port-related activity. The Key Industrial Areas are described as the principal industrial locations and are particularly suitable for the development of new industrial or high technology employment uses. The representation site is sandwiched between an area of harbourside fenced off for port-related uses to the west and a tank farm to the east, the latter, I understand, being a notified hazardous installation. It is therefore located in an area where it would be appropriate for any future proposals to be considered against the employment policies of the Plan. If it were to be given a Settlement Area notation it would be isolated as a single site, divorced from the remainder of the Settlement Area. That would not accord with the generally broad brush approach to the delineation of policy areas on the Proposals Map.

5.4.40 Any proposals which came forward for the development or redevelopment of this site would need to be considered not just against EMP5 but against all the other policies of the Plan, including ETL1-4. The proximity of the element of the Conservation Area at the harbourside would also be a consideration. I recommend above that the Plan should include an indication of the criteria which will be applied to minor proposals related to non-conforming uses in the Key Industrial Areas. If this is done, in my view the notations covering the representation site on the Proposals map would not inhibit the uses currently operating within the premises, and they would provide an appropriate basis for the consideration of any proposals which may come forward.

RECOMMENDATION

I recommend no change to the Plan.

5.5 EMP13 NEW TOURIST ACCOMMODATION

The Representations

59 John Gollop

Summary of Representations

The policy is too restrictive and not supportive of the Tourist industry.

Inspector's Reasoning and Conclusions

5.5.1 The preamble to this policy, Paragraph 6.2.5.1 is encouraging of conference and hotel development, which contribute to the functioning of the island as an international financial and business centre. The reduction in hotel and guest house accommodation in the urban area, to which the representor referred, should not lead to an unquestioning approval of further investment in this sector. The criteria set out in the policy are in my view reasonable, and should ensure that any development is properly planned, is satisfactorily accessed and respects its surroundings. While it is true that some of the existing hotels in the Town have restricted parking or servicing facilities, that is not in my view a good reason for not testing modern proposed facilities against the criteria of the policy.

5.5.2 I note that the States Tourist Board, while making representation in respect of Policy EMP 15, did not object to this policy.

RECOMMENDATION

I recommend no change to the Plan.

5.6 EMP15 RATIONALISATION OF VISITOR ACCOMMODATION

Representation

79

States Tourist Board

Summary of Representation

Policy EMP15 should be amended to reflect the Board's policy statement "Guernsey's Accommodation Sector – Future Profile", used by the Board in formulating views on planning applications for change of use or development of tourist accommodation. Criteria a) and b) should be replaced by the following:

- a) the existing premises do not form part of the island's core bedstock as defined by the Tourist Board in pursuance of Policy 17(A) of the Strategic and Corporate Plan.

Further Representation Opposing

351

John Gollop

Inspector's Reasoning and Conclusions

5.6.1 The Tourist Board generally welcomed the support of the Plan for the tourist industry, including Policies EMP13 and EMP14. Their concern was that EMP15 did not reflect the Board's policy, which focussed on securing a core bedstock of 2,700 beds/units by 2005. This level of accommodation was felt appropriate to safeguard the island's external transport links and to ensure profitability in the accommodation sector to secure further investment. The aim was also to ensure that the bedstock met market demand and expectation in terms of type, grade and quality.

5.6.2 Strategic Policy 17(A) says that Detailed Development Plans will include policies to ensure that an adequate stock of visitor accommodation is maintained in the interests of sustaining the future viability of tourism. The Tourist Board has adopted a policy statement, referred to above, the basis of which is the promotion of Guernsey as a short break quality destination. It indicates that the Board, when consulted on planning applications by the IDC, will not object to the change of use of certain sites which consist of small hotels and guest houses which could be potentially uneconomic to run, and could not be extended; and poorer quality self catering accommodation. They will, however, object to changes of use of existing hotels and guest houses with more than 35 bedrooms, or the potential to expand to that size; smaller well-located premises; and with one or two exceptions, self catering sites that have the potential to be upgraded to 3-star standard.

5.6.3 Although the policy statement is not site-specific, it is framed in terms which suggest that the Board has particular premises in mind. However the IDC cannot pre-judge the outcome of planning applications in this way. Their policy must be phrased in a way which ensures that each case is determined on its individual merits. For example, while I do not doubt that the Tourist Board has good reason for its view that 35 bedrooms is an appropriate benchmark in terms of economic size, the planning policy must leave it open to applicants to argue their case.

5.6.4 As I understand it, the Board was quite rightly not arguing that the projected target of 2,700 rooms/units should itself be incorporated in the policy. The question of whether this is an appropriate target is a matter for the Board, and not one on which I will make any comment, despite the views expressed by the counter-representor, who considered that hotels should be retained in the tourism sector or the industry would decline, to the detriment of Guernsey.

5.6.5 In any event the target is not a firm one, and the policy statement recognises that in practice only a percentage of the potential maximum reduction of 470 rooms/units is likely to take place in the medium term. Their overall aim, given a reduction in poorer quality accommodation and a corresponding encouragement for reinvestment and new investment, is to achieve sufficient roomstock to support an increase of 10-15% in visitor numbers.

5.6.6 In my view the criteria in Policy EMP15 maintain a correct balance between the aims of the Strategic and Corporate Plan and the need to treat each application on its merits. Since, as the Board's policy statement points out, the determination of planning applications is the responsibility of the IDC and a matter for their discretion, it would be wrong to make the policy of another arm of government the determining factor in an application, which would be the result if the wording suggested by the Tourist Board were adopted. The views of the Tourist Board on individual applications will, I am sure, be taken into account and will carry appropriate weight, but as the Board's policy statement points out, it is the IDC's responsibility to determine planning applications. I therefore do not support the changes suggested by the Board.

5.6.7 Turning to the detail of the policy, criterion a) refers to "unsatisfactory" and "satisfactory" standards of accommodation without defining, either in the policy or in the supporting text, what those terms mean. I assume them to incorporate such factors as size, convenience of access, levels of available facilities etc. Potential applicants would not be able to judge their likelihood of success from the text as it stands, and I recommend that clarification is provided.

5.6.8 Criterion b) refers to premises which are too small for a modern, viable operation. In applying this criterion the IDC, as I indicated, will presumably require evidence from the applicant as well as taking into account the views of the Tourist Board. The text should indicate what will be required of applicants.

5.6.9 In the case of criteria c) and d) the standards being aimed at can be ascertained by cross-reference to policies HO4 and HO7, which are cited in the margin. A more specific reference in the text of paragraph 6.2.5.3 would however be helpful.

RECOMMENDATION

I recommend that Policy EMP15 and its supporting text be expanded to indicate what is meant by the terms "satisfactory" and "unsatisfactory" in the criteria of the policy, and what evidence will be expected as part of a planning application to demonstrate that premises are too small for viable operation.

6. CHAPTER 7 CENTRES

6.1 CEN1 NEW SHOPPING FACILITIES IN THE CENTRAL AREAS

Representation

60 John Gollop

Summary of Representation

The representation stated that it was time to oppose retail developments. At the inquiry the representor suggested that Policy CEN1 should have an additional criterion that proposals should be strongly justified on grounds of retail need.

Inspector's Reasoning and Conclusions

6.1.1 Strategic Statement 3 of the Strategic and Corporate Plan refers to strengthening the role of the Town and Bridge as the principal centres, while ensuring that everyone has convenient access to a wide choice of shopping, leisure and other facilities. Strategic Policy 18 indicates that the States will seek to instigate measures and support projects for the Town and Bridge that, amongst other things encourage a wide range of retail uses. Neither of these statements in my view lends support for any curtailment of retail development in these centres. It would not therefore be appropriate to require retail developers, whose development and investment in the centres would in principle be welcomed, to demonstrate a retail need for their proposals. The criteria set out in Policy CEN1 seem to me to be apt.

6.1.2 I was advised that an Island Retail Strategy is in preparation. That will no doubt provide more detailed information on the island's patterns of retail activity which can inform future reviews of the Plan, but the information is not available to me. Although the representor thought it premature to decide retail policy in the absence of the Retail Strategy, this Plan must proceed on the information available, and I see no objection to this policy.

RECOMMENDATION

I recommend no change to the Plan.

6.2 CEN4 COMPLEMENTING THE RETAIL FUNCTION

Representation

78 **A D C Webber**

Summary of Representation

There should be flexibility so that shops can be used for other purposes.

Inspector's Reasoning and Conclusions

6.2.1 The representor referred specifically to the Mill Street area of St Peter Port, where he considered that empty shop units could be better used for other purposes and avoid stagnation. As the IDC pointed out, the Plan aims at a diverse mix of uses within the main centres. Policies CEN3-CEN5 within section 7.2.2 of the Plan aim, by different means, to achieve this end. Mill Street is one of a number of streets specifically mentioned in paragraph 7.2.2.3 as providing for niche retail and specialist uses outside the main stream of large retail chains. Policy CEN4, and its supporting text in paragraph 7.2.2.2, provide criteria against which proposals for the change of use or redevelopment of retail units at ground floor will be considered. In my view these policies provide a flexible basis for the consideration of proposals which should be supported.

RECOMMENDATION

I recommend no change to the Plan

6.3 CEN6 PARKING IN THE CENTRAL AREAS

Representation

3 **Mr F X Paul**

Further Representation

60 **John Gollop**

Summary of Representations

The representor considered that CEN6 should be amended to read 'Proposals for the provision of parking will only be considered where...'

The further representation expressed the view that CEN6 should be deleted, as parking provision was not the job of the IDC but of the Traffic Committee.

Inspector's Reasoning and Conclusions

6.3.1 At the root of this representation was a concern at the degradation of the island, particularly as a result of the growth of the motor car. The representation also referred to

Policy CEN7, and I deal under that policy with his concern over the overall strategy of the Plan in relation to the reduction of car dependency.

6.3.2 Although Mr Paul considered that his proposed change was only a matter of the use of plain English, in fact it would significantly alter the meaning of the policy, taking it outside the law. The IDC is bound to consider all proposals put forward, and could not bind itself through a policy to *consider* parking proposals only under certain conditions. Although the representor's aim was to stiffen the policy, in my view the policy as written is perfectly plain in its meaning. Only proposals for parking provision which meet the conditions set out in the policy will be *permitted*.

6.3.3 Whilst the provision of public parking is also a function of a different arm of the States, as the IDC pointed out, a 1998 States resolution makes the IDC and STC jointly responsible for working towards car parking, and planning control has a clear role to play in ensuring satisfactory provision. I consider that Policy CEN6 is therefore appropriately included in the Plan.

6.3.4 At my request the States Traffic Committee appeared at the inquiry represented by its President, Deputy Peter Bougourd, its Deputy Chief Executive Alistair Ford and its Director of Transport Peter Tidd. They confirmed that the preamble associated with CEN6 (para 7.2.3.1) was consistent with the views of the Traffic Committee, and with the approach taken by the Committee in the policy letter it presented to the States in June 2001 concerning proposals for the construction of two additional and public car parks.

6.3.5 The Committee was of the view that the second paragraph of 7.2.3.1 should say "that some additional parking provision is (rather than may be) required". However with regard to the policy itself the Committee was of the view that this provided the correct approach.

6.3.6 As I understand it, the position is that the question of car parking is still under discussion by the States. I have been supplied with a copy of the 9 January 2002 concerning Billet D'Etat No XXIV dated 23 November 2001. This related, briefly, to the employment of consultants to provide parking feasibility studies and directed the Board of Administration to consider and report on parking needs statistics. If all these matters have been clarified by the time the IDC presents my report to the States, no doubt they will make appropriate amendments to the second paragraph of 7.2.3.1.

RECOMMENDATION

I recommend no change to Policy CEN6, but that appropriate amendment be made to 7.2.3.1 to reflect the up-to-date position on car parking provision.

6.4 CEN7 TEMPORARY CAR PARKS

Representation

3 Mr F X Paul

Summary of Representation

The representor felt that the implied intention to provide large amounts of additional parking in the long term contradicted the statement in 7.2.3.1 that the IDC supports the principle that parking requirements are kept to the operational minimum and alternatives to the car are encouraged. CEN7 should be deleted.

Inspector's Reasoning and Conclusions

6.4.1 The representor pointed to the lack of an integrated traffic strategy for the island, and to the investigations being carried out by the Advisory and Finance Committee into indicators of sustainable development. He commented favourably on the recent improvements to the public transport system. He pointed to the increase in vehicles on the island from 40,753 in 1995 to 43,707 in 1999 evidenced by the 2001 Economics and Statistics Review. The need to reduce car dependency was recognised by the Plan at paragraph 7.2.3.1. However I do not agree with him that the right approach for this Plan would be to prevent any further expansion of car parking. Paragraph 7.2.3.1 of the Plan says there is a balance to be struck between providing more parking spaces in centres to deal with increasing demand and the need to reduce car dependency and achieve a shift towards more sustainable modes. That seems to me the right approach, and such a balance requires a more subtle policy than a simple ban on further parking provision.

6.4.2 In any event the identification of sites for public parking is the responsibility of the States through the Traffic Committee, and thus outside the remit of this Plan. As I understand it, the aim of this policy is to enable temporary provision to be made, until the identified need for parking can be met. Such provision would be subject to strict conditions ensuring its temporary nature. The representor thought that this was evidence of a lack of joined-up government. There was a lack of an integrated transport strategy, which was long overdue. There were hopeful signs in the current investigation by the Advisory and Finance Committee of indicators of sustainable development but at present the welcome improvement in the public transport system recently instigated was being frustrated by the lack of effort to reduce car use. More parking provision would lead to more cars, which in turn would create more problems for public transport.

6.4.3 It is not for me to comment on States policy. However it is important to note that the Advisory and Finance Committee has formally confirmed that the Plan conforms with the objectives of the Strategic and Corporate Plan 2001, which sets out the strategic objectives to be followed by the IDC in implementing the Island Development (Guernsey) Laws 1966-1990. Further, in preparing the Plan the IDC has consulted closely with the Traffic Committee, in accordance with the States resolution of 1992 concerning Billet d'Etat No

XX. It is now a commonly held view that the availability of car parking has a major influence on the means of transport people choose for their journeys and I note that the Plan has not taken the step of moving to maximum rather than minimum car parking standards. However Paragraph 7.2.3.1 provides a clear statement that the IDC supports the principle that parking requirements are kept to the operational minimum and alternatives to the car are encouraged.

6.4.4 At my request the States Traffic Committee appeared at the inquiry represented by its President, Deputy Peter Bougourd, its Deputy Chief Executive Alistair Ford and its Director of Transport Peter Tidd. They confirmed that the Traffic Committee had no difficulties with Policy CEN7 as expressed in the current draft review of the Urban Area Plan. They pointed out that in formulating its advice to the Island Development Committee on site specific proposals involving temporary car parks the Traffic Committee would want to take into consideration any significant traffic management issues which might accompany such a usage.

6.4.5 In one respect I consider that Policy CEN7 could be strengthened. I note that at present nothing in the policy would enable the IDC to limit the overall amount of temporary parking provided in the centres. Once the amount of required additional parking has been identified by the States it would seem sensible that, in line with the aims of the plan to achieve the balance described above, the amount of temporary parking permitted at any one time should not exceed the identified need.

6.4.6 In response to my questions about the enforceability of temporary conditions reference was made by the IDC to the support provided by policy DBE9. That enables the IDC to prevent demolition until a contract for acceptable new work had been made, to prevent the creation of 'gap' sites harmful to the character or appearance of an area. However it seems to me unlikely that temporary parking would be permitted at all on a site where a gap site resulting from demolition would be harmful to the area's character. The preparation of a site for car parking use and its preparation for early redevelopment would seem likely to be incompatible. The additional criterion I suggest below would enable the IDC to resist the perpetuation of car parking beyond its temporary limit if permanent provision meeting or contributing towards the identified need had been made in the interim.

RECOMMENDATION

I recommend that an additional criterion be added to CEN7 as follows:

`c) the total amount of parking provided in any centre does not exceed the amount identified by the States as necessary'.

6.5 CEN11 SHOPFRONTS

Representation

60 **John Gollop**

Summary of Representation

The policy is too restrictive, and should be amended by the inclusion of an additional criterion as follows:

“(d) the shop front would enhance the retail environment and amenity”

Inspector's Reasoning and Conclusions

6.5.1 Since the UAP is a tool of planning control, its criteria must be related to land use planning matters. Thus I agree with the IDC that the enhancement of the street scene is an appropriate aim of this policy, while the enhancement of the retail environment, however that might be defined, would not be. Of course it would be counter-productive if the policy were so restrictive as to constrain the retail health of the central area. But I do not consider this to be the case. No evidence was presented to me that retail investment was being inhibited by the need to meet the current standards required by the IDC.

RECOMMENDATION

I recommend no change to the Plan.

6.6 CEN12 SIGNS

Representation

60 **John Gollop**

Summary of Representations

The policy is too prescriptive, and should permit new neon signs provided they are not inappropriate.

Inspector's Reasoning and Conclusions

6.6.1 This is a strict policy, but as can be seen from the attractiveness of the Central Areas, and the relative absence of garish or unsuitable advertising, the policy currently operated by the IDC has been successful in protecting these areas. I understand the point made by the representor that, for example, well-designed neon signs can add variety in the right circumstances. However the policy is phrased with a degree of flexibility, and would enable the IDC to permit signs which were satisfactory in scale and appearance. Any further relaxation would in my view be undesirable.

RECOMMENDATION

I recommend no change to the Plan.

7. CHAPTER 8 EXTERNAL TRANSPORT LINKS

7.1 ETL3 QUAYSIDE DEVELOPMENT

Representation

63 **John Gollop**

Summary of Representation

The policy on Quayside development was supported, but the perspective should be broadened.

Inspector's Reasoning and Conclusions

7.1.1 The representor suggested that the Harbour Area annotation on the Proposals Map should be extended beyond its current southerly limit, to include the South Esplanade area. The suggestion was made in the context of consideration of Representation 106.

7.1.2 Paragraph 2.3.2.6 says that the Harbour Areas cover the harbours and their quayside environment including areas of port-related development. As the representor pointed out, the buildings along the South Esplanade have an attractive quayside character, and are part of the unique atmosphere of St Peter Port.

7.1.3 However I do not see the prime purpose of the policies in Chapter 8 of the Plan as the conservation of this character. All four policies in this chapter should be read together, and balance the need to safeguard sites which are well-located for port-related activities with the encouragement of opportunities for new and improved harbour facilities, while taking into account the quayside's distinctive character and grasping opportunities to enhance public use and enjoyment of the areas.

7.1.4 These aims do not apply to the South Esplanade which, while part of the historic port, is no longer in active port use, and therefore does not need to be protected by these policies. It is however included within the Conservation Area, where the policies of Chapter 4 of the Plan in my view provide appropriate safeguards for its character.

RECOMMENDATION

I recommend no change to the Plan.

8. CHAPTER 10 SOCIAL, COMMUNITY, RECREATION

8.1 SCR1 COMMUNITY SERVICES AND EDUCATION FACILITIES

Representations

71 Les Cotils Christian Centre

Summary of Representation

An area at the north west of the estate of the Les Cotils Christian Centre should be re-allocated to enable facilities to be provided for a Community Mental Health Resource Centre and a Day Centre for mentally infirm old people, accommodating the existing Day Centre.

Further Representation Supporting

357 John Gollop

Inspector's Reasoning and Conclusions

Les Cotils is a popular and attractive centre, as indicated in the supporting further representation. I understand the management's keenness to develop the centre in the way described in this representation. However in my view no change is needed to the Plan to enable that to be considered. As the Representation indicates, any proposal of this nature, wherever it might be situated within the grounds of Les Cotils, would be considered against the relevant policies of the Plan. The proposal relates to an area of the grounds adjacent to the boundary with Beau Sejour which the Plan indicates as an Area of Landscape Value.

8.1.1 In the schedule of landscape types associated with Annex 8 to the Plan the representation site is described as part of the South Eastern Plateau, which has a wooded parkland character which is owed to the origins of much of the land as private gardens around grand houses. That description is in my view entirely appropriate to the grounds of Les Cotils, which although containing car parking areas and various buildings is still recognisably the grounds of a large house.

