

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

STATES' TRADING SUPERVISORY BOARD

REQUEST TO DIRECT DEVELOPMENT & PLANNING AUTHORITY TO REVERSE ITS
REFUSAL OF PLANNING PERMISSION FOR TEMPORARY STOCKPILING OF INERT WASTE
AT LONGUE HOUGUE

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Request to Direct Development & Planning Authority to Reverse Its Refusal of Planning Permission for Temporary Stockpiling of Inert Waste at Longue Hougue', dated 16th August 2024, they are of the opinion:-

1. In respect of the application for planning permission for the temporary stockpiling of inert waste material at the Longue Hougue land reclamation site, submitted by the States' Trading Supervisory Board on 23 February 2024 (Reference FULL/2024/0374), to direct the Development & Planning Authority, under section 76(7) of the Land Planning and Development (Guernsey) Law, 2005, to reverse its decision to refuse the application by granting planning permission in accordance with the recommendation and full reasoning, including recommended conditions, in the related Planning Application Report attached at Appendix 1B.

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The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

16th August, 2024

Dear Sir

1 Executive Summary

- 1.1 The island's only current site for disposal of inert waste is the Longue Hougue land reclamation site. After 29 years it is approaching completion, and no follow-on site is currently available.
- 1.2 The States has previously agreed stockpiling at Longue Hougue would be an interim measure, until a new site is available. If that does not commence now, the island may soon have nowhere to dispose of residual inert waste. This could severely impact the construction sector, at precisely the time government wants to encourage building, to tackle the housing crisis and deliver key infrastructure. This therefore requires urgency.
- 1.3 At an open planning meeting on 22 July 2024, the Development & Planning Authority (DPA) considered a planning application from the States' Trading Supervisory Board (STSB) for temporary stockpiling at Longue Hougue. Contrary to the recommendation of Planning Service officers, the DPA voted by a 3-1 majority to refuse permission, with one member voting to defer the decision.
- 1.4 The STSB has since engaged with the DPA President and planning officers, to explore how this might be resolved. The STSB is advised the rules which apply to DPA decisions mean that once an application has been refused, the decision cannot simply be revisited.
- 1.5 The STSB, in its statutory capacity as Waste Disposal Authority, has a legal duty to ensure provision of sites for the reception, recovery and disposal of waste. There is no realistic prospect a new site will be available in less than 2½ years, so

as a minimum stockpiling is required for this period. The proposals cannot be scaled back to provide for a shorter timeframe.

- 1.6 Other options that have been suggested as potential alternatives do not satisfy the immediate requirement, as they are likely to require a full planning application process and either a variation to a waste management licence or a new waste management licence. They are not a short-term fix, and a decision can only be made on such options when the full details are considered. It cannot be assumed they would be approved.
- 1.7 In any event, temporary stockpiling of inert waste now could be an enabler for such options in future. For example, land-raising at Longue Hougue has been suggested as an alternative. Should the States decide to pursue this, and planning permission can be achieved, having a stockpile of suitable material onsite that could be used for this purpose would be a significant advantage.
- 1.8 The Planning Application Report (Appendix 1B) concluded that the temporary and reversible nature of the proposed stockpile should not prejudice the outcome or inhibit the implementation of a development plan (known as a 'Local Planning Brief') for the St Sampson's Harbour Action Area. The Guernsey Development Agency (GDA) is supportive of stockpiling being allowed in the proposed area for up to three years, with the subsequent removal of material within another three years. These timescales were recommended as conditions on any planning permission.
- 1.9 The STSB believes the evidence presented in the Planning Application Report, clearly setting out the relevant policy considerations, provided a sufficiently strong case for the DPA to approve the application. Given the support of the GDA and the lack of any representations opposing the proposals, the DPA had no reasonable policy grounds to refuse the application. The Notification of Refusal of Planning Permission¹ ("the Notification"), attached as Appendix 3, provides no adequate reasoning for the decision. There is also inconsistency between the reasons given in the Notification and those given at the meeting.
- 1.10 The transcript of the open planning meeting (Appendix 2) suggests that in reaching its decision, the DPA took account of considerations that were not clearly relevant to the application or should have been given little weight.
- 1.11 The STSB therefore does not believe the DPA exercised good judgement in refusing planning permission, contrary to both the recommendations of the Planning Service and the support of the GDA. The STSB believes the decision was flawed, and if not revisited will have significant, negative consequences within the next few months.
- 1.12 Under the Land Planning and Development (Guernsey) Law, 2005 ("the Law"), a States body can only challenge such a refusal by referring the decision to the States.

¹ The notification of the decision is the formal refusal of planning permission under the planning legislation.

- 1.13 The STSB, regrettably, has no alternative but to ask the Assembly to direct the DPA to reverse its decision and grant planning permission in accordance with the recommendation, full reasoning, and conditions in the Planning Application Report.
- 1.14 Under the Law, in giving a direction the States may consider any matter afresh but may not direct the DPA to make a decision that would contravene any policy or other provision of the Island Development Plan (IDP)². The DPA's own planning officer's report concluded that granting planning permission with the recommended conditions would be consistent with the IDP policies.

2 Background

- 2.1 Every year, significant volumes of inert waste material are generated from local construction, demolition, and excavation activities. Much of this material is put to beneficial use, through reuse or recycling in other construction projects. However there will always be a residual element that requires disposal.
- 2.2 Since 1995, this residual inert waste has been used as infill material at the Longue Hougue land reclamation site. This has created a strategically important and valuable new area of land, which is zoned under the IDP as a Key Industrial Expansion Area. A number of waste management operations, operated by or on behalf of the States of Guernsey, are currently located there.
- 2.3 In 2014, the then Public Services Department began a process to identify a future solution for managing inert waste once the Longue Hougue land reclamation site was full. This considered various options, including infill of former quarries, land-raising in low lying areas, further (coastal) land reclamation, and export. A long list of more than 50 potential locations were considered for these purposes.
- 2.4 These options were evaluated against key criteria, including practicality, capacity, value for money, potential future use, and social and environmental factors. Among the stakeholders consulted were representatives of the local construction industry and other businesses, environmental groups, and States bodies. An extension to the current land reclamation site, termed 'Longue Hougue South', was eventually identified as the Best Practical Environmental Option.
- 2.5 The intention was to have a new site ready before the current land reclamation site was full. However when proposals to approve Longue Hougue South as the 'preferred way forward'³ were presented to the States in 2017, the Committee *for the Environment & Infrastructure* and the STSB were directed to carry out further investigations on other shortlisted options.

² Sections 76(10) and (12) of the Land Planning and Development (Guernsey) Law, 2005.

³ Billet d'État XXIV of 2017, Article 14: The Inert Waste Strategy and a Proposal for a New Facility for Managing Residual Inert Waste.

- 2.6 In April 2020, the States agreed⁴ that Longue Hougue South should be the next inert waste site, and resolved:

“to direct the Development & Planning Authority to prepare proposals for a Local Planning Brief for a new residual inert waste facility at Longue Hougue South and to direct the Development & Planning Authority and the Committee for the Environment & Infrastructure to take all necessary steps under the land planning legislation to lay such proposals before the States for adoption.”

- 2.7 That policy letter highlighted (bold added for emphasis):

*“It is anticipated that a new residual waste facility will not be available until 2024, due to the statutory processes and approval and construction timescales. In the meantime, it is anticipated that the current site at Longue Hougue will be full by December 2022. **Therefore it is likely there will be a need for some stockpiling of residual inert waste, as a mitigating measure.**”*

- 2.8 At the same time, the States approved the current Inert Waste Strategy, which identifies ‘short term’ measures that include:-

“stockpiling material at the existing land reclamation site at Longue Hougue is the most appropriate temporary solution for managing inert waste until another site becomes available.”

- 2.9 The DPA subsequently prepared a draft Local Planning Brief for Longue Hougue South. However in December 2021, the Policy & Resources Committee wrote to the Committee *for the Environment & Infrastructure* and the STSB, setting out reasons for not progressing the project until the States had decided the future use of Les Vardes Quarry. This would enable the medium to long term requirements for inert waste disposal and water storage to be considered together. Consequently, the Policy & Resources Committee declined to release funding for a planning inspector to carry out the planning inquiry required for Longue Hougue South. That effectively halted any further progress on the development.
- 2.10 Les Vardes was among the options considered by the Public Services Department for inert waste. At that time it was not expected to be available in the required timescale, and is currently safeguarded in the IDP for future water storage.
- 2.11 The Committee *for the Environment & Infrastructure*, after consultation with Guernsey Water and Guernsey Waste, is finalising its review of the future of Les Vardes, and expects to submit a policy letter for debate in Q4 this year. In the meantime, for the reasons set out above, no progress can be made on developing a new inert waste site.

⁴ Billet d’État X of 2020, Article 14: Planning for a New Facility for Managing Residual Inert Waste.

- 2.12 It has been suggested Les Vardes could be ready almost immediately. That is not the case. A new waste management facility requires an extensive planning process, which is likely to include a full Environmental Impact Assessment. That in itself is likely to take more than a year, and would be ahead of any planning application being considered and any subsequent States approvals. Some site preparation would then be required before it could receive inert waste.
- 2.13 Therefore irrespective of what future location is chosen, there will inevitably be a period between the completion of land reclamation at Longue Hougue and a new site for disposal of inert waste becoming available.

3 Policy, strategic and legal context

Land Planning and Development (Guernsey) Law, 2005

- 3.1 The Law sets out the provisions by which applicants can appeal a decision by the DPA in respect of a planning application.
- 3.2 In cases where the applicant is States bodies, and where the development is on States owned land, the Law stipulates.

76. (7) If any department of the States -

(a) is dissatisfied with a decision as to which subsection (3) prevents an appeal at its instance, or

(b) considers for any other reason that a decision on an application made by it to the Department ought to be referred to the States,

it may request the States to direct the Department to revoke, reverse or modify the decision.

(8) Such a request must contain or have annexed to it the full text, including reasons, of the decision.

(9) The Department must, subject to subsection (10), comply with a direction under this section as soon as practicable.

(10) The States may not under this section direct the Department to make a decision which would contravene any policy or other provision of any relevant Development Plan, Subject Plan or Local Planning Brief.

(11) A direction under this section, and a revocation, reversal or modification of a decision in compliance with such a direction, may not be appealed against or challenged in any legal proceedings whatsoever, notwithstanding that compliance with the direction involves the Department acting in a manner inconsistent with the purposes of this Law.

(12) In giving a direction under this section, the States may consider any matter afresh.

Strategic Land Use Plan

- 3.3 The Strategic Land Use Plan is a statutory document approved by the States⁵ in 2011, which sets a 20-year agenda for land use planning in Guernsey. It provides the high-level spatial planning framework to guide the preparation of Development Plans, setting out detailed, specific policies in relation to the management of development.

The Island Development Plan (IDP)

- 3.4 The Island Development Plan (IDP), approved by the States in 2016, sets out detailed land planning policies for the whole of Guernsey. It translates the high level Strategic Land Use Plan policies into practice. The principal aim is:

“To ensure land planning policies are in place that are consistent with the Strategic Land Use Plan and which help maintain and create a socially inclusive, healthy and economically strong island, while balancing these objectives with the protection and enhancement of Guernsey’s built and natural environment and the need to use land wisely.”

- 3.5 The IDP recognises that Longue Hougue Key Industrial Area is an established location for waste management, including disposal of residual inert waste.

- 3.6 Infrastructure Policy 2 (IP2) sets out the following policy:-

Development required to implement the States’ Waste Strategy will be supported, providing it accords with all relevant policies of the [IDP].

Proposals for development/redevelopment of waste management facilities within the St Sampson’s Harbour Action Area, will be supported where they are in accordance with the Principal Aim and relevant Plan Objectives, the Spatial Policy and the relevant Local Planning Brief for the area.

Where there is not an approved Local Planning Brief for the St Sampson’s Harbour Action Area, or where proposed development is of a minor or inconsequential nature, proposals will be supported providing that the development:

- a. would not prejudice the outcome of the Local Planning Brief process; or,*
- b. would not inhibit the implementation of an approved Local Planning Brief; and,*
- c. would accord with all other relevant policies of the [IDP].*

The Inert Waste Strategy

- 3.7 The island’s Inert Waste Strategy was agreed by the States in April 2020⁴. It sets out the requirements, methods to be adopted and facilities needed for the management of inert waste in Guernsey.

⁵ Billet d’État No. XIX of 2011, Article 10: The Strategic Land Use Plan.

3.8 The Strategy includes short term interim solutions and a medium and long-term phase to cover the next 20 years. It recognises the potential value of land created through land reclamation as well as the potential value of residual inert waste to strategic developments, where required.

3.9 The Strategy identifies immediate (short) term measures, including:-

- Continuing to dispose of residual inert waste at the current Longue Hougue land reclamation site until the site reaches capacity;
- Implementing site waste management plans, through the policies of the IDP, to promote sustainable waste management in construction projects;
- Prolonging the lifetime of any residual inert waste disposal facility by diverting material to strategic projects, including land reclamation projects that could require inert waste;
- Stockpiling material at the existing land reclamation site at Longue Hougue is the most appropriate temporary solution for managing residual inert waste, until another solution becomes available.

The Environmental Pollution (Guernsey) Law, 2004 - “The EPL Law”

3.10 The STSB is the island’s designated Waste Disposal Authority (WDA). Its role and duties in this capacity are set out in the EPL Law, and include:-

- To make arrangement for and ensure the operation of Guernsey’s public waste management system.
- To identify the best practical environmental options (BPEO) for the recovery or disposal of waste.
- To ensure provision of places, plant and equipment for recovery or disposal of waste and arrangements enabling waste to be reused or substances to be reclaimed from waste.
- To make recommendations to the Committee *for the* Environment & Infrastructure from time to time in connection with preparation of a draft Waste Management Plan (WMP).

The Waste Management Plan (WMP)

3.11 The WMP is a statutory document, approved by the States, which identifies:-

- The agreed Best Practical Environmental Options and methods to be used for recovery or disposal of waste;
- The sites or facilities provided, managed, arranged, operated of funded by or on behalf of the WDA where such recovery, disposal or other operations are to take place.

3.12 The current WMP was approved in 2018, before the States agreed the Inert Waste Strategy and identified Longue Hougue South as the preferred way forward for a future disposal site. It is the intention to update the Plan once final agreement has been reached on a future site, and the planning requirements have been met.

3.13 In respect of inert waste, the current Plan states:-

- Reuse and recycling where possible, and where markets are available;
- Recovery through diversion from disposal routes for a specific project where inert waste is required;
- Disposal of residual inert waste (where no recovery option is available) through land reclamation or infilling of former quarries subject to further development of the policy in accordance with the 2017 States Resolutions³.

4 The need for stockpiling

4.1 Successful recycling of aggregate materials has extended the life of the current land reclamation site beyond what was originally anticipated. The small remaining void space would be sufficient to continue infilling for around two to three months. However it was intended to retain this space for the disposal of (non-hazardous) asbestos containing material. So to all intents and purposes, the site is now full, and there is no alternative disposal facility. There is now an immediate requirement for temporary stockpiling.

4.2 Where possible, material can still be diverted to strategically important development sites and other construction projects, as and when demand arises. The aggregate recycling operation will also continue to reduce the volume of material coming into the site that subsequently requires disposal, and further efforts can be made to increase recovery, albeit at increased cost. This will minimise the requirement for stockpiling and future removal.

4.3 Some residual inert waste will also continue to be diverted for use as cover material at Mont Cuët landfill site, although the requirement for this has reduced over the years as that facility also nears completion.

4.4 The earliest a new inert waste site could be available is considered to be in 2½ years' time. That is based on a development at Longue Hougue South, which still requires a Local Planning Brief to be agreed by the States. At least six months is needed for the required planning inspector's report and subsequent States approval, followed by six months for detailed design, then at least 18 months for construction.

4.5 This is not to presume Longue Hougue South will be the eventual location for the future inert waste site, but it is likely to be the option that can be delivered quickest. 2½ years is therefore the anticipated minimum time for which an interim solution is required for managing any remaining residual inert waste.

- 4.6 The States' approved inert waste strategy has already identified Longue Hougue as the optimum location for stockpiling. It has a relevant waste management licence, and all the necessary infrastructure for receiving inert waste and processing recyclable aggregates on site.
- 4.7 In February 2024, Guernsey Waste submitted a planning application, on behalf of the STSB, to commence stockpiling at Longue Hougue.
- 4.8 The planning application looks to make maximum use of the space available for stockpiling. It will provide a specific volume, rather than a set timeframe, since input tonnages are unpredictable. Nevertheless, it is expected to provide adequate capacity to meet the minimum anticipated requirement for stockpiling of 2½ years.
- 4.9 Once the States agree a new inert waste disposal site, and the required infrastructure is designed and installed for operations to begin, stockpiled material will be transferred to the new facility - unless an alternative use has been identified in the meantime. The relocation cost will be met through user charges.

5 The planning application

- 5.1 The planning application proposes the creation of a temporary stockpile of inert waste coming into the site that is not able to be reused or recycled in other construction projects. This will include residual material from the on-site aggregate recycling operation, after processing.
- 5.2 The proposal facilitates the continuation of existing services provided at Longue Hougue. The only difference is residual inert waste will be diverted to a stockpile rather than being deposited in the lagoon, as has been the case up to now.
- 5.3 The footprint of the proposed stockpile is approximately 19,000 square metres, along the eastern edge of the land reclamation site. It would be constructed in three layers, each three metres high, to reach a full height of nine metres. This is around three metres below the ridge of the Waste Transfer Station.
- 5.4 This would provide a capacity of approximately 130,000 cubic metres of inert waste. The amount of material received at Longue Hougue is very variable, so it is difficult to be precise about how long this would take to fill. Based on forecast tonnages, it is sufficient for around 2½ years. If tonnages remain similar to 2023's total, the stockpile could provide sufficient capacity for up to 3½ years.
- 5.5 It should however be noted that the Planning Application Report recommended the plans be approved with a condition that stockpiling should be limited to three years, with all material then removed in the subsequent three years.
- 5.6 The proposed footprint was revised following consultation with the GDA, to avoid encroaching on the northern section of Longue Hougue. This resulted in a slight reduction in capacity, but is still considered sufficient to meet the minimum anticipated stockpiling requirement of 2½ years.

- 5.7 The full planning application, showing the original proposed footprint, is included in Appendix 1C. The revised layout is shown in Figure 1 on page 12. This shows how much of the currently undeveloped northern section of Longue Hougue will remain available for development in the immediate short term. The GDA, which the States has mandated to identify development opportunities on the east coast, is supportive of stockpiling being permitted in the proposed area for up to three years, with subsequent removal within three years. The Planning Application Report recommends including these conditions in any planning permission.
- 5.8 The southern section of the Longue Hougue land reclamation site has already been developed, as the location of the Household Waste & Recycling Centre and the Waste Transfer Station. When those facilities were constructed, a three-metre-high bund was created around the perimeter of the site, to provide some visual screening and protect against flooding from the sea.
- 5.9 The planning application proposes extending that bund around the stockpile area. Unlike the stockpile itself, this would be a permanent feature, providing further screening and flood protection for current operations within the site, as well as future developments at Longue Hougue.
- 5.10 The bund is to be formed using residual inert waste, which will reduce the requirement for stockpiling. It would be constructed in advance of any stockpiling. Once complete, it will be seeded with a mix of coastal grasses, wildflowers and shrubs, helping to enhance biodiversity on the site.
- 5.11 The external flanks of the stockpile will also be seeded as they achieve full height and final profile, using a similar plant mix. This will further encourage biodiversity, reduce any visual impact, and assist in stabilising the stockpile.
- 5.12 The 2.4-metre-high perimeter fence surrounding the Waste Transfer Station would also be extended along the landward side of the new section of bund. This will secure the site for ongoing operations and future development.
- 5.13 Compaction of ground beneath the stockpile could also reduce settlement risk for future development at the site.
- 5.14 Green waste processing is currently carried out along the northeast section of Longue Hougue, where the stockpile is planned. These operations will therefore be relocated to the west of the stockpile, to the area most recently being used for disposal of inert waste. Moving away from the coastal perimeter of the site should improve the quality of soil conditioner by reducing the effect of seawater spray and overtopping onto this material.
- 5.15 The planning application includes photomontages showing the likely visual impact from the south, east and north. Views from the sea may be improved by the stockpile providing a screen for inland industrial features, such as fuel storage tanks and industrial buildings.

