

Land Use Plan Review 2016) Phase 1

Under Section 25 of the Building and Development Control (Alderney) Law, 2002 (*The Law*) the Building and Development Control Committee (*The Committee*) is required to review the Land Use Plan (*The LUP*) every five years. The States approved the current LUP on 16 November 2011. The Committee have now completed the first phase of its review and the requirements of Section 23 and 25 – 28 of the Law have been complied with. In particular, an Independent Inspector Mr Alan Langton was appointed to conduct a Planning Inquiry into the Land Use Plan and the Committee's proposals. The Inspector's report has been received and published on 20 May 2016.

Having considered the Inspector's report, the Committee has resolved to lay before the States a revised Land Use Plan in pursuance of Section 29 of the Law. The Committee recommends the States adopt the entire 2016 Land Use Plan which will replace the previously approved Plan. This plan incorporates the Committee's proposed changes from the work completed in Phase 1 of its review of the Land Use Plan. It establishes a vision for the Island and sets out its approach to housing. Further updates to the Land Use Plan in 2017 are planned to take account of economic, natural environment and built heritage policies.

The 2016 Land Use Plan Documents

The Committee's resolution seeks States approval to the following documents which together comprise the Alderney Land Use Plan:

- Alderney Land Use Plan. Section 1: Policies
- Alderney Land Use Plan. Section 2: Sites
- Alderney Phase 1 Housing Land Use Plan 2016 (Map)

The Call for Sites document which was published and subject to the Planning Inquiry, is **NOT** a part of the LUP. It is referred to by the Planning Inspector in his report but is not laid before the States for approval. It provides evidence which supports the Committee's policy proposals in the LUP and has been scrutinised by the Inspector.

Changes Proposed by the Committee in the March 2016 Consultation draft Land Use Plan

1. LUP Section 1 – Policies

The Policy guidelines which were approved by the BDCC on 2 December 2008 and received and noted by the States of Alderney on 17 December 2008 are proposed to be adopted as Land Use Plan Policies, subject to the following changes:

- a.* Paragraph numbers 2.2 to 2.4 have been inserted to establish a long term vision, guiding principles and plan outputs for the Land Use Plan.
- b.* The Policy guidelines for Housing (p18-19 of 2008 doc) which were under review when adopted, have been completely replaced. Paragraph 5.1 has been re-drafted to reflect the recommendations of the Housing Strategy (debated in the States in April 2016) and includes five new housing policies (paragraphs 5.2.1- 5.2.5).

Other than the above changes listed in 1a) and b) which have been incorporated in Section 1 of the LUP, the policies proposed for adoption have not been substantively changed from the Policy Guidelines which were approved by the BDCC and received and noted by the States in December 2008. These LUP policies will be subject to review and amendment as part of Phase 2 of the LUP in 2017

2. LUP Section 2 – Sites

The substantive policy in the Land use Plan previously approved by the States of Alderney on 16 November 2011 is carried forward into the 2016 Plan, subject to the following updates and amendments. These amendments relate to Housing policies and there are several consequential changes and minor corrections.

Designated Area

(a) Section F, Residential Zone has been updated to include an amended policy in relation to the scale and nature of the reconstruction and/or extension of existing dwellings within the Designated Area. The introduction of the updated policy is dependent on amendments to the Building and Development Control (Alderney) Law, 2002. Until such time as the law has been amended, the existing policy remains in force.

Building Area

(b) Housing Character Areas have been introduced to provide more guidance and clarity on the type, size and design of housing development that is likely to be acceptable within the Building Area. The Housing Character Areas replace the following designations contained in the 2011 Land Use Plan: Zone 2, Zone 6, Zone 10, Zone 11, Zone 12, Zone 14, Zone 15 and the Remainder of Building Area (General Building Area).

(c) The Housing Character Areas result in minor amendments to the policies for Zone 7 and Zone 8.

(d) Minor amendments have been made to the policies for Zone 20 to reflect the Call for Sites assessment.

(e) The guidance provided replaces the notes/definitions on low and medium density housing development.

(f) Zone 7 Harbour & Braye Bay Comprehensive Development Zone

Minor amendments have been made to reflect the Housing Character Areas, which state that there is a presumption against Housing development to the east of Zone 7.

(g) Zone 8 Fort Zone

Minor amendments have been made to this policy to reflect Policy HOU3 *Section 1: Policy Guidelines* and the requirement that any residential development included in a mixed use forts scheme should demonstrate that the redevelopment will support sustainable patterns of development on the Island.

(h) Zone 20 Whitegates (South Side) (AY1832)

Minor amendments have been made to this policy to reflect the Call for Sites assessment.

Other than the above changes listed (a) – (h) which have been incorporated in Section 2 of the LUP, the Land Use Plan policies proposed for re-adoption have not been changed substantively from those approved in the LUP in November 2011. These policies will be subject to review and amendment as part of Phase 2 of the LUP in 2017.

Independent Inspector's Report and the Committee's response to the inspector's recommendations on the LUP

The independent inspector's report is required to accompany the Land Use Plan documents as the Law requires. It is presented to the States with a list of the Independent Inspector's recommendations and the Committee's response to them. Most of the Inspector's recommendations have been accepted. The list highlights the changes which have been made to give effect to these recommendations and explains the Committee position on the two exceptions including Whitegates where the LUP is not proposed for change in Phase 1.

Resolution of the Building and Development Control Committee

In pursuance of Section 30 (1) of the Building and Development Control (Alderney) Law 2002, the States resolve to approve the undermentioned documents (i-iii) , as the Land Use Plan prepared under Part IV of the Building and Development Control (Alderney) Law 2002, in replacement of the Land Use Plan (as amended) approved by the States on 16th November 2011;

- (i) Alderney Land Use Plan 2016 Section 1: Policies;***
- (ii) Alderney Land Use Plan 2016 Section 2: Sites;***
- (iii) Alderney Phase 1 Housing Land Use Plan 2016 (Map)***

and in pursuance of Section 30 (2) authorise the President of the States to sign and date the approved Land Use Plan documents (i) to (iii) for the purposes of identification.

Matt Birmingham
Chairman
Building and Development Control Committee