8.1.2 Both this plan and the previous Urban Area Plan represent a movement away from specific zonings and towards policies based on criteria, against which proposals for development should be considered. I support that movement, and in my view to provide a specific zoning for Les Cotils' proposal would be inappropriate. Since a decision on any specific proposal would be a matter for the IDC I make no comment on the possible development of the particular location within Les Cotils' grounds which was the subject of the representation.

RECOMMENDATION

I recommend no change to the Plan.

8.2 SCR5 THE ESTABLISHMENT OF SPORTS PERFORMANCE CENTRES

Representation

7 Amalgamated Football Club

Summary of Representation

The representation supports but seeks further clarification and interpretation of policy SCR5, which covers the establishment of sports performance centres.

Inspector's Reasoning and Conclusions

8.2.1 The representors are located at The Track, which comprises playing fields with spectator grandstand and associated facilities in the low-lying Marais area between St Peter Port and St Sampson.

8.2.2 Paragraph 10.2.2.3 of the Plan says that in order to improve the attractiveness of the major sporting and recreational venues at The Track and Beau Sejour there is a need to provide high quality sports facilities that meet the needs of participants and which will offer improved spectator opportunities and attract visitors to the Island. Policy SCR5 states that these venues will be retained as major sporting and recreational centres, and that the IDC will support proposals for improvements to the existing playing and spectator facilities and other related uses provided they are not detrimental to the amenities of the local area. Any proposals will also, of course, need to be considered in the light of the other policies of the Plan, in view of the site's rural location.

8.2.3 The representors described their ambition to replace the Grandstand and changing rooms and to develop areas behind the Grandstand and to the west. They were concerned that the wording of SCR5 appeared to preclude limited commercial development, which they felt was necessary in order to fund the improvements they sought. They indicated that they have in mind a sports hall and associated development which could have a dual use as a disaster recovery area.

8.2.4 They asked me to include in my report a recommendation that, in the light of the events of September 11 2001, and the terrorist attacks on the world financial institutions in the Twin Towers of the World Trade centre, there was a need for a number of dual use or dedicated disaster recovery areas outside the Mixed Use Redevelopment Areas. While I admire their enterprise in spotting this possible opportunity, I have no evidence of the need for such facilities which would justify my making such a recommendation. Such a change to the Plan, if it were appropriate, would need to be carefully researched before a suitable policy were inserted. A change of this nature now would in my view be premature.

8.2.5 I recognise that the funds available to the representors are limited, and that sports facilities generally need financial support, often of a substantial nature. However it is not for me to judge whether any particular proposals would fall within the ambit of policy SCR5. I

am, however, satisfied that the wording of the policy and its supporting text gives appropriate recognition to the need to allow the sporting facilities here to develop, while respecting the constraints of the location.

RECOMMENDATION

I recommend no change to the Plan.

9. CHAPTER 11 COUNTRYSIDE POLICIES

9.1 CO1 RURAL DEVELOPMENT

Policy Representation

43 P A C Falla

Summary of Representation

Representation 43 sought to widen the types of land and sites on which infill development can occur outside the Settlement Areas. It proposed to add the following words (in italics) to the second paragraph "...Within an existing group of buildings, infill development may be acceptable on previously developed land. *Infill development may also be acceptable on disused glasshouse sites within the white areas not hatched in green and therefore not of Landscape Value.* However not all previously developed land is appropriate for infill...". It proposed to add the following words to the list in the policy that details the forms of development which may be acceptable:

"Infill development on derelict land and disused glasshouse sites within an existing group of buildings in white areas which are not hatched in green and therefore not designated as Areas of Landscape Value."

Further Representations Opposing Representation 43

136 Victor and Jill Froome

333 Peter and Jacqueline Joy

Representation

61 John Gollop

The representation considered the policy too vague and made a number of criticisms of the detail of the policy.

Inspector's Reasoning and Conclusions

9.1.1 Representation 43 was the subject of a joint presentation in respect of representations 41, 42 and 43. The changes proposed in relation to this policy parallel those proposed in relation to the Housing chapter, and are intended to relax the approach of the Plan to the development of derelict glasshouse sites. My conclusion on the arguments raised both by the representation and the further representations is above in relation to Policy HO2, where I recommend no change to the Plan. My conclusions and recommendation there apply equally to this representation.

RECOMMENDATION

I recommend no change to the Plan.

Site Specific Representations

Representation

2 Mr & Mrs M A Le Poidevin

Summary of Representations

Land at Brooklands Vinery should be considered for limited residential development.

Inspector's Reasoning and Conclusions

9.1.2 The representors appeared in person at the inquiry, but also wrote to me after their appearance, setting out additional matters which they had intended to include in their response to the IDC's comments. I have taken this letter, which was copied to the IDC, into account. The site, a former vinery now disused, lies on the south side of Epinelle Road, immediately adjacent to another vinery the subject of Representation 44.

9.1.3 These sites lie right at the edge of the area covered by the UAP in a location described by the IDC, correctly in my view, as on the rural fringe. On the opposite side of the road, to the north east, is a small housing area which is notated as Built Up Area in the Rural Area Plan (Phase 1). The area so notated is small, and is surrounded by predominantly Green zoned land. I note that a recent residential development has taken place on a former vinery site within that Built Up Area. However the representation site lies not within, but beyond that area, and its development would extend built development towards open countryside. In my view it would not be appropriate to apply policies which would automatically permit the construction of low density development, though the determination of any specific application would be a matter for the IDC.

9.1.4 I recognise that the glasshouses on the site are beyond economic repair, and are likely be of little interest to the horticultural industry. I deal above in relation to Representations 41-43 with the suggestion that policy I relation to the development of former glasshouse sites should be relaxed.

9.1.5 The representors rightly point out that this site is not within an Area of Landscape Value in the Plan. However open farmland elsewhere in this locality is so designated. In some parts of the Plan area the Area of Landscape Value notation washes over glasshouses, in accordance with the statement in paragraph 2.3.2.4 that in some cases land may need to be reclaimed and enhanced in order to restore the visual continuity of the underlying landscape. I deal in relation to a number of representations with the consistency of this notation, and it seems to me that this is a location where the boundaries of the notation need to be examined to ensure consistency.

9.1.6 The representors referred to the fact that glasshouse sites were included in the Plan as Housing Target Areas. Whilst that is true, the focus of the Plan does not give first priority to Housing Target Areas for development. The first priority is to sites within the Settlement Areas and to previously developed land. For this reason the release of HTAs is to be phased,

and to follow the preparation of an Outline Planning Brief. Furthermore, the selected HTAs are in locations which are closely associated with the Settlement Areas, and therefore accord with the general strategy of the Plan to concentrate development in those areas. The release of other vinery sites, small or large, in the way suggested by this representor, would result in an unplanned spread of development across the rural parts of the Plan area. Although the representors asked me to apply common sense to the treatment of their site, I find that the general approach of the Plan is indeed a common sense one. I understand the difficulties faced by the owners of the many disused vineries in the Plan area, and indeed on the island as a whole, and I sympathise with the position they find themselves in. But the Urban Area Plan, as a land use plan, is not the correct forum to deal with those difficulties. To allow each of them to develop for residential purposes would be extremely harmful.

9.1.7 I therefore conclude that no change to the Plan would be appropriate in response to this representation.

RECOMMENDATION

I recommend no change to the Plan.

Representation

38 **Marc Collas**

Summary of Representations

Land at Oakfield Vinery, Les Osmonds Lane which is designated as outside the Settlement Area should allow for some limited development, i.e. an individual dwelling and amenity next to owner's existing horticultural operation.

Inspector's Reasoning and Conclusions

9.1.8 The representation site is a working vinery, in which I was told major capital investment had been made for the growing of roses, including the installation of hi-tech equipment and environmental systems. It lies at the end of Les Osmonds Lane, in an area of countryside. Land immediately to the north and south is designated in the Plan as of Landscape Value. I deal in relation to a number of representations with the consistency of this notation, and make appropriate recommendations, and it seems to me that this is a location where the boundaries of the notation need to be examined to ensure consistency.

9.1.9 It was said at the inquiry that the representation had the full support of the Committee for Horticulture, and references were made to Strategic Policies 11 and 14. It is clear from the context of the Strategic and Corporate Plan that the reference in Strategic Policy 11 to accommodation is to premises suitable for office based industry rather than residential accommodation. Strategic Policy 14 refers to development or redevelopment on existing holdings for horticultural or related development, but makes no reference to the provision of dwellings. In my view they do not supply the support for this representation claimed for them.

9.1.10 Policy CO1 includes, as one of the forms of development which may be acceptable subject to the criteria of the Plan, development which is essential to the efficient running of existing agricultural holdings. It was argued by the representor that the holding was in need of constant attention, and a dwelling immediately adjacent to the site was therefore essential. It is not for me to judge whether or not that claim is well-merited. That is a matter for the IDC to consider when an application for planning permission is submitted. However it is clear that policy CO1 contains provisions which enable such a claim to be considered, and there is therefore no need to alter the policy in the way suggested in the representation.

RECOMMENDATION

I recommend no change to the Plan.

Representation

39 Millennium Roses

Summary of Representations

The representation objected to the site being indicated as outside the Settlement Area, as the policies applying in such areas were too restrictive and might prevent the regeneration of a site where the use was no longer viable. The policies applying to it should be amended to allow greater flexibility.

Further Representations Opposing

288 Paul and Yasmin Mariess

289 Richard and Sarah Searle

332 Peter and Jacqueline Joy

Inspector's Reasoning and Conclusions

9.1.11 The site comprises two large multispan greenhouses with water reservoir and associated outbuildings on about 8.9 hectares (about 53 verges). On the north and eastern sides is residential development on Les Effards Road, Le Bordage Road and Baubigny Road. To the south east is the States prison. Despite the proximity of development the site has a rural feel, and is in a countryside location towards the western edge of the Plan area.

9.1.12 The representation did not object to the general strategy of the Plan in concentrating development within the Settlement Areas, but expressed concern about the Plan's failure to make practical provision for the future of horticultural operations which were no longer viable. Despite the size and relative modernity of its buildings, this business had not escaped the effects of the general decline in the industry, and could not continue to operate without incurring ongoing losses. It would therefore cease business.

9.1.13 This is symptomatic of a general decline, and it is expected that in the next 5 years the number of horticultural businesses will decline from 209 in 2000 (from a peak of 2,432 in 1976) to between 30 and 50, with the greater proportion of the industry in 10 or 12

businesses. I do not underestimate the costs of restoration of such sites as this, and see no reason to doubt the representor's estimate of about £200,000.

9.1.14 Reference was made at the inquiry to the creation in the United Kingdom of an Urban Regeneration Agency to address the problem of derelict land. I have concluded elsewhere in this report that while the disuse or dereliction of former horticultural glasshouses is clearly a significant problem for the island, its solution does not lie in the relaxation of planning controls over development in the countryside. The representation suggested that Policy CO1 be amended to provide that in exceptional cases, and where the IDC was satisfied that benefit would accrue as a result of the enhancement of the environmental and visual quality of the area, some development would be permitted on part of the site.

9.1.15 However there is no need for the policy to deal specifically with exceptional circumstances. The policies of the Plan are not written in stone. They must always be interpreted in the light of the circumstances of individual cases, and in exceptional circumstances the policy could be outweighed by the particulars of the case. However the number of disused vineries across the Plan area leads me to suspect that disuse would not in itself be an exceptional circumstance. Moreover the inclusion of such a clause in Policy CO1 would create pressure for applications from large numbers of sites, each claiming that benefit would accrue from the environmental enhancement resulting from the removal of areas of unused glass.

9.1.16 The representation also stated that there was no apparent connection between different areas designated as outside the Settlement Area. This is not surprising, since the Settlement Area notation covers only those core areas around St Peter Port and St Sampson where development is to be concentrated. Everywhere else is, inevitably, outside the Settlement Area, and that includes hamlets, scattered groupings of houses, and the full variety of commercial, agricultural and horticultural activity which takes place in the countryside. It is not intended to be a homogeneous zoning – in fact I do not see it as a zoning at all.

9.1.17 I recognise that the owners of this site may not wish to develop all or even a substantial part of the site. They may, for example, have in mind a small extension to the residential development which already exists along the roads close to the site. However even changes to the Plan of such restraint, applied equally to all the vinery owners who have made representations to this inquiry (together with those who have not), would still threaten the construction of a significant number of houses outside the Settlement Area, and thus be in conflict with the aims both of this Plan and of the Strategic and Corporate Plan.

9.1.18 I have note the claims of further representors opposing this representation that even limited development of this site would conflict with the main thrust of Policy CO1 in that it would detract from the openness of the countryside, result in unacceptable loss of agricultural land and be incompatible with its surroundings and with other policies in the Plan. They also referred to the inadequacy of the roads around the site to accept further traffic, and pointed to a fatal accident in 1990. As to its more detailed impacts they referred to, such as on neighbouring properties, on countryside and ecology, and drainage, these

would be factors to be taken into account by the IDC if a planning application were made, but have not been compelling in my conclusions in relation to the policy itself.

RECOMMENDATION

I recommend no change to the Plan.

Representations

45 **R & A Le Page**

Summary of Representations

The representation related to Ravenswood Vineries on the southern side of Les Osmonds Lane which lies outside the Settlement Area, and sought alteration of the Plan to allow commercial development of the existing store building or residential development.

Further Representations Opposing

159 **Mr Luke Allen**

292 **G H Kendrick**

Inspector's Reasoning and Conclusions

9.1.19 The site comprises a former greenhouse site from which the structures have been substantially cleared. The storage building on site is, I understand part of a former greenhouse which has been covered. Although there is scattered development along Les Osmonds Lane, and a dwelling of some substance on the adjacent plot, the area as a whole is in my view appropriately excluded from the Settlement Areas based on the main centres of St Sampson and St Peter Port.

9.1.20 The representor argued that policy CO1 effectively prevents the regeneration of the site because no development will be permitted. The purpose of policy CO1 as I see it is to ensure that any development which takes place outside the defined Settlement Areas is appropriate to a rural setting. Its criteria are therefore understandably limiting, but correctly so.

9.1.21 The suggestion at the inquiry that the current use of part of the land as a builder's yard may not have planning permission is not a matter for me. I note that paragraph 6.2.2.3 the Plan recognises that in very limited and specific circumstances the use of redundant horticultural sites to provide small scale accommodation for service trades may be acceptable, but I make no comment as to its applicability in this case.

RECOMMENDATION

I recommend no change to the Plan.

Representation

68 P A C Falla and heirs of the late F E Falla

Summary of Representation

The representation relates to the southern part of a site known as Murette de Haut on La Route des Capelles. The policies of the Plan should allow the construction of a single dwelling with amenities.

Inspector's Reasoning and Conclusions

9.1.22 This representation relates to the site of a former glasshouse, now demolished on the western side of La Route des Capelles. It is on the western fringe of the Plan area.

9.1.23 I have concluded elsewhere that in the light of the aim of the Plan to concentrate development in the existing settlements, and the adequacy of the Plan's provision for housing, there is no need to designate additions to the Settlement Area. Although the site lies between existing dwellings within a small group of houses, the group is remote from the main settlements and in my view is correctly indicated as outside the Settlement Area. The site provides views to the open countryside beyond this loose grouping.

9.1.24 I have concluded in relation to Representations 41-43 that no change should be made to the policy of the Plan in relation to former vinery sites outside the Settlement Areas. I can see no reasons to adjust my view in relation to the particular circumstances of this site.

9.1.25 The merits of any proposal to develop the site would be a matter for the IDC in the event of a planning application being made. I am satisfied that the Plan contains policies which would enable such a proposal to be considered consistently with other similar properties in the Plan area.

RECOMMENDATION

I recommend no change to the Plan.

Representation

94 Fernvale Plants Ltd (now Davallia Ltd)

Summary of Representations

The representors supported the indication on the Proposals Map that the former vinery of Fernvale Plants Ltd in Les Effards, St Sampson was outside the Settlement Area on the basis that the policy for such areas would permit limited development. They wished to carry out limited development at the northern end of the site.

Further Representation Opposing

335 Peter and Jacqueline Joy

Inspector's Reasoning and Conclusions

9.1.26 This former vinery site lies on the south side of Les Effards between existing dwellings, and extends to the rear. The land to the south, though also containing disused and derelict greenhouses, is indicated on the Proposals Map as an Area of Landscape Value, while to the south east is the large glasshouse complex owned by Millennium Roses. Much of this land is the subject of other representations.

9.1.27 I deal in relation to a number of representations with the consistency of the Area of Landscape Value notation, and it seems to me that this is a location where the boundaries of the notation need to be examined to ensure consistency.

9.1.28 This site is close to the western extremity of the Plan area, and is some distance from the Settlement Area defined in the Proposals Map. I therefore agree with the representors that it is appropriately notated on that Map. One of the categories of development which is indicated in Policy CO1 as possibly acceptable subject to the criteria it sets out is infill development on previously developed land within an existing group of buildings. Whilst I note that former vineries do not fall with the definition of previously developed land at Page 150 of the Plan, the question of whether development on this site would be acceptable, together with the question of traffic safety raised by the opposing representors, is a matter for the IDC on receipt of an application for planning permission, and I therefore make no comment on them.

RECOMMENDATION

I recommend no change to the Plan.

Representation

95 Mr H Whitchurch

Summary of Representation

The indication on the Plan that the site was outside the Settlement Area was supported, and it was indicated that a proposal for a dwelling would be brought forward.

Inspector's Reasoning and Conclusions

9.1.29 The representor owns a Victorian house on the La Route Du Coutanchez together with a large grassed area to the rear. Although close to other rural dwellings and groups of scattered housing, the site is some distance from the edge of the defined Settlement Area, and I agree with the representors that it is appropriately notated on the Proposals Map.

9.1.30 It was proposed to bring forward a planning application for a bungalow to be erected

on this rear land, designed for special needs and with wheelchair access. The IDC pointed out that policies CO1 and HO2 of the Plan would be taken into account in relation to any proposal. Since such an application would be a matter for the decision of the IDC, I make no comment on it.

RECOMMENDATION

I recommend no change to the Plan

9.2 AREAS OF LANDSCAPE VALUE

Introduction

9.2.1 This section of the Plan includes policy CO3, which introduces the concept of Landscape Character Areas covering the whole Plan area and indicates that full account will be taken of their distinctive features, and policy CO4 which aims to protect defined Areas of Landscape Value. No representations were made in respect of policy CO3, and all the representations reported below relate to policy CO4. I understand from the IDC that a Landscape Character Assessment Map showing the Landscape Character Areas should have been included in the published Plan. That Plan was supplied to me, and was referred to at the inquiry, notably in relation to objections to the application of policy CO4. I assume that the omission will be rectified in the final version of the Plan, as it is important to an understanding of the categories described in Annex 8 and referred to in policy CO3.

9.2.2 In dealing with representations relating to this section of the Plan a number of representors have expressed doubts about the consistency of the Area of Landscape Value notation. In some cases this related to difficulty in establishing the boundary of the area, as the notation consists of a green cross-hatching without a boundary delineation. I would suggest that, to clarify this, in the final printing of the Proposals Map some means of identifying the boundary of the Areas is used.

9.2.3 In other cases it was felt that there was inconsistency in the application of the notation. This seemed to be particularly so in the north west part of the Plan area, from the area of Hougue Nicolle and Les Osmonds Lane northwards. Some existing glasshouses were excluded from the Area of Landscape Value notation, while others were included, presumably on the basis set out in paragraph 2.3.2.4 that the land needed to be reclaimed and enhanced in order to restore the integrity and visual continuity of the underlying landscape. Some open land is excluded (such as the land west of Willow Ranch, Les Osmonds Lane) while immediately adjoining land, of very similar appearance, is included.

9.2.4 I am sure that, before presenting the Plan with my report to the States the IDC will review the areas which were the subject of these comments and make any necessary changes. I have noted in my report areas which were drawn to my attention, but of course

there may be other areas which were not the subject of representations. It would also be helpful for readers of the Plan if a fuller explanation of the rationale behind the delineation of the area were provided, either at paragraph 2.3.2.4 or in the preamble to this policy in paragraph 11.2.2.2.