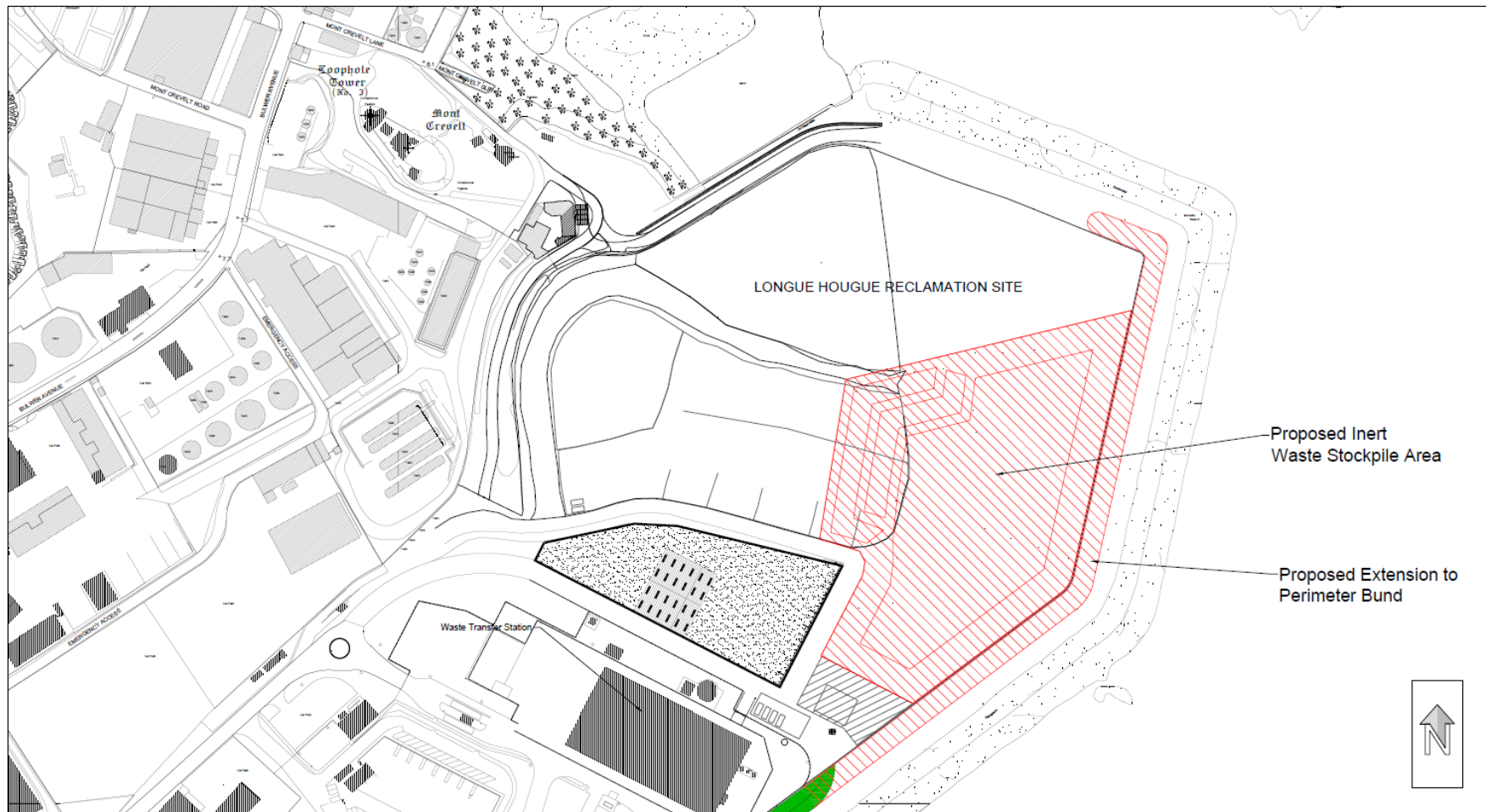


Figure 1 - Layout of Longue Hougue site showing proposed stockpile location and extended bund

6 Consultation on planning application

- 6.1 The Planning Service consulted the Office of Environmental Health and Pollution Regulation (OEHPR) and the GDA on the original planning application.
- 6.2 The OEHPR raised no concern regarding stockpiling, but recommended including conditions on any planning approval. These related to a variation to the site's existing waste management licence, to increase the maximum storage capacity, and the requirement for a dust management plan.
- 6.3 The GDA's response is included in Appendix 1D. Its comments principally related to retaining the northern area of Longue Hougue, which it considers key to the delivery of its vision for St Sampson's Harbour. The location originally proposed for the stockpile encroached on this part of the site.
- 6.4 A meeting was arranged to discuss the way forward, and attended by Guernsey Waste, the GDA, the Planning Service, and States' Property Services. Revised plans were then submitted by Guernsey Waste on 1 July 2024.
- 6.5 The GDA's subsequent response (2 July) was referred to in the Planning Application Report and included in the agenda pack for the open planning meeting, and is attached in Appendix 1F. It commented:-

"We appreciate the revised plan proposed by Guernsey Waste and feel we can work with it on the basis that stockpiling ceases after 3 years and all stockpiled material is removed within 6 years from date of the consent.

Equally we understand that if another site can be produced for inert waste that this would be used in priority.

..... We hope the above is sufficient to enable the planning team to support the application by [Guernsey Waste]."

7 Planning decision

- 7.1 The DPA considered the application at an open planning meeting on 22 July 2024, and voted by 3-1 majority to refuse planning permission. This was contrary to the recommendation of the professional officers from the Planning Service in the Planning Application Report. One member voted to defer a decision.
- 7.2 The Notification (Appendix 3) cites three IDP policies as the reasons for refusal:-
- Infrastructure Policy 2 (IP2: Solid Waste Management Facilities),
 - Main Centre Policy 10 (MC10: Harbour Action Areas), and;
 - General Policy 8 (GP8: Design).

All three policies are addressed in the Planning Application Report (Appendix 1B).

Infrastructure Policy 2: Solid Waste Management Facilities

7.3 As set out in paragraph 3.6 (on page 7), IP2 relates to developments required for the implementation of the States-approved Waste Strategy, which in the context of inert waste was agreed in 2020⁴. In summary, planning applications will generally be supported if they accord with the relevant policies of the IDP, and with the Principal Aim and relevant Plan Objectives, the Spatial Policy and the relevant Local Planning Brief for the area.

7.4 Within the St Sampson's Harbour Action Area, which applies to Longue Hougue, proposals under IP2 development would be supported providing they would not prejudice or inhibit the development or implementation of a Local Planning Brief.

7.5 The Planning Application Report concluded (bold text added for emphasis):

*The proposed development is in accordance with the States' Waste Strategy and located within an established site waste management facility. There is no [Local Planning Brief] approved for the area **but as the proposal is temporary it would not prejudice the long-term development or aspirations for the site.***

The principal aim of the [IDP] is: "To ensure land planning policies are in place that are consistent with the Strategic Land Use Plan and which help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely."

The most relevant Plan Objective is Plan Objective 6: Meet infrastructure requirements, which states the following: "To achieve the provision of infrastructure where required for the most effective and efficient functioning of the Island, in order to meet the strategic objectives of the States of Guernsey, as set out within the Strategic Land Use Plan."

The proposal is considered to accord with the Principal Aim and the relevant Plan Objectives.

7.6 However the DPA's conclusion, as set out in the Notification, was contrary to the advice of planning officers:-

- 1. Given the scale of the proposed development and the likely timeframes involved, the Authority did not consider the proposal to be of a minor or inconsequential nature and was not satisfied that in the absence of an approved Local Planning Brief for St Sampsons Harbour Action Area, the proposal in the form submitted would not prejudice the outcome of the Local Planning Brief process, or would not inhibit the implementation of an approved Local Planning Brief. Consequently, it was considered that the scheme did not comply with Policy IP2 of the Island Development Plan.*

Main Centre Policy 10: Harbour Action Areas

- 7.7 MC10 reiterates the IP2 principle supporting development within St Sampson's Harbour Action Area without a Local Planning Brief, provided it does not prejudice the outcome of the Local Planning Brief process or its subsequent implementation, and accords with other relevant IDP policies.

- 7.8 The Planning Application Report concluded (bold text added for emphasis):

*The proposed stockpile is required for a temporary period while the future management of inert waste is considered at a political level and the next inert waste disposal site is designed and commissioned..... **It is the intention that any stockpiled inert waste would be transferred to a new inert waste disposal facility ahead of any longer-term requirement for this [Key Industrial Expansion Area] and [Harbour Action Area].***

*..... **In the absence of any objection from the Guernsey Development Agency, and given the temporary nature of the proposed development** (which can be controlled by condition) and the intention to reinstate the land ahead of any longer term requirement for the site, **the proposal would not inhibit the comprehensive development of the site, prejudice the outcomes of the [Local Planning Brief] process or inhibit the implementation of an approved [Local Planning Brief]***

Subject to the suggested condition, the principle of development is therefore supported by policies IP2, MC5(A) and MC10 accordingly.

- 7.9 Again, the DPA's conclusion, as set out in the Notification, was contrary to the advice of planning officers:-

2. *Given the scale of the proposed development and the timeframes involved, the Authority did not consider the proposal to be of a minor or inconsequential nature and was not satisfied that in the absence of an approved Local Planning Brief for St Sampsons Harbour Action Area, the proposal in the form submitted would not prejudice the outcomes of the Local Planning Brief process, or would not inhibit the implementation of an approved Local Planning Brief. The development of the Local Planning Brief seeks to maximise the positive potential of the Harbour Action Areas to deliver economic, social and environmental outcomes whilst balancing significant competing issues with the potential to deliver significant strategic development. It also seeks to address issues such as increasing flood risk. Consequently, it was considered that the scheme did not satisfactorily comply with Policy MC10 of the Island Development Plan.*

General Policy 8: Design

- 7.10 In respect of the third policy, GP8, the Planning Application Report explains:-

Policy GP8..... states a number of criteria that new development will be expected to adhere to in order to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

- 7.11 The Planning Application Report concluded (bold text added for emphasis):

The stockpiled material will be particularly visible from the north and east of the site (on the approach to the site from the coast). The stockpile will also be seen in long range views from Salerie Corner and Les Banques to the south and from the higher vantage points looking north from the top of Le Val Des Terres, and such viewpoints as Mignot Plateau (amongst others) to the south. However, during construction there will be no noticeable change in the site as this will be similar to existing operations on the site. From the south the stockpile will be seen in context with the Waste Transfer Station and other large industrial buildings to the west.

*The stockpile will be progressively seeded to mitigate visual impact and the perimeter bund (which will be constructed prior to any stockpiling on site) will screen a part of the stockpile ensuring that only the top 6 metres will be visible. The stockpile will also screen ongoing operations associated with inert waste management of the site. Although a section of the perimeter bund as originally proposed has been omitted from the scheme (to cater for long-term plans/aspirations for the site at the request of the GDA) the stockpile will be constructed from the south-east corner of the site gradually working northwards. This together with the distance between the stockpiled material and the northern boundary will ensure that **no significant harm is caused to the visual character of the surrounding area from viewpoints to the north.***

*The scheme involves the temporary storage of inert waste until an alternative site has been established (expected to be within 6 years). **Therefore, any harm or impact would be temporary and would not represent a permanent feature or impact on the visual amenity of the surrounding area. Considering the above the proposal complies with policies GP1 and GP8 in this respect.***

- 7.12 Once again, the DPA's conclusion was contrary to the advice of planning officers, as set out in the Notification:-

3. *Given the scale of the proposed development, the Authority was also of the view that the proposal did not amount to sustainable development in accordance with criterion (b) of Policy GP8 of the Island Development Plan.*

- 7.13 Therefore in respect of all three policies cited in the Notification, the DPA directly contradicted the professional advice from Planning Service officers, with no substantive explanation for this difference of opinion. No evidence is provided, contrary to that set out in the Planning Application Report.

7.14 In addition, the Planning Application Report concluded the proposal complies with other relevant policy areas, including:-

- MC5(A): Industry, storage and distribution uses within Key Industrial Expansion Areas;
- GP1: Landscape Character and Open Land;
- GP6: Protected Monuments;
- GP9: Sustainable Development;
- GP17: Public Safety and Hazardous Development; and
- IP9: Highway Safety, Accessibility and Capacity.

This further demonstrates how well the application proposals accord with the IDP policies. These are not addressed in the Notification.

8 Challenging the decision

8.1 It is accepted that the DPA has a right not to accept the recommendation and reasoning in the planning officer's report. However the STSB does not believe the DPA exercised good judgement in refusing the planning application, against the recommendations of its advisers, despite the support of the GDA, and despite no other objections to the application being received, and no representations at the open planning meeting. (It was even acknowledged at the meeting that a smaller room was being used, given the lack of representations).

8.2 The DPA has a duty⁶ to provide its reasons for refusal in the Notification. There is also an onus on a planning authority to give more detailed reasoning where it departs from a planning officer's recommendation, as it is impossible to infer its reasons from the Planning Application Report. The Notification provides no substantive explanation for the DPA's conclusions, including as to why it disagreed with those of the planning officers, or the view of the GDA.

8.3 For example, it provides no clear reasoning for the application not meeting policy GP8. It only refers to the scale of the development without clarifying whether this was the height or mass of the stockpile or the length of time it would be in place. It is also unclear, given the stated conclusion that the proposal did not amount to sustainable development, why the reference was just to policy GP8 (design) and not also to policy GP9 (sustainable development).

8.4 The STSB also considers there are inconsistencies between the reasons given for refusal in the Notification and those given at the open planning meeting. Those latter additional reasons included matters that were not clearly material to the application or which should have been given little weight.

8.5 In the transcript (Appendix 2), the three members that voted against granting

⁶ Under the Land Planning and Development (General Provisions) Ordinance, 2007.

planning permission appear to do so, at least in part, on the basis of there being an alternative to permanently raise the levels at Longue Hougue over a wider area, rather than stockpiling temporarily.

- 8.6 A planning application should be decided on the basis of the proposal before the DPA and alternative schemes or sites requiring a new planning application will not normally be relevant.
- 8.7 The STSB believes it was inappropriate for the DPA to consider the mere possibility of an alternative scheme on the site or give it significant weight when there is no planning application or design for that scheme, and no indication of whether or when it might come forward. Any such request to permanently raise the level of land across a wider area of the site is substantially different from the current stockpiling proposal, so would require a new planning application and evaluation of any impacts. It would have to be judged on all its merits and fully assessed according to all the relevant planning policies.
- 8.8 Planning officers have confirmed that for such a scheme to be considered, the first step would be to request a Scoping Opinion to determine if the proposed works would constitute development requiring a formal Environmental Impact Assessment. The outcome of that cannot be predetermined, since it would be based on the information submitted and the associated impacts of the individual case. However given the coastal location of the site, and the surrounding heavy industrial uses (in particular the Waste Transfer Facility) it is considered likely that a full Environmental Impact Assessment would be required for raising the levels of the land, particularly given the extent that is being envisaged.
- 8.9 This would be a lengthy process and therefore cannot meet the immediate requirement. There is also no guarantee of planning permission eventually being granted. Nevertheless, temporary stockpiling of inert waste now could help facilitate future land-raising, as suitable material will be available on site.
- 8.10 Parts 1 and 2 of the Notification refer to the DPA not being satisfied the proposal would not 'prejudice' or 'inhibit' a Local Planning Brief for the St Sampson's Harbour Action Area. That is contrary to the Planning Service's conclusion, and the GDA, which the States has mandated to identify development opportunities in this area, was supportive of stockpiling on the basis recommended in the Planning Application Report and the proposed conditions.
- 8.11 The GDA's email of 2 July 2024, attached as Appendix 1F, states:-

"We appreciate the revised plan proposed by Guernsey Waste and feel we can work with it on the basis that stockpiling ceases after 3 years and all stockpiled material is removed within 6 years from date of the consent....."

.....We hope [the feedback] is sufficient to enable the planning team to support the application by waste."

- 8.12 There were also several references at the open planning meeting to concerns about future vehicle movements, due to the need to move material at the end of the temporary stockpiling period. The Planning Application Report clearly states that the decommissioning of the site will require a separate planning application, and traffic movements would be assessed as part of that.
- 8.13 However it is worth highlighting that the presumption that vehicle movements required to remove the stockpile would be identical to those involved in delivering material to the site was incorrect. The STSB would use larger trucks, with fuller loads, than used by builders and others to bring waste to the site. It would require significantly fewer movements than during the stockpiling stage.
- 8.14 The DPA is also not in a position to properly assess the impact of these movements at this stage, as the final disposal site is unknown. For example, if the new site was Longue Hougue South, movements would be much reduced and probably not on public roads, as it is adjacent to the proposed stockpile site.

9 Next steps

- 9.1 The STSB is of the unanimous view that the DPA was wrong in deciding, by majority, to reject the application. The temporary and reversible nature of the proposed stockpile of inert waste should not prejudice the outcome or inhibit the implementation of a Local Planning Brief for the St Sampson's Harbour Action Area, or future proposals being developed by the GDA for Guernsey's east coast.
- 9.2 The STSB considers that the Planning Application Report presents a compelling case for granting permission. The GDA is also supportive of stockpiling being permitted, on the basis recommended in Report and its proposed conditions.
- 9.3 Had this application been submitted by a private individual or body, they would be able to appeal against the decision to the Planning Tribunal. The STSB believes that the Planning Tribunal would have good grounds to uphold an appeal. These include the lack of substantive reasoning in the Notification for the refusal, against the recommendation of planning officers, and inconsistencies between the reasoning given in the Notification and those given by DPA members at the open planning meeting. The DPA also appeared to have taken into account considerations that were not clearly relevant, or alternatively given those considerations too much weight.
- 9.4 Under the Law⁷, States bodies have no recourse for appeal to the Planning Tribunal, and must instead request the States to review the decision.
- 9.5 The STSB has engaged with the DPA to seek another resolution to this matter. However there are no 'quick fix' solutions that remove the requirement for stockpiling in the short term.

⁷ The Land Planning and Development (Guernsey) Law, 2005, Section 76.

