

## **PLANNING INQUIRY**

### **THE DRAFT LOCAL PLANNING BRIEF FOR THE HARBOUR ACTION AREAS OF ST PETER PORT AND ST SAMPSON**

#### **INSPECTOR'S GUIDANCE NOTE**

##### **Introduction**

My name is Philip Staddon. I have been appointed by the States of Guernsey (SoG) as the independent Planning Inspector to undertake the Public Inquiry into the *Draft Local Planning Brief for The Harbour Action Areas of St Peter Port and St Sampson* (the LPB). This Guidance Note explains the Inquiry process and how you can participate in it.

##### **Guernsey's development plan**

Guernsey has a 'plan led' system to guide future development in the island. The current plan is the Island Development Plan (IDP) which was adopted by the SoG on 2<sup>nd</sup> November 2016. The IDP is a document which is legally required to be consistent with the Strategic Land Use Plan (SLUP), which is the SoG high-level spatial planning framework.

The IDP sets out the land use policies and matters that must be taken into account by the Development and Planning Authority when making decisions on planning applications. As a general rule, development proposals that are in line with the IDP policies will be permitted, and those that are in conflict with it are likely to be refused.

##### **The Harbour Action Areas**

The IDP includes a proposals map which identifies two 'Harbour Action Areas', one covering the harbour areas of St Peter Port and the other the St Sampson area. The IDP requires the preparation of a LPB to cover these areas.

A LPB is a document which addresses planning issues within a locality in more detail. LPBs are usually required where there are strategic land use implications and policy issues that need to be resolved for a defined area. LPBs can contain new policies and proposals, but they must be consistent with the SLUP and the IDP. Once a LPB is adopted, it forms part of the IDP, and its policies and proposals become important considerations in future planning decisions.

Before a LPB can be adopted, there are legal and procedural requirements that must be followed. Public consultation forms an important part of this process. The Law also requires that a Public Inquiry must be held and conducted by an independent Planning Inspector.

## **The Draft Local Planning Brief**

The LPB is an 83-page document which includes text, illustrations, policies and plans covering the two harbour action areas. There is an executive summary at the front of the document. A shorter 'extract' version is also available.

Detailed chapters cover: the LPB and its purpose; the LPB policy context; the scope of the LPB; background history and analysis; consultation; vision and objectives; development themes and policies, including proposals maps for each of the harbour areas; and delivery and indicative development scenarios.

The LPB is supported by a set of appendices, which include evidence base documents covering the following matters: understanding the harbours; flood risk; transport; maritime research infrastructure; future space requirements and recommendations; and a property and housing baseline review.

Copies of the LPB, and the appendices, can be found on the States website at [www.gov.gg/LocalPlanningBrief](http://www.gov.gg/LocalPlanningBrief) and are available for public inspection at the various Parochial Constables' Offices and Douzaine Rooms, the Greffe, and the reception at Edward T. Wheadon House, Le Truchot, St Peter Port during normal office hours (from 8:45am to 4pm Monday to Friday). Copies of the LPB may also be purchased from the Committee for the Environment & Infrastructure at Edward T. Wheadon House at a price of £8.

## **The Inquiry**

The Inquiry into the LBP opened on Tuesday 17<sup>th</sup> September 2024, which was the date on which the LPB was published for consultation.

Through the Inquiry process, I will consider all written representations made. My role is to assess whether the LPB satisfies procedural and legal requirements, including whether it passes the tests of 'soundness'. In planning terms, a policy document such as the LPB would be considered 'sound', if it was found to be: a) *positively prepared*; b) *justified*; c) *effective*; and d) *consistent* with higher level Guernsey policy, notably the SLUP and IDP.

The Planning Inquiry will be split into three main stages:

### **Stage 1 – Initial Representations**

This is an opportunity to make written comments on the LPB. Initial Representations may be submitted from 9.00am on Tuesday 17<sup>th</sup> September 2024 to 5.00pm on Monday 14<sup>th</sup> October 2024 inclusive.

Most submissions are expected to be made in this stage.

## Stage 2 – Further Representations

This is an opportunity to respond to, and comment on, written comments made by others during Stage 1. It is not an opportunity to submit new representations, or introduce new topics and issues. Further Representations may be made between 9.00am on Monday 4<sup>th</sup> November and 5.00pm on Monday 2<sup>nd</sup> December 2024 inclusive.

## Stage 3 – Inquiry Hearing

In this stage, I will conduct a structured discussion of the LPB, and representors will be able to address me in person to explain their views and comment on the views of others. The provisional date for the start of the Inquiry Hearing is Tuesday 10<sup>th</sup> December 2024.

Following the conclusion of Stage 3, I will prepare my report and recommendations. My report can either find the LPB to be sound and recommend its adoption, possibly involving some modifications, or it may find the LPB to be unsound, and recommend that it be withdrawn and a new LPB be prepared. My report is expected to be issued to the SoG by the end of January 2025.

## **Making a Comment or Representation**

As the Inspector undertaking this Inquiry, I invite and welcome comments and representations on the published LBP.

I do not wish to prescribe how your written submission should be made, or how brief or long it is. It could be a general comment, an expression of support or opposition, views about a specific matter, and/or a detailed critique of the whole brief, and the policies and proposals maps contained within it. You may also submit comments or representations on any of the appendices and evidence base documents that support the LPB.

There are some ground rules for making submissions:

- Submissions can be made through the Online Portal, or via a Paper Form.
- The Online Portal and Paper Forms can be found at: <http://www.gov.gg/LocalPlanningBrief>
- Paper forms can be printed from the website, or collected from the offices listed above. Completed paper forms should be returned to: Planning Inquiry Office, Sir Charles Frossard House, La Charroterie, St Peter Port, Guernsey GY1 1FH, or emailed to: [planning.inquiries@gov.gg](mailto:planning.inquiries@gov.gg)
- Please ensure that you include your full personal details. I am not able to consider submissions where the identity of the sender is unclear, and I cannot consider anonymous submissions.

- If you are making a case that the LPB should be modified in some way, it is very important that you identify precisely which part you are referring to. For example, by reference to a page number (of the full LPB document), policy reference, proposals map, or a particular part of an appendix document. You may also wish to refer to the 'soundness' criteria summarised above.
- If you are making a very detailed submission, i.e., more than 1,500 words, please provide a short summary (not exceeding 350 words).
- Please indicate through the form if you would like to attend the Inquiry Hearing sessions in December 2024, to explain your representation in person. This will help in terms of programming the sessions.
- Please confine any Stage 2 responses to comments on representations already made.

### **Inquiry administration and further information**

The LPB Planning Inquiry Office will manage the Inquiry website, which can be found at <http://www.gov.gg/LocalPlanningBrief>

The website will include a library of the core documents (the LPB and appendices), all representations received, and any other documents that arise in the Inquiry process. It is an important resource and will be kept up to date throughout. Printed copies of the documents can also be inspected at the main reception area of Edward T. Wheadon House during normal office hours.

For any questions and guidance, all contact should be made through the LPB Planning Inquiry Office, the details of which are set out below:

Address: Planning Inquiry Office, Sir Charles Frossard House, La Charroterie, St Peter Port, Guernsey GY1 1FH

Email: [planning.inquiries@gov.gg](mailto:planning.inquiries@gov.gg)

Telephone: 01481 223447

**Philip Staddon BSc, Dip, MBA (Distinction), MRTPI**

**17 September 2024**