RECOMMENDATIONS

I recommend that

- a) the consistency of application of the Area of Landscape Value notation be examined, particularly in relation to derelict glasshouses;
- b) that a fuller explanation of the rationale behind the delineation of this notation be provided; and
- c) the edge of the Areas be more clearly delineated on the Proposals Map.

Representations

6 Jurat S W J Jehan

Summary of Representations

A site on the northern side of Colborne Road should be excluded from the Area of Landscape Value and included in the Settlement Area so as to have less restriction on future development.

Inspector's Reasoning and Conclusions

9.2.5 The representation made it clear that the owner of the site wishes to use the land for vehicle parking. Having had an earlier proposal refused planning permission for reasons which related to the impact of the proposal on the landscape and on traffic safety, he sought the removal of the Area of Landscape Value designation from this small site.

9.2.6 I have referred elsewhere in my report to the fact that the draft UAP represents a further welcome step away from the “zoning” approach of earlier documents, being more policy-based than previous plans, building on the success of the 1995 UAP in helping to meet the objectives of the Island’s land-use strategy.

9.2.7 The Area of Landscape Value designation is described in paragraph 2.3.2.4 of the Plan as representing the best examples of the landscape types to be found in the Plan area. Annex 8 of the Plan presents a Landscape Character Assessment of the Urban Area, which underpins the notation, and justifies the inclusion of particular areas of land. However paragraph 2.3.2.4 points out that in some cases the land may need to be reclaimed and enhanced, thus recognising that within a designated area not every inch will reach the same high quality.

9.2.8 However as I see it the purpose of the green hatching on the Proposals Map is not simply to define the landscape quality of every part of the area it covers, but to apply Policy CO4. The policy says that development in Areas of Landscape Value will only be permitted where the need for the development in the location proposed has been clearly demonstrated;

the proposals would not adversely affect the landscape character and visual quality of the area; and proposals to rebuild, extend or alter existing buildings respect the size, form and bulk of the original building.

9.2.9 Thus in each case the effect of proposals on the landscape character and visual quality of the area will be taken into account. In dealing with any future application the IDC would include in its assessment amongst other things the present appearance of the site, its planning history, and the nature of the proposal, including any measures to mitigate the effects of the appearance of the proposal on its surroundings, such as the possible increases in the height of the boundary wall to increase screening mentioned in the representation. However the decision on any application will be a matter for the IDC, and I make no comments on the merits of individual proposals.

9.2.10 This former quarry containing a small corrugated sheet building is set into the hillside on the north side of Colborne Road, which winds down the side of an undeveloped and attractive valley with open meadows below. Although leading towards the developed area at the head of La Charroterie, at this point the quarry is a small interruption in an otherwise undeveloped stretch of road on the rural fringe of St Peter Port. Although no doubt when in use it had more impact on the appearance of its surroundings than at present, it is nevertheless a small site within an overall attractive valley landscape. It would be contrary to the general approach of the Plan for sites as small as this to be given an individual designation in the Plan. Even if that were not the case, I do not agree with the representor that Settlement Area would be an appropriate designation. The site is physically detached from the core of the urban area where the Settlement Area designation is concentrated. The developed plateau above and to the east of the representation site is in my view correctly excluded from that designation. I am therefore in no doubt that in this attractive location it is appropriate that proposals should be considered against Policy CO4.

RECOMMENDATION

I recommend no change to the Plan.

Representation

9 Michael and Heather Fattorini

Summary of Representation

La Tourelle, Prince Albert Road and its curtilage should be excluded from the Area of Landscape Value.

Inspector's Reasoning and Conclusions

9.2.11 The reasons behind the representation related to the need of the landowners for additional buildings within their curtilage related to the maintenance of their garden, improved vehicular access to the house and the accommodation of their collection of historic vehicles. The question of whether further building within the curtilage should be permitted is

a matter for the IDC. I have, however, considered whether the Area of Landscape Value notation which covers this property, and which clearly affects the criteria to be applied to any development proposals, is appropriate.

9.2.12 The garden of La Tourelle is at the foot of the steep sided tributary of the Charotterie valley. The plan associated with Annex 8 of the Plan shows the landscape in this part of the Plan area as including both Valley and South Eastern Plateau types. The plateau landscape was generally developed as private gardens, providing generous space around grand houses. The valleys below are described as a significant element within the Town landscape, and of great value offering a unique and pleasant sense of enclosure. The two types combine to create a most attractive environment to the outskirts of the Town. The garden of La Tourelle is clearly a part of that environment, and is in my view correctly included within the Area of Landscape Value in order that the criteria of policy CO4 should apply. Although, as the IDC pointed out, there are some scattered buildings in the valley, trees and roadside walls reduce their impact and predominate in the view.

9.2.13 The representor expressed concern at apparent discrepancies in the way different properties in the same locality had been treated in terms of the application of the Area of Landscape Value notation. The IDC indicated that the only neighbouring property excluded from the notation is located on the higher plateau. The parts of its grounds which are excluded are not readily seen from public vantage points, other than from the access road of the adjacent suburban housing estate. I see no reason to question the appropriateness of its exclusion from the Area of Landscape Value notation.

9.2.14 I have noted the apparent discrepancies in the base plan on which the Proposals Map is based which the representor drew to my attention, and no doubt the IDC will take these into account when reviewing the Plan. However none of these seem to me to materially affect the policies of the Plan which the Proposals Map illustrates.

9.2.15 In addition to the alteration to the Area of Landscape Value boundary, it was suggested in the representor's statement that Policy CO1, which would apply to this property which is outside the Settlement Area, should include as one of the forms of development which may be acceptable "development which is essential to the efficient running of existing gardens". However limited ancillary or incidental buildings within a curtilage (which could include garden sheds and the like) are already included, and so the change is unnecessary.

RECOMMENDATION

I recommend no change to the Plan.

Les Godios Vinery

Introduction

9.2.16 I have grouped together here 3 representations relating to land formerly forming part of Les Godios Vinery.

Representations

14	Ernest H Noyon
105	Frank and Eileen Mace
117	Eileen B Falla

Summary of Representations

Each of the representations relates to a part of the former Les Godios Vinery, Marette de Bas, St Sampson and seeks its removal from the Area of Landscape Value designation to allow for building.

Further Representations Opposing Representations 105 and 117

150	Mr and Mrs de Vial
151	Mr G Bouwmeester

Inspector's Reasoning and Conclusions

9.2.17 These representations relate to parts of a former vinery, now split into different ownerships, and unused. Some greenhouses remain standing, but in other areas they have been removed. The land is designated as Green Area in the current UAP, but I understand that it has in the past been considered for development as a Housing Target Area. The land is close to the western extremity of the Plan area, away from the urban areas of St Sampson and St Peter Port. In my view its designation as suitable for housing development would be inconsistent with the general approach of the Plan to achieve as much housing as practical within existing settlements and on previously developed land. I have found no evidence that more land needs to be included in HTAs to meet the housing aims of the Plan, and in any event this land is considerably less well located in relation to the Settlement Area than the designated HTAs. Land formerly or currently occupied by greenhouses is in the Plan excluded from the definition of previously developed land, a matter I deal with elsewhere.

9.2.18 As with many owners of former vineries who have made representations on this Plan, I understand their frustration at their inability to utilise glasshouses which were once productive horticultural units. However the approach of the plan I describe above is in my view correct. I therefore consider that this area is correctly excluded from the Settlement Area.

9.2.19 I deal in relation to a number of representations with the consistency of the Area of Landscape Value notation, and make appropriate recommendations, but it seems to me that this is a location where the boundaries of the notation need to be examined to ensure consistency. The IDC commented in relation to Representation 14 that the removal of

former glasshouses is beginning to restore the underlying landscape value of the area. That may well be true, but I do not entirely understand why the notation overlays the disused greenhouses the subject of Representations 105 and 117, but is omitted in relation to the greenhouses immediately to the north, the subject of Representation 94.

RECOMMENDATION

I recommend no change to the Plan.

Representation

19 Swallow Services Limited

Summary of Representations

A site south of Salt Pans Road and north of Grosse Hougues Quarry should be excluded from the Area of Landscape Value and included within the Settlement Area so as to allow residential development.

Inspector's Reasoning and Conclusions

9.2.20 The Grosse Hougues quarry is a water-filled quarry near the junction of Salt Pans Road and Rue Queripel. The representation site includes gorse and scrub in an area north of the quarry, while to the east, closer to the houses along Salt Pans Road, part has been used for the dumping of builder's materials. There are two dwellings within the site, one in the north western extremity and the other at the north eastern corner of the quarry.

9.2.21 The land is included in a large swathe of open land designated as of Landscape Value, stretching from Delancey Park to the Route Du Braye. While, because of its topography, this area is not seen as a whole from many vantage points, it forms an important corridor through the Settlement Area and its interruption would be unfortunate. Although it is bounded to east and west by land within the Settlement Area (as well as the Franc Fief HTA) This swathe of land is generally of a rural character, and, unlike certain parts of St Peter Port which are Areas of Landscape Value, is in my view appropriately excluded from the Settlement Area.

9.2.22 In terms of its landscape type, the plan attached to Annex 8 of the Plan shows this representation site as marking the northern edge of the Hougue or Lowland Hills landscape, bordering the flatter Braye Du Valle type. It is thus at an important transitional point.

9.2.23 The representors queried the basis on which the land is included in Annex 5 of the Plan as a Site of Nature Conservation Importance. I note that in *The Importance of Guernsey Quarries for Conservation* by J Gilmour, D Thoumine and P Vaudin, published by the Société Guernesiaise in 1991, although this quarry appears not to have been included in the survey, the importance of such areas as wildlife habitat is acknowledged. In this case the IDC in their response referred to the variety of scattered trees, scrub, grassland, tall herb, rock face and soft cliff habitats as forming a rich and diverse habitat around the standing

water of the quarry. The harm caused by the presumably unauthorised use for dumping of building materials does not in my view significantly diminish the importance of the remainder.

9.2.24 The part of the site which is to the south of properties in Nocq Road, which is the main area on which dumping has taken place, is put forward by the representors as a separate area for development if the whole area is not acceptable. Whether that area could be developed unobtrusively without damaging the Area of Landscape Value would be a matter for the IDC on receipt of an application for planning permission. However I do not consider it should be excluded from the Area of Landscape Value designation, which is generally broadly drawn, including land of varying quality.

9.2.25 I accept that the development of a Key Industrial Area and (if it proves necessary) a Housing Target Area at Salt Pans will alter the appearance of this part of the urban area. However the Proposals Map in my view rightly maintains an open swathe between those two areas of development, to which the representation site would relate visually.

9.2.26 I conclude that the representation site is appropriately included within the Area of Landscape Value.

RECOMMENDATION

I recommend no change to the Plan.

Representations

29, 218 Ensign Group Limited

Summary of Representations

Dise Nursery, Les Sauvagées, St Sampson should be excluded from the Area of Landscape Value notation and included in the Settlement Area.

Further Representations Supporting

85 David Jackson
367 Shirley Simon

Further Representations Opposing

113 Mr and Mrs A S Fallaize
140 Mr and Mrs N Robert
174 Mr and Mrs P R Harris

Inspector's Reasoning and Conclusions

9.2.27 The site of this representation is a disused vinery on Les Sauvagées. It is variously referred to in representations as Dix, Dice or Dise Vinery. I have opted for the spelling used

by the main representor. To the north, on the opposite side of the lane is an area of housing which is shown on the Proposals Map as part of the Settlement Area. To the south is open countryside which is notated as within an Area of Landscape Value. The Landscape Character Assessment Map associated with Annex 8 of the Plan shows the northern part of the countryside area as part of the Braye Du Valle, similar to the Marais, with marine origins. Further to the south are the lowland hills or Hougues.

9.2.28 The site itself in its existing state has little to commend it in landscape terms, containing derelict glasshouses and associated structures. Paragraph 2.3.2.4 of the Plan in describing the Areas of Landscape Value says that in some cases the land may need to be reclaimed and enhanced in order to restore the integrity and visual continuity of the underlying landscape. I can thus understand why the notation washes over this site.

9.2.29 The consistency with which this notation has been applied to vinery sites has been challenged in a number of cases at the inquiry. In this case I agree with the IDC that if the glasshouses were cleared and the land restored to agriculture it would be a natural adjunct to the extensive area of open landscape to the south.

9.2.30 Although in the representation to the inquiry the site was described as part of a solid and not sporadic frontage development of predominantly residential properties on the south side of Les Sauvagées, I do not agree with that description. There is residential development on this side of the road, but it is not continuous, and the greatest interruption is provided by the Dise Nurseries site itself, which is plainly not in residential use.

9.2.31 Just as disused vinery sites should not be regarded as previously developed land, for reasons I enlarge upon elsewhere in this report, so it would be a mistake to regard vineries which are still standing as developed sites in the same sense as areas of residential development. Quite apart from the need for consistency with the approach to disused sites, if sites such as these were regarded as equivalent in policy terms to developed land it would make the prevention of the unplanned sporadic spread of development across the Plan area virtually impossible.

9.2.32 Nor do I agree with the representors that this area is part of the urban area of St Sampson. It is true that the housing to the north of Les Sauvagées and west of the Route Militaire is fairly closely developed, and is included within the designated Settlement Area on the Proposals Map. But this is a relatively isolated limb of the Settlement Area, and in relation to other representations in the Route Militaire area I have suggested that the IDC should re-examine the Settlement Area boundary in this vicinity. I certainly see no reason to recommend its extension to include houses such as those either side of this site.

9.2.33 The general approach of the Plan, which I support, is to concentrate development in existing settlements and on previously developed land. This site does not fall into either category. I have noted the objections from further representors based on flooding risk, traffic conditions and the appearance of modern houses. Some of these are matters of detail which might be overcome in a detailed application, but in any event they are not as compelling as the policy considerations which have led me to my conclusion in relation to this site.

9.2.34 I do not support either the removal of the Area of Landscape Value notation from

this site or its inclusion in the Settlement Area.

RECOMMENDATION

I recommend no change to the Plan.

Representation

37 Mrs J Way and Miss J Underdown

Summary of Representation

Land south of Robergerie Road should be excluded from the Area of Landscape Value and included within the Settlement Area or designated as a Housing Target Area.

Further Representation Opposing

125 P A De Carteret and B J De Carteret

Inspector's Reasoning and Conclusions

9.2.35 This land lies to the north of the designated Pointues Rocques HTA, and south east of existing housing on the Robergerie Road frontage. It is separated from the HTA and from land to the east by high stone walls. It has little visual connection with either piece of land. I am advised that it once housed two greenhouses, a packing shed and a boiler pit.

9.2.36 On the Proposals Map the land is included in a large swathe of open land designated as of Landscape Value, stretching from Delancey Park to the Route Du Braye. I indicate in relation to another representation that while, because of its topography, this area is not seen as a whole from many vantage points, it forms an important corridor through the Settlement Area. Although it is bounded to east and west by land within the Settlement Area the main swathe of land is generally of a rural character, and, unlike certain parts of St Peter Port which are Areas of Landscape Value, is in my view appropriately excluded from the Settlement Area.

9.2.37 This land exhibits characteristics of the Hougue landscape type described in Annex 8 to the Plan, and so, despite its relatively unkempt appearance is appropriately included within the Area of Landscape Value notation. It is largely shielded from view public view, and is separated from the more rural land to the east by a high wall. Similarly because of its physical separation it would not be suitable for inclusion in the adjacent HTA. However at present it equally has little in common with the Settlement Area which abuts it to the north and west. The situation may be different if at some time in the future the HTA is developed, but in present circumstances I consider that on balance it should remain outside the Settlement Area.

9.2.38 I make no comment on the representors' claim that infill development on the land would be appropriate, since that would be a matter for the IDC in the event of a planning application being made. However in my view it would be right for any proposals for this

land to be judged against the criteria of policies applicable to land outside Settlement Area and to an Area of Landscape Value. I have noted the objections contained in the further representation, but these primarily related to the specific impacts of development of the land on its surroundings, which would be matters to be taken into account in dealing with any application.

RECOMMENDATION

I recommend no change to the Plan.

Representation

64 Swallow Services Limited
Further Representation Opposing
339 Mr and Mrs Chubb

Summary of Representations

Norwood Vinery, Duveaux Lane should be excluded from the Area of Landscape Value and included in the Settlement Area or alternatively designated as a Housing Target Area so as to allow development.

Inspector's Reasoning and Conclusions

9.2.39 The site is a former vinery from which most of the structures have been cleared. A former packing shed stands in the north east corner. It lies on the edge of the Hougue landscape type identified in Annex 8 to the Plan, at the point of transition to the flatter Braye Du Valle type to the north. Its openness and appearance contribute to the attractiveness of the surrounding countryside, and it is in my view appropriately included within the Area of Landscape Value.

9.2.40 As the representor points out, land in this vicinity has in the past been considered for inclusion in a Housing Target Area, though the current UAP Proposals Map shows it as a Green Area. In any event, the general approach of the draft Plan in concentrating the Settlement Areas around the main centres of St Sampson and St Peter Port is in my view correct. Immediately to the east the Settlement Area boundary lies to the east of Route Militaire. While there is scattered housing along Duveaux Lane, together with some more consolidated groups, it would be contrary to the thrust of the Plan either to extend to Settlement Area boundary to include this land or to separately identify additional Settlement Area in this vicinity.

9.2.41 I have concluded elsewhere that it is unnecessary to identify further Housing Target Areas in the Plan, and the rural location of this site makes it less suitable than those already identified, which are generally closely related to existing development and to the Settlement Area.

9.2.42 I conclude therefore that the representation site should not be identified for

development either by inclusion in the Settlement Area or as a Housing Target Area.

RECOMMENDATION

I recommend no change to the Plan.

The Representations

67 **Mr Adrian Dorey**

Summary of Representations

A site at the junction of Robergerie Land and Rue Queripel (also known as Franc Fief Lane) should be excluded from the Area of Landscape Value to form part of the Franc Fief Housing Target Area to the north.

Further Representations Opposing

126 **Mr and Mrs P Niles**

265 **B A Robilliard**

Inspector's Reasoning and Conclusions

9.2.43 This small field is indicated on the Proposals Map as of Landscape Value and was described by the IDC as part of a swathe of open Hougue landscape extending across Robergerie Road to the south and west. The land is in an untidy condition, not least because of the part-erected building and derelict cars in its south east corner, the legacy, I understand, of a previous tenant. Its contribution to the landscape at present is primarily its open nature. I conclude in relation to policy HO8 that the inclusion of this land within the HTA would not necessarily threaten its openness, or its consequent attractiveness to birds, as this could be a matter dealt with by the Outline Planning Brief. However it could be beneficial to the overall planning of the HTA, offering additional amenity areas or improved access.

9.2.44 If the land is included in the HTA, then, consistent with the approach elsewhere in the Plan, it would be excluded from the Area of Landscape Value.

RECOMMENDATION

My recommendation is made in relation to Policy HO8 above.

Representation

73 Pitronnerie Properties Limited

Further Representation Opposing

358 John Gollop

Summary of Representations

A field at the corner of Pitronnerie Road and Route de Coutanchez from should be removed from the Area of Landscape Value and added to the adjacent Key Industrial Area.

Inspector's Reasoning and Conclusions

9.2.45 Paragraph 8.4.4 of the Strategic and Corporate Plan points out that the general industrial land supply represents an important base for economic development, and Strategic Policy says that Detailed Development Plans will identify a range of opportunities for industrial development to ensure an adequate supply of industrial land in terms of location, size and quantity. The IDC considered that this requirement had been met in the draft Plan through policies EMP5, EMP6, EMP7, EMP8 and EMP9. In addition to the established Key Industrial Areas they pointed to the proposal to identify a new area of about 6.1hectares (37 verges).

9.2.46 In support of their case for the allocation of additional land for industrial purposes as an extension of the Pitronnerie Road estate the representors referred to demand from potential developers enquiring about industrial premises. Whilst such enquiries can only be an indicator and not an accurate barometer of development pressure, I do not doubt that there is some untapped demand. The representors produced a letter from the Business Development Manager for the Board of Industry. However although that letter concurred with the view that lack of suitable accommodation had been a constraint on expansion of the manufacturing and financial services sectors, and indicated that the expansion of this estate was the type of development the Board was keen to encourage, it also drew attention to the concerns that other States Committees might have.