- 9.6 Any proposed stockpiling has to satisfy the immediate requirement. In other words, the STSB could not make a revised application for, say, just 18 months, when it is not conceivable another site will be available in that time. New waste management facilities are subject to formal, rigorous planning processes - as the current application fully demonstrates.
- 9.7 It is also clear from public comments made by members of the DPA, both at the open planning meeting and since, there is no guarantee any alternative stockpiling proposals would secure majority support.
- 9.8 The STSB therefore asks States Members, based on the evidence provided, to direct the DPA to reverse its decision and grant planning permission in accordance with the recommendation, full reasoning and conditions in the Planning Application Report attached at Appendix 1B.

10 Compliance with Rule 4

- 10.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.

- 10.2 In accordance with Rule 4(1):

- a) The proposition contributes to the States' objectives and policy plans, by satisfying the Island Development Plan Objective 6: Meet infrastructure requirements, which states: "To achieve the provision of infrastructure where required for the most effective and efficient functioning of the Island, in order to meet the strategic objectives of the States of Guernsey, as set out within the Strategic Land Use Plan." The proposal is therefore considered to accord with the Principal Aim of the Island Development Plan: "To ensure land planning policies are in place that are consistent with the Strategic Land Use Plan and which help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely."

The proposition also aligns with and enables the delivery of the current Inert Waste Strategy agreed by the States, which identifies stockpiling of material at the existing land reclamation site at Longue Hougue as the most appropriate temporary solution for managing inert waste until another disposal site becomes available.

- b) In preparing the planning application for stockpiling at Longue Hougue, Guernsey Waste worked extensively with the Planning Service, and also engaged with the Guernsey Development Agency, modifying the proposals in light of initial concerns raised. Prior to preparing the proposition, the

States' Trading Supervisory Board consulted the Development & Planning Authority to identify whether there was potential to reconsider the decision to refuse the application at the open planning meeting, without reference to the States of Deliberation.

- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications to the States of carrying the proposal into effect.

10.3 In accordance with Rule 4(2):

- a) The proposition(s) relate(s) to the States' Trading Supervisory Board's mandated responsibility as the Waste Disposal Authority. Under the Environmental Pollution (Guernsey) Law, 2004, the Waste Disposal Authority has a statutory duty to "make such arrangements as may be necessary to ensure the reasonable provision of facilities for the reception and recovery or disposal of waste and one of more public waste management sites in accordance with the Waste Management Plan".
- b) The proposition has the unanimous support of the States' Trading Supervisory Board.

Yours faithfully

P J Roffey
President

C P Parkinson
Vice President

N G Moakes

S Thornton
M Thompson
Non-States Members

Appendices

Appendix 1: Open Planning Meeting, 22 July 2024 – Agenda and Briefing Papers.

(The various documents comprising the agenda pack for the meeting are itemised below, for ease of reference in this policy letter)

Appendix 1A: Agenda of Open Planning Meeting (22 July 2024).

Appendix 1B: Planning Service, Planning Application Report (4 July 2024).

Appendix 1C: Guernsey Waste Planning Application and Supporting Statement, including Dust Management Plan (23 February 2024).

Appendix 1D: GDA consultation response (30 June 2024).

Appendix 1E: Guernsey Waste revised stockpile layout (1 July 2024).

Appendix 1F: GDA response to revised layout (2 July 2024).

Appendix 2: Open Planning Meeting, 22 July 2024 – Transcript of proceedings.

Appendix 3: Notification of Refusal of Planning Permission, dated 22 July 2024

APPENDIX 1A: Agenda of Open Planning Meeting

DEVELOPMENT & PLANNING AUTHORITY

NOTICE OF OPEN PLANNING MEETING

An Open Planning Meeting will be held at Port Soif Room, Level 2, Sir Charles Frossard House on **Monday 22nd July starting at 15:00hrs**.

The following application will be considered at the Open Planning Meeting:-

APPLICATION NUMBER:	FULL/2024/0374
APPLICATION ADDRESS:	Longue Hougue Reclamation Site Bulwer Avenue St. Sampson
DESCRIPTION OF WORK:	Temporary stockpiling of inert waste to east of site, erect an extension to the existing landscaped bund and erect security gate and fencing.
NAME OF APPLICANT:	Guernsey Waste

The agenda for the open planning meeting, along with the planning application report relating to the above application, are made available five working days before the date of the Open Planning Meeting on the States' website. The planning application report contains a summary of any consultation responses and representations received on the application.

There will be provision for **public speaking** at the open planning meeting. The opportunity to speak is afforded only to persons who:

- a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and
- b) who have notified the Planning Service in writing (by letter or by e-mail addressed to Planning@gov.gg) of their intention to speak which is received by the Planning Service by 12:00 Noon two working days prior to the date of the Open Planning Meeting (i.e. **by 12:00 Noon on Thursday 18th July for the OPM held on Monday 22nd July 2024**).

APPENDIX 1B: Planning Application Report



States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No: FULL/2024/0374
Property Ref: B003540000
Valid date: 04/03/2024
Location: Longue Hougue Reclamation Site Bulwer Avenue St. Sampson
Guernsey GY2 4LE
Proposal: Temporary stockpiling of inert waste to east of site, erect an extension to the existing landscaped bund and erect security gate and fencing.
Applicant: Guernsey Waste

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. (a) Following 3 years from the grant of this planning permission (by XX/XX/2027) no additional inert waste shall be accepted at the site for the purpose of stockpiling and works must have commenced on site to decommission and move the stockpiled material hereby

approved to an alternative site in accordance with a subsequent planning application for such development (subject to the approval of an alternative inert waste disposal facility by the States of Guernsey).

(b) The site (the subject of this permission) shall have been reinstated to a suitable condition within 6 years of the grant of this permission (by XX/XX/2030) in accordance with the details of the subsequent application for such development required by criterion (a) of this condition.

Reason - The site is situated within a Key Industrial Expansion Area and Harbour Action Area and this condition is required to ensure that the development will not inhibit the implementation of industrial or storage and distribution development, or inhibit the implementation of a Development Framework, or prejudice the comprehensive development of the Longue Hougue Key Industrial Expansion Area in accordance with Policy IP2 and MC5(A), or prejudice the outcomes of the Local Planning Brief process, or inhibit the implementation of an approved Local Planning Brief for the St Sampson Harbour Action Area in accordance with Policy MC10 of the Island Development Plan.

5. (i) Notwithstanding the details submitted as part of this application, no development in relation to that hereby approved shall commence on site until there has been submitted to and approved in writing by the Authority:

(a) a variation to the Waste Management Licence 3 (WML3) to increase the maximum storage capacity at the site to enable stockpiling (storage) of inert waste;
and

(b) A Dust Management Plan to demonstrate how dust associated with the development will be controlled in accordance with best practice guidance and relevant legislation.

(ii) The development hereby approved shall operate only in accordance with those details approved subject to the above.

Reason - To ensure that the development hereby approved operates in an appropriate manner, to prevent a nuisance or annoyance to nearby properties and surrounding uses and to minimise harm on the environment.

6. The height of the temporary stockpiles hereby approved shall not exceed 16m AGD at any part of the site.

Reason - To make sure that the scheme takes the form agreed by the Authority in the interests of visual amenity.

7. Prior to the commencement of works to create the temporary inert waste stockpiles hereby approved, the extension to the existing bund shall be implemented in accordance with the details shown on the approved plan and seeded in accordance with a planting schedule (confirming the types of plants and density of planting) details of which must be provided to and approved in writing by the Authority. The planting shall be undertaken in accordance with the approved details.

Reason - To make sure that the scheme takes the form agreed by the Authority and thus results in a satisfactory form of development of the site and to help to screen the activities/development on site to help it to assimilate into its surroundings in the interests of visual amenity. The details of seeding/planting will ensure that appropriate planting is achieved in the interests of increasing the biodiversity of the site in accordance with the Strategy for Nature SPG.

INFORMATIVES

With regard to condition 4, planning permission is hereby granted for the temporary creation of stockpiled inert waste, for the extension of the bund and security fencing and gate only. The removal of the stockpiled material will need to be completed in accordance with details (once known and once the alternative site has been selected) approved as part of a subsequent planning application to ensure that this is appropriately managed and controlled so as to avoid harm to the environment, amenities of neighbouring uses or highway safety.

OFFICER'S REPORT

Site Description:

The site comprises a relatively level area of reclaimed land that is currently identified for inert waste disposal within the Waste Management Plan for Guernsey. Works to reclaim this site from the sea have been ongoing since 1995. The coast borders the site to the east and north, with the entrance to the Bridge Harbour also to the north. Industrial buildings are situated to the west and the Household Waste Recycling Centre to the south. The site is accessed to the west onto Longue Hougue access road which links to the Inter Harbour Route further to the west.

The site is allocated as a Key Industrial Expansion Area, a Harbour Action Area and part of the site falls within the outer public safety consultation zone for the nearby fuel storage tanks/depots located to the west of the site as designated in the Island Development Plan. On land circa 100m to the west of the site is Mont Crevelt, a Protected Monument.

Relevant History:

The application has been the subject of pre-application discussions in addition the following application history is of relevance:

FULL/2022/1392	Create storage/work compounds, erect shed/workshop.	Granted 27/09/2022
FULL/2021/1469	Infill temporary opening in breakwater.	Granted 27/08/2021
FULL/2020/1224	Create storage/work compounds on land.	Withdrawn 29/06/2022
FULL/2019/1501	Erect swing arm barrier to access of site.	Granted 22/08/2019

FULL/2018/1586	Variation of conditions 16 and 17 to FULL/2016/0001 to amend opening hours of both the Waste Transfer Station and Household Waste Recycling Centre	Granted 30/08/2018
FULL/2017/0101	Temporary re-location (for a period of 24 months) of the household waste recycling facility and development of a construction lay down area associated with the development of the Longue Hougue waste facility.	Granted 13/03/2017
FULL/2016/0001	Erect a waste transfer station building, with associated hardstanding for up to 180 shipping containers and ancillary plant including a 20 metre high chimney, two weighbridges, fire water tank and pump house, electricity sub-station and fuel storage area. Erect a facilities building. Construct a Household Waste Recycling Centre. Construct associated roads and parking and a bund along the southern site boundary (Environmental Impact Assessment development).	Granted 27/07/2016

Existing Use(s):

Inert waste reclamation site (sui generis)

Background to the application:

The site is currently authorised for inert waste disposal and identified within the current Waste Management Plan as the main site for such for Guernsey. However, the remaining void space allocated to take the inert waste is expected to be filled in by 2024 and no other site is presently available.

A temporary stockpile of inert waste is therefore proposed/required following completion of the existing land reclamation site (expected 2024). This is required while the future management of inert waste is considered at a political level and the next inert waste disposal site is designed and commissioned. It is anticipated to take 2.5 to 3 years to create the stockpile and it is estimated that a similar timeframe will be required to transfer the stockpiled inert waste to a new inert waste disposal facility (the applicant has confirmed that this timeframe could be reduced using additional resources). Furthermore, should a permanent site come forward for future inert waste in the interim, then the use of the application site for such purpose would no longer be required and the site may therefore be decommissioned sooner.

The proposal will consist of stockpiled inert waste which will be graded at increments of 3m to a maximum height of 9m. The stockpile will be located inside an extension to the existing perimeter bund (also forming part of this proposal and explained in detail below) to the east section and wrapping around part of the northern section of the remaining undeveloped land reclamation at this site. The footprint for the area proposed for the stockpiling totals approximately 18,885m² and will consist of all residual inert waste received from the construction sector and the Household Waste Recycling Centre (like the waste received currently on site). The current ground level is approximately 7m above

Guernsey Datum (AGD). The maximum height of the stockpile once completed would be 16mAGD. The finished surface of the stockpiled material will be seeded to the same specification as the perimeter bund to minimise visual impact and to help the stockpile to stabilise, whilst also limiting its effect on the character of the area.

The stockpile will be constructed by existing operational staff and will be operated in accordance with a variation to the current Waste Management Licence for the remainder of the site. The waste materials will be stored temporarily rather than final disposal and will be transferred to an appropriate longer term inert waste facility site for final disposal once such a site is approved and developed.

The proposed perimeter bund extension will be a permanent feature and will comprise a 366m extension to the existing three-metre-high perimeter bund inside the rock armour breakwater. The bund will perform a dual role of a visual barrier to facilities constructed on the land reclamation site and protection from sea water overtopping during storm conditions on the east coast of Guernsey. The perimeter bund is required ahead of any future development of the site and will be constructed and completed before any stockpiling commences (hence the reason why this aspect will be a permanent feature). The bund will be constructed using appropriate inert waste to the same specification as the existing bund prior to any stockpiling or any other form of development to take place at the site as part of the proposal. The bund is proposed to be planted with the same mix of grasses, wildflowers and shrubs as the existing bund around the Waste Transfer Station, with the intention of softening the appearance and limiting visual impact. A 10m track between the inner limit of the rock armour breakwater and the base of the bund will be maintained to enable access for mobile plant for maintenance and repair works.

The security fencing of the same design and specification as that surrounding the Waste Transfer Station will be extended and installed around the perimeter of the land reclamation site between the extension to the bund and the proposed inert waste stockpiling and along part of the northern boundary of the site. It will include a vehicle access gate to provide emergency and contingency access from the north of the site adjacent to Mont Crevelt. The fence will be 2.4m high corrugated galvanised steel palisade fencing mounted on galvanised steel fence posts set at a distance of 2.75m apart set in mass concrete post foundations and will be positioned around the perimeter of the site.

The applicant has confirmed that prior to the submission of the application discussions were held with the States' Port Authority who confirmed that the scheme would not harm or interfere with the radar equipment situated towards the south-east corner of the site.

The requirement for an Environmental Impact Assessment

EIA Development is defined by Section 2(1) of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007. A site for the disposal or processing of waste including landfill sites falls within Schedule 1(a) of the EIA Ordinance for which an EIA would usually be required unless the development is so minor in nature that it is incapable of having a significant adverse effect on the quality of the environment.

Schedule 2(j) of the EIA Ordinance includes any change or extension to any development of a description set out in Schedule 1 or Paragraphs (a) to (i) of Schedule 2, where planning permission has already been granted for that development, or that development

has already been carried out or is being carried out, and the change or extension may have significant adverse effects on the environment.

In this case the site is currently operating and has been for some time as an inert waste reclamation site with the appropriate Waste Management Licences (controlled by the Office of Environmental Health and Pollution regulation and separate to planning control/legislation) in place. The proposal would therefore involve an extension to an existing Schedule 1 development and prior to the submission of this application the applicant requested that a screening opinion be issued to determine the requirement for an EIA. By letter dated 19th February 2024 the Authority assessed the information and determined that: *“on the basis that the stockpile is temporary and will be removed from the site in an appropriate manner once a new site has been established, the proposal is unlikely to have any significant short term or long term adverse environmental impacts. Furthermore, as identified any impacts of the development could be adequately mitigated and controlled through a variation to the current Waste Management Licence and Dust Management Plans associated with the site. An Environmental Impact Assessment (EIA) is therefore not required for this development.”*

This was on the basis that the stockpiling is a temporary measure and if the parameters change and there was a requirement for the development to be a longer term or permanent feature, then the requirement for an EIA would need to be reviewed and a new Screening Opinion issued as to whether a full EIA needed to be commissioned.

Brief Description of Development:

Planning permission is sought for the temporary stockpiling of inert waste to the east of the site, a permanent extension to the existing perimeter bund around the seaward perimeter of Longue Hougue Reclamation Site and the erection of security fencing between the perimeter bund and stockpiled inert waste.

During the course of consideration, comments from Guernsey Development Agency (GDA), were sought to ensure that the works proposed would not jeopardise any future plans proposed for the redevelopment of St Sampson Harbour. Subsequently, revised plans were submitted reducing the amount of stockpiled material from 19,100m² (as originally proposed) to 18,885m². Part of the site to the north originally allocated for stockpiling and a section of the landscaped bund along the northern boundary has also been omitted from the scheme. To compensate for this, and to ensure that sufficient space exists to accommodate the required levels of inert waste, the area reserved for stockpiling on site has been extended to the south (closer towards the waste transfer facility building) and on land to the west.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan Policies:

- IP2: Solid Waste Management Facilities;
- MC5(A): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas;
- MC10: Harbour Action Areas;
- GP1: Landscape Character and Open Land;

- GP5: Protected Buildings;
- GP6: Protected Monuments;
- GP8: Design;
- GP9: Sustainable Development;
- GP17: Public Safety and Hazardous Development;
- IP9: Highway Safety, Accessibility and Capacity;
- IP10: Coastal Defences;

Representations:

None

Consultations:

The States' Office of Environmental Health and Pollution Regulation was consulted and by letter dated 27th March 2024 stated the following:

"I have reviewed the proposed plans for FULL/2024/0374, Stockpiling of inert waste to East of site and erect fencing at Longue Hougue Reclamation Site, Bulwer Avenue, St. Sampson which were received by post on 5th March 2024, and I propose that the following conditions are attached to the consent:

- *A variation to Waste Management Licence 3 (WML 3) is required in order to increase the maximum storage capacity at the site to enable stockpiling (storage) of inert waste.*
- *A Dust Management Plan shall be in place for the site as agreed by the Office of Environmental Health and Pollution Regulation.*

I would be grateful if these issues are considered during the determination of this application.

The Guernsey Development Agency (GDA) was consulted on the application and responded by letter dated 30th June 2024. Their comments are summarised as follows:

- *The area shown for the stockpiling as outlined in red is within the GDA's vision as key enabler land and as currently proposed GDA would be unable to achieve its vision for the St Sampson Harbour;*
- *The GDA has no objection to the perimeter bund being raised;*
- *The GDA has no objection to the whole area being raised to a consistent level as this will aid flood prevention works;*
- *The GDA requires no stockpiling to be to the northern section of the site (identified as figure 1 on the GDA plan appended to the letter);*
- *The GDA would like non-asbestos containing material area to be relocated outside of the red area;*

- *The GDA is exploring an alternative stockpile area to the east of Griffiths Yard for land reclamation which will have associated benefits for the site, Harbour Action Area and future use of Longue Hougue.*

Following receipt of the consultation response the application was deferred to seek revised plans to address the issues of concern raised. A subsequent meeting was also held between the applicant, GDA and Planning Service to discuss ways forward. Following the meeting revised plans were produced by the applicant and the GDA was reconsulted for comment.

By email dated 02/07/2024 GDA stated the following with regards to the revised plans:

"We appreciate the revised plan proposed by Guernsey Waste and feel we can work with it on the basis that stockpiling ceases after 3 years and all stockpiled material is removed within 6 years from date of the consent. Equally we understand that if another site can be produced (as you know GDA is proposing to reclaim land off Blackrock) for inert waste that this would be used in priority. All the above we believe is the common intention.

We hope it is helpful to make two points to aid an understanding of the GDA role:

1. It is early days for the GDA role and many aspects are beyond our control so our requirements inevitably may change to accommodate this. An example would be the location of the discharge point for foul. We would hope this can be relocated on the south eastern corner of the LH site however if this is not physically or economically possible or health and safety issues are raised in respect of the food production at the animal incinerator then the location of the emptying point may need to change.

2. The GDA has been mandated by government to deliver and we take this responsibility very seriously. This may require various actions to be taken to ensure we deliver as required by government. Clearly these unknowns cannot be amplified at this stage as GDA may have to react to future changes.

Both of the above are we think obvious and not inconsistent with our agreement to support the waste proposal as set out in Rob's note of last night.

If there is any thinking further that you require just let us know. We hope the above is sufficient to enable the planning team to support the application by waste."