9.2.47 Contrary to the representors' view expressed at the inquiry, the land subject of this representation is prominent and important in the landscape. Even if I accepted (which I do not) that it might not be readily seen by motorists and other passers-by, it is highly visible from the higher land to the south. From La Vrangue near its junction with the Rue Thomas there is a striking view across open countryside which includes the field between Pitronnerie and La Vrangue in the foreground, the representation site in the middle distance and the wider landscape of the Marais beyond.

9.2.48 The IDC's response to the representation described this site as an intrinsic part of the strategically valuable Marais landscape. However unless I am mistaken, the Landscape Character Assessment Map associated with Annex 8 of the Plan includes this corner site within an area of Central Plain, with the Marais landscape type approaching only to a point close to its northern boundary. I am not able to say how this discrepancy has arisen. It may be that there is a drafting error. However in the light of this I have been able to give less weight to their description of the nature conservation importance of the site as part of the

Marais. That discrepancy does not, however, alter my opinion of the visual importance of the site as expressed above.

9.2.49 This site, while no doubt well located to draw on the urban labour force of St Peter Port and St Sampson, is thus not in my view a suitable location in environmental terms for any expansion of the Pitronnerie estate, and is certainly not to be preferred to the more damaged landscape of the identified new Key Industrial Area at Salt Pans.

9.2.50 I have elsewhere recommended that a small part of a Key Industrial Area at Bulwer Avenue should be deleted. However that minor alteration does not alter my view of the undesirability of releasing this site.

RECOMMENDATION

I recommend no change to the Plan.

Representation

75 ComProp Limited

Summary of Representations

Two fields at Mont Arrivé south of Arculon Lane from should be excluded from the Area of Landscape Value but included in the Settlement Area.

Further Representations Opposing Representation 75

124	Rev'd Peter Lane and Mrs Wendy Lane
132	Margaret Mollet
139	Matthew Paul Hobbs
152	John Francis Bishop and Gail Bishop
155	F S Leale
157	Mr Leon Gallienne and Mrs Jacqueline Gallienne
158	Mrs L J Spafford
161	R Pizzuti and Mrs P A Pizzuti
162	Ken Birch
163	Mrs Beryl Rodgers
165	Mrs Jane Tramontano
167	Jean M Lees
199	Mr T Cleveland
201	Paul Gaudion
202	Mr Craig Marsh
210	Peter Journeaux
278	Richard Le Bargy
279	Mr & Mrs A E W Rumens
290	Gervase Ashton
359	John Gollop
387	Robert Le Bargy

Inspector's Reasoning and Conclusions

9.2.51 Areas of Landscape Value are described in paragraph 2.3.2.4 of the Plan as areas of high quality landscape, representing the best examples of the landscape types to be found in the Plan area. Paragraph 11.2.2.2 says that the special qualities of these landscapes could easily be destroyed or damaged by insensitive development. In order to preserve the landscape character of these areas it says that new development will be restricted to cases where they are unobtrusive and the need for development in the proposed location has been established.

9.2.52 Although Policy CO4 is one of the Countryside policies of the Plan, there are Areas of Landscape Value designated in the Plan within the Settlement Areas. The main examples other than the representation site include land around and including Delancey Park, land either side of Fosse Andre, at Beau Sejour, Les Cotils and Cambridge Park, and in the vicinity of Government House. In the schedule of landscape types associated with Annex 8 to the Plan most of these urban landscapes are described as part of the South Eastern Plateau, with a wooded parkland character which they owe to their origins as private gardens around grand houses. Although the representors criticised the consistency with which the designation had been applied, particularly in relation to areas around Beau Sejour, those preparing the Proposals Map appear to have been careful to exclude only those areas (such as enclosed all-weather pitches) where the landscape description could no longer apply.

9.2.53 The representation site, however, lies within a different landscape type. It is part of the Inland Scarp type, which is described as a strong landscape feature (being a high cliff), with small areas of woodland and the overall impression of a wooded hillside. In the vicinity of the representation site the steepest parts of the scarp lie to the east, facing out to the coast. The two agricultural fields which are the specific subject of the representation run back from the edge of the scarp towards Mont Arrivé. Whilst not strictly scarps in themselves, their open appearance, fringed with hedges and trees make a strong contribution to the character of the landscape, and they are in my view correctly included within the Area of Landscape Value designation. I accept that the most prominent views of the fields are obtained from the road passing the site but their open surface is discernible from the coast and, I am told, (although I did not experience this myself) from craft in the bay. The larger of the fields is domed, and slopes down towards the top of the cliff.

9.2.54 Just as the representors pointed out that inclusion in the Settlement Area did not give a carte blanche for development of any site, equally inclusion in an Area of Landscape Value does not prohibit development. It does, however ensure that only development which can be justified and which will be unobtrusive will be permitted. I am satisfied from my consideration of the representation and my inspection of the site and its surroundings that the inclusion of the land in the Area of Landscape Value is consistent with other similar designations in the Plan and is appropriate for this site.

9.2.55 Many of the issues raised by further representations were specifically addressed to the threat of development. They included traffic and road safety effects, impact on views

from neighbouring houses, effects on wildlife, the existence of German tunnels under the fields, the potential loss of the educational and amenity benefits of having agriculture practised within the urban area, and cumulative effects with other developments in the area. Although I have noted these comments, most would be more appropriately dealt with by the IDC in the event of an application being made.

9.2.56 Similarly, while I have examined the sketch plan provided at the inquiry showing how development might take place on the site, it has not had any significant weight in my conclusions concerning the appropriateness of the Area of Landscape Value designation. Certainly I do not agree with the possible implication in that sketch that only those parts of the site closest to public vantage points in Mont Arrivé are of landscape value.

9.2.57 A number of further representations were apparently made on the assumption that Representation 75 proposed, in addition to the removal of the Area of Landscape Value notation, the inclusion of the site within a Settlement Area. However the Proposals Map shows the land as being already within the widely-drawn Settlement Area of St Peter Port. I have taken into account that those representors might prefer to see it removed from the designation. However that would not in my view be an appropriate course. The Settlement Area is widely drawn, and covers both open and developed areas within the urban area. It would be inconsistent with the general approach of the Plan to create a 'hole' within the urban area by excluding it, and I do not recommend this.

RECOMMENDATION

I recommend no change to the Plan.

Representation

83 Mrs A Robert and Mr R Payne

Summary of Representation

Land at the junction of La Route du Bray and Carriere Lane should be excluded from the Area of Landscape Value and included in the Settlement Area.

Inspector's Reasoning and Conclusions

9.2.58 This wedge shaped area of land on the north side of La Route Du Bray is a small undeveloped field. The representors said that although they keep the land tidy on a regular basis, it is unsuitable for agriculture, and no interest has been shown in it by farmers, possibly as a result of its location close to a busy road.

9.2.59 The land is included in the Proposals Map as part of the large swathe of landscape extending from Delancey Park to the north of the Urban Area, separating the westerly and easterly parts of St Sampson. I support the inclusion of this large designation, which is in my view an important one. The role played by this narrow tongue of land is relatively small, the open space broadening on the south side of La Route Du Bray and extending to the hougue landscape in the middle distance. Nevertheless, in my view it is appropriately included.

9.2.60 I make no comment on the representors' proposals for development of the land, which would be a matter for the IDC on receipt of any further planning application. However I am satisfied that any such proposal ought to be considered against the criteria in policy CO4.

RECOMMENDATION

I recommend no change to the Plan.

Representation

87 **Mr and Mrs K Toomey**

Summary of Representation

Land bounded by the Route Militaire to the west, Kenilworth Vineries to the east, Doyle Clos in the north and the dwelling Burnham in the south should be included in the Area of Landscape Value.

Representations Supporting Representation 87

185 **Mr and Mrs Brian Dyke**
186 **Miss J Dyke**
187 **Marie Jones**
297 **Mr and Mrs L J Allen**
301 **Mrs N Allen**
310 **J L E Waters**
314 **M E Le Maitre**

Representation Opposing Representation 87

283 **Mr and Mrs B J F Flock**

Inspector's Reasoning and Conclusions

9.2.61 I deal elsewhere under Policy HO2 with proposals that land in this vicinity east of Route Militaire should be included in the Settlement Area, and I recommend that no change be made to the Plan. The suggestion in this representation was made, I suspect, primarily to defend the land from those who sought its inclusion in the Settlement Area.

9.2.62 The approach to the designation of Areas of Landscape Value is set out in paragraph 2.3.2.4 of the Plan. They are areas of high quality landscape representing the best examples of the landscape types to be found in the Plan area, and the intention is to protect and enhance the landscape character and visual quality of the area. In this case the land in question, though undeveloped, comprises mainly backland former vinery sites, largely hidden from public view by the ribbon development on Route Militaire. To the north and south are developed areas, while to the east is Kenilworth Vinery, which the Plan proposes should become a Key Industrial Area.

9.2.63 In my view this land could not be described either as high quality landscape in its own right, or as representing the best example of the Braye Du Valle landscape type into which it falls in the classification in Annex 8 of the Plan. I accept that its openness provides pleasant views from surrounding dwellings, but other policies of the Plan, notably policy CO1, would ensure that its openness was properly taken into account if any development proposals were to come forward.

9.2.64 I therefore do not find there to be adequate justification for the change to the Plan which is sought.

RECOMMENDATION

I recommend no change to the Plan.

Representation

92 Mrs K Brehaut

Further Representations opposing

286 Mike Alisette and Caroline Alisette

Summary of Representation

The Area of Landscape Value notation should be removed from land adjacent to Les Amballes to enable the site to be developed with dwellings.

Inspector's Reasoning and Conclusions

9.2.65 The representation site is a gap in the developed frontage of Les Amballes, which is part of the St Peter Port Conservation Area. From the high granite wall at the roadside the land rises steeply and is part of the large open landscaped area surrounding Beau Sejour and Les Cotils. This wooded scarp hillside is prominent in views from the coast and, no doubt, (although I did not go to sea) from the waters east of the Island. The Inland Scarp of which this forms a part is identified in Annex 8 of the Plan as one of the notable landscape types of the upper parishes.

9.2.66 The land has been the subject of planning applications in the past, which were refused permission by the IDC in 1995 and 1996. However my concern is not with the merits of those applications, or of any others which might be made, but with the merits of the inclusion of this site in the Area of Landscape Value. Both from closer and more distant views the site forms an integral part of the wider scarp landscape. While I appreciate that the site itself may be untidy and contain fallen trees, that fact is not sufficient to warrant its removal from the Area of Landscape Value notation on the Plan. I do not accept the view put forward at the inquiry that a distinction in landscape terms should be made between the land at the roadside and that further up the slope. The whole area in my view contributes to the landscape.

9.2.67 Policy CO4 does not rule out development, but seeks to ensure that the special

qualities of these landscapes are not destroyed or damaged by insensitive development. In my view it is appropriately applied to the representation site.

9.2.68 The representation included reference to the need for the Plan to achieve sufficient housing to meet the targets of the Strategic and Corporate Plan. I deal with this matter in the introduction to my examination of Chapter 5 of the Plan. I am satisfied that the policies of the Plan will enable those targets to be met without altering its provisions in relation to this site.

9.2.69 I have taken into account the concerns about flooding and traffic danger which were put forward by the objectors in their further representation, though these are matters more relevant to a planning application than to the removal of the Area of Landscape Value notation sought by this representation.

RECOMMENDATION

I recommend no change to the Plan.

Representation

101 Mrs B Harrison

Summary of Representation

The site, which is off Rue Des Grandes Capelles, should be excluded from the Area of Landscape Value to enable a proposal to be brought forward for the development of a small group of dwellings.

Inspector's Reasoning and Conclusions

9.2.70 This representation relates to a former vinery immediately to the east of the group of representations relating to Les Godios Vinery. The greenhouses formerly on the site have been removed. This area, although previously considered for housing purposes as part of a Housing Target Area, is indicated on the current UAP as within a Green Area.

9.2.71 I have concluded in relation to a number of representations in this vicinity that the Area of Landscape Value notation is appropriately applied to this land, though in doing so I have queried the consistency within which it has been applied to some former vinery sites. My findings apply equally to this land, from which the greenhouses have been removed. It lies in a predominantly open landscape, with only scattered housing, on the edge of the Marais landscape identified in Annex 8 of the Plan. Its openness contributes to the landscape. I therefore consider it should remain within the Area of Landscape Value notation.

9.2.72 I have noted the intention of the representor to apply for permission to build on this

land, and their comments on the application of the criteria of Policy CO1 to their proposal. I make no comment on these matters, since a decision on such an application would be a matter for the IDC.

RECOMMENDATION

I recommend no change to the Plan.

Representation

102 **Mr and Mrs W M Collins**

Summary of Representation

The western part of the field, adjoining Franc Fief Lane (Rue Queripel), should be excluded from the Area of Landscape Value to permit limited development.

Inspector's Reasoning and Conclusions

9.2.73 The representation site is part of a group of open fields to the east of Rue Queripel. The lane itself is narrow, and flanked on its western side by the greenhouses which form part of the proposed Franc Fief HTA together with a group of existing dwellings. On its eastern side there is a ribbon of development at the southern end, which breaks down into sporadic development along the rest of its length. The field in question provides views from the road into the wider open land beyond.

9.2.74 The Area of Landscape Value of which this forms a part stretches from Route Du Braye in the north to Delancey Park in the south, and forms an important strategic wedge of open land which divides the built up areas of St Sampson. Its importance is emphasised by the positioning of proposed HTAs east and west of this space, which if developed will consolidate the urban character of the settlement.

9.2.75 The representation site is thus itself important in providing glimpses into the larger open space. The representation expressed some uncertainty as to whether the land was included in the Area of Landscape Value designation, because of the lack of a boundary delineation on the green Area of Landscape Value hatching on the Proposals Map. My reading of the plan is that it was the IDC's intention to include this field within the designation, and correctly so in the light of my comments above.

9.2.76 I make no comment on the suggestion by the representor of an infill development on the road frontage, since detailed proposals of this nature would be a matter for the determination of the IDC following the submission of a planning application. However I see no justification to remove this land from the Area of Landscape Value.

RECOMMENDATION

I recommend no change to the Plan.

Representation

119 R & J Humphries

Summary of Representation

This representation concerns an area of fields with buildings stretching from Les Effards Road, southwards alongside Les Grandes Capelles Lane past Murette De Bas Estate towards Les Osmonds Lane. The representation proposes the removal of the designation of Area of Landscape Value leaving it indicated as outside the Settlement Area, to make provision for some limited forms of development.

Further Representations Opposing

194 Mr & Mrs A J Bray
287 Dr B L Parkin
334 Peter and Jacqueline Joy

Inspector's Reasoning and Conclusions

9.2.77 I have dealt with this representation on the basis that it seeks the removal of the Area of Landscape Value notation from the fields indicated on the plan accompanying the representation. I make no comment on whether the result of that removal would render the land suitable for any limited form of development, since that would be a matter for the IDC to consider following the submission of a planning application.

9.2.78 As I have made clear elsewhere, I support the broad approach of the Plan to move away from the tightly-drawn land-use zonings of earlier Plans, and to rely primarily on criteria-based policies. Any proposal will be subject to a number of relevant policies in the Plan, and it is necessary to look at all. While the Proposals Map may indicate that a particular policy is applicable to the site (in this case CO4), that is not the complete picture. Paragraph 2.4 of the Plan says that the Policies, their supporting text and the Annexes, together with the Proposals Map are all integral parts of the Plan. It describes a four step process as a recommended way of working with the document, and I would recommend that to all users of the Plan.

9.2.79 Paragraph 11.2.2.2 of the Plan describes the land covered by the Areas of Landscape Value designation as the most valuable landscapes in the Urban Area. It says that the special qualities of these landscapes could easily be destroyed or damaged by insensitive development. In the Landscape Character Assessment at Annex 8 of the Plan the fields the subject of this representation are at the edge of the Central Plain where the broad and shallow valleys run into the Marais. This is not landscape of spectacular beauty, but it is attractive countryside, and important in the context of Guernsey's landscape and topography.

9.2.80 Not all the surrounding countryside is of equal value, and this is recognised in the Plan. I can understand why the representors have some difficulty understanding the reasons behind the drawing of certain boundaries, particularly since some areas of glasshouses in the landscape around this representation site have been included within Area of Landscape

Value notation, while others have been excluded. I have noted what appear to be inconsistencies in relation to a number of representations in various parts of my report.

9.2.81 However in relation to the representors' land I am satisfied that it has been correctly notated. I am satisfied that Annex 8 of the Plan provides a broad justification for the approach to landscape assessment used in drawing up the Area of Landscape Value notation, and I consider it correctly applied in the case of these fields. I accept that much of the land is poorly drained and has thin topsoil. I do not doubt that the former is related to the wider question of drainage of this low-lying land, and the degree to which streams, drains and ditches are maintained. The lack of topsoil is, I am told by the representors, the result of works carried out during the German Occupation. However these are factors which affect the agricultural value of the land, rather than its attractiveness in landscape terms.

9.2.82 This area may, as the representors assert, have been part of a Housing Target Area in previous planning policies. However in the current Urban Area Plan it is within a Green Area, which the Plan identifies as including both nature conservation importance and high landscape value. The protection of these areas is, in the current plan, accorded a very high priority. A similar degree of protection would rightly apply under the policies of the draft Plan.

9.2.83 The representors have referred specifically to paragraph 8.3.9 of the Strategic and Corporate Plan, and consider that this land would be in full accord with its criteria. These criteria relate to new Housing Target Areas, and require sites to be well related to the pattern of development, with access to local facilities; capable of being served by public transport as an alternative to the private car; having no detrimental effect on important landscape, conservation and other concerns; and capable of being provided with appropriate infrastructure in a sustainable manner. I am not in this representation being invited to designate the land as a Housing Target Area, but in any event in my view the land would fail all of these criteria. It is situated at the western extreme of the Plan area, in an area where there is only scattered housing. It is therefore poorly related to the pattern of development which centres on the urban areas of St Peter Port and St Sampson. Its relative remoteness makes it a less sustainable location both in terms of public transport provision and access to infrastructure. Finally, it is of landscape importance and, I am advised by the IDC, the northernmost field is identified in Annex 5 of the Plan as an important wetland meadow habitat.

9.2.84 In conclusion, in my view this land is appropriately included in an area to which Policy CO4 applies. The IDC in their response to this representation indicated that any proposals for limited development would be considered in the light of Policies CO1 and CO4. The northernmost part of the site would also, I assume, be subject to CO5 as a Site of Nature Conservation Importance. None of these policies rules out development in principle, though there are clearly strong constraints.

RECOMMENDATION

I recommend no change to the Plan.

Representation

104 **Brian R Lowe**

Summary of Objections

Land adjacent to La Neuve Rue should be excluded from the Area of Landscape Value notation and designated either Housing Target Area or Settlement Area.

Further Representations Opposing

130 **Sylvia Bennett**
145 **Mr D Le Page**
146 **Hugh N L Chivers**
147 **John & Annette Hare**
213 **Rosemary Duport**
327 **Mr and Mrs P Archer**
349 **Mrs J G Leadbeater**

Inspector's Reasoning and Conclusions

9.2.85 The representation site is one of a group of agricultural fields between La Neuve Rue and the rear of properties in La Couture and Water Lanes. It is part of an area identified as Central Plain on the Landscape Character Assessment Map associated with Annex 8 of the Plan. The Central Plain is described as a higher, gently undulating area, with broad shallow valleys running eastwards into the Marais. As one of two such areas on the edge of the Plan area, it provides a valuable open space, linking the Settlement Area to the rural area beyond.

9.2.86 I understand from the representations that there has been development pressure on this land in the past. Some development has taken place on its periphery, and additionally a frontage gap to La Couture has been closed by the development of cottages on a former vinery site. The surrounding area is described by one of the further representors as a heavily built up area, although its character is probably suburban rather than urban. The land however retains an attractive open appearance when viewed from La Neuve Rue.