Summary of Issues:

- Whether the principle of development is acceptable;
- The impact of the proposal on the landscape character of the surrounding area;
- Environmental considerations
- Impact on cultural heritage;
- Impact on neighbouring properties and surrounding uses;
- Impact on highway safety

Assessment against:

1 – Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 – Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Whether the principle of development is acceptable

The site is situated within Longue Hougue Key Industrial Expansion Area (KIEA) and a Harbour Action Area (HAA) as identified in the Island Development Plan (IDP). The principle of development would fall to be considered principally under Policies IP2, MC5(A) and MC10 of the IDP.

Policy IP2 states:

"Development required to implement the States' Waste Strategy will be supported, providing it accords with all relevant policies of the Island Development Plan.

Proposals for development or redevelopment of waste management facilities within the St Sampson's Harbour Action Area, will be supported where they are in accordance with the Principal Aim and relevant Plan Objectives, the Spatial Policy and the relevant Local Planning Brief for the area.

Where there is not an approved Local Planning Brief for the St Sampson's Harbour Action Area, or where a proposed development is of a minor or inconsequential nature, proposals will be supported providing that the development:

- a. would not prejudice the outcome of the Local Planning Brief process; or,*
- b. would not inhibit the implementation of an approved Local Planning Brief; and,*
- c. would accord with all other relevant policies of the Island Development Plan."*

In relation to the site, paragraph 20.3.7 states that Longue Hougue is an established location for waste management and therefore proposals for waste management facilities at the site brought forward prior to the approval of the Local Planning Brief (LPB) will be supported provided that they would not prejudice the long-term development of the site and accord with all other relevant policies of the Island Development Plan.

The proposed development is in accordance with the States' Waste Strategy and located within an established site waste management facility. There is no LPB approved for the area but as the proposal is temporary it would not prejudice the long-term development or aspirations for the site (discussed in further detail in the assessment of Policy MC10 below).

The principal aim of the plan is:

"To ensure land planning policies are in place that are consistent with the Strategic Land Use Plan and which help maintain and create a socially inclusive, healthy and economically

strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely."

The most relevant Plan Objective is Plan Objective 6: Meet infrastructure requirements, which states the following:

"To achieve the provision of infrastructure where required for the most effective and efficient functioning of the Island, in order to meet the strategic objectives of the States of Guernsey, as set out within the Strategic Land Use Plan."

The proposal is considered to accord with the Principal Aim and the relevant Plan Objectives.

In respect of all other policies of the Plan, the following sets out an assessment of two other key policies when assessing the principle of development, Policies: MC5 and MC10.

Paragraph 7.2.11 of the IDP (which forms the preceding text to Policy MC5(A)) recognises Longue Hougue as a *"well-established industrial area located partially on reclaimed land with further reclamation underway and was designated for the provision of strategic infrastructure. Uses at the site are constrained by the Major Hazards Public Safety Zones associated with the storage of hazardous materials therefore proposals for development in this area would need to have regard to public safety (see Policy GP17: Public Safety and Hazardous Development). Longue Hougue Key Industrial Area is reserved for heavy and specialist industrial development which cannot be easily located on other industrial sites owing to its potential negative impacts on neighbours, such as through the noise, dust, vibration, smells and emissions associated with the processes undertaken, and for strategic infrastructure, including development associated with the processing of waste."*

Policy MC5(A) reserves KIEA's for industrial or storage and distribution uses and requires a Development Framework (DF) to be approved prior to any form of development on such sites to guide the future development of the site. Policy MC5(A) also allows for development prior to the approval of a DF *"where it is unlikely to inhibit the implementation of industrial or storage and distribution development and would not prejudice the comprehensive development of the site and will only be released for development where it has been demonstrated that no alternative sites are available within any of the Key Industrial Areas or Main Centre and Main Centre Outer Areas."*

Policy MC10 supports development where there is not an approved Local Planning Brief (LPB) for the HAA, or where the proposed development is of minor or consequential nature provided that it:

- a) Would not prejudice the outcomes of the LPB process; or*
- b) Would not inhibit the implementation of an approved LPB; and*
- c) in all cases accords with all other relevant policies of the IDP.*

The proposed stockpile is required for a temporary period while the future management of inert waste is considered at a political level and the next inert waste disposal site is designed and commissioned. It is anticipated to take 2.5 to 3 years to create the stockpile and it is estimated that a similar timeframe will be required to transfer the stockpiled inert waste to a new inert waste disposal facility (however the applicant has confirmed that this

timeframe could be reduced using additional resources). It is the intention that any stockpiled inert waste would be transferred to a new inert waste disposal facility ahead of any longer-term requirement for this KIEA and HAA.

The proposal represents an extension to an existing industrial operation on a site where the processing of waste and heavy industrial activities are encouraged. Although situated within a KIEA and HAA, as part of the application evidence has been provided to demonstrate that there are no alternative sites suitable for the proposed use within existing KIA's, or on sites within the Main Centres and Main Centre Outer Areas.

Following discussions with Guernsey Development Agency the scheme has been revised and revised drawings provided to address their concerns regarding the initial proposal (please see the consultation section of this report) and to ensure that the area proposed for the stockpiling would not jeopardise the GDA vision or long-term plans for the site, or the redevelopment of St Sampson Harbour Action Area. In the absence of any objection from the GDA, and given the temporary nature of the proposed development (which can be controlled by condition) and the intention to reinstate the land ahead of any longer-term requirement for the site, the proposal would not inhibit the comprehensive development of the site, prejudice the outcomes of the LPB process or inhibit the implementation of an approved LPB. To ensure that this is the case and that the development takes a temporary form, a condition should be included on any permission to ensure that within 3 years of the grant of permission that any stockpiling of inert waste ceases on site and that works must have commenced (in accordance with a subsequent planning permission to be approved by the Authority) to decommission the stockpiles and return the site to a suitable condition. The condition should also ensure that the application site is reinstated to a suitable condition, as agreed with the Authority, within 6 years of the date of the grant of planning permission.

Subject to the suggested condition, the principle of development is therefore supported by policies IP2, MC5(A) and MC10 accordingly.

The majority of the site is situated within the Outer Zone with a small proportion within the Middle Zone of a major hazard's public safety zone (Blast Zone) due to the proximity of the fuel storage tanks and associated infrastructure to the west of the site along Bulwer Avenue. The proposal does not however propose any significant change to existing working practices at the site with the number of employees remaining similar to current levels. The scheme therefore would not present any additional risk to employees, or the public associated with the Blast Zone and the principle of development accords with Policy GP17 in this respect.

The impact of the proposal on the landscape character of the surrounding area

Policy GP1: Landscape Character and Open Land requires consideration of whether the proposal would result in any unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of the area.

Policy GP8, relating to design, would also be relevant, which states a number of criteria that new development will be expected to adhere to in order to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

The stockpiled material will be particularly visible from the north and east of the site (on the approach to the site from the coast). The stockpile will also be seen in long range views from Salarie Corner and Les Banques to the south and from the higher vantage points looking north from the top of Le Val Des Terres, and such viewpoints as Mignot Plateau (amongst others) to the south. However, during construction there will be no noticeable change in the site as this will be similar to existing operations on the site. From the south the stockpile will be seen in context with the Waste Transfer Station and other large industrial buildings to the west.

The stockpile will be progressively seeded to mitigate visual impact and the perimeter bund (which will be constructed prior to any stockpiling on site) will screen a part of the stockpile ensuring that only the top 6 metres will be visible. The stockpile will also screen ongoing operations associated with inert waste management of the site. Although a section of the perimeter bund as originally proposed has been omitted from the scheme (to cater for long-term plans/aspirations for the site at the request of the GDA) the stockpile will be constructed from the south-east corner of the site gradually working northwards. This together with the distance between the stockpiled material and the northern boundary will ensure that no significant harm is caused to the visual character of the surrounding area from viewpoints to the north.

The scheme involves the temporary storage of inert waste until an alternative site has been established (expected to be within 6 years). Therefore, any harm or impact would be temporary and would not represent a permanent feature or impact on the visual amenity of the surrounding area. A subsequent planning application would be required to decommission the site and remove the stockpiles and through this the reinstatement of the land to a suitable condition could be controlled, to avoid any long-term harm on the landscape character or openness of the surrounding area. Considering the above the proposal complies with policies GP1 and GP8 in this respect.

Environmental Considerations

As referred to above in the background to the application section of this report the application was screened to determine whether it comprised EIA development. It was determined following a detailed assessment of the application material that an EIA was not required for the reasons outlined above. That said the environmental impacts of the development need to be considered in the assessment of this application.

Biodiversity, Flora and Fauna

The proposal will be situated on land that has been reclaimed from the sea since 1995 and at present is open ground, used for waste management activities such as aggregate recycling and maturing and processing of green waste. The site therefore has limited established flora and fauna and the constant vehicle movements that already operate on this working industrial site, effect the establishment of such.

That said the proposed perimeter bund once extended will be seeded with the same mix of grasses, wildflowers and shrubs as the existing bund around the Waste Transfer Station. This will encourage vegetation to become established around the seaward perimeter of the site and enhance its overall biodiversity.

Soils, Land Use and Geology

The stockpiles will be placed on existing reclaimed ground on land currently used for inert waste activities. Prevention and contamination of the existing ground conditions will be managed and controlled through the existing Waste Management Licence. As suggested by OEHPR a variation to the WML will be required to allow the proposed works to commence which will ensure that the activities on site are undertaken appropriately and in accordance with required legislation. Furthermore, the future condition of the soil will be managed following the decommissioning of the stockpiles and inert waste facility to ensure that no future land uses at this site are jeopardised.

Hydrology, Hydrogeology Drainage and Flood Risk

There are no potable groundwater sources at the site. The site is also situated outside of the water catchment area. Stockpiling at the site will not affect groundwater which is heavily influenced by tidal cycles infiltrating the porous infill material. The natural topography of the site sloping slightly west to east and north to south will allow the site to drain naturally towards the sea which will retain the situation that exists at present.

The land rock armour is already present around the east and north boundaries of the site to protect the site from flooding. Flooding of the site happens when the rock armour is breached during storm events. Consistent with the Waste Transfer Station, the extension to the bund to the east and around part of the northern section of the site as proposed will manage this and prevent flooding of the site.

Air Quality and Climatic Factors

The stockpiling of inert waste as proposed is a variation to the existing operations on the site. There will be very little alterations to site operations to those that exist at present. Effectively inert waste will be transferred and stored in mounds created on site as opposed to placing the inert waste in a void in the site under the current operations. Traffic movements and the associated emissions will remain largely unchanged by the development as will emissions from plant and machinery operation.

The main impact of the development on air quality will therefore be on dust generation. This activity however is specifically managed through the Dust Management Plan (a copy of which has been submitted as part of the application). The DMP is controlled by the OEHPR who were consulted on the application and raised no objection subject to the DMP being in place for the site in agreement with them. It is suggested that a condition is included on any permission for the submission and approval of such a document prior to the commencement of any development on site.

Impact on Cultural heritage

The Mont Crevelt Loophole Tower is situated circa 100m to the west of the site. Although the proposal has the potential to alter the setting of the protected monument, this setting is already disturbed by the industrial activities on the site and surrounding the site. Furthermore, the base of the loophole tower is circa 16m AGD, which is comparable to the maximum height of the stockpile. The whole structure would therefore be higher than the stockpile. Again, any harm would also be temporary and reversible and would not represent a permanent impact on this heritage asset. Considering the above any harm on

the protected monument would not be so substantial to warrant the refusal of planning permission.

Impact on neighbouring properties and surrounding uses

Criterion (b) of policy GP9 supports new development where it is demonstrated that it will not have unacceptable impacts on the amenities of neighbouring properties. Furthermore Section 13 (1) (i) of the Land Planning and Development (General Provisions) Ordinance, 2007 requires the Authority in determining planning application to have regard to *“the likely effect of the development on the reasonable enjoyment of neighbouring properties.”*

As identified previously within this report the Longue Hougue KIA and KIEA is reserved by Policy MC5 for *“heavy and specialist industrial development which cannot be easily located on other industrial sites owing to its potential negative impacts on neighbours, such as through the noise, dust, vibration, smells and emissions associated with the processes undertaken, and for strategic infrastructure, including development associated with the processing of waste.”*

The proposal is an extension to existing operations on the site and current staff levels and plant operation will remain as existing. Noise impacts resulting from the creation of the stockpile as proposed are not anticipated to be any different to current site operations. Furthermore, the site is surrounded by heavy industrial activity with the Household Waste Recycling facility and ancillary functions situated to the south and other industrial operations to the west and southwest. The proposal will use existing transport routes and the existing weighbridge (used in connection with the existing inert waste facility) to control and monitor what is being accepted at the site.

The supporting information confirms that in the future when the stockpile is required to be decommissioned and moved to an alternative site additional noise may occur, however this would be dependent on where the donor site is located and will be the subject of a separate planning application. The applicant has confirmed that a Waste Movement Plan will be developed to manage the transfer of stockpiled inert waste once the site has been approved and established.

Considering the above it is considered that the proposal would be unlikely to cause any significant additional harm to surrounding uses or to neighbouring properties and the scheme complies with IDP policy and the general material considerations in this respect.

Impact on highway safety

Information has been submitted as part of the application to indicate that on average during site opening hours (08:00 – 16:00 hrs Monday to Friday) 142 vehicle movements in and out of the site were experienced. The proposal will see a continuation of existing services provided with the only difference being that the residual inert waste will be diverted to the stockpile area rather than in the lagoon as is current practice.

The applicant has confirmed that as a result of the stockpiling proposed, there will be no changes to vehicle movements in and outside of the site that would be normally experienced.

The proposal will use existing traffic routes into the site which is along the Longue Hougue access road. Longue Hougue has been designed for larger HGV vehicles and links to the Inter Harbour Route to the west of the site which is capable of safely accommodating the types of vehicles that will use this site without causing harm to highway safety.

The decommissioning of the site to another site once established will need a separate planning application and any traffic movements generated by such activity would be assessed as part of that application.

Considering the above the proposal is consistent with additional activities and operations on site and would not harm highway safety and the proposal accords the provisions of Policy IP9 in this respect.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The impact on protected monuments and their setting has been fully assessed above, the proposal would have no adverse impact on protected buildings, trees, or sites.

Considering the above it is recommended that planning permission is granted subject to conditions.

Date: 04/07/2024

APPENDIX 1C: Planning Application and Supporting Statement



Development &
Planning Authority

APPLICATION FOR PLANNING PERMISSION

THE LAND PLANNING AND DEVELOPMENT
(GUERNSEY) LAW, 2005 – AS AMENDED

SAP Code: 250060 / DP2123

Sir Charles Frossard House
La Charroterie
St. Peter Port Guernsey
GY1 1FH

Tel: (01481) 226200
www.gov.gg
planning@gov.gg

Please complete in black ink using block capitals (1 copy of form and 2 copies of plans, etc to be submitted)
In addition to this, Professional agents to also submit 1 electronic copy of the application form and plans etc.
For all applications, complete pages 1 & 2 of the form.
For all non-householder applications, please also complete pages 3 & 4 of the form.

APPLICANT'S DETAILS		AGENT'S DETAILS	
A	Name: Guernsey Waste	Name:	
	Address: La Hure Mare, Vale	Address:	
	Postcode: GY3 5UD	Postcode:	
	Tel: 01481 221234	Tel:	
	Email: rob.roussel@gov.gg	Email:	
	Ref:		


APPLICATION SITE	
B	Address: Longue Hougue Reclamation Site, Bulwer Avenue, St Sampsons
	Postcode: GY2 4LE Cadastre ref (if known): B003540000
Site Area in either verges/acres/hectares/square metres: 19,000m2	

PROPOSED DEVELOPMENT	
C	Is this application for: Planning Permission <input checked="" type="checkbox"/> Outline Permission <input type="checkbox"/> Reserved Matters <input type="checkbox"/>
	Description of the proposal, including any change of use:
	Has the proposal been the the subject of pre-application discussion with the Authority? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	If yes, reference : PREA/ 2024 / 0151 Case officer's name: Edd Tildesley
	Does the proposal require an Environmental Impact Assessment? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has the development already commenced? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

FEES			
D	CATEGORY	NUMBER OF	FEE PER ITEM
	N/A		
Total Floor area of new building or extension (if roofspace, divide that floor area by 50%):			Sqm
BACS Reference:		Fee enclosed: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Application for Planning Permission_v8_February 2023

1

E TREES AND HEDGES		<input type="checkbox"/>
Does the proposal involve the removal of trees or hedges?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please confirm that <u>all</u> trees/hedges to be removed AND <u>all</u> trees/hedges to remain have been indicated on the block plan:	<input type="checkbox"/>	
Are any trees directly affected by or close to the proposed development subject to a Tree Protection Order (TPO)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Reference Number of TPO:		
If Yes, please confirm that the submitted plans identify <u>all</u> protected trees affected by or close to the proposed development and <u>all</u> works to trees and roots.	<input type="checkbox"/>	
F PROTECTED BUILDINGS/MONUMENTS		<input type="checkbox"/>
Does the proposal involve works to a Protected Building/Monument?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, please confirm that the submitted plans show full details of <u>all</u> proposed internal and external alterations/works and a statement to demonstrate that the special interest of the building has been considered at the outset.	<input type="checkbox"/>	
G DEMOLITION		<input type="checkbox"/>
Are any buildings/structures (including walls) to be demolished?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, please confirm that the submitted plans clearly indicate <u>all</u> buildings/structures to be demolished.	<input type="checkbox"/>	
H PEDESTRIAN AND VEHICULAR ACCESS & PARKING		<input type="checkbox"/>
Does the proposal involve alteration to or creation of a new vehicle access/ pedestrian access/car parking? (delete as appropriate):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, please confirm that the submitted plans clearly indicate <u>all</u> alterations to or creation of new access/car parking.	<input type="checkbox"/>	
I MATERIALS		<input type="checkbox"/>
Please confirm that <u>all</u> external materials (existing & proposed) including boundary treatments and hard surfaced areas are shown on the submitted plans.	<input checked="" type="checkbox"/>	
Please confirm that a statement has been included to address the Sustainable Development matters and the Waste Management issues set out in Policy GP9 of the IDP, as appropriate.	<input checked="" type="checkbox"/>	
J STATEMENT		<input type="checkbox"/>
I am the owner of the site	<input checked="" type="checkbox"/>	
I have the written consent of the owner(s) of any part of the land to make this application	<input type="checkbox"/>	
I have made all reasonable enquiries to identify the owner and obtain consent (Please provide evidence)	<input type="checkbox"/>	
I/we hereby apply for planning permission, as described in this form and the accompanying plans/ drawings, in accordance with the relevant legislation. I/we declare that to the best of my/our knowledge, all the particulars in this application are correct. I/we agree that any information given in this application may be disclosed to relevant Committees of the States of Guernsey, made accessible to the public, published in the local media and on the States of Guernsey website.		
SIGNATURE: 	NAME (Print): Rob Roussel	
Date: 23/02/2024	Company Name (if applicable) Guernsey Waste	

For all non-householder applications please complete Sections K-N.