9.2.87 Additionally Annex 5 of the Plan identifies Neuve Rue as a marshy grassland Site of Nature Conservation Importance to which the protection of Policy CO5 would apply. I note that it is crossed by La Vrangue stream. There are therefore good landscape and nature conservation reasons for protecting this land.

9.2.88 Although the representor sought to deal with this site in isolation, in my view it is strongly linked visually with the other open fields in this parcel. Whilst he envisaged the development of the land for sale to first time buyers, possibly with States involvement, I have concluded in relation to the Housing chapter of the Plan that the land releases proposed in the Plan should be sufficient to meet the requirement set out in the Strategic and Corporate Plan. Thus there is no need to identify this land as a Housing Target Area.

9.2.89 I have concluded in relation to representations dealt with in the Housing chapter that the area bounded by La Couture, La Neuve Rue and Water Lanes should be included within the Settlement Area defined in the Plan. However this does not alter my view that the inclusion of these fields as an Area of Landscape Value is correct. Although I recommend this site's inclusion along with the remainder, the recognition of its landscape importance is a separate matter, using different criteria. The Plan identifies a number of sites within the Settlement Area as of landscape importance, and if my recommendation is adopted that would also be the case here.

9.2.90 Other matters raised by those opposing the representation included traffic conditions in the area, the overloading of local schools, and the adequacy of drainage. If the development of the land for housing purposes were being contemplated either through the consideration of a Development Brief or in the context of an application for planning permission, these would be matters which would need to be taken into account by the IDC. However they do not affect my consideration of this representation.

RECOMMENDATION

I recommend no change to the Plan.

Representation

118 Sean and John Slattery

Summary of Representation

La Neuf Courtil Vinery, east of Rue de Coutanchez, should be removed from the Area of Landscape Value notation and include in the Settlement Area to allow residential development of one property with stables.

Inspector's Reasoning and Conclusions

9.2.91 This is a large and relatively modern vinery in the middle of open countryside and approached by a narrow access from the Rue de Coutanchez. The surrounding landscape is described in Annex 8 to the Plan as Marais type, essentially a freshwater marshland, still occasionally flooded but increasingly drained.

9.2.92 The site itself has little to commend it in landscape terms, containing disused glasshouses and associated structures. Paragraph 2.3.2.4 of the Plan in describing the Areas of Landscape Value says that in some cases the land may need to be reclaimed and enhanced in order to restore the integrity and visual continuity of the underlying landscape. I can thus understand why the Area of Landscape Value notation washes over this site.

9.2.93 The consistency with which this notation has been applied to vinery sites has been challenged in a number of cases at the inquiry. In this case I agree with the IDC that if the glasshouses were cleared and the land restored to agriculture it would be a natural adjunct to the extensive area of surrounding open landscape.

9.2.94 The site is remote and isolated, and is some considerable distance from the edge of the Settlement Area defined in the Plan. The approach of the Plan, which I support, is to concentrate development in Settlement Areas close to the main centres of St Peter Port and St Sampson, and it would be illogical to create a small isolated settlement area in this location.

9.2.95 Any proposals for the replacement of these glasshouses by stables or a dwelling would need to be the subject of a planning application for determination by the IDC, and I make no comment on their merits.

RECOMMENDATION

I recommend no change to the Plan.

Representation

120 **Miss M Mauger**

Summary of Objection

Part of the land close to Grandes Maisons Road should be excluded from the Area of Landscape Value designation, to permit the development of one unit of accommodation.

Inspector's Reasoning and Conclusions

9.2.96 Although the representor owned about 0.6 hectares (4 vergées) of land at the rear of properties in Grandes Maisons Road, the removal of the designation was only sought in respect of a small portion of the land. This is in the north eastern corner, and adjoins the tennis courts of Delancey Park.

9.2.97 The current inclusion of the site within an area notated on the Proposals Map as of landscape value does not of itself rule out development. As I have indicated in response to a number of representations, the notation results in the criteria of policy CO4 being applied to any development proposal, along with the other relevant policies of the Plan.

9.2.98 The land in the representor's ownership is part of the Hougues landscape type described in Annex 8 of the Plan. It is sloping, and the upper part of the slope is elevated, and while the land itself may not be visible from close by, for example from Grandes Maisons Road, that is not a good argument for removing its designation. In Guernsey many areas of attractive landscape are hidden from some immediate views by walls, buildings or other features. In any event the hougue of which this land forms a part is a significant landscape feature. The houses on the upper part of Mont Morin close to the site are clearly visible from vantage points to the north. In my view it is right that open and undeveloped land on this hill should be given the Area of Landscape Value notation.

9.2.99 The land in the north east corner is on the highest part of the site, and therefore the most prominent, and the most deserving of protection in landscape terms.

9.2.100 At the inquiry the purpose of including this land both in a Settlement Area and in an

Area of Landscape Value was questioned. However the two notations are not, as the representor's advocate submitted, at odds with each other. They result in different and additional criteria being attached to any development proposals. Not all land in the Settlement Area will be developed, nor will all land in Areas of Landscape Value remain undeveloped. Both are broad brush notations, applying respectively policies HO1 and CO4 to any development proposals which arise in those areas.

9.2.101 Since any specific proposal will be a matter for the decision of the IDC following the submission of a planning application, I make no comments on the merits of such a proposal.

RECOMMENDATION

I recommend no change to the Plan.

Representation

364 **Miss J Marquis and Mrs M Millman**

Summary of Representation

An area of land between Grandes Maisons Road and Delancey Park should be excluded from the Settlement Area and included in the Area of Landscape Value.

Inspector's Reasoning and Conclusions

9.2.102 This large, relatively level former quarry area is clearly visible from Grandes Maisons Road. It contains a single dwelling, in the northern corner. The representors, who live locally, wish to see its openness protected, and development prevented.

9.2.103 The inclusion of the land within the Settlement Area is in my view entirely logical, since with the exception of the Key Industrial Area all the immediate surroundings are included in that notation, including Delancey Park. However inclusion within the Settlement Area does not automatically mean that the land is available for development, as the representors fear. Any development proposals would be considered against all relevant policies of the Plan, and in this case the open nature of the site would require its importance to be assessed against policy DBE5, the supporting text for which at paragraph 4.2.2.1 says that it is essential that open spaces should not be seen just as sites for development. The policy itself says that development will be resisted where it would lead to the loss of open space which provides a valuable contribution to the character and visual amenity of an area; a valuable wildlife corridor or link; an important opportunity for public access or enjoyment; or a buffer between incompatible uses or a link between other open spaces.

9.2.104 The representation questioned whether the infrastructure was capable of sustaining the additional traffic which would be generated from development of the site. That is a matter which would need to be considered if any application came forward, and Policies GEN7 and GEN 8, relating respectively to roads and infrastructure and safe and convenient access, would be relevant.

9.2.105 I have no information concerning the tunnels at the back of the site, referred to by the representors, which apparently run under Delancey Park. They are not mentioned in Annex 4 of the Plan as of archaeological importance, though if they were discovered to be so, Policy DBE10 would come into play. If they are of historic importance then no doubt the Heritage Committee will take an interest in them. Their existence does not however affect the provisions of the Plan for this land.

9.2.106 I am therefore satisfied that the Settlement Area notation is appropriate, and that the policies of the Plan provide for the protection of any special qualities the open nature of the site may provide.

9.2.107 As to its inclusion in the Area of Landscape Value, I note that in the current UAP the land is, together with Delancey Park, included in a Green Area. Paragraph 3.1.5 of that Plan describes such areas as being of strategic importance in terms of preventing St Peter Port and St Sampson from merging into one another or which is of importance as open space in the urban areas. The Areas of Landscape Value in the draft Plan have a different emphasis. They are described in paragraph 2.3.2.4 as representing the best examples of the landscape types to be found in the Plan area. From this I take it that, perhaps particularly within the urban areas, a more selective approach has been taken to the inclusion of land. Certainly I am satisfied that land which is "of importance as open space in the urban areas" would be protected by Policy DBE5 whether or not it was identified as within an Area of Landscape Value.

9.2.108 The higher land of Delancey Park is clearly of strategic importance as a backdrop to extensive built up areas. This site represents a change in character from Delancey Park, and is not generally seen in conjunction with it, at least from Grandes Maisons Road, though of course I accept that parts of Delancey Park are visible above the quarry across this land. That is not of itself justification for excluding it from the Area of Landscape Value, but on balance I agree with the IDC that it is of local landscape value, particularly the overgrown quarry face to the west of the site, but not so strategically important as to rank with other areas included in the Area of Landscape Value notation.

RECOMMENDATION

I recommend no change to the Plan.

Representation

365 Steve and Wendy de Vial

366 Mr G Bouwmeester

Further Representation Opposing

374 R and J Humphries

Summary of Representation

Land east of Grandes Capelles Lane should be included in the designation Area of Landscape Value.

Inspector's Reasoning and Conclusions

9.2.109 This piece of land lies to the north of the lane leading to Les Godios Vinery, the subject of Representations 14, 105 and 117. It is in the ownership of the representors of Representation 119, who are also the further representors in this case.

9.2.110 The land is covered in sand and is used for the schooling of horses. It thus does not possess the landscape qualities which are attributed to surrounding areas of land. Whilst elsewhere in this section of the report I have questioned the consistency of the Proposals Map in the delineation of the Area of Landscape Value, in this case I consider its omission to be correct.

9.2.111 The representors' reasons for proposing the designation included a fear that development might be permitted on land which was outside the Settlement Area but not protected by any other designation. However the general approach of the Plan is to concentrate development within the Settlement Areas or on previously developed land. Any proposals for development of this land would need to meet the criteria of Policy CO1.

RECOMMENDATION

I recommend no change to the Plan

9.3 POLICY CO5 WILDLIFE AND NATURE CONSERVATION

Representation

66 **La Société Guernesiaise**
Further Representation Supporting
363 **The National Trust of Guernsey**

Summary of Representations

Sites of Nature Conservation Importance (SNCI) should be:

- (1) defined with criteria for selection and
- (2) delineated; and
- (3) in order to avoid confusion the list of recorded habitat types should reflect the agreed list that was used in the Phase 1 habitat survey that was carried out in conjunction with La Société Guernesiaise.

If necessary there should be two categories of SNCIs.

Inspector's Reasoning and Conclusions

9.3.1 The IDC tabled a correction to paragraph 11.2.3, which should indicate in the first sentence that existing SNCIs and other important areas of wildlife habitat are identified in

Annex 5 (rather than Table 1 as printed). They also indicated that on the map on page 130 the number 12 (Delancey Lane) should relate to the area to the west of number 13 (Delancey Park). I assume that this correction will be incorporated in the final Plan.

9.3.2 Annex 5 of the Plan provides information on nature conservation, and provides a range of the recorded habitats on the island, and a gazetteer of Sites of Nature Conservation Importance, with an indication of the habitat type which they contain. However neither the Proposals Map nor the small plan on page 130 delineates any of the sites. There must therefore be many areas at or close to the periphery of SNCIs where a potential developer would not be able to find out for certain from the Proposals Map whether a particular proposal would physically affect an SNCI. The Société's suggestion that these should be delineated thus seems to me to have some force, as a means of providing greater certainty in the Plan.

9.3.3 I understand the caution of the IDC that the lack of statutory protection for SNCIs might lead to the malicious destruction of important features. However that would be an argument for keeping the location of SNCIs secret, rather than for merely not defining their boundaries. I recognise that habitats are not permanent, and their extent may change in response to seasonal or land management changes. However the Plan is only intended to cover a five year period, and its next review would provide an opportunity for any necessary adjustment of boundaries.

9.3.4 I recognise that precise definition of boundaries may in some cases depend upon the outcome of the Phase 2 Habitat Survey which is described in Annex 5. However even where boundaries can be defined the effects of developments outside the boundary on the SNCI will need to be assessed.

9.3.5 Although 11.2.3 refers to the carrying out of an ecological appraisal, it only does so in the context of a comparison of those findings with the economic benefits of the development, and it gives no indication as to whose responsibility it would be to carry out such an appraisal. I suggest, therefore, that either in the policy itself or in paragraph 11.2.3 it should be made clear that where a development close to or physically within a SNCI is proposed, it will be the responsibility of the developer to demonstrate as part of the application for planning permission the effect on the nature conservation interest of the site of the proposed development.

9.3.6 In Annex 5 the final paragraph of page 127 says that the SNCIs identified include the most important and irreplaceable habitats, but also include examples of habitats across the range found within the Urban Area. This seems to imply, as suggested by the Société, that some SNCIs are more important and irreplaceable than others. Some may be important as being representative of the range of habitats found across the island, while others may be of international significance. Nothing in the Plan enables a potential developer (or the IDC as decision-maker) to know the relative level of importance attributed to a particular site. While I understand the concern of the representors that the policy does not recognise this diversity, there are also dangers in over-complicating the policy picture and making the Plan more difficult to understand for members of the public and potential developers. In policy terms all SNCIs have the same criteria applied to proposals for their development. On balance, and

given the size of the Urban Area I consider this an acceptable approach.

9.3.7 I do not share the alarm expressed by the representor at the growing number of such sites. It seems to me likely that as further research is done, the number of sites which merit protection will increase as knowledge increases. 25 sites within the area of the UAP does not seem to me an excessive number. Nor do I consider it essential that the list of habitat types in Annex 5 should reflect exactly those used in the Phase 1 Survey. After all, the two documents are intended to serve different purposes, and the purposes of scientific study and understanding and the purposes of the control of development are likely to require different degrees of precision in the tools used.

9.3.8 It seems likely that the Phase 2 Surveys will provide information which provide more detailed justification for the identification of SNCIs which the representor sought. Of course, if as a result of survey it was found that any sites did not merit SNCI status, then they could be deleted in the next review of the Plan. Phase 2 Surveys may also enable a differentiation to be made between sites of national and international importance, which would presumably call for different levels of protection. The identification of a site as of international importance would, for example, be likely to alter the weight which would be attached to economic considerations in the balance of any decision.

9.3.9 However the Phase 2 information is not, as I understand it, currently available, and therefore does not justify alteration to this Plan. Such matters are likely to be relevant to the next Review.

9.3.10 The policy refers not only to SNCIs, but also to “important areas of wildlife habitat”. It is not evident from the text how these are to be distinguished, nor why they are subject to the same considerations as identified SNCIs. In fact paragraph 11.2.3 says that existing SNCIs and other important areas of wildlife habitat are shown on Figure 1 (now corrected to Annex 5). This lack of distinction between the two may be confusing, and contrasts with the approach to landscape in the Plan. Paragraph 11.2.2.1 refers to the Landscape Character Areas described in Annex 8, and policy CO3 indicates that they will be conserved by taking full account of their distinctive features. Policy CO4 gives particular protection to defined Areas of Landscape Value.

9.3.11 I would suggest that a similar approach to nature conservation interests would be beneficial, with a general policy indicating that wildlife habitats and the interests of nature conservation will be taken into account in dealing with development proposals, followed by a policy relating specifically to the protection of identified SNCIs.

9.3.12 I have a further reservation about policy CO5 in its present form. Although paragraph 11.2.3 is helpful in indicating what ecological factors are likely to be considered in comparing the nature conservation value of a site with the community benefits of development, it gives no indication of the scale of community benefit which is likely to be necessary to outweigh nature conservation interests. This may give rise to attempts by developers to demonstrate the overriding benefits of, say a small housing development. Since the first sentence of policy CO5 says clearly that development adversely affecting SNCIs and wildlife habitats will not normally be permitted, it would be helpful if paragraph

11.2.3 made it clearer that the circumstances where community benefits are overriding will be exceptional, and that those benefits will need to be commensurate with the identified harm to a finite nature conservation resource, taking into account any mitigation measures.

9.3.13 The Further Representation questioned the protection given by the Plan to areas adjoining SNCIs through drainage destroying habitats in low lying areas. To the extent that such measures fall within the control of planning policies, I am satisfied that policy CO5 could deal with those matters. However many drainage measures will be taken without reference to the planning system, but may be the responsibility of other branches of government. Whilst I understand the concern of the further representors, the achievement of biodiversity aims across government is outside my remit, and a matter for the Strategic and Corporate Plan rather than this Plan.

RECOMMENDATION

I recommend that:

- a) The corrections to paragraph 11.2.3 and the map on page 130 be incorporated in the Plan.
- b) Further consideration be given to identifying boundaries for SNCIs.
- c) It be made clear that the responsibility for identifying the effect on nature conservation interests of any proposed development lies with the applicant for planning permission.
- d) Consideration be given to splitting the policy in a similar manner to policies CO3 and CO4.
- e) The subsequent text and policies make it clear that only in exceptional circumstances will community benefits override harm to nature conservation interests, taking into account any mitigation measures.

APPENDIX 1

DRAFT URBAN AREA PLAN REVIEW NO. 1

Alphabetical List of Representors

<u>Name of Representor</u>	<u>Reference Number</u>	<u>Withdrawn or Date Heard</u>
A		
Mr Luke Allen	159.	22/1/02
Mr & Mrs L J Allen	295.	17/1/02
Mr & Mrs L J Allen	296.	17/1/02
Mr & Mrs L J Allen	297.	17/1/02
Mr & Mrs L J Allen	298.	17/1/02
Mrs N Allen	299.	17/1/02
Mrs N Allen	300.	17/1/02
Mrs N Allen	301.	17/1/02
Mrs N Allen	302.	17/1/02
Alliance Cash and Carry Limited	11.	18/1/02
Mrs J Alp	248.	9/1/02 Absent
Mike Allisette/Caroline Allisette	286.	10/1/02
Amalgamated Football Club	7.	10/1/02
Mr R Angliss	144.	9/1/02
Roy & Lindsey Angliss	177.	9/1/02
Roy & Lindsey Angliss	180.	9/1/02
Mr and Mrs P Archer	327.	18/1/02
J R & M Ash	214.	18/1/02 Absent
Gervase Ashton	290.	28/1/02
B		
R H and B A Bacchus-Robilliard	82.	15/1/02
Mr and Mrs R G Battersby	133.	9/1/02
Mrs and Mrs R G Battersby	142.	9/1/02
Baubigny Flowers Limited	44.	3/1/02
Mr & Mrs S J Bearder	342.	9/1/02
Mr & Mrs S J Bearder	343.	9/1/02
William B Bell	31.	Withdrawn
Sylvia Bennett	129.	18/1/02
Sylvia Bennett	130.	18/1/02
Sylvia Bennett	131.	18/1/02
Keith Birch	33.	17/1/02
Ken Birch	162.	28/1/02
John Francis Bishop and Gail Bishop	152.	28/1/02
Board of Governors, Ladies' College	77.	22/1/02
Mr Andrew Bodsworth	258.	9/1/02 Absent
Mr and Mrs Harold Bond	160.	9/1/02

Peter Bougourd	80.	15/1/02
Mr & Mrs S Bougourd	293.	18/1/02 Absent
Mr G Bouwmeester	151.	16/1/02
Mr G Bouwmeester	366.	16/1/02
Mr and Mrs A J Bray	194.	4/1/02
Mrs Breban	389.	28/1/02
Mr & Mrs A F Brehaut	250.	11/1/02
Miss S M Brehaut	212	28/1/02 Absent
Mrs S Brehaut	92.	10/1/02
Mr P J Bretel	270.	11/1/02
Briglea Investments Ltd	171.	8/1/02
Briglea Investments Ltd	344.	8/1/02
Briglea Investments Ltd	345.	8/1/02
Mr P Brown	90.	11/1/02
Peter B Brown	166.	Withdrawn
Mrs W Brown	209.	28/1/02 Absent
Cathryn Bush	115.	Withdrawn
C		
Robert Cable	259.	9/1/02 Absent
Andrew Carré	16.	8/1/02
Graham J Carré	20.	15/1/02
Pauline Chandler	266.	9/1/02 Absent
Pauline Chandler	267.	9/1/02 Absent
H N L Chivers	135.	10/1/02
H N L Chivers	137.	18/1/02
Hugh N L Chivers	146.	18/1/02
Mr Dominic Chubb & Mrs Denise Chubb	339.	28/1/02
Mr T Cleveland	199.	28/1/02
Marc Collas	38.	10/1/02
Richard Collas, M Parry and M Hamilton	134.	15/1/02
J E Collins	237.	28/1/02 Absent
Mr P Collins	234.	15/1/02
Mr and Mrs W M Collins	102.	17/1/02
Mr & Mrs Terry and Edwina Collinson	323.	28/1/02 Absent
ComProp Guernsey Limited	75.	28/1/02
Constables and Douzaine of St Sampson	108.	11/1/02
Constables and Douzaine of St Sampson	109.	15/1/02
Constables and Douzaine of St Sampson	110.	16/1/02
Mr C and Mrs N Copperwaite	223.	16/1/02
Mr C and Mrs N Copperwaite	224.	16/1/02
Mr C and Mrs N Copperwaite	225.	16/1/02
Mr C and Mrs N Copperwaite	226.	16/1/02
Mr C and Mrs N Copperwaite	227.	16/1/02
Miss Alison Coubrough & Mr Mark Barnett	208.	Withdrawn
Albert and Phyllis Coutanche	241.	Withdrawn
Mrs Crispini	379	22/1/02