RESIDENTIAL DEVELOPMENT				
K		Existing Units	Proposed Units	
	• Dwelling houses	N/A	N/A	
	• Flats	N/A	N/A	
	• Sheltered Housing	N/A	N/A	
	• Specialised Housing	N/A	N/A	
	• Other Housing	N/A	N/A	
		Existing No of people	Proposed No of people	
	• Multiple occupation	N/A	N/A	
L	AFFORDABLE HOUSING			
	Does Development Plan Policy GP11 (Affordable Housing) apply?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	If yes, please confirm details of provision (land or units) are included		<input type="checkbox"/>	
	If unable to comply, please confirm reasons and viability assessment included		<input type="checkbox"/>	
OTHER DEVELOPMENT				
M	GIFA = Gross Internal Floor Area	Existing GIFA m2	Proposed GIFA m2	
	• Retail convenience	N/A	N/A	
	• Retail other	N/A	N/A	
	• Food/drink	N/A	N/A	
	• Offices	N/A	N/A	
	• Industry/Storage & Distribution	N/A	N/A	
	• Sport/Recreation/Leisure	N/A	N/A	
	• Education/Community/Health	N/A	N/A	
	• Agriculture/Horticulture	N/A	N/A	
	• Infrastructure/Harbour/Airport	N/A	N/A	
		Existing bed spaces	Proposed bed spaces	
	• Visitor Accommodation – Serviced	N/A	N/A	
	• Visitor Accommodation – Non-serviced	N/A	N/A	
	• Staff accommodation	N/A	N/A	
		Existing GIFA m2	Proposed GIFA m2	
	• Other Use (please specify)	N/A	N/A	
	PARKING PROVISION			
N		Existing spaces	Proposed spaces	
	• Car	N/A	N/A	
	• (of which disabled)	N/A	N/A	
	• Motorcycle	N/A	N/A	
	• Bicycle	N/A	N/A	

CHECKLIST (Please tick boxes <input checked="" type="checkbox"/>) or indicate n/a	
O ALL PLANNING APPLICATIONS MUST INCLUDE THE FOLLOWING INFORMATION; Please see the guidance notes, PN2 Making a Planning Application, for more details	
Application Forms x 1	<input checked="" type="checkbox"/>
Site Location Plan x 2	<input checked="" type="checkbox"/>
Block Layout Plan x 2	<input checked="" type="checkbox"/>
Drawings x 2	<input checked="" type="checkbox"/>
Fee - See Fees for Planning Applications	<input checked="" type="checkbox"/>
A NUMBER OF OTHER ITEMS MAY BE REQUIRED, DEPENDING ON THE PROPOSAL	
1 copy of each of the below when required	
Sustainable Checklist – a proportional response to IDP policy GP9 A brief written statement addressing the policy text should be submitted. As a minimum for small extensions to dwelling houses this should confirm that the design, including insulation, drainage, water efficiency, materials, waste storage and disposal and the conservation of fuel and power, also meets the current Building Regulations.	<input checked="" type="checkbox"/>
Waste Management Plan – for more significant applications, including demolition. Guidance is being drawn up on how to meet the requirements of IDP Policy GP9.	<input type="checkbox"/>
Construction and Environmental Management Plan (CEMP) for larger developments where construction work has the potential to cause disturbance to neighbouring properties during the construction period.	<input type="checkbox"/>
Dower Units – details of relationship between dower and principal dwelling. See Planning Advice Note No1 – Dower Units.	<input type="checkbox"/>
Traffic Impact Assessment (TIA) – See the Supplementary Planning Guidance on Parking Standards and Traffic Impact Assessment, section 9 for more guidance.	<input type="checkbox"/>
Affordable Housing viability – where affordable housing requirements of policy GP11 are not to be complied with, an explanation must be provided. See the Supplementary Planning Guidance on Affordable Housing, section 10 for more details.	<input type="checkbox"/>
Visitor viability – where change of use of visitor accommodation is proposed See Supplementary Planning Guidance on Change of Use of Visitor Accommodation to Non-Visitor Accommodation Use, for more guidance.	<input type="checkbox"/>
Telecommunications Certificate – A radiation certificate should accompany any applications for mobile phone masts.	<input type="checkbox"/>
Statement of Significance – For work to Protected Buildings.	<input type="checkbox"/>
Survey Plans – Required for work to Protected Buildings and conversions.	<input type="checkbox"/>
Agriculture Priority Areas – Report on suitability of land for farming purposes.	<input type="checkbox"/>

Please submit 1 copy of this completed form, together with the required sets of plans and other supporting information to: The Office of the Development & Planning Authority, Sir Charles Frossard House, La Charroterie, St. Peter Port, Guernsey, GY1 1 FH.

When processing your personal data the Development & Planning Authority complies with the Data Protection (Bailiwick of Guernsey), Law 2017. If you would like to see further information about how we process your personal data, please visit www.gov.gg/dp



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recycle@gov.gg
www.gov.gg/recycling

Our Ref:
Your Ref: PREA/2024/0151
Prop Ref: B003540000

23 February 2024

Dear Sir/Madam

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005 AND THE LAND PLANNING AND DEVELOPMENT (ENVIRONMENTAL IMPACT ASSESSMENT) ORDINANCE, 2007

PROPOSAL: Stockpiling of inert waste.
LOCATION: Longue Hougue Reclamation Site Bulwer Avenue, St. Sampson
APPLICANT: Guernsey Waste

With reference to your letter dated 19 February 2024 and accompanying Environmental Impact Assessment (EIA) Screening Opinion, Guernsey Waste is pleased to note that an EIA is not required for the proposed stockpiling of inert waste at Longue Hougue Reclamation Site, accepting that this is based on the stockpiling being of a temporary and reversible nature.

In light of this opinion Guernsey Waste is pleased to present the formal planning application for the proposed development to include the extension of the permanent three metre high bund around the seaward perimeter of Longue Hougue Reclamation Site the site and a nine metre high temporary stockpiling of inert waste at the site, with palisade security fencing installed between these two structures.

The filling of the current land reclamation area at Longue Hougue is predicted to be completed by the end of May 2024. This site has received all the island's residual inert waste since opening in 1995.

It was recognised as long ago as 2014 that a follow-on site would be necessary for the disposal of inert waste, and a preferred option which extended the reclamation area to the south of the existing site was approved by the States in 2020. Progress on developing this reclamation project has been paused to allow a strategic review of the future use of Les Vardes Quarry. A recommendation to the States based on the outcome of this review is expected soon, however there is now insufficient time to prepare the next inert waste disposal facility site ahead of the current site being filled.

As a result, the temporary stockpiling of inert waste will be necessary, with the preferred site for this being the existing land reclamation site at Longue Hougue. This site already has a waste management licence for the disposal of inert waste and all the necessary infrastructure is already in place. Diversion to strategically important development sites will be encouraged during the stockpiling period to minimise the amount of future double handling of stockpiled material.

The complete application includes the attached Supporting Statement with appendices and relevant drawings as detailed in the Supporting Statement.

If you have any queries regarding this application, please do not hesitate to contact me.

Yours faithfully



Rob Roussel
Senior Technical Adviser,
Guernsey Waste

Longue Hougue Land Reclamation Site – Planning Application for Temporary Stockpiling of Inert Waste

Supporting Statement

1. Introduction

This Supporting Statement should be read in conjunction with the following drawings which form the full application for planning permission for the construction of a perimeter bund and temporary stockpile of inert waste at Longue Hougue Reclamations Site:

Drawing Number	Title	Date
9014_2023_1	Site Location Plan and Block Plan	21/12/2023
9014_2023_2	Layout Plan and Section	21/12/2023
9014_2023_3	Section Through Bund and Revetment	21/21/2023
9014_2023_4	Palisade Fencing Detail	21/12/2023

Guernsey Waste, a trading asset under the auspices of the States Trading Group, is responsible for the provision of public waste management facilities on Guernsey. This in accordance with the States of Guernsey approved Waste Management Plan for the island.

The Waste Management Plan includes for the provision of an inert waste disposal facility which is currently Longue Hougue Land Reclamation Site. This site accepts all residual inert waste for recycling and disposal, with material suitable for aggregate recycling diverted to a local contractor operating from a specified area of the site.



Figure 1 Aerial Photos of Longue Hougue Land Reclamation Site, showing the comparative remaining void space for 2019 and 2022.

The aerial photos taken in 2019 and 2022 (Figure 1, courtesy of Digimap) show the diminishing extent of the lagoon area (remaining void space) available at Longue Hougue

Land Reclamation Site at the time, with the remaining void space expected to be filled by the end of the May 2024.

Work on identifying a new inert waste facility commenced in 2014. Following an extensive options appraisal and consultation process, Longue Hougue South was identified as the preferred site for a new land reclamation site. This was endorsed by the States of Deliberation in April 2020 where the States directed “the Development & Planning Authority to prepare proposals for a Local Planning Brief for a new residual inert waste facility at Longue Hougue South and to direct the Development & Planning Authority and the Committee for the Environment & Infrastructure to take all necessary steps under the Land Planning legislation to lay such proposals before the States for adoption”.

In December 2021 the Policy & Resources Committee wrote to the Committee for the Environment & Infrastructure and the States Trading Supervisory Board setting out its reasons for not progressing the Longue Hougue South project until the States had fully considered the future strategic use of Les Vardes Quarry, enabling the medium to long term future strategic requirements for inert waste disposal and water storage to be presented and considered alongside each other.

A Policy Letter regarding the future strategic use of Les Vardes Quarry is being progressed by the Committee for the Environment & Infrastructure in consultation with Guernsey Water and Guernsey Waste and is expected to be considered by the States in Q2 2024.

As part of the work in assessing different options for future inert waste disposal an inert waste volume forecast model has been developed. Historical and forecast tonnages are provided in Table 1 below:

Year ¹	Residual Inert Waste	Landfill Cover / Other Diversion	Recycling	Totals
2014	126,455	41,825	25,871	194,151
2015	105,442	38,431	15,394	159,267
2016	81,312	42,956	12,936	137,204
2017	53,750	48,344	16,424	118,518
2018	61,121	54,646	16,157	131,923
2019	46,358	54,363	28,335	129,055
2020	63,711	8,760	31,719	104,190
2021	69,396	10,317	31,800	111,513
2022	87,916	10,411	33,290	131,616
2023	89,034	12,754	33,290	135,078
2024	88,535	16,714	33,290	138,539
2025	86,298	20,681	33,290	140,269
2026	83,966	24,744	33,290	142,000
2027	83,304	25,406	33,290	142,000

Table 1. Inert waste data (tonnes), 2014 - 2027

¹ Data from 2012 - 2022 = actual data. From 2023 onwards = modelled forecast data (mid-case)

The data in Table 1 shows residual inert waste data requiring disposal falling from 2016, but with a partial recovery in the construction industry from 2021 onwards. It should be noted that the above tonnages do not make allowance for increased reuse of landscaping materials and use of recycled aggregates on some construction sites where they are not recorded as they remain at the development site.

It should also be noted that preliminary figures for 2023 indicate a lower residual inert waste total than the previous year with the amount disposed of at Longue Hougue predicted to be in the region of 68,000 tonnes. This is almost 20,000 tonnes less than 2022 and significantly less than the adjusted long-term average of around 83,000 tonnes per annum predicted for residual inert waste (see predicted totals for 2027 in Table 1 above).

The existing land reclamation site at Longue Hougue was last surveyed in July 2023. Based on the previous 12 month's filling rate the site was predicted to have less than one year's void space remaining. The existing land reclamation site is now expected to be full by the end of May 2024. The limited remaining void space for the disposal of inert waste at the site (as at the 19/12/23) is shown in Figure 2 below.



Figure 2. Remaining void space at Longue Hougue Reclamation Site, as at 19/12/2023.

The development of a follow-on site will not now be possible until after the work on the future strategic use of Les Vardes Quarry is completed and considered by the States of Deliberation. This work is considering several options for the future use of Les Vardes, all of which have implications on the timescales for the availability of the next site to be used for inert waste disposal. In all cases some stockpiling of inert waste will be inevitable ahead of the development of a new site. Stockpiling of inert waste for around 2.5 years as a minimum may be necessary, although the full duration will be dependent on the final option agreed for the disposal of residual inert waste.

This planning application covers the proposed construction of an extension of the perimeter bund around Longue Hougue Reclamation Site using inert waste materials accepted at the site. The proposed area of land for stockpiling at Longue Hougue is currently the area being used for the maturation of soil conditioner produced from composted green waste on the north/eastern section of the site (see drawing number 9014_2023_1).

2. Options for Inert Waste Stockpiling

Other options for stockpiling were considered as part of the wider options appraisal for the disposal of inert waste in 2019. This options appraisal remains valid as none of the sites considered have undergone changes to their status at the time of evaluation.

The options appraisal considered areas designated as Key Industrial Areas and Key Industrial Expansion Areas as designated in the 2016 Island Development Plan. Other sites of sufficient size where future development has yet to take place were also considered for short term stockpiling. The sites considered are as follows:

1. Key Industrial Areas

- 1.1 Les Monmains
- 1.2 Bulwer Ave
- 1.3 Saltpans
- 1.4 Pitronnerie

2. Key Industrial Expansion Areas

- 2.1 Griffith's Yard
- 2.2 Longue Hougue north (existing land reclamation site)
- 2.3 A small area next to the Saltpans
- 2.4 Strategic Industrial Reserve (adjacent to Pitonnerie)
- 2.5 A field next to Airport/Specsavers

3. Other potential sites for short term stockpiling

- 3.1 Leale's Yard
- 3.2 Fontaine Vinery
- 3.3 Les Vardes Quarry
- 3.4 Belgreve
- 3.5 Disused greenhouse sites

Each potential site was assessed and scored based on the following criteria:

- Planning Designation/Status,
- Availability (including ownership and current usage),
- Access to the site,
- Services/Facilities on site,
- Environmental and Neighbour Impacts,
- Distance to short-listed future disposal options, and
- Surface Area.

Based on the above options appraisal the existing reclamation site at Longue Hougue was the highest scoring option and is the preferred option for inert waste stockpiling.

Longue Hougue Land Reclamation Site represents the logical site for stockpiling as the infrastructure for receiving inert waste and processing recyclable aggregates is already located at the site, and the site is already licensed for the disposal of inert waste under the Waste Management Licence WML03.

The land reclamation site is also designated as a Key Industrial Expansion Area, although a specific use for the and north of the Waste Transfer Station has yet to be identified. The site is close to the previously identified preferred option for future inert waste disposal (Longue Hougue South), which if progressed would minimise the transport of stockpiled materials to their final destination.

2.1 Proposed Stockpile Area at Longue Hougue

Following discussions with States Works who operate the land reclamation site on behalf of Guernsey Waste, the most appropriate area of the site for stockpiling from an operational perspective has been identified as the strip of land along the eastern seaward boundary of the site. This can be accessed easily using temporary haul roads constructed within the site, with access into the site via the existing weighbridge. This is shown below in Figure 3 and in more detail on drawing number 9014_2023_2.

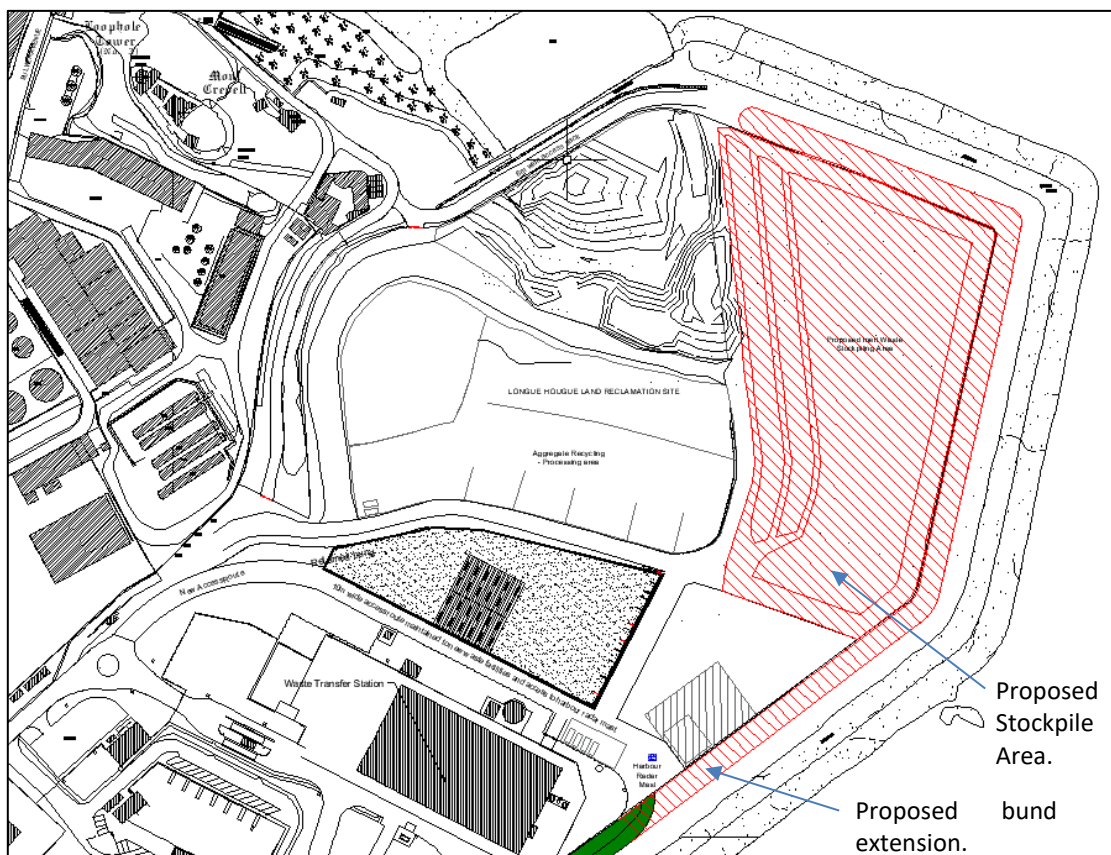


Figure 3. Proposed stockpile area and extension to perimeter bund (red hatch).



Figure 4. Proposed stockpile area and extension to perimeter bund on 2022 aerial photo.

The footprint of the proposed stockpile is approximately 19,000m², and based on the modelled tonnages, an assumed density of 1.75Mg/m³ for deposited inert waste, and a maximum height of 9m above ground level, this represents sufficient area to give 2.5 years stockpiling based on previously modelled tonnages. As noted above the predicted volumes of residual inert waste for 2023 are below those modelled tonnages, and at these rates the stockpile area would last for nearly 3.5 years if required.

The use of the seaward portion of the site has the benefit of protecting composting and aggregate recycling operations, including mobile plant, from potential impacts from saline sea water spray.

In addition to stockpiling at Longue Hougue it is also proposed to construct a bund around the remaining perimeter of the rock armour that forms the seaward boundary of the reclamation site. This would be an extension of the bund constructed around the Waste Transfer Station. Appropriate residual inert waste materials will be used to construct this bund to the same specification as the existing bund, and the bund will be constructed in advance of any stockpiling. At current rates of disposal, it is anticipated that it would take approximately two to three months to create the extension to the perimeter bund.

This bund forms a key structural element around the site offering shelter to the site as well as a visual screen for current and future activities and developments. It provides

protection from tidal flooding due to overtopping of sea water during extreme weather events. The bund will be planted with the same mix of grasses, wildflowers and shrubs as the existing bund around the Waste Transfer Station, with the intention of softening its appearance.

A 10m track between the inner limit of the rock armour breakwater and the base of the bund will be maintained to enable access for mobile plant for any future repairs required to the rock armour.

The extension of the bund and track around the remainder of the perimeter of the site will enable the extension of the island's coastal foot path connecting Longue Hougue Access Road to St Sampson's Harbour.

There are cost implications to stockpiling as the stockpiled material will require transferring to the next inert waste disposal facility once developed. To minimise this future cost, the recycling of aggregates will continue to be encouraged, including the reuse and recycling of inert materials on construction sites. Diversion of inert waste to strategic projects where it is required will also be targeted. The recovery of additional materials from the residual inert waste that will require stockpiling is also under consideration.

3. Design and Construction

3.1 Inert Waste Stockpile

The proposed stockpile area has been identified as the area of Longue Hougue Reclamation Site that is currently used for the maturation of soil conditioner produced from composted green waste. This area is not currently allocated for any other use once the site is fully reclaimed. Other areas of the site are currently used for other purposes as shown on the Block Plan (drawing number 9014_2023_1).

To the west of the proposed stockpile is an area set aside for Guernsey Waste's aggregate recycling contractor, and to the north of that area is an area set aside for the maturation and processing of composted green waste which is screened to produce a soil conditioner for distribution to farmland, parks, and gardens. This is the area currently being used for the disposal of inert waste. Both these uses are considered temporary but will continue while inert waste continues to be received at Longue Hougue. Moving the maturation of composted green waste away from the coastal perimeter of the site is expected to result in an improved quality of soil conditioner by reducing the effect of sea water spray and overtopping on this material.

The proposed inert waste stockpile area has a footprint of approximately 19,000m² and will consist of all residual inert waste received from the construction sector and the Household Waste Recycling Centre (also located at Longue Hougue). Drawing no. 9014_2023_2 shows the full extent of the area proposed for stockpiling inert waste.

The stockpile will be constructed in three layers, each 3m high, with each progressive layer offset by 10m from the top of the previous layer. To maximise use of the stockpile area the seaward side of the stockpile will be built up to the full height of 9m. The slope angle will be a maximum of 45° to the final surface of the land reclamation site. These design principles are shown on Figure 4 below. The final height of the proposed stockpile will be approximately 16mAGD, which is 2.7m lower than the ridge height of the Waste Transfer Station (18.724mAGD), as shown on by Section A-A on drawing 9014_2023_2.

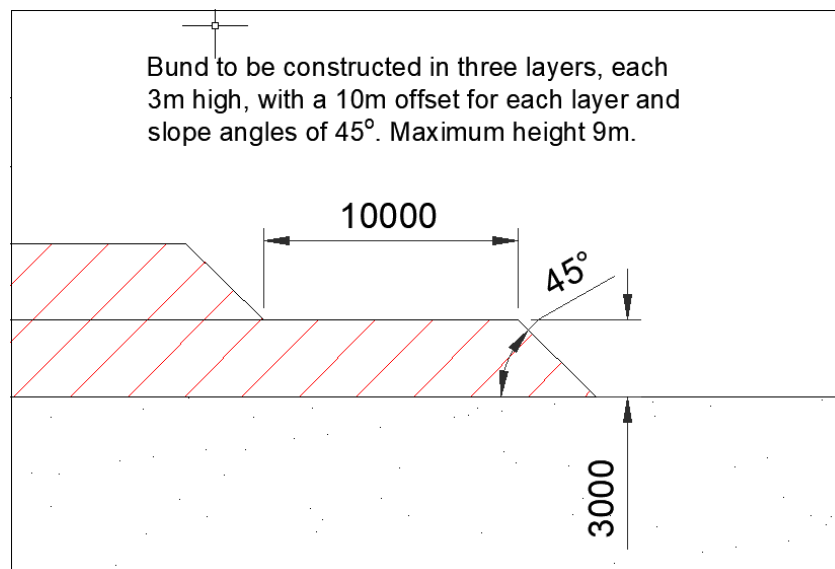


Figure 4 Stockpile Design Principles

The total volume of the proposed stockpile is approximately 130,000m³, representing sufficient capacity for at least 2.5 years stockpiling based on predicted volumes and an average density of 1.75Mg/m³.

The proposed stockpile will be constructed progressively from east to west. The detailed construction methodology for the stockpile is to be provided by the geotechnical engineers who advise the site operators (States Works) on safe systems of working and will be reflected in a variation to the Working Plan for the site which is a requirement of the Waste Management Licence for the site.

The construction methodology for the stockpile will take into consideration slope stability during and after construction, including construction of access ramps for plant access to upper layers of the stockpile. Construction sequencing will also allow for inclement weather conditions, with lower layers being constructed during the wetter months of the year.

External flanks of the stockpile will be seeded once they achieve full height and final profile. Seeding will be with the same mix of coastal grasses, wildflowers and shrubs as the perimeter bund, and will assist in stabilising the stockpile once created.

Photomontages providing a visual representation of the completed stockpile are provided as Appendix 1 (attached separately)

3.2 Perimeter Bund

The bund around the perimeter of the rock armour boundary of the site will be constructed to the same specification as the bund around the Waste Transfer Station (see drawing number 9014_2023_3) and will be constructed as an extension to the bund already constructed around the Waste Transfer Station at Longue Hougue.

The length of the extension to this bund is approximately 470m, and at 11m wide gives an overall footprint of approximately 5,000m², representing a volume of approximately 7,500m³ material required.

The final layer of material on the bund (minimum 75mm thick) will be a blended topsoil. This is produced using aggregate processing fines mixed with soil conditioner produced from composted green waste. The outer surface of the bund will be completed using an erosion control blanket seeded with a local coastal grasses, wildflowers and shrubs seed mix as per the existing bund around the Waste Transfer Station. The erosion blanket will be anchored by pinning the matting in an anchor trench of a minimum 155mm deep and offset 500mm from the toe of the bund on either side of the bund.

Design detail for surface water drainage from the stockpile through the bund towards the seaward perimeter of the site will be incorporated in the final engineered design of the bund.

The bund will be constructed using appropriate inert waste materials diverted from the remaining infill of the lagoon at Longue Hougue Reclamation Site. Construction of the bund will be completed before any stockpiling commences, and at current rates of disposal it is anticipated to take approximately two to three months to construct. The toe of the seaward side of the bund will be offset by 10m from the rock armour boundary to ensure plant access is retained for maintenance and repairs to the rock armour boundary.

3.3 Security

A perimeter fence of the same design as that surrounding the Waste Transfer Station will be extended around the site on the landward side of the perimeter bund. The perimeter fence will include a vehicle access gate to provide emergency and contingency access from the north of the site via Mont Crevelt Lane. The fence will be connected to the existing fence to the east of the Waste Transfer Station at the southern end of the extension to the perimeter bund, and to the existing fence at the north of the site adjacent to Mont Crevelt. This will fully secure the land reclamation site for ongoing operations and future development.

The fence will be 2.4m high corrugated galvanised steel palisade fencing mounted on galvanised steel fence posts set in mass concrete post foundations. Fence posts will be set at a nominal distance of 2,750mm apart. The design detail for the proposed fence and vehicle access gates is provided on drawing no. 9014_2023_4.

The proposed fence will be erected between the bund and the proposed stockpile, with the base of the stockpile offset by a minimum of 1m from the inner toe of the bund and the fence erected in the middle of this offset.

4. Environmental Considerations

4.1 Waste Management Licensing

Longue Hougue Reclamation Site is already licensed for the disposal of inert waste under Waste Management Licence WML03 administered by the Office of Environmental Health & Pollution Regulation (OEHPR). Under the terms of the existing WML03 the site is licensed for the following specified waste management operations:

- D1: Tipping of waste above or underground.
- R13: Storage of waste intended for submission for recovery elsewhere.
- D15: Storage of waste pending submission for disposal operations elsewhere.

4.1.1 Permitted Waste

Permitted waste types accepted for disposal at the site under category D1 above include inert wastes to be used for land reclamation. Other types of waste that may be received at the site include road planings and soil. Road planings may be stored on site and used for the construction and repair of internal roadways and areas of hardstanding. Soil can be stored on site and transferred to Mont Cuét Landfill Site for daily cover purposes.

Wastes not permitted at the site include metal waste, specially controlled wastes, and degradable wastes from household, commercial or industrial sources. Excluded wastes currently include sludges and liquids, wastes consisting solely or mainly of dusts, powders or loose fibres, and wastes from contaminated sites.

The conditions of the current WML03 state that the total quantity of waste accepted at the site per year shall not exceed 175,000 tonnes. The maximum storage capacity currently shall not exceed 12,500 tonnes.

A variation to this Waste Management Licence will be required to increase the maximum storage capacity at the site to enable stockpiling (storage) of inert waste at the site.

4.1.2 Dust, fibres and particulates

The Waste Management Licence for the site requires measures to be implemented and maintained throughout the operational life of the site to control and monitor emissions of dust, fibres and particulates, as detailed in Section 6 of the Working Plan for the site.

Following recent issues with the release of dust particles beyond the boundary of the site causing detriment to the activities of neighbouring properties, a specific Dust Management Plan has been developed for the site with additional measures implemented to monitor and control dust emissions from the site.

Impacts from dust continue to be monitored and further measures are to be employed to control dust emissions as agreed with the regulatory authority (OEHPR). Directional dust monitoring stations have also been installed at the site.

The construction of a nine-metre-high stockpile to the east of ongoing operations at the site is anticipated to have a beneficial effect on neighbouring properties by creating a wind break that will reduce impacts from dust generated during easterly winds and will similarly reduce impacts from dust during prevailing wind conditions.

The aggregate recycling crushing plant is fitted with a dust suppression system which has the capability to atomise water in three areas during operation, the crusher output, the bypass and the discharge area of the main discharge belt.

Dust resulting from the proposed stockpile itself will be managed by seeding finished slopes and surfaces to allow vegetation to become quickly established on the stockpile as it is created.

The Dust Management Plan for the site is appended to this planning application as Appendix 3 and is viewed as a live document. Additional measures required for the management of dust resulting from stockpiling of inert waste at the site shall be incorporated into the Dust Management Plan.

Dust generated by the eventual movement of the stockpiled inert waste will be controlled by additional measures employed at the time of the movement of the inert waste. This may include ceasing activities during dry periods with easterly winds. Future dust management will be regulated under the site's Waste Management Licence, and the Dust Management Plan will be updated accordingly. This will be reflected in a Waste Movement Plan to be developed once a future inert waste site has been identified.

4.1.3 Noise

The existing noise limits for the site will be maintained. The specified standard in the site's Waste Management Licence is given as follows:

The maximum noise level arising from the specified waste management operations on site shall not exceed 50 dBA at any time during the operation of the site. The method of rating the noise shall be made in accordance with BS4142: 1997.

In 2019 a variation to the Waste Management Licence was requested to allow aggregate recycling operations at the site. This introduced additional machinery and equipment on the site, including tracked screening and crushing equipment. The crushing plant is fitted with an acoustic hood over the crusher housing unit to significantly reduce noise during the crushing operations. It is also fitted with baffler/muffler side panels, again reducing the noise during processing.

4.2 Traffic Management

Monthly data for vehicle movements 'In' and 'Out' of Longue Hougue Land Reclamation Site for 2022, as recorded at the weighbridge at the site entrance, is provided below in Table 1. This includes all vehicles delivering inert waste to the site for recycling and disposal, as well as vehicles visiting the site to collect recycled aggregates and internal movements of composted soil conditioner and cover material.

	Monthly Total 'In'	Monthly Total 'Out'	Monthly Total (overall)	Days/mth Site Open	Per day 'In'	Per day 'Out'	Per day Total
Jan-22	1823	357	2180	20	91	18	109
Feb-22	2169	406	2575	20	108	20	129
Mar-22	2273	688	2961	23	99	30	129
Apr-22	2093	500	2593	19	110	26	136
May-22	2500	525	3025	20	125	26	151
Jun-22	2961	402	3363	20	148	20	168
Jul-22	2550	634	3184	21	121	30	152
Aug-22	2286	585	2871	22	104	27	131
Sep-22	2645	733	3378	21	126	35	161
Oct-22	2677	839	3516	21	127	40	167
Nov-22	2704	831	3535	22	123	38	161
Dec-22	1342	399	1741	17	79	23	102
Total	28023	6899	34922	246	114	28	142

Table 1. Vehicle Movements In/Out of Longue Hougue Reclamation Site.

Table 1 also shows the number of vehicle movements per day when the site was open during 2022, excluding weekend and bank holidays. This shows on average there were 142 vehicle movements per day 'In' and 'Out' of the site during opening hours (08:00 – 16:00, Monday to Friday inclusive).

The proposed stockpiling of inert waste will see a continuation of existing services provided at the site, with aggregate recycling continuing to divert material away from the disposal route. The only difference will be that residual inert waste will be diverted to the stockpile area rather than being deposited in the lagoon as is current practice.

As such, during the stockpiling of inert waste at the site no changes to vehicle movements in and out of the site are anticipated outside of those that would normally be experienced through the general fluctuations in construction industry activity. There is also the potential for vehicle movements to decrease during periods where inert waste was being diverted to other strategic developments to avoid additional costs resulting from stockpiling.

Once a new inert waste disposal site has been identified, receives States approval, and has the required infrastructure designed and installed to enable disposal operations to

commence, the stockpiled inert waste will be transferred to the new facility (assuming an alternative use has not been identified for this material). The time taken to move the inert waste will be dependent on the location of the new facility, its distance from Longue Hougue, any identified development requirement for the stockpile land, and the resources allocated. The transfer of the stockpiled waste to a new inert waste site will be managed through a Waste Movement Plan to be developed once a new site has been identified and the above factors are known.

4.3 Other Environmental Considerations

From a planning perspective the main impact of the stockpiled waste will be of a visual nature. The other potential impact will be from dust generated at the site. There are also several potential benefits from the temporary stockpile. In accordance with Section 6 (3) of the Land Planning and Development (Environmental Impact Assessment) Ordinance, 2007 environmental considerations are summarised below:

4.3.1 Biodiversity, Flora and Fauna

The site of the proposed development is land reclaimed from the sea since 1995. As such the site itself is open ground currently used for waste management activities (aggregate recycling and maturing and processing composted green waste) with limited flora and fauna established on the site.

The area for the proposed stockpile is currently used for the maturing of composted green waste which is screened to produce a usable soil conditioner. The heaps of maturing composted green waste are screened once sufficiently matured, which takes approximately six months to one year. This frequent movement of material on the land means there are limited opportunities for ecologically important flora and fauna to become established at the site.

The construction and seeding of the extended perimeter bund around the site will allow vegetation to become well established before any longer-term development at the site. The proposed stockpile of inert waste will form a barrier between the bund and ongoing site operations and will therefore protect the bund from any impacts from operational activities while the stockpile remains on the site.

The inert waste stockpile will be seeded progressively using the same seed mix as the bund once final slopes and surfaces are completed. This will further encourage vegetation to become established around the seaward perimeter of the site.

4.3.2 Soils, Land Use and Geology

The proposed stockpile is to be placed on made ground so there are no impacts on existing geological features.

Prevention of contamination of the ground during the construction and removal of the stockpile will be controlled through existing controls on waste materials received at the site and existing operational controls.

The land is currently used for waste management activities associated with the management of inert waste and the land is currently not allocated for a particular use in the longer term. It is classified as a key industrial expansion area under the 2016 Island Development Plan. There is a potential benefit from the surcharging of the made ground beneath the stockpile providing additional compaction of that land and thereby reducing settlement risk for any future development of the site.

4.3.3 Hydrology, Hydrogeology, Drainage and Flood Risk

The temporary stockpile will be constructed on 'made ground' that has already been reclaimed, and therefore there are no potable groundwater sources. Groundwater is heavily influenced by tidal cycles infiltrating the porous infill material. The stockpiling of inert waste will not affect this. The topography of the site allows natural drainage from the site towards the sea.

Flood risk from the sea primarily comes from the overtopping of waves during storm events. These risks are managed by the provision of the perimeter bund around the Waste Transfer Station. The proposed extension of this bund around the remainder of the exposed rock armour breakwater will enable flood risks to be similarly managed around the remainder of the site.

4.3.4 Air Quality and Climatic Factors

The proposed stockpiling of inert waste at the site represents a variation to existing operations at the site, effectively storing inert waste in a mound created on the site as opposed to placing inert waste in a void on the site. There will be very little change to site operations with the same plant being used as for current operations. Traffic movements will therefore remain unchanged by the development. Emissions from site operations and site users will therefore remain unchanged during the creation of the stockpile.

Additional emissions will result from the movement of the stockpile once a new inert waste site is created and will be dependent on the location of that new facility; however, with no site available for the disposal of inert waste, stockpiling represents the only option currently available on island once the existing reclamation site reached capacity.

From an air quality perspective dust represents the only significant impact from the site. Dust is particularly an issue with easterly winds blowing it towards neighbouring properties however the prevailing wind direction is south westerly. This is currently managed through a site specific Dust Management Plan and is covered in more detail in Section 4.1.2 above.

4.3.5 Population and Human Health

The proposed stockpiling of inert waste at the site represents an extension to existing operations at the site, which will maintain the same staffing levels and operational plant as existing operations.

Noise impacts resulting from the creation of the proposed stockpile are not anticipated to be any different to current site operations. There is potential for additional noise impacts from the movement of the stockpiled inert waste to a future inert waste site, but these would be dependent on the yet unknown location of that site.

The movement of stockpiled material is expected to be restricted to normal working hours and days and therefore impacts resulting from the movements would be limited. A Waste Movement Plan will be developed to manage the transfer of the stockpiled inert waste once a future inert waste site has been approved. There are therefore no significant anticipated impacts on population and human health.

4.3.6 Material Assets and Resource Use

The proposed stockpiling of inert waste at the site represents an extension to existing operations at the site, including a continuation of aggregate recycling operations. This promotes the recovery of recyclable inert waste materials in line with the inert waste strategy and reduces reliance on the use of quarried stone resources on the island.

Additional recovery of materials is being explored to minimise the volume of material requiring stockpiling and future disposal. Diversion of inert waste to other projects will be encouraged where fill material is required to minimise the volume of material requiring stockpiling and future disposal.

The creation of the stockpile will temporarily prevent the development of the site which is designated as a key industrial expansion area. There is currently no long-term use identified for the land. The stockpile of inert waste is considered as temporary storage and it is anticipated that the stockpile will be transferred to a future inert waste facility within three years of that site being commissioned using the minimum resources. The timescale for the movement of the proposed stockpile will be considered in the Waste Movement Plan and will be dependent on the requirement for future development of the land at Longue Hougue and the distance required to transport the waste to an alternative site. The timescale for the movement of the stockpile can be adjusted to speed up the transfer of material by employing additional resources and this would be factored into the Waste Movement Plan.

There is an amenity value to the construction of the extension of the perimeter bund around the remainder of the land reclamation site, as this will allow the

extension of the coastal footpath from Longue Hougue Access Road around the site to Mont Crevelt Lane

4.3.7 Archaeology and Cultural Heritage

As the development is on 'made ground' and there is no intrusive work associated with the development there will be no disturbance to unknown historic or archaeological features.

Other than the temporary visual barrier that will be created by the stockpile there are not anticipated to be any impacts on cultural heritage. The most important historic feature in the area is Mont Crevelt Loophole Tower and Battery to the west of the proposed stockpile. The base of this feature is at approximately 16m above Guernsey Datum, which is comparable to the maximum height of the proposed stockpile. The whole structure would therefore be at a higher elevation than the proposed stockpile. With the permanent perimeter bund at a height of three metres above ground level the visual barrier created by the proposed stockpile would only represent an additional six metres visual screen above the bund.