D		
Davallia Limited	369.	Withdrawn
Caroline De Carteret	273.	11/1/02
P A De Carteret and B J De Carteret	125.	22/1/02
Mr Robert de Carteret	384.	28/1/02
Mr and Mrs Roger de Carteret	383.	28/1/02
Sally Denton	253.	9/1/02
Mrs Sally Denton	252.	9/1/02
Mrs de Garis	377.	17/1/02
Peter Derham	378.	28/1/02
Mr and Mrs De Vial	150	16/1/02
Steve and Wendy de Vial	365.	16/1/02
Divad Limited	74.	10/1/02
Mrs Domaille	86.	Withdrawn
Mr Adrian Dorey	67.	15/1/02
Mrs J Downes	347.	18/1/02 Absent
Rosemary Duport, Mrs	213.	18/1/02
Mr and Mrs Brian Dyke	184.	17/1/02
Mr and Mrs Brian Dyke	185.	17/1/02
Miss J Dyke	186.	17/1/02
Miss J Dyke	188.	Withdrawn
E		
L Eker	121.	Withdrawn
Mr and Mrs J Elliott	235.	9/1/02 Absent
Mr and Mrs J Elliott	236.	9/1/02 Absent
Ensign Group Limited	26.	16/1/02
Ensign Group Limited	27.	16/1/02
Ensign Group Limited	28.	8/1/02
Ensign Group Limited	29.	16/1/02
Ensign Group Limited	217.	Withdrawn
Ensign Group Limited	218.	16/1/02
Ensign Group Limited	219.	16/1/02
Ensign Group Limited	294.	8/1/02
Ensign Group Limited	338.	8/1/02
Enterprise Plant and Equipment Ltd	4.	8/1/02
Elizabeth Grace Evans	153.	10/1/02
Elizabeth Grace Evans	200	10/1/02
Paul Everitt	337.	18/1/02 Absent
F		
Mrs Eileen B Falla	117.	16/1/02
P A C Falla	41.	3/1/02
P A C Falla	42.	3/1/02
P A C Falla	43.	3/1/02
P A C Falla and heirs of the late F E Falla	68.	3/1/02
Mr and Mrs P L O Falla	330.	Withdrawn

Mr and Mrs P L O Falla	329.	Withdrawn
Mr and Mrs A S Fallaize	113.	16/1/02
Michael and Heather Fattorini	9.	10/1/02 and 28/1/02
Fernvale Plants Ltd.	94.	11/1/02
Amended to Davallia Ltd w.e.f.17/12/01		
Mr and Mrs D Finn	103.	17/1/02
Mr & Mrs G Fitchet	220.	9/1/02 Absent
Mr and Mrs G Fitchet	141.	9/1/02 Absent
Franc Fief Vinery Ltd	46.	15/1/02
Mr Victor E Froome	1.	27/11/01
Victor & Jill Froome	136.	8/01/02
G		
Leon Gallienne and Mrs Jacqueline Gallienne	157.	28/1/02
Ms L M Gaudion	243.	9/1/02 Absent
Mrs L M Gaudion	206.	9/1/02 Absent
Paul Gaudion	201.	28/1/02
John and Marilyn Gill	275.	Withdrawn
Mrs and Mrs M A Gillson	192.	Withdrawn
John Gollop	47.	27/11/01
John Gollop	48.	27/11/01
John Gollop	49.	27/11/01
John Gollop	50.	27/11/01
John Gollop	51.	27/11/01
John Gollop	52.	27/11/01
John Gollop	53.	27/11/01
John Gollop	54.	27/11/01
John Gollop	55.	27/11/01
John Gollop	56.	27/11/01
John Gollop	57.	27/11/01
John Gollop	58.	27/11/01
John Gollop	59.	27/11/01
John Gollop	60.	27/11/01
John Gollop	61.	4/1/02
John Gollop	62.	27/11/01
John Gollop	63.	3/1/02
John Gollop	350.	27/11/01
John Gollop	351.	3/01/02
John Gollop	352.	8/1/02
John Gollop	353.	15/1/02
John Gollop	354.	15/1/02
John Gollop	355.	18/1/02
John Gollop	356.	3/1/02
John Gollop	357.	27/11/01
John Gollop	358.	11/1/02
John Gollop	359.	28/1/02

John Gollop	360.	15/1/02
John Gollop	361.	8/1/02
B W Green	272.	Withdrawn
Mr R Green	325.	9/1/02
Mr R Green	326.	9/1/02
Guernsey Brewery Company (1920) Limited	25.	10/1/02
Guernsey Brewery Company (1920) Limited	106.	8/01/02
Guernsey Press Co Ltd	89.	15/1/02
Guernsey Tobacco Company Limited	88.	8/1/02
H		
R G Haines	30.	18/1/02
Mr and Mrs M Hamel	207.	Withdrawn
John & Annette Hare	147.	18/1/02
John and Annette Hare	111.	18/1/02
John and Annette Hare	112.	18/1/02
Cdr G W Harper USN Ret.	175.	9/1/02
Cdr G W Harper USN Ret.	178.	9/1/02
Mr and Mrs P R Harris	174.	16/1/02
Mrs B Harrison	101.	22/1/02
Mr S G and Mrs V Heaume	84.	Withdrawn
Mrs M Helyer	15.	15/1/02
Mrs M Helyer	21.	15/1/02
Mrs M Helyer	22.	15/1/02
Andrew Higgs	232.	9/1/02
Andrew Higgs	233.	9/1/02
J W Higgs	228.	9/1/02
J W Higgs	229.	9/1/02
Mrs Michelle Yvonne Higgs	230.	9/1/02
Mrs Michelle Yvonne Higgs	231.	9/1/02
J C & S J Hillman	238.	28/1/02 Absent
Matthew Paul Hobbs	139.	28/1/02
Mr and Mrs D Hockey	324.	17/1/01
Brenda and Chris Hodder	388.	28/1/02
Mrs Radmilla A Holbrook	303.	17/1/02
Mrs R A Holbrook	304.	17/1/02
Elizabeth Hookway	380.	28/1/02
Mr Hubert	96.	17/1/02
Tobias John Hughes	242.	9/1/02 Absent
R & J Humphries	119.	4/1/02
R & J Humphries	374.	16/1/02
M Hunter	320.	11/1/02
Mr T Hutley	91.	9/1/02
I		
Mr and Mrs Iles	381.	28/1/02

J		
David Jackson	85.	16/1/02
Mr Paul Jackson	373.	17/1/02
Mr N S and Mrs K Jehan	32.	15/1/02
Jurat S W J Jehan	6.	8/01/02
R C Johns	276.	8/1/02
Mr John Jones	256.	9/1/02
Mr John Jones	257.	9/1/02
Marie Jones	187.	17/1/02
Marie Jones	190.	Withdrawn
Peter Journeaux	210.	28/1/02
Peter and Jacqueline Joy	332.	4/1/02
Peter and Jacqueline Joy	333.	3/1/02
Peter and Jacqueline Joy	334.	4/1/02
Peter and Jacqueline Joy	335.	4/1/02
K		
G H Kendrick	292.	22/1/02
Kenilworth Properties Limited	114.	15/1/02
Mr and Mrs F Kehoe	254.	9/1/02
Mr and Mrs F Kehoe	255.	9/1/02
Kleinwort Benson (Guernsey) Trustees Ltd	348.	9/1/02
L		
Ms M R Lacey	269.	11/1/02
Rev'd Peter Lane and Mrs Wendy Lane	124.	22/1/02
David Larkin and Karynne Larkin	181.	9/1/02
Mrs J G Leadbeater	349.	18/1/02
F S Leale	155.	28/1/02
Jean M Lees	167.	28/1/02
Richard Le Bargy	278.	28/1/02
Robert Le Bargy	387.	28/1/02
J H Le Blond	274.	11/1/02
Mr and Mrs B J F Le Flock	283.	17/1/02
M E Le Maitre	312.	17/1/02
M E Le Maitre	313.	17/1/02
M E Le Maitre	314.	17/1/02
M E Le Maitre	315.	17/1/02
Mr K Le Noury	193.	9/1/02
Mr K Le Noury	195.	Withdrawn
Mrs A B Le Page	285.	28/1/02
Mr and Mrs A D Le Page	221	Withdrawn
Mr D Le Page	145.	18/1/02
Mrs M C Le Page	340.	9/1/02 Absent
Mrs M C Le Page	341.	9/1/02 Absent
R & A Le Page	45.	22/1/02
W K Le Page	191.	Withdrawn

A Le Pelley and V J Le Pelley	122.	10/1/02
Mr and Mrs M A Le Poidevin	2.	10/1/02
Darroll Le Prevost	261.	Withdrawn
Darroll Le Prevost	262.	Withdrawn
Darroll Le Prevost	263.	Withdrawn
Darroll Le Prevost	264.	4/1/02 Absent
Mrs Stephanie Le Tissier	247.	9/1/02 Absent
Adrian Lihou	328.	8/1/02 Absent
Adrian Lihou	331.	16/1/02
Peter N Lihou	35.	17/1/02
Peter N Lihou	149.	17/1/02
The Lions Table Tennis Association	97.	10/1/02
Pamela Litchfield	198.	9/1/02
R W Litten	70.	15/2/01
Brian R Lowe	104.	18/1/02
M		
Frank and Eileen Mace	105.	16/1/02
F Mallet & Son Limited	76.	10/1/02
Mr and Mrs Mancini	386.	28/1/02
Paul and Yasmin Mariess	288.	16/1/02
Andrew Marquis	372.	17/1/02
Miss J Marquis & Mrs M Millman	364.	11/1/02
Mr Craig Marsh	202.	28/1/02
Mr J H Martel-Dunn and Mrs S Martel-Dunn	5.	17/1/02
Charles Matheson	260.	9/1/02 Absent
Miss M Mauger	120.	10/1/02
Steve McAvoy, Sharon McAvoy	291.	17/1/02
Patricia McDermott	138.	28/1/02 Absent
MCT Investments Ltd	282.	9/1/02
Millennium Roses	39.	16/1/01
Margaret Mollet	132.	28/1/02
N		
Mr and Mrs D Nash	169.	9/1/02
Mr and Mrs D Nash	170.	9/1/02
Mrs D M Nicole	143.	9/1/02
Mrs Diana Nicole	168.	9/1/02
Mr C and Mrs P Niles	126.	15/1/02
Mr C and Mrs P Niles	127.	15/2/02
D O Norman and Sons Limited	24.	22/1/02
George E Norman	251.	Withdrawn
Ernest H Noyon	14.	16/1/02
<u>O</u>		
Roland Ogier	36.	10/1/02
Mr & Mrs P Oliver	271.	11/1/02

P

P D Pattimore	268.	11/1/02
B L Parkin	287.	4/1/02
G Payne	8.	17/1/02
Mr Pierre Payne	277.	9/1/02
Mr Francis Xavier Paul	3.	27/11/01
Piette Limited	346.	8/1/02
Pitronnerie Properties Limited	73.	11/1/02
Mr and Mrs Pizzuti	161.	28/1/02
Mr R Plumley	321.	8/1/02
Mr R Plumley	322.	8/1/02
Mr & Mrs J Pommier	370.	Withdrawn
Mr J V Pouteaux	18.	22/1/02
Mr Prowse	385.	28/1/02

) R

Brian Rabey	148.	18/1/02 Absent
Brian Rabey	375.	18/1/02
Ian Richards / Theresa Richards	203.	Withdrawn
Anne Robert and Richard Payne	83.	15/1/02
Mr and Mrs N Robert	140.	16/1/02
Mrs Beryl Rodgers	163.	28/1/02
Mr & Mrs Michael Rolls	196.	18/1/02 Absent
B A Rouillard	265.	15/1/02
John Rowe	69.	10/1/02
Mr & Mrs A E W Rumens	279.	28/1/02

S

Sarnia Developments Ltd	99.	16/1/02
Sarnia Seeds Ltd	100.	8/1/02
Sergio & Ann Scilironi	371.	17/1/02
Mr I A Scott	65.	9/1/02
Richard and Sarah Searle	289.	16/1/02
Mrs M Simon	211.	Withdrawn
Shirley Simon	367.	16/1/02
Shirley Simon	368.	16/1/02
Sean and John Slattery	118.	10/1/02
Mrs D Smethurst	246.	9/1/02 Absent
Mrs D Smethurst	249.	9/1/02 Absent
Ian Smethurst	244.	9/1/02
Ian Smethurst	245.	9/1/02
Mr and Mrs C Smith	154.	Withdrawn
La Société Guerneslaise	66.	3/01/02 and 22/1/02
Mrs L J Spafford	158.	28/1/02
Andrew & Emma Sparks	376.	17/1/02
M Stacey	215.	Withdrawn

Mr and Mrs M E Stanford	164.	18/1/02 Absent
States Tourist Board	79.	3/01/02
St Clair Products and Holdings Limited	72.	10/1/02
Mrs R N Stoakes	239.	9/1/02
Mrs R N Stoakes	240.	9/1/02
Martin J Storey	176.	9/1/02
Martin J Storey	179.	9/1/02
Swallow Services Limited	19.	22/1/02
Swallow Services Ltd	64.	22/1/02
Betty Antoinette Monsell Symons	205.	9/1/02 Absent
T		
Irene Morris & Myrtle Tabel	204.	9/1/02
Mr & Mrs N D Tanguy	362.	17/1/02
Mr K Taylor	182.	17/1/02
Mr K Taylor	183.	17/1/02
Mr N C Teers	116.	17/1/02
Neil Colin Teers and Jane Wendy Teers	123.	17/1/02
Mr & Mrs R E Tickner	280.	9/1/02 Absent
Mr & Mrs R E Tickner	281.	9/1/02 Absent
Mr Iain and Mrs Joanna Timms	128.	17/1/02
Mr and Mrs K Toomey	87.	17/1/02
Mr and Mrs K R Toomey	305.	17/1/02
Mr and Mrs K R Toomey	306.	17/1/02
Mr and Mrs K R Toomey	307.	17/1/02
Mr and Mrs M & J Topp	197.	Withdrawn
Mr K Tostevin	10.	16/1/02
Mr K Tostevin	12.	16/1/02
Total Channel Islands Limited	17.	16/1/02
Miss R Townsley	93.	11/10/02
Mrs Jane Tramontano	165.	28/1/02
Mark and Jackie Troalic	23.	8/1/02
Mrs G M Trott	156.	9/1/02
Mr and Mrs K R Trott	172.	9/1/02
Mr and Mrs K R Trott	173.	9/1/02
Lyndon Trott	81.	15/1/02
Trustees of Les Cotils Christian Centre	71.	27/11/01
U		
Mrs J Way and Miss J Underdown	37.	22/1/02
V		
Mr and Mrs H Vaudin	98.	22/1/02
Raymond Vokes	189.	Withdrawn
W		
Mrs J M Wallis	216.	15/1/02
J L E Waters	308.	17/1/02

J L E Waters	309.	17/1/02
J L E Waters	310.	17/1/02
J L E Waters	311.	17/1/02
A D C Webber	78.	3/01/02
Mr and Mrs Wegerer	382.	28/1/02
F R Whalley	336.	15/1/02
Dr Carmen Wheatley	34.	16/1/02
Mr H Whitchurch	95.	10/1/02
Mrs C O Whittam	107.	28/1/02
Mr and Mrs S J Willcocks	222.	28/1/02
Y		
Rob Yeates	284.	28/1/02
Z		
Caleb Zunino	316.	9/1/02 Absent
Caleb Zunino	317.	9/1/02 Absent
Mary Zunino	318.	9/1/02 Absent
Mary Zunino	319.	9/1/02 Absent
Additional Appearances at Inquiry (not related to specific Representations)		
Island Development Committee		3/1/02
States Traffic Committee		17/1/02

APPENDIX 2

DRAFT URBAN AREA PLAN REVIEW NO. 1

REPRESENTATIONS MADE TO THE URBAN AREA PLAN PLANNING INQUIRY

Ref No	Rep or Further Rep R/FR	Name	Related Reps and Further Reps	Location Perry's Professional Guide (PPG) or Urban Area Plan Review No. 1 paragraph number	Advocate (If Any)	Additional Documents Submitted	Report Page No
1.	R	Mr Victor E Froome		-		Plans Showing Possible Routes And Paths Photograph Of Woodland	9
2.	R	Mr and Mrs M A Le Poidevin		PPG 10B3		Letter 17.1.02 Commenting On IDC Response At Inquiry	111
3.	R	Mr Francis Xavier Paul		UAP Review No. 1 paragraph 7.2.3.1 UAP Review No. 1 paragraph 7.2.3.2		Tabled By IDC: Letter 25.9.92 Review Of Current States Policy On Transport In The Context Of The Urban Area Plan	100, 102
4.	R	Enterprise Plant and Equipment Ltd	276, 378	PPG 11E2 UAP Review No. 1 paragraph 6.2.2.1	Advocate Perrot	Photographs Of Representation Site	41, 89
5.	R	Mr J H Martel-Dunn and Mrs S Martel-Dunn	183, 184, 284, 295, 299, 305, 308, 312, 377	PPG 10C2	Advocate Ferbrache	Extract From Inspector's Report On UAP Inquiry Extract From 2001 Strategic And Corporate Plan Plans Showing Ownership Of Land In Relation To Settlement Area Of Draft Plan	41
6.	R	Jurat S W J Jehan		PPG 25E3	Advocate Perrot	Photographs Of Representation Site And Other	119

						Sites In Vicinity	
7.	R	Amalgamated Football Club		PPG 10B5 and UAP Review No. 1 paragraph 10.2.2.3		Aerial Photo Of Site	108
8.	R	G Payne	116, 182, 296, 300, 303, 306, 309, 313	PPG 10C2			42
9	R	Michael and Heather Fattorini		PPG 4E11/4F11		Plans Showing Representation Site And Existing And Previously Existing Features, Land Ownership And Plan Proposals. Traced Overlay For UAP Photo Annotated To Indicate Vehicle Garaging Requirements. Photos Of Representation Property, With Annotations	8, 120
10.	R	Mr K Tostevin		PPG Mostly on pages 9, 10 and 17. UAP Review No. 1 paragraphs 3.3.1 to 3.3.12		Plan Showing Area Covered By Representation	36
11.	R	Alliance Cash and Carry Limited	355	PPG 10C2	Advocate Ferbrache	Letter 17.1.2002 From Managing Director, Alliance Re Past Use Of Premises Letter From IDC 22.11.2000 Rejecting Proposals For Alliance Building Permission In Principle 17.8.2001 Plans Showing Building Proposals Report Of Denys Franzini, Consultant Planning Group Plan And Aerial Photo Of Representation Site Letter 21.11.2001 From IDC	91