4.3.8 Landscape

The main impact resulting from the stockpiling of inert waste at Longue Hougue will be visual, with the stockpile particularly visible from the north and east of the site.

During construction of the bund there would be no noticeable change in landscape as the activities are comparable to existing operations at the site. The construction of the proposed stockpile will initially be screened by the bund and the Waste Transfer Station to the south of the stockpile area. Construction of the stockpile above the height of the bund will be visible from the sea to the east and from the north but will remain screened by the Waste Transfer Station to the south. By constructing the bund progressively from the east to the west means that once the full height is achieved along the eastern face of the stockpile, operational activity to extend the stockpile will be screened from the sea. The stockpile will also provide a visual screen for other ongoing operations associated with inert waste management at the site.

As indicated in the previous section the proposed extension of the perimeter bund around the site means that only the top six metres of the proposed stockpile would be visible from the east and north. The ridge of the nearby Waste Transfer Station is an additional 2.7m higher than the proposed stockpile.

The low-lying nature of the northern half of Guernsey combined with local prominent landforms such as Mont Crevelt and other industrial land uses in the vicinity of St Sampsons Harbour all contribute to reducing the visual impact from the proposed stockpile. Photomontages showing the likely impact of the stockpile

are provided from land positions from the south, east, and north. Views from the sea may be improved with the stockpile providing a visual screen for industrial features inland from the land reclamation site such as fuel storage tanks and industrial buildings.

5. Policy Compliance

Under the 2016 Island Development Plan the proposed area for stockpiling is the St Sampsons Main Centre Outer Boundary and is therefore covered by the Spatial Policy S2 (Main Centres and Main Centre Outer Areas) and included under two Main Centre Policies.

5.1 Spatial Policy S2

The Main Centres provide the core focus for development within the Island. The proposed perimeter bund and temporary stockpile represents development within a Main Centre Outer Area.

The extension of the perimeter bund represents development in preparation for the longer-term development of Longue Hougue Reclamation Site, and in the case of the temporary stockpile an ongoing facility for the management of inert waste in support of the island's construction industry.

5.2 Main Centre Policies

MC5(A) - Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas - within Key Industrial Areas and Key Industrial Expansion Areas.

With reference Policy MC5(A), the temporary stockpiling of inert waste at the site represents an alteration to existing industrial operations within a Key Industrial Expansion Area, which are reserved for industrial, storage and distribution uses. The proposed development is temporary, with the intention that any stockpiled inert waste would be transferred to a new inert waste disposal facility ahead of any longer-term requirement for the site.

The Options Appraisal detailed in Section 2 of this supporting statement demonstrates that there is no better site for the stockpiling of inert waste required ahead of the development of a future inert waste facility.

MC10 – Harbour Action Areas

A Local Planning Brief for the development of the St Sampson's Harbour Action Area has yet to be presented for approval by the States of Guernsey. Planning for the development of the east coast now forms part of the remit of the Guernsey Development Agency which will not report back to the States until the next States term. The GDA's remit includes the preparation of a strategic direction for approval by the States setting out the options for the provision of infrastructure along Guernsey's east coast.

Given the temporary nature of the proposed stockpile Guernsey Waste believes that the development will not prejudice the outcomes or inhibit the implementation of the GDA's eventual proposals for future operational harbour and commercial port requirements and infrastructure along Guernsey's east coast consistent with relevant States policies, and accords with all other relevant policies of the Island Development Plan.

5.3 General Policy Consideration

With respect to Island Development Plan Policy GP1: Landscape Character and Open Land, the use of the land for stockpiling inert waste will delay the development of a site that is designated as a future industrial expansion area; however, there is currently no long-term plan for the development of the land. The land will therefore remain open land, albeit at a higher elevation while the stockpile remains on site.

The extension of the perimeter bund around that site will mean that this structure is constructed ahead of any future development of the site as a visual barrier and providing flood protection from the overtopping of sea water. This will allow vegetation to become well established ahead of any future development of the land reclamation site and will also allow a new section of coastal footpath to be created connecting Longue Hougue Access Road to St Sampson's Harbour.

With regards to General Policies GP5 and GP6 (Protected Buildings and Protected Monuments respectively). The proposed development does not directly affect any protected buildings although Mont Crevelt lies approximately 100m west of the development. Given the proposed development is temporary and reversible there will be minimal impact on this heritage asset. The proposed development does not directly affect any protected monuments although Mont Crevelt Loophole Tower lies approximately 100m west of the development. Given the proposed development is of a temporary nature it would have minimal impact on this protected monument. The top of the proposed stockpile at +16mAGD is at a similar level to the base of Mont Crevelt so visually would have minimal additional impact on this protected monument, particularly given its current setting in an industrial area of the island.

With regards to design (Policy GP8), the height of the proposed stockpile is designed to be lower than the height of the adjacent Waste Transfer Station. At the final height and extent of the proposed stockpile goes somewhat towards softening the appearance of the Waste Transfer Station from views from the north and south, albeit temporarily.

With regards to the requirements of Policy GP9, the temporary stockpile provides a functional facility for the continued management of inert waste in accordance with the inert waste strategy and in line with the waste hierarchy, including the recovery of recyclable aggregates. As such there is limited opportunity for the design of the stockpile to be informed by sustainable development principles, but the provision of the stockpile itself alongside aggregate recycling operations does enable sustainable construction practices at other development sites.

With regard to Policy GP17 – Public Safety and Hazardous Development, the proposed development is surrounded by industrial development and storage yards. The majority of the site is situated within the Outer Zone of a major hazards public safety zone ('Blast

Zone' resulting from the proximity of fuel storage tanks to the site, with a small portion of the site within the Middle Zone. The proposed development does not propose any significant change to existing working practices at the site with the number of employees remaining similar to current levels. The proposal therefore does not pose any additional risk to employees or the public associated with the Blast Zone.

5.4 Infrastructure Policies

Section 20.3 of the Island Development Plan relates to Solid Waste Management Facilities.

Section 20.3.3 refers to Longue Hougue Reclamation Site having been used for the disposal of inert waste for the previous 20 years but that with limited life remaining an alternative long-term solution is now required.

Sections 20.3.7 and 20.3.8 state the following:

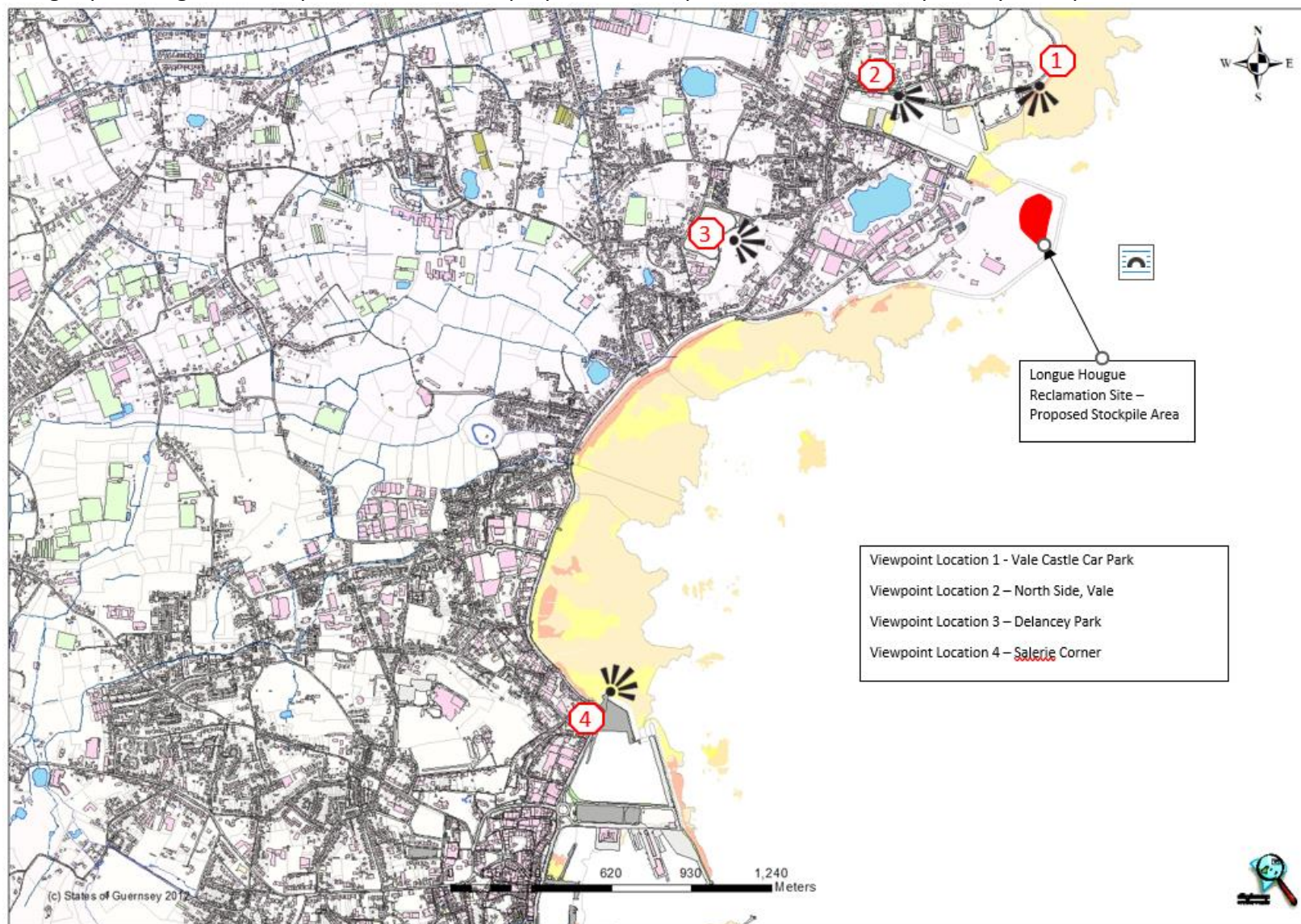
“Longue Hougue is an established location for waste management and therefore proposals for waste management facilities at the site brought forward prior to the approval of the Local Planning Brief (ref. Policy MC10) will be supported provided that they would not prejudice the long-term development of the site and accord with all other relevant policies of the Island Development Plan.”

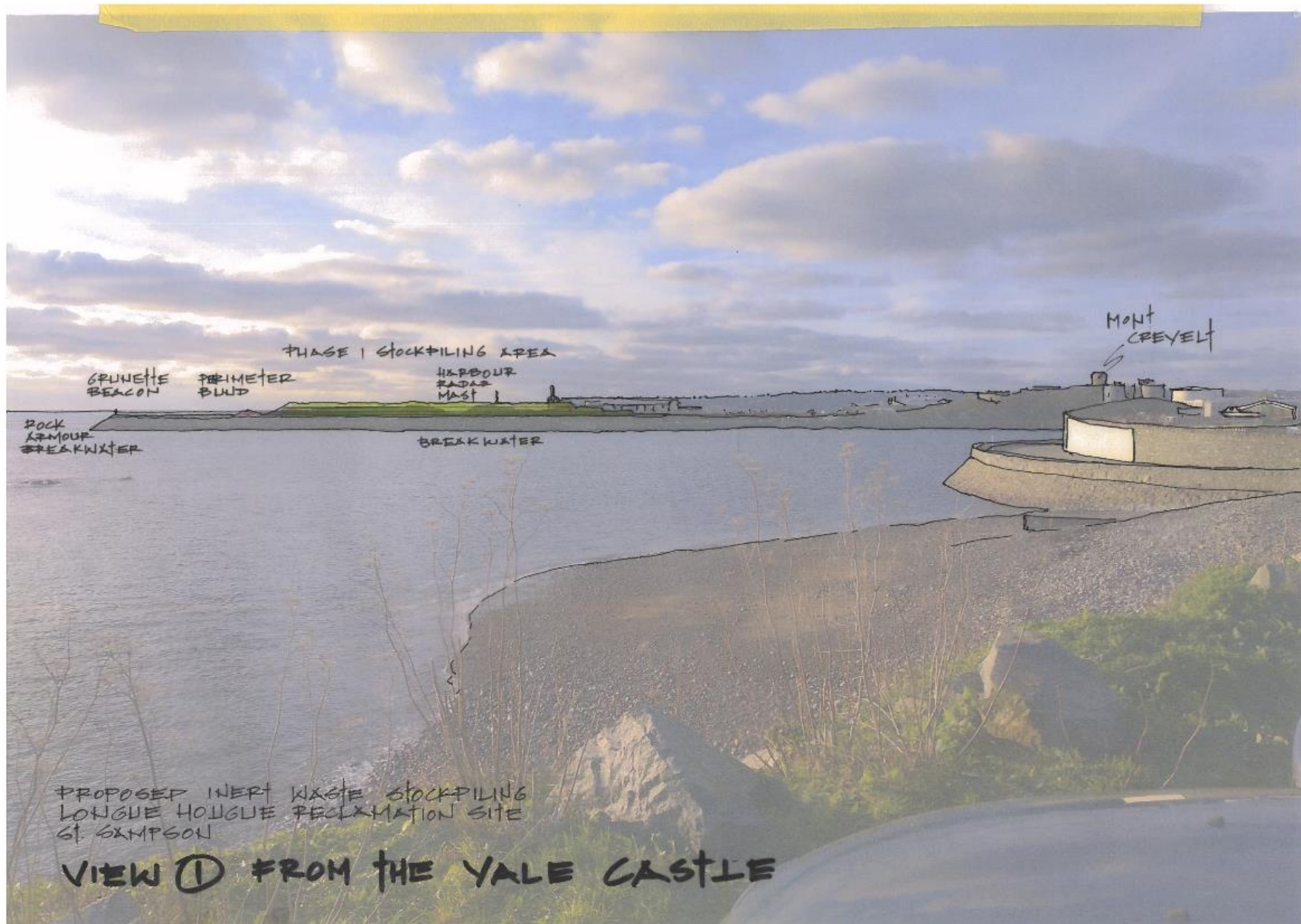
“In the event that a Local Planning Brief does not exist for the Harbour Action Area, or where a proposed development is of a minor or inconsequential nature, proposals will be supported providing that the development would not prejudice the outcomes of the Local Planning Brief process, or inhibit the implementation of an approved Local Planning Brief and accords with all relevant policies of the Island Development Plan.”

Guernsey Waste believes that due to the temporary and reversible nature of the proposed stockpile of inert waste it will not prejudice the outcome or inhibit the implementation of any future development resulting from proposals being development by the Guernsey Development Agency for the future development of Guernsey's east coast.

Appendix 1. Photomontages

Photomontages providing a visual representation of the proposed development are attached separately. Viewpoint locations are shown below:



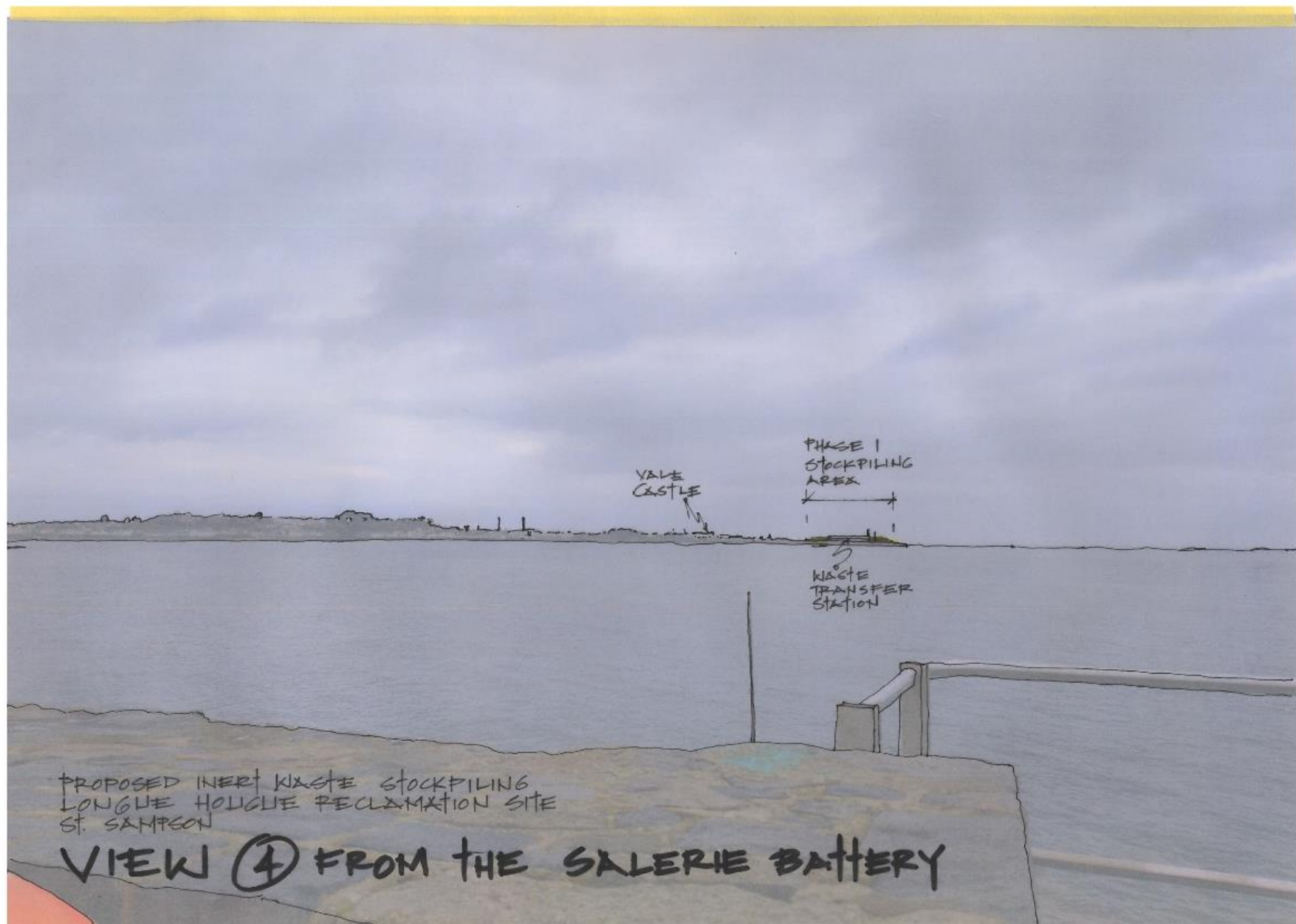






PROPOSED INERT WASTE STOCKPILING
LONGUE HOUQUE RECLAMATION SITE
ST. SAMPSON

VIEW ③ FROM DELANCEY PARK



Appendix 2.

Longue Hougue Land Reclamation Site –
Dust Management Plan

Dust Management Plan

Longue Hougue
Reclamation Site,
Guernsey

Solidsense Ltd ref: 012-04



Contact

Dr Thomas Aspray
Solidsense Ltd
27 Ralston Road
Bearsden
G61 3BA

Report date

18th August 2023 original draft version

17th October 2023 revised draft

9th January 2024 version 1

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1.0 Site location, background and activities

The Longue Hougue reclamation site is located on the island of Guernsey approximately 2 km NNE of the harbour at St Peters Port.

The reclamation site is surrounded by sea on more than 180 degrees (see figure 1). Residential and commercial properties are located within proximity of the site from approximately west-south-west (WSW) through to north of the reclamation site.