12.	R	Mr K Tostevin		PPG 10A4			44
13.	R	Briglea Investments Ltd	171, 223, 294, 322	PPG 10D3 and 10D4	Advocate Perrot	Extract From 2001 Economic And Statistics Review Re Housing Completions Letter 11.1.2002 Re Affordable Housing, With Photos And Copy Letter From Housing Authority 19.12.2001 Extract From Guernsey Press 11.1.2002 Submitted By IDC: Housing Land Availability Study 2001	71
14.	R	Ernest H Noyon		PPG 9H4			122
15.	R	Mrs M Helyer		PPG 11E4			74
16.	R	Andrew Carré	171, 321, 338	PPG 10D3 and 10D4			71
17.	R	Total Channel Islands Limited		Area not identified with a map		Photos Of Site	17
18.	R	Mr J V Pouteaux	107	PPG 5H7			18
19.	R	Swallow Services Limited		PPG 10D2	Advocate Ogier		123
20.	R	Graham J Carré		PPG 10C3 and 10D3		Photo Of Flooding In Franc Fief Lane	76
21.	R	Mrs M Helyer	216	PPG 10C2, 10C3 and 10D2			87
22.	R	Mrs M Helyer	234	PPG 10C3 and 10D3			76
23.	R	Mark and Jackie Troalic	171, 321, 338	PPG 10C3 and 10D3 UAP Review No. 1 paragraph 2.3.2.9, 3.3.12 Policy GEN 12, 4.2.1.3 Policy DBE3, 5.2.5, 5.2.2, 5.2.4 Policy HO8, 9.1, 10.2.1.2 and Annex 6.			76
24.	R	D O Norman and Sons Limited	222, 285	PPG 10C2	Advocate Denziloe	Extract From Inspector's Report, 1993uap Inquiry Extract From Inspector's Report, 1984 Inquiry Plans Showing Possible Development Of Site	45

25.	R	Guernsey Brewery Company (1920) Limited	111, 129, 135	PPG 2D1	Advocate Perrot	Extract From Inspector's Report, UAP Inquiry	47
26.	R	Ensign Group Limited		PPG 11E1 and 11E2	Advocate Ogier		50
27.	R	Ensign Group Limited		PPG 11F2 and 11G2	Advocate Ogier		50
28.	R	Ensign Group Limited	224, 322, 344	PPG 10D3 and 10D4	Advocate Ogier	Extract From Inspector's Report UAP Inquiry Plans Showing Possible Access Options Additional Comment Re IDC Housing Land Availability Figures (See Rep 13)	71
29.	R	Ensign Group Limited	85, 113, 140, 174, 218, 367	PPG 10C3	Advocate Ogier		124
30.	R	R G Haines	112, 131, 137	PPG 2D1	Advocate Strappini	Extract From Inspector's Report 6 Photos With Key Plan Plan Showing Possible Development	47
31.	R	William B Bell		UAP Review No. 1 paragraph 7.2.3.1 Policy CEN6 and UAP Review No. 1 paragraph 7.2.3.2 Policy CEN7			Withdrawn
32.	R	Mr N S and Mrs K Jehan	127	PPG 10C3 and 10D3			76
33.	R	Keith Birch	128, 149, 291, 324	PPG 4A6	Advocate Robilliard	Set Of 7 Photos Extract From Current UAP	51
34.	R	Dr Carmen Wheatley	171, 321, 338	PPG 10D3 and 10D4 PPG 10D3 and 10D4		Photos Of Representor's Property And Surroundings	72
35.	R	Peter N Lihou		PPG 4A6			51
36.	R	Roland Ogier		PPG 11E2, 11F2, 11G2, 11E3, 11F3 and 11G3		Written Response To IDC Comments	16
37.	R	Mrs J Way and Miss J Underdown	125	PPG 10D3	Advocate Green		126

38.	R	Marc Collas		PPG 10A5			112
39.	R	Millennium Roses	288, 289, 332	PPG 10A3, 10A4, 10B3 and 10B4 UAP Review No. 1 paragraph 2.3.2.2 UAP Review No. 1 Policy CO1	Advocate Ogier		113
40.	R	Michelle Levrier	171, 225, 321, 331, 338, 352	PPG 10D3 and 10D4 UAP Review No. 1 Policy GEN7 UAP Review No. 1 Policy GEN8 UAP Review No. 1 paragraphs 5.2.4		Photos Of Road Conditions In Vicinity Of Pointues Rocques	71
41.	R	P A C Falla	136, 333, 356	UAP Review No. 1 paragraphs 5.2.2 UAP Review No. 1 paragraphs 5.2.2.1 UAP Review No. 1 Policy HO2			37
42.	R	P A C Falla	136. 333, 356	UAP Review No. 1 paragraph 5.2.1			37
43.	R	P A C Falla	136, 333, 356	UAP Review No. 1 paragraph 11.2 UAP Review No. 1 paragraph 11.2.1.1 UAP Review No. 1 Policy CO1			110
44.	R	Baubigny Flowers Limited		PPG 10B3 AP Review No. 1 paragraph 5.2.2.1, Policy HO2 and Key terms (page 150)	Advocate Collas		53
45.	R	R & A Le Page	159, 292	PPG 9H4 Also referred to Policy CO1 during the Inquiry.			115
46.	R	Franc Fief Vinery Ltd		PPG 10C3 and 10D3	Advocate Beattie	Written Statement By J Woodward 15.1.2002 Re Flooding	76
47.	R	John Gollop		UAP Review No. 1 Policy GEN2			5
48.	R	John Gollop		UAP Review No. 1 Policy GEN3			5
49.	R	John Gollop		UAP Review No. 1 Policy GEN4			6
50.	R	John Gollop		UAP Review No. 1 Policy GEN6			7
51.	R	John Gollop		UAP Review No. 1 Policy GEN9			10
52.	R	John Gollop		UAP Review No. 1 Policy GEN11			12
53.	R	John Gollop		UAP Review No. 1 Policy GEN12			13
54.	R	John Gollop		UAP Review No. 1 Policies DBE2 and DBE3			14
55.	R	John Gollop		UAP Review No. 1 Policy DBE7			15

56.	R	John Gollop		UAP Review No. 1 Policies HO2 and HO10			40, 81
57.	R	John Gollop		UAP Review No. 1 Policies HO7 and HO9			65, 80
58.	R	John Gollop		UAP Review No. 1 Policies EMP1 and EMP4			84, 85
59.	R	John Gollop		UAP Review No. 1 Policy EMP13			96
60.	R	John Gollop		UAP Review No. 1 Policies CEN1, CEN6, CEN11 and CEN12			99, 100, 104
61.	R	John Gollop		UAP Review No. 1 Policy CO1			110
62.	R	John Gollop		UAP Review No. 1 Policy HO14			82
63.	R	John Gollop		UAP Review No. 1 Policy ETL3			106
64.	R	Swallow Services Ltd	339	PPG 10D2	Advocate Ogier		127
65.	R	Mr I A Scott	282	PPG 5H11			19
66.	R	La Société Guernesaise	363	UAP Review No. 1 paragraph 1.3 and Proposals Map UAP Review No. 1 paragraph 4.2.4 and Policy DBE5 UAP Review No. 1 paragraph 4.2.4 and Policy DBE5 Annex 4 Annex 5		Table Of Guernsey Habitats The Importance Of Guernsey Quarries For Conservation: La Société Guernesaise Report And Transactions 1991	3, 27, 29, 144
67.	R	Mr Adrian Dorey	126, 265	PPG 10D3	Advocate White	Aerial Photo And Photos Of Site	79, 128
68.	R	P A C Falla and heirs of the late F E Falla	136, 333	PPG 9H4		Sketch Scheme Of Possible Development Photos Of Site	116
69.	R	John Rowe		PPG 11E3		Scheme Design Of Possible Development	21
70.	R	R W Litten		PPG 10C3 and 10D3			77
71.	R	Trustees of Les Cotils Christian Centre	357	PPG 3J3 and UAP Review No. 1 Policy SCR1		Extracts From Draft UAP And Plan Showing Proposed Siting	107

72.	R	St Clair Products and Holdings Limited		PPG11E4	Advocate Beattie		93
73.	R	Pitronnerie Properties Limited	358	PPG 17E2	Advocate Beattie	Letter 9.1.02 From Business Development Manager, Board Of Industry	129
74.	R	Divad Limited		PPG 11F3	Advocate Beattie	Schedule Of Areas And Uses, Mont Crevelt House	95
75.	R	ComProp Guernsey Limited	124, 132, 139, 152, 155, 157, 158, 161, 162, 163, 165, 167, 199, 201, 202, 209, 210, 212, 278, 279, 290, 323, 359, 387	PPG 17F2 and 17F3	Advocate Beattie,	Aerial Photos Sketch Layout For 20 Units	130
76.	R	F Mallet & Son Limited		PPG 10D5	Advocate Beattie		54
77.	R	Board of Governors, Ladies' College		PPG 4D7, 4E6 and 4E7	Advocate Collas	Aerial Photo	21
78.	R	Deputy A D C Webber		UAP Review No. 1 and Proposals Map		Guernsey Accommodation Sector: Future Profile Statement The Visitor Economy – A Statistical Guide To Guernsey's Tourism Industry Tourism – Creating The Right Environment: Strategy Document	10, 100
79.	R	States Tourist Board	351	UAP Review No. 1 Policy EMP15			97
80.	R	Peter Bougourd	353	UAP Review No. 1 and Proposals Map PPG 10C3, 10D3 and 11E4			77

81.	R	Lyndon Trott	354	UAP Review No. 1 and Proposals Map			77
82.	R	R H and B A Bacchus-Robilliard		PPG 10C3 and 10D3			77
83.	R	Anne Kneller Robert and Richard Payne		PPG 10D2			132
84.	R	Mr S G and Mrs V Heaume		PPG 10C3 and 10D3			Withdrawn
85.	FR	David Jackson	29, 113, 140, 174, 218, 367	PPG 10C3			124
86.	R	Mrs Domaille		Mrs Domaile			Withdrawn
87.		Mr and Mrs K Toomey	185, 186, 187, 283, 297, 301, 310, 314	PPG 10C2		Plans Showing Present And Past Land Ownerships	133
88.	R	Guernsey Tobacco Company Limited		PPG 16D2	Advocate Perrot 11.01.02- 20.01.02		69
89.	R	Guernsey Press Co Ltd	360	PPG 10C2, 10C3 and 10D2		Plan Showing Land Ownerships Planning Permission And Building Regulations Licence For Car Park Plans Showing Car Park	88
90.	R	Mr P Brown	250, 268, 269, 270, 271, 273, 274	PPG 10C5 and 10D5		Application Letter To IDC 10.11.2000 Rejection Letter From IDC 17.1.2001 Further Application Letter 20.12.2001 Sketch Scheme Drawings For Development Of Site Set Of Photos Of Site And Surroundings	68

91.	R	Mr T Hutley	142, 143, 144, 153, 156, 160, 170, 173, 175, 176, 177, 181, 198, 200, 204, 229, 231, 233, 236, 240, 245, 253, 255, 257, 326, 343, 348	PPG 2E4		Plan Showing Site Proposed For Development Extract From Guernsey House Book And 1787 Map	55
92.	R	Mrs S Brehaut	286	PPG 3K3 and 3L3		Extract From 2001 Economics And Statistics Review Extracts From 2001 Policy And Resource Planning Report Original Application Letter To IDC 3.11.1995 Photographs Rejection Letter From IDC 28.12.1995 Further Application Letter 26.4 1996 With Attachments Further Rejection Letter From IDC 29.5.1996 Sketch Plans	134
93.	R	Miss R Townsley	320	PPG 2C3		Design Brief	59
94.	R	Fernvale Plants Ltd. Amended to Davallia Ltd w.e.f.17/12/01	335	PPG 10A3 and 10A4		Plan Showing Possible Area For Development	116
95.	R	Mr H Whitchurch		PPG 9H5		Plan Showing Possible Site Of A Dwelling	117

						Photographs Of Site	
96.	R	Mr Hubert	103, 362, 371, 372, 373, 376	PPG 10D2 PPG 10D2	Advocate Barnes	Extract From 2001 Economics And Statistics Review Extracts From 2001 Policy And Resource Planning Report Preliminary Declaration For Dwelling 1.8 1981	59
97.	R	The Lions Table Tennis Association	122	PPG 2E1 and 2E2		Application For Preliminary Declaration 20.4.2001 And Plans Preliminary Declaration 31.7.2001	61
98.	R	Mr and Mrs H Vaudin		PPG 10B4		Plans Showing Site Position And Relationship To Consolidation Of Built Form	62
99.	R	Sarnia Developments Ltd		PPG 4D7	Advocate Roland	Development Brief Permission In Principle 12.12.2001 Plans And Elevations Of Proposed Development	22
100.	R	Sarnia Seeds Ltd	226, 294, 345	PPG 10D3 and 10D4		Extract From 2001 Economics And Statistics Review Extracts From 2001 Policy And Resource Planning Report Guernsey Press Cutting 13.1.1997 Guernsey Press Cutting 30.9.1997	71
101.	R	Mrs B Harrison		PPG 10A4		Plan Of Previous HTA4 Grandes Capelles Photographs With Key Plan	135
102.	R	Mr and Mrs W M Collins		PPG 10D3		Photographs Showing Site In Relation To Franc Fief Lane	136
103.	R	Mr and Mrs D Finn	362, 371,	PPG 10D2		Extract From 2001 Economics	59

			372, 373, 376	PPG 10D2		And Statistics Review Extracts From 2001 Policy And Resource Planning Report Plan Of Previous HTA1 Salt pans	
104.	R	Brian R Lowe	130, 145, 146, 147, 213, 327, 349	PPG 2C0, 2C1, 2D0 and 2D1	Advocate Ferbrache,	Aerial Photograph Extract From 2001 Strategic And Corporate Plan	139
105.	R	Frank and Eileen Mace	150, 151,	PPG 9H3 and 9H4			122
106.	R	Guernsey Brewery Company (1920) Limited	361	PPG 5L10 and 5L11	Advocate Perrot	Letter 23.11.2001 From Stephen Black	23
107.	FR	Mrs C O Whittam	18	PPG 5H7	Advocate Merrien		18
108.	R	Constables and Douzaine of St Sampson		PPG 10C4	Represented By Deputy Peter Bougourd		67
109.	R	Constables and Douzaine of St Sampson		PPG 10C3 and 10D3	Represented By Deputy Peter Bougourd		77
110.	R	Constables and Douzaine of St Sampson	171, 227, 338	PPG 10D3 and 10D4	Represented By Deputy Peter Bougourd		71
111.	FR	John and Annette Hare	25	PPG 2D1			47
112.	FR	John and Annette Hare	30	PPG 2D1			47
113.	FR	Mr and Mrs A S Fallaise	29, 85, 218	PPG 10C3		Photograph Of Garden And Fields At Lyle Cottage, Les Sauvagées	124

114.	R	Kenilworth Properties Limited		PPG 10D2	Advocate Ogier	Letter 14 January 2002 From Public Thoroughfares Committee Re Drainage Extract From Current UAP Proposals Map Plans Showing Draft Up Provisions, Existing Conditions And Proposed Development Concept Layout Aerial Photo	74
115.	R	Cathryn Bush		PPG 11F2			Withdrawn
116.	FR	Mr N C Teers	8	PPG 10C2			42
117.	R	Mrs Eileen B Falla	150, 151	PPG 9H3 and 9H4			122
118.	R	Sean and John Slattery		PPG 9H5, 10A5 and 17E1			140
119.	R	R & J Humphries	194, 287, 334	PPG 9H3, 9H4, 10A3 and 10A4		Set Of Photographs With Key Plan And Descriptions	137
120.	R	Miss M Mauger		PPG 11E4	Advocate Green	Plan Showing Possible Development Area Photograph Of Site	141
121.	FR	L Eker	26	PPG 11E1 and 11E2			Withdrawn
122.	FR	A Le Pelley and V J Le Pelley	97	PPG 2E1 and 2E2			61
123.	R	Neil Colin Teers and Jane Wendy Teers	298, 302, 304, 307, 311, 315	PPG 10C2		Aerial Photo Showing Ownerships Of Dalton And Beachgrove	42
124.	FR	Rev'd Peter Lane and Mrs Wendy Lane	75	PPG 17F2 and 17f3			130
125.	FR	P A De Carteret and B J De Carteret	37	PPG 10D3			126
126.	FR	Mr C and Mrs P Niles	67	PPG 10D3			79, 128
127.	FR	Mr C and Mrs P Niles	32	PPG 10C3 and 10D3			77
128.	FR	Mr Iain and Mrs	33, 149	PPG 4A6 PPG 4A6, 4B6 and 2A5		Digimap Aerial Photo And	51

		Joanna Timms				Plan Showing Watercourses	
129.	FR	Sylvia Bennett	25	PPG 2D1			47
130.	FR	Sylvia Bennett	104	PPG 2C0, 2C1, 2D0 and 2D1			139
131.	FR	Sylvia Bennett	30	PPG 2D1			47
132.	FR	Margaret Mollet	75	PPG 17F2 and 17F3			130
133.	R	Mr and Mrs R G Battersby		PPG 2D4 and 2E4			57
134.	R	Richard Collas, M Parry and M Hamilton		PPG 10D2			63
135.	FR	H N L Chivers	25	PPG 2D1			47
136.	FR	Victor & Jill Froome	41, 42, 43, 68	UAP Review No. 1 paragraph 5.2.2 UAP Review No. 1 paragraph 5.2.2.1 UAP Review No. 1 Policy HO2 UAP Review No. 1 paragraph 5.2.1 UAP Review No. 1 paragraph 11.2.1.1 UAP Review No. 1 Policy CO1 PPG 9H4			38, 110
137.	FR	H N L Chivers	30	PPG 2D1			47
138.	FR	Patricia McDermott	75	PPG 17F2 and 17F3			Absent
139.	FR	Matthew Paul Hobbs	75	PPG 17F2 and 17F3			130
140.	FR	Mr and Mrs N Robert	29, 85	PPG 10C3			124
141.	FR	Mr and Mrs G Fitchet	91	PPG 2E4			Absent
142.	FR	Mrs and Mrs R G Battersby	91	PPG 2E4			55
143.	FR	Mrs Diana Nicole	91	PPG 2E4			55
144.	FR	Mr R Angliss	91	PPG 2E4			56
145.	FR	Mr D Le Page	104	PPG 2C0, 2C1, 2D0 and 2D1			139
146.	FR	Hugh N L Chivers	104	PPG 2C0, 2C1, 2D0 and 2D1			139
147.	FR	John & Annette Hare	104	PPG 2C0, 2C1, 2D0 and 2D1			139

148.	FR	Brian Rabey	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent
149.	FR	Peter N Lihou	33, 128	PPG 4A6 PPG 4A6, 2B6 and 2A5			51
150.	FR	Mr and Mrs De Vial	105, 117	PPG 9H3 and 9H4			122
151.	FR	Mr G Bouwmeester	105, 117	PPG 9H3 and 9H4			122
152.	FR	John Francis Bishop and Gail Bishop	75	PPG 17F2 and 17F3		Photographs Of Mont Arrivé Fields	130
153.	FR	Elizabeth Grace Evans	91	PPG 2E4			56
154.	FR	Mr and Mrs C Smith	83	PPG 10D2			Withdrawn
155.	FR	F S Leale	75	PPG 17F2 and 17F3			130
156.	FR	Mrs G M Trott	91	PPG 2E4			56
157.	FR	Deputy Leon Gallienne and Mrs Jacqueline Gallienne	75	PPG 17F2 and 17F3			130
158.	FR	Mrs L J Spafford	75	PPG 17F2 and 17F3			130
159.	FR	Mr Luke Allen	45	PPG 9H4			115
160.	FR	Mr and Mrs Harold Bond	91	PPG 2E4			56
161.	FR	Mr and Mrs Pizzuti	75	PPG 17F2 and 17F3			130
162.	FR	Ken Birch	75	PPG 17F2 and 17F3			130
163.	FR	Mrs Beryl Rodgers	75	PPG 17F2 and 17F3			130
164.	FR	Mr and Mrs M E Stanford	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent
165.	FR	Mrs Jane Tramontano	75	PPG 17F2 and 17F3			130
166.	FR	Peter B Brown	26	PPG 11E1 and 11E2			Withdrawn
167.	FR	Jean M Lees	75	PPG 17F2 and 17F3			130
168.	R	Mrs D M Nicole		PPG 2D4 and 2E4			56
169.	R	Mr and Mrs D Nash		PPG 2D4 and 2E4		3 Aerial Photos Extracts From UAP	56
170.	FR	Mr and Mrs D Nash	91	PPG 2E4			56
171.	FR	Briglea Investments Ltd	13, 16, 23, 34, 40, 110	PPG 10D4 PPG 10D3 & 10D4	Advocate Perrot		71

				PPG 10D3 & 10D4		
172.	R	Mr and Mrs K R Trott		PPG 2D4 & 2E4		56
173.	FR	Mr and Mrs K R Trott	91	PPG 2E4		56
174.	FR	Mr and Mrs P R Harris	29, 85	PPG 10C3		124
175.	FR	Cdr G W Harper USN Ret.	91	PPG 2E4		56
176.	FR	Martin J Storey	91	PPG 2E4		56
177.	FR	Roy & Lindsey Angliss	91	PPG 2E4		56
178.	R	Cdr G W Harper USN Ret.		PPG 2D4 & 2E4		56
179.	R	Martin J Storey		PPG 2D4 & 2E4		56
180.	R	Roy & Lindsey Angliss		PPG 2D4 & 2E4		56
181.	FR	David Larkin and Karyne Larkin	91	PPG 2E4		56
182.	FR	Mr K Taylor	8	PPG 10C2		42
183.	FR	Mr K Taylor	5	PPG 10C2		41
184.	FR	Mr and Mrs Brian Dyke	5	PPG 10C2		41
185.	FR	Mr and Mrs Brian Dyke	87	PPG 10C2		133
186.	FR	Miss J Dyke	87	PPG 10C2		133
187.	FR	Marie Jones	87	PPG 10C2		133
188.	FR	Miss J Dyke	24	PPG 10C2		Withdrawn
189.	FR	Raymond Vokes	24	PPG 10C2		Withdrawn
190.	FR	Marie Jones	24	PPG 10C2		Withdrawn
191.	FR	W K Le Page	24	PPG 10C2		Withdrawn
192.	FR	Mrs and Mrs M A Gillson	24	PPG 10C2		Withdrawn

193.	R	Mr K Le Noury		PPG 2D4 and 2E4			56
194.	FR	Mr and Mrs A J Bray	119	PPG 9H3, 9H4, 10A3 and 10A4			137
195.	FR	Mr K Le Noury	91	PPG 2E4			Withdrawn
196.	FR	Mr & Mrs Michael Rolls	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent
197.	FR	Mr and Mrs M & J Topp	33, 128	PPG 4A6 4A6, 4B6 and 2A5			Withdrawn
198.	FR	Pamela Litchfield	91	PPG 2E4			56
199.	FR	Mr T Cleveland	75	PPG 17F2 and 17F3			130
200.	FR	Elizabeth Grace Evans	91	PPG 2E4			56
201.	FR	Paul Gaudion	75	PPG 17F2 and 17F3			130
202.	FR	Mr Craig Marsh	75	PPG 17F2 and 17F3		Extract From Amherst School – Final Report Of Waking Audit	130
203.	FR	Ian Richards / Theresa Richards	104	PPG 2C0, 2C1, 2D0 and 2D1			Withdrawn
204.	FR	Irene Morris & Myrtle Tabel	91	PPG 2E4			56
205.	FR	Betty Antoinette Monsell Symons	91	PPG 2E4			Absent
206.	FR	Mrs L M Gaudion	91	PPG 2E4			Absent
207.	FR	Mr and Mrs M Hamel	87	PPG 10C2			Withdrawn
208.	FR	Miss Alison Coubrough & Mr Mark Barnett	91	PPG 2E4			Withdrawn
209.	FR	Mrs W Brown	75	PPG 17F2 and 17F3			Absent
210.	FR	Peter Journeaux	75	PPG 17F2 and 17F3			130
211.	FR	Mrs M Simon	29, 85	PPG 10C3			Withdrawn
212.	FR	Miss S M Brehaut	75	PPG 17F2 and 17F3			Absent
213.	FR	Mrs Rosemary Duport	104	PPG 2C0, 2C1, 2D0 and 2D1			139
214.	FR	J R & M Ash	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent

215.	FR	M Stacey	83	PPG 10D2		Withdrawn
216.	FR	Mrs J M Wallis	21	PPG 10C2, 10C3 and 10D2		89
217.	FR	Ensign Group Limited	80	PPG 10C3, 10D3 and 11E4		Withdrawn
218.	FR	Ensign Group Limited	85, 113	PPG 10C3	Advocate Ogier	124
219.	FR	Ensign Group Limited	121	PPG 11E1 and 11E2		
220.	R	Mr & Mrs G Fitchet		PPG 2D4 and 2E4		Absent
221.	FR	Mr and Mrs A D Le Page	24	PPG 10C2		Withdrawn
222.	FR	Mr and Mrs S J Willcocks	24	PPG 10C2		45
223.	FR	Mr C and Mrs N Copperwaite	13	PPG 10D3 and 10D4		71
224.	FR	Mr C and Mrs N Copperwaite	28	PPG 10D3 and 10D4		71
225.	FR	Mr C and Mrs N Copperwaite	40	PPG 10D3 and 10D4 UAP Review No. 1 Policy GEN7, GEN8 and paragraph 5.2.4		71
226.	FR	Mr C and Mrs N Copperwaite	100	PPG 10D3 and 10D4		71
227.	FR	Mr C and Mrs N Copperwaite	110	PPG 10D3 and 10D4		72
228.	R	J W Higgs		PPG 2D4 and 2E4		56
229.	FR	J W Higgs	91	PPG 2E4		56
230.	R	Mrs Michelle Yvonne Higgs		PPG 2D4 and 2E4		56
231.	FR	Mrs Michelle Yvonne Higgs	91	PPG 2E4		56
232.	R	Andrew Higgs		PPG 2D4 and 2E4		56
233.	FR	Andrew Higgs	91	PPG 2E4		56
234.	FR	Mr P Collins	22	PPG 10C3 and 10D3		76
235.	R	Mr and Mrs J Elliott		PPG 2D4 and 2E4		Absent
236.	FR	Mr and Mrs J Elliott	91	PPG 2E4		Absent

237.	FR	J E Collins	75	PPG 17F2 and 17F3			Absent
238.	FR	J C & S J Hillman	75	PPG 17F2 and 17F3			Absent
239.	R	Mrs R N Stoakes		PPG 2D4 and 2E4		Plans Showing Historic Features Of St Jacques Area	56
240.	FR	Mrs R N Stoakes	91	PPG 2E4			56
241.	FR	Albert and Phyllis Coutanche	104	PPG 2C0, 2C1, 2D0 and 2D1			Withdrawn
242.	R	Tobias John Hughes		PPG 2D4 and 2E4			Absent
243.	R	Ms L M Gaudion		PPG 2D4 and 2E4			Absent
244.	R	Ian Smethurst		PPG 2D4 and 2E4			56
245.	FR	Ian Smethurst	91	PPG 2E4			56
246.	R	Mrs D Smethurst		PPG 2D4 and 2E4			Absent
247.	R	Mrs Stephanie Le Tissier		PPG 2D4 and 2E4			Absent
248.	R	Mrs J Alp		PPG 2D4 and 2E4			Absent
249.	FR	Mrs D Smethurst	91	PPG 2E4			Absent
250.	FR	Mr & Mrs A F Brehaut	90	PPG 10C5 and 10D5		Annotated Photograph Of View From Further Representor's Property	68
251.	FR	George E Norman	104	PPG 2C0, 2C1, 2D0 and 2D1			Withdrawn
252.	R	Mrs Sally Denton		PPG 2D4 and 2E4			57
253.	FR	Sally Denton	91	PPG 2E4			56
254.	R	Mr and Mrs F Kehoe		PPG 2D4 and 2E4			57
255.	FR	Mr and Mrs F Kehoe	91	PPG 2E4			56
256.	R	Mr John Jones		PPG 2D4 and 2E4			56
257.	FR	Mr John Jones	91	PPG 2E4			56
258.	R	Mr Andrew Bodsworth		PPG 2D4 and 2E4			Absent
259.	R	Robert Cable		PPG 2D4 and 2E4			Absent
260.	R	Charles Matheson		PPG 2D4 and 2E4			Absent
261.	FR	Darroll Le Prevost	14	PPG 9H4			Withdrawn
262.	FR	Darroll Le Prevost	105	PPG 9H3 and 9H4			Withdrawn
263.	FR	Darroll Le Prevost	117	PPG 9H3 and 9H4			Withdrawn

264.	FR	Darroll Le Prevost	119	PPG 9H3, 9H4, 10A3 and 10A4			Absent
265.	FR	B A Rouillard	67	PPG 10D3			79, 128
266.	FR	Pauline Chandler	91	PPG 2E4			Absent
267.	R	Pauline Chandler		PPG 2D4 and 2E4			Absent
268.	FR	P D Pattimore	90	PPG 10C5 and 10D5		Photographs Of View From Further Representor's Property	68
269.	FR	Ms M R Lacey	90	PPG 10C5 and 10D5			68
270.	FR	Mr P J Bretel	90	PPG 10C5 and 10D5			68
271.	FR	Mr & Mrs P Oliver	90	PPG 10C5 and 10D5			68
272.	FR	B W Green	90	PPG 10C5 and 10D5			Withdrawn
273.	FR	Caroline De Carteret	90	PPG 10C5 and 10D5			68
274.	FR	J H Le Blond	90	PPG 10C5 and 10D5			68
275.	FR	John and Marilyn Gill	90	PPG 10C5 and 10D5			Withdrawn
276.	FR	R C Johns	4	PPG 11E2 UAP Review No. 1 paragraph 6.2.2.1			41, 89
277.	R	Mr Pierre Payne		PPG 2F5, 4F6 and 5G6	Advocate Palmer	Plan Of Representation Site Showing Ownerships	25
278.	FR	Richard Le Bargy	75	PPG 17F2 and 17F3			130
279.	FR	Mr & Mrs A E W Rumens	75	PPG 17F2 and 17F3			130
280.	FR	Mr & Mrs R E Tickner	91	PPG 2E4			Absent
281.	R	Mr & Mrs R E Tickner		PPG 2D4 and 2E4			Absent
282.	FR	MCT Investments Ltd	65	PPG 5H11			19
283.	FR	Mr and Mrs B J F Le Flock	87	PPG 10C2			133
284.	FR	Rob Yeates	5	PPG 10C2			41
285.	FR	Mrs A B Le Page	24	PPG 10C2			45
286.	FR	Mike Allisette/Caroline	92	PPG 3K3 and 3L3		2 Letters Of Support From Local Residents	134

		Allisette				
287.	FR	B L Parkin	119	PPG 9H3, 9H4, 10A3 and 10A4		137
288.	FR	Paul and Yasmin Mariess	39	PPG 10A3, 10A4, 10B3 and 10B4 UAP Review No. 1 paragraph 2.3.2.2 UAP Review No. 1 Policy CO1		113
289.	FR	Richard and Sarah Searle	39	PPG 10A3, 10A4, 10B3 and 10B4 UAP Review No. 1 paragraph 2.3.2.2 UAP Review No. 1 Policy CO1		113
290.	FR	Gervase Ashton	75	PPG 17F2 and 17F3		130
291.	FR	Steve McAvoy, Sharon McAvoy	33	PPG 4A6	Advocate Robilliard	51
292.	FR	G H Kendrick	45	PPG 9H4		115
293.	FR	Mr & Mrs S Bougourd	104	PPG 2C0, 2C1, 2D0 and 2D1		Absent
294.	FR	Ensign Group Limited	13, 100	PPG 10D3 and 10D4	Advocate Ogier	71
295.	FR	Mr & Mrs L J Allen	5	PPG 10C2		41
296.	FR	Mr & Mrs L J Allen	8	PPG 10C2		42
297.	FR	Mr & Mrs L J Allen	87	PPG 10C2		133
298.	FR	Mr & Mrs L J Allen	123	PPG 10C2		42
299.	FR	Mrs N Allen	5	PPG 10C2		Aerial Photograph 41
300.	FR	Mrs N Allen	8	PPG 10C2		Photographs Of Access Adjacent To Beachgrove 42
301.	FR	Mrs N Allen	87	PPG 10C2		133
302.	FR	Mrs N Allen	123	PPG 10C2		42
303.	FR	Mrs Radmilla A Holbrook	8	PPG 10C2		42
304.	FR	Mrs R A Holbrook	123	PPG 10C2		42
305.	FR	Mr and Mrs K R Toomey	5	PPG 10C2		42
306.	FR	Mr and Mrs K R Toomey	8	PPG 10C2		42
307.	FR	Mr and Mrs K R Toomey	123	PPG 10C2		42
308.	FR	J L E Waters	5	PPG 10C2		42

309.	FR	J L E Waters	8	PPG 10C2			42
310.	FR	J L E Waters	87	PPG 10C2			133
311.	FR	J L E Waters	123	PPG 10C2			42
312.	FR	M E Le Maitre	5	PPG 10C2			42
313.	FR	M E Le Maitre	8	PPG 10C2			42
314.	FR	M E Le Maitre	87	PPG 10C2			133
315.	FR	M E Le Maitre	123	PPG 10C2			42
316.	R	Caleb Zunino		PPG 2D4 and 2E4			Absent
317.	FR	Caleb Zunino	91	PPG 2E4			Absent
318.	R	Mary Zunino		PPG 2D4 and 2E4			Absent
319.	FR	Mary Zunino	91	PPG 2E4			Absent
320.	FR	M Hunter	93	PPG 2C3			59
321.	FR	Mr R Plumley	16, 23, 34, 40	PPG 10D3 and 10D4	Advocate Perrot.		71
322.	FR	Mr R Plumley	13, 28	PPG 10D3 and 10D4	Advocate Perrot		71
323.	FR	Mr & Mrs Terry and Edwina Collinson	75	PPG 17F2 and 17F3			Absent
324.	FR	Mr and Mrs D Hockey	33	PPG 4A6	Advocate Robilliard		51
325.	R	Mr R Green		PPG 2D4 and 2E4			56
326.	FR	Mr R Green	91	PPG 2E4			56
327.	FR	Mr and Mrs P Archer	104	PPG 2C0, 2C1, 2D0 and 2D1			139
328.	FR	Adrian Lihou	28	PPG 10D3 and 10D4			Absent
329.	FR	Mr and Mrs P L O Falla	39	PPG 10A3, 10A4, 10B3 and 10B4 UAP Review No. 1 paragraph 2.3.2.2 UAP Review No. 1 Policy CO1			Withdrawn
330.	FR	Mr and Mrs P L O Falla	98	PPG 10B4			Withdrawn
331.	FR	Adrian Lihou	40	PPG 10D3 and 10D4 UAP Review No. 1 Policy GEN7, GEN8 and paragraph 5.2.4			71
332.	FR	Peter and Jacqueline Joy	39	PPG 10A3, 10A4, 10B3 and 10B4, UAP Review No. 1 paragraph 2.3.2.2,		Cutting From Guernsey Press 4.7.1990	113

				UAP Review No. 1 Policy CO1			
333.	FR	Peter and Jacqueline Joy	41, 42, 43, 136				38, 110
334.	FR	Peter and Jacqueline Joy	119	PPG 9H3, 9H4, 10A3 and 10A4			137
335.	FR	Peter and Jacqueline Joy	94	PPG 10A3 and 10A4		Photograph Of Interior Of Fernvale Plants 2.1.02	117
336.	R	F R Whalley		PPG 10C3 and 10D3	Advocate Beattie		76
337.	FR	Paul Everitt	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent
338.	FR	Ensign Group Limited	16, 23, 34, 40, 80,110	PPG 10D3 and 10D4	Advocate Ogier		71
339.	FR	Mr Dominic Chubb & Mrs Denise Chubb	64	PPG 10D2		Photographs Of Norwood Vinery Extract From Newspaper	127
340.	FR	Mrs M C Le Page	91	PPG 2E4			Absent
341.	R	Mrs M C Le Page		PPG 2D4 and 2E4			Absent
342.	R	Mr & Mrs S J Bearder		PPG 2D4 and 2E4			56
343.	FR	Mr & Mrs S J Bearder	91	PPG 2E4			56
344.	FR	Briglea Investments Ltd	28	PPG 10D3 and 10D4	Advocate Perrot		71
345.	FR	Briglea Investments Ltd	100	PPG 10D3 and 10D4	Advocate Perrot		71
346.	R	Piette Limited		PPG 3L2 and 3L3	Advocate Perrot		26
347.	FR	Mrs J Downes	104	PPG 2C0, 2C1, 2D0 and 2D1			Absent
348.	R	Kleinwort Benson (Guernsey) Trustees Ltd	91	PPG 2E4	Advocate Prentice		56
349.	FR	Mrs J G Leadbeater	104	PPG 2C0, 2C1, 2D0 and 2D1			139
350.	FR	John Gollop	1	-			9
351.	FR	John Gollop	79	UAP Review No. 1 Policy EMP15			97
352.	FR	John Gollop	40	PPG 10D3 and 10D4			71

				UAP Review No. 1 Policy GEN7, GEN8 and paragraph 5.2.4			
353.	FR	John Gollop	80	UAP Review No. 1 and Proposals Map PPG 10C3, 10D3 and 11E4			77
354.	FR	John Gollop	81	UAP Review No. 1 and Proposals Map			77
355.	FR	John Gollop	11	PPG 10C2			91
356.	FR	John Gollop	41	UAP Review No. 1 paragraph 5.2.2 UAP Review No. 1 Paragraph 5.2.2.1 UAP Review No.1 Policy HO2			38
357.	FR	John Gollop	71	PPG 3J3 and UAP Review No. 1 Policy SCR1			107
358.	FR	John Gollop	73	PPG 17E2			129
359.	FR	John Gollop	75	PPG 17F2 and 17F3			130
360.	FR	John Gollop	89	PPG 10C2, 10C3 and 10D2			88
361.	FR	John Gollop	106	PPG 5L10 and 5L11			23
362.	FR	Mr & Mrs N D Tanguy	96, 103	PPG 10D2			60
363.	FR	The National Trust of Guernsey	66				3, 27, 144
364.	R	Miss J Marquis & Mrs M Millman IDC responded in writing – received and commented upon by Miss Marquis		PPG 11E4			142
365.	R	Steve and Wendy de Vial	374	PPG 9H4			143
366.	R	Mr G Bouwmeester	374	PPG 9H4			143
367.	FR	Shirley Simon	29, 85	PPG 10C3			124
368.	R	Shirley Simon		PPG 10C3			63
369.	FR	Davallia Limited	94	PPG 10A3 and 10A4			Withdrawn
370.	FR	Mr & Mrs J Pommier	96, 103	PPG 10D2			Withdrawn
371.	FR	Sergio & Ann	96, 103	PPG 10D2		Photograph Of Flooding In	60

		Scilironi				Garden	
372.	FR	Andrew Marquis	96, 103	PPG 10D2		Sketch Of Possible Development Extract From Current UAP	59
373.	FR	Mr Paul Jackson	96, 103	PPG 10D2			60
374.	FR	R & J Humphries	365, 366				143
375.	R	Brian Rabey		PPG 2D1	Advocate Strappini		47
376.	FR	Andrew & Emma Sparks	96, 103	PPG 10D2		Photographs Of View From Property	60
377.	FR	Mrs de Garis	5	PPG 10C2			42
378.	FR	Deputy Peter Derham	4	PPG 11E2 UAP Review No. 1 paragraph 6.2.2.1			41, 89
379.	R	Mrs Crispini		Policy HO2			80
380.	R	Elizabeth Hookway	382, 383, 384, 385, 386, 388, 389	Policy HO2			64
381.	R	Mr and Mrs Iles		Policy HO2		Extract From Proposals Map Showing Areas Of Green Space	64
382.	FR	Mr and Mrs Wegerer	380	Policy HO2			64
383.	FR	Mr and Mrs Roger de Carteret	380	Policy HO2			64
384.	FR	Mr Robert de Carteret	380	Policy HO2			64
385.	FR	Mr Prowse	380	Policy HO2		Extract From Current UAP Proposals Map Showing Site Of Recent Development	64
386.	FR	Mr and Mrs Mancini	380	Policy HO2			64
387.	FR	Robert Le Bargy	75	Policy HO2			130
388.	FR	Brenda and Chris Hodder	380	Policy HO2			64
389.	FR	Mrs Breban	380	Policy HO2			64

--	--	--	--	--	--	--	--