Figure 1. Longue Hougue reclamation site location (red dot indicating site centre).

The States of Guernsey 'States Works' operate the Longue Hougue reclamation site on behalf of Guernsey Waste. States Works are engaged in infilling a large void in the north of the site with imported material from elsewhere on the island.

Commercial entity Paul Rouget Plant Hire Ltd (hereafter referred to as 'Paul Rouget') are contractors of Guernsey Waste at the reclamation site. Paul Rouget's activity involves the crushing and screening of aggregate to produce a variety of outputs from sands through to gravels.

Overall responsibility for managing dust emissions from the site rests with States Works.

In May 2023, the States Works received complaints via the Health and Safety Executive (HSE) regarding dust thought to have been emitted from the reclamation site. Three complaints were passed on – one from the car and van dealership, a second from a local resident, and a third from a customer at the household waste recycling centre (HWRC) site.

For the car and van dealership, the complaint was raised due to cars / vans being found covered in dust following a period of dry weather and wind blowing in an approximately ENE direction. The position of the other two complaints corroborates the wind blowing from an approximately ENE direction. Given the position of the local resident complainant, it suggests that a distance of at least 700 m from the centre of the reclamation site should be considered in respect of receptors in the short term. This distance maybe increased or decreased as further information is gathered.

2.0 Receptors and other dust sources

2.1 Residential receptors

Given the known local resident complainant was located approximately 700 m from the centre of the reclamation site, a list of residential receptors has been identified within this same approximate distance (Table 1). The residential receptors are organised by position relative to site from WSW to N. No schools, day care centres, nursing homes or hospitals have been identified within this area.

As it is not known if any residents would be classified as sensitive receptors (e.g., babies, elderly, those suffering with illnesses) all residents are considered here equally as potential sensitive receptors.

Table 1. Residential receptors organised by position relative to site and distance within an ~700 m radius of the centre of the Longue Hougue reclamation site

Residential receptors	Position relative to site	Approximate distance from centre of site (m)
Properties south of Bulwer Avenue	WSW	660-740
Properties between Church Road, Brock Road and New Road	WNW	640-750
Properties south of Church Road	WNW	590-660
Properties between Church Road, South Quay and New Road	NW	500-770
Properties north of Castle Road	NNW	530-590
Properties either side of Les Monmains	NNW	600-700

2.2 Commercial receptors

As for residential receptors, a list of potential commercial receptors has been identified with an approx. 700 m radius of the site (Table 3). Unlike residential receptors, commercial receptors are only indicated where dust emissions are thought to have a direct impact on the commercial operation.

Table 3. Commercial receptors organised by position relative to site and distance within an ~700 m radius of the centre of the Longue Hougue reclamation site

Receptor	Nature of business	Position relative to site	Approximate distance from centre of site (m)
Trust Ford	Can and van dealership	WSW	300
Home James	Car valeting service	WNW	370

2.3 Other offsite dust sources

Given the Trust Ford car and van dealership is located immediately adjacent to the Longue Hougue reclamation site it is unlikely that other potential offsite dust sources were responsible for the dust issue with the assumed wind direction at the time of the complaints. However, there are other potential offsite dust sources within proximity of the Longue Hougue Reclamation site. These may cause dust issues on residents and businesses depending on wind direction and activities. These potential sources have been proposed based on current available information. Further investigation will be

needed to confirm whether any of them are indeed potential significant offsite dust sources.

Table 3. Other potential offsite dust sources within a 1000 m radius

Potential offsite dust source	Nature of business	Position relative to site	Approximate distance from centre of site (m)
Ferryspeed	Articulated lorry trailer storage	WSW	390
Island Waste Sorting facility	Waste management company	WSW	560
Norman Piette	Building materials supplier	WSW	460
Limeworks Ltd	Supplier of hydrated lime products	WNW	310

3.0 Dust sources, risk mitigation and control measures

3.1 Dust emissions sources onsite

The following figure shows a 2023 image of the layout of the reclamation site in more detail with key features indicated (Figure 2).



Figure 2. Site layout and key features; A) weighbridge, B) parked water tanker, C) wheel wash (with water tanks opposite), D) crusher, E) mobile screener units, F) tracked excavator, G) aggregate and sand stockpiles, H) compost bunds, and I) mobile compost trommel screen. Note the darker coloured watered roadway and material near the crusher unit. The red blocks indicate trackways where chicanes have been positioned to reduce road going vehicle traffic speed. The blue blocks indicate fixed sprinklers – additional sprinklers for watering stockpiles are not indicated. Actual positioning of plant and stockpiles is subject to change.

Based on observation, and discussion with staff, several potential/known dust emission sources have been identified – these are grouped where dust mitigation and control strategies are thought comparable (Table 3).

Further work including dust monitoring may be used to confirm sources and help determine their relative significance to dust emissions. The dust management plan will be updated accordingly.

Table 3. Onsite potential dust emissions sources

Potential dust emission sources	Description	Direct responsibility	Comment
1	Exposed ground	States Works	Large site with exposed loose ground. Periods of dry weather followed by windy weather may lead to dust emissions
2	Road going vehicle movements on track roadways	States Works / Paul Rouget	As above. In addition, vehicle movement will increase dust release from ground
3a	Crushing and screening (screening aggregate, composting material or other)	States Works / Paul Rouget	Source of dust emission when relevant mobile plant is active
3b	Excavator	States Works / Paul Rouget	Source of dust emission when relevant mobile plant is active and from tracked movement
4	Aggregate and sand stockpiles	States Works / Paul Rouget	Small particle size materials (e.g. fine sands) are more likely to become airborne and travel further than larger particles.
5	Composting material / finished compost stockpiles	States Works	Composting material/ finished compost tends to hold moisture and has larger particles than sand. Therefore, maybe less significant source of dust than drier sand particles.

3.2 Existing dust mitigation and control measures

Several dust mitigation and control measures are already in place at the site. Current dust mitigation and control measures are detailed below with the relevant dust sources (as numbered above) intended to be controlled identified.

3.2.1 Chicane and customer vehicle speeds (to control source 2)

Since the dust complaints were received, the States Works have installed a series of chicanes on site (as indicated in Figure 2) to reduce onsite vehicle speeds and subsequent dust emissions. Signs showing the site speed limit of 10 mph have also been placed onsite. In addition, customers of States Works have been sent letters reminding them of the site speed limit and the need to adhere to it to limit dust emissions. States Works also indicate in the letter that customers found not adhering to the speed limit on site may lose access to site.

3.2.2 Water tanker (to control source 2)

A water tanker is available at the site to water down onsite track roadways and exposed flat ground. The water tanker is operated by one of two States Works mobile plant operators onsite on an as needed basis.

Given the size of the site, and area of exposed ground, the use of the water tanker should be prioritised to all track roadways in use where vehicle movements would be expected to increase dust emissions relative to non-roadway ground.

The Team leader or designated staff member should visually monitor twice daily (see section 4.1) for signs of dust lifting from track roadways and tyres of road going vehicles. If dust is observed, then a mobile plant operator should be instructed to use the water tanker and rewet the road trackways. All other States Works site staff should stay vigilant to dust emissions from road going vehicles and inform the person(s) responsible.

3.2.3 Trackway and stockpile sprinkler system (to control sources 2 and 4)

A water sprinkler system is available onsite. The system is run from two water tanks positioned opposite the wheel wash at the entrance of the site. The capacity of the system means that if all sprinklers are in use, they can operate for a maximum 4h.

Sprinklers are positioned along the boundary of the site (Figure 2) to drop dust already in the air to the ground and therefore preventing/minimising release from site.

Further sprinklers are positioned adjacent to stockpiles to dampen down stockpile material and limit dust release. The sprinklers for stockpiles are on metal tripods and can be moved as required for dampening different stockpiles.

Generally, sprinklers should be prioritised to stockpiles of fine material (e.g., sands) where dust emissions are expected to be greatest.

The dampening of stockpiles should be an effective approach at minimising dust emissions from storage stockpiles. For stockpiles actively being worked, material below the surface layer is unlikely to be dampened and dust emissions are expected if the material is disturbed. Additional sprinklers may be needed on excavators digging into stockpiles (owned/operated by the States Works and/or Paul Rouget); however,

States Works would need confidence in the effectiveness of this approach. Additional mitigation and control measures for worked stockpiles/materials are discussed later.

The requirement for operation of the boundary and/or stockpile sprinklers can be assessed visually as part of a daily dust inspection. If only certain sprinklers are required to be on this will obviously increase the amount of time that sprinklers can be operated for given the current water tank capacity.

3.3 Future dust mitigation and control measures

3.3.1 Reducing dust emissions from exposed ground (source 1)

A sprinkler system and water tanker are available for dampening down stockpiles and roadways. However, it is not practicable for these approaches to cover all exposed ground given the size of the site.

States Works will construct a bund (10 m wide) made from a mix of hardcore and soil around the seaward perimeter of the site. The bund will be covered with coconut matting sown with salt tolerant grasses/wildflower seed. Aside from covering some exposed ground, acting in effect as a capping layer, the bund is primarily expected to divert wind around and over the site when blowing towards residential and commercial receptors.

Construction of phase one of the bund, starting in the Northeast corner of the site, will commence in Autumn/Winter 2023. The bund will be initially taken to a height of 3 m. A second lift will raise the bund to 9 m high.

3.3.2 Halting works in certain weather conditions (source 3)

One clear way to limit dust emissions when wind is blowing towards residential and commercial receptors is by halting core site works – especially crushing, screening (aggregate and/or composting materials) and moving of material in stockpiles with excavators.

Given that the prevailing wind is from the SW and primary receptors are in the opposite direction, the duration and number of occasions where core site works need to be halted should be minimal. Further, even if the wind is blowing towards receptors weather conditions may not be suitable to cause significant dust emissions e.g., low wind and/or wet weather.

To help determine when States Works (and Paul Rouget by extension) should halt core site works a dust emissions risk assessment should be carried out on a weekly basis by officers based at the WTS facilities building (see section 4.2).

When core site works are halted, activities such as mobile plant maintenance may be carried out assuming this can be carried out in sure a way as not to generate dust.

3.3.3 Compost stockpiles (source 5)

As indicated in table 3, composting material / finished compost stockpiles are considered a potentially less significant source dust emissions than sands due to higher moisture content and larger particle sizes present (0-180 mm or 0-250 mm). They are also more amenable to shaping and surface flattening which will minimise

dust emissions. As such, compost stockpiles should be trapezoid in shape when formed and the back of an excavator bucket used to smooth surfaces.

4.0 Monitoring requirements

4.1 Visual dust monitoring

The Team Leader or designated staff member is responsible for daily site monitoring in respect of dust.

Daily information should be recorded in the site diary worksheet provided (Appendix 6.1). The diary should not be used as a tick box but comments added as prompted by the worksheet to help with root-cause analysis in case of potential complaints.

Twice daily visual monitoring of the site allows for changes in weather, site activity and staff conducting monitoring.

4.2 Weather forecast monitoring

The site supervisor or designated staff member should be responsible for checking the weather forecast on a weekly basis. The purpose of this is to predict days when the risk of dust emissions from site to neighbouring residents and businesses is considered high. Specifically, high risk of dust issues for neighbouring residents and businesses are expected when the wind is blowing from ENE to a WSW direction. Two additional key factors will be critical in whether this leads to dust issues: 1) wind speed and 2) dryness. For example, if the wind speed is above 10 mph and the weather forecast is dry (especially for several days in succession) there is a high likelihood of dust emissions towards neighbouring residents and businesses.

To assess risk, a *dust emissions risk assessment* (Appendix 6.2) should be completed. If the assessment identifies a day, or especially several days in succession, of 'high' risk then a review of planned work activity at the site should be carried out. Once States Works have completed their review they should also notify and engage with Paul Rouget (via Guernsey Waste as necessary) on this with both parties adjusting work activity accordingly. This may involve halting screening/crushing activities, more intensive watering of stockpiles etc.

The *dust emissions risk assessment* provides a process for assessing likelihood for future dust emissions risk not a complete finished tool. The criteria for high risk may require refinement.

4.3 Static and real-time dust monitoring

States Works are currently undertaking dust monitoring at the site.

The approach involves the use of fixed position directional dust flux gauges. Specifically, five direction dust flux gauges have been setup at the site (Figure 3).



Figure 3. Longue Hougue reclamation site plan showing location and ID of five fixed-position dust flux gauges.

Dust flux gauges are designed to assess the horizontal movement of wind and can be beneficial to determine the direction of dust sources. Results from the dust flux gauges are pending. Once results are complete the data can be considered to inform revisions of this dust management plan. Depending on the results from the flux gauges, the use of portable real-time dust monitoring may also be considered to evaluate different onsite dust sources. The real-time nature of this approach and portability mean that many data points can be gathered in a short timeframe.

Discussions are currently ongoing regarding the capability of the States Analytical Laboratory in respect of dust monitoring. Once this has been determined, and the flux gauge results are in, the strategy for dust monitoring at the reclamation site can be further developed.

5.0 Managing complaints

5.1 Receiving complaints

Given the dust complaints in May 2023 came via the HSE, it maybe that neighbouring residents / businesses are not sure who to contact in the event of dust issues. Therefore, States Works should ensure that neighbouring residents and businesses are able to directly report complaints relating to suspected dust emissions from the reclamation site. This is important to capture relevant / useful information from complainants and for the site to be clearly seen as being responsible for its activities.

The States Works office number 01481 229727 should be on the notice board at the entrance to the reclamation site and on the States of Guernsey website. The office number can also be provided directly to identified receptors (those in section 2.2 as a minimum).

5.2 Handling received complaints

A complaint may be received by any site staff member in person, by telephone, by email or via a third-party e.g., HSE or other. All relevant staff should be trained in receiving and recording complaints.

The receiving member of staff should use the '*dust complaint record form*' (Appendix 6.3), or if a form is not available at the time, the member of staff should capture information indicated in the top half of the *dust complaint record form* and report information to the Site Supervisor. Once all information is entered in the top half of the form (white background) it should be passed immediately onto the site manager or designated person for reviewing/processing.

The site supervisor or designated person should then complete the bottom half of the dust complaint record form (grey background). This process requires gathering information about past/current site activities relevant to the complaint. Development of the site diary will help in this respect as discussed in section 4.1.

5.3 Actions, complainant feedback and records

Once the review is complete, any actions that need to be taken can be implemented and the dust management plan revised as necessary.

The site supervisor or designated staff member can then contact the complainant(s) to inform them of the investigation and the actions taken. Once feedback has been passed to the complainant(s), the form can be signed off by the site supervisor or designated staff member.

Details relating to the complaint should be stored in line with States Works general procedures. The use of a unique reference numbering system can mitigate the need to store personal information (i.e., complainant name and contact details) after feedback has been provided.

6.0 Appendices

6.1 Site diary

6.2 Dust emissions risk assessment

6.3 Dust complaints record form

Appendix 6.1 – Site diary

	AM	PM
Date		
Inspection by		
Inspection start/finish time		
Site boundary sprinklers operating		
Evidence of dust lifting on trackways from vehicles		
States works activity summary		
Is there evidence of dust from State Works activity (e.g., excavator buckets, stockpiles)?		
Dust control measures (e.g., sprinklers) operational		
Paul Rouget's activity summary (e.g., crushing, screening, excavator activity)		
Is there evidence of dust from Paul Rouget's activity?		
Dust control measures (e.g., sprinklers) operational		
Evidence of dust recorded above. (Y/N)		
Is wind direction in WSW to N direction? (Y/N)		
If yes to both the above discuss actions with site supervisor		
Comments		

Appendix 6.2 – Dust emissions risk assessment

Wind direction blowing from: N between SE = high risk; SE between S = medium risk; WSW S between N = low risk

Wind speed: Greater than 10 mph = high risk; 5-9 mph = medium risk; less than 5 mph = low risk

High Risk = N to SE; Medium = SE to S; Low = S to N

Probability of rain: dry weather = high risk; showers = medium risk; rain = low risk

Month_____



Week beginning _____ Assessment carried out
by _____

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Wind direction	High						
Wind speed	High						
Dryness	High						
Risk (Y/N)	Y						

If high for wind direction, wind speed and dryness then risk = 'Y'. States Works to discuss activities with Guernsey Waste / Paul Rouget regarding work on day(s) of high risk and actions.

COMMENT

Week beginning _____ Assessment carried out
by _____

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Wind direction							
Wind speed							
Dryness							
Risk (Y/N)							

If high for wind direction, wind speed and dryness then risk = 'Y'. States Works to discuss activities with Guernsey Waste / Paul Rouget regarding work on day(s) of high risk and actions.

COMMENT

Week beginning _____ Assessment carried out
by _____

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Wind direction							
Wind speed							
Dryness							
Risk (Y/N)							

If high for wind direction, wind speed and dryness then risk = 'Y'. States Works to discuss activities with Guernsey Waste / Paul Rouget regarding work on day(s) of high risk and actions.

COMMENTS

Week beginning _____ Assessment carried out
by _____

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Wind direction							
Wind speed							
Dryness							
Risk (Y/N)							

If high for wind direction, wind speed and dryness then risk = 'Y'. States Works to discuss activities with Guernsey Waste / Paul Rouget regarding work on day(s) of high risk and actions.

COMMENTS

Appendix 6.3 – Dust complaint record form

Complainant details	
Name	
Contact details to provide feedback (e.g. phone/email)	
Complaint details	
Location relevant to complaint (e.g. home address, other)	
When did the dust issue occur?	
How long did it last? Or what time did it start / stop?	
Any other details	
Complaint recorded by	
Site Review	
Unique complaint reference number/ID	
Weather conditions for day/time relating to the complaint	
Site activity on day/time relating to complaint	
Any non-standard work practices	
Conclusions drawn	
Immediate action to be taken (e.g. stopping activity)	
Need to update the dust management plan (Y/N)?	
Feedback to complainant	
Date feedback given	
By whom	
Closure	
Date complaint closed	
Form reviewed and closed off by (print name)	
Signed	

APPENDIX 1D: GDA initial consultation response (30 June 2024)



Peter Watson

The Guernsey Development Agency Limited

KGV Playing Field

Rue Cohu

Castel

Guernsey

GY5 7SZ

30/06/24

To whom it may concern,

The following letter outlines the Guernsey Development Agency (GDA's) response to drawing number: 9014_2024_6 and related planning permission FULL/2022/1392.

Within Figure 1, the area highlighted in red shows land which has been allocated within the GDAs vision as key enabler land. This area is required to move Marine and General from its current location to Longue Houge. Without this area of land the GDA will be unable to achieve it's vision, which has been endorsed by its Political Oversight Group and also P&R.

The date on which construction is likely to start in this area is Q1 2027, however it is likely that a number of ground investigations surveys will be undertaken before this, meaning that access will be required during prior years.

The GDA has the following comments:

- The GDA has no objections to the perimeter bund being raised to 3m (or higher).
 - The GDA has no objections to the whole area (including the area highlighted in red in Figure 1) being raised to any consistent level, as this will likely assist with future flooding prevention work.
 - The GDA requires that no stock piling or other allocation of land is undertaken in the red highlighted area in Figure 1. This area should be left flat with clear access.
 - The GDA would like the Non-Hazard Asbestos Containing Material area to be re-located outside of the red area. There will be building work on top of this area including potential piling. This prevents the risk of accidentally releasing NHACM material during construction.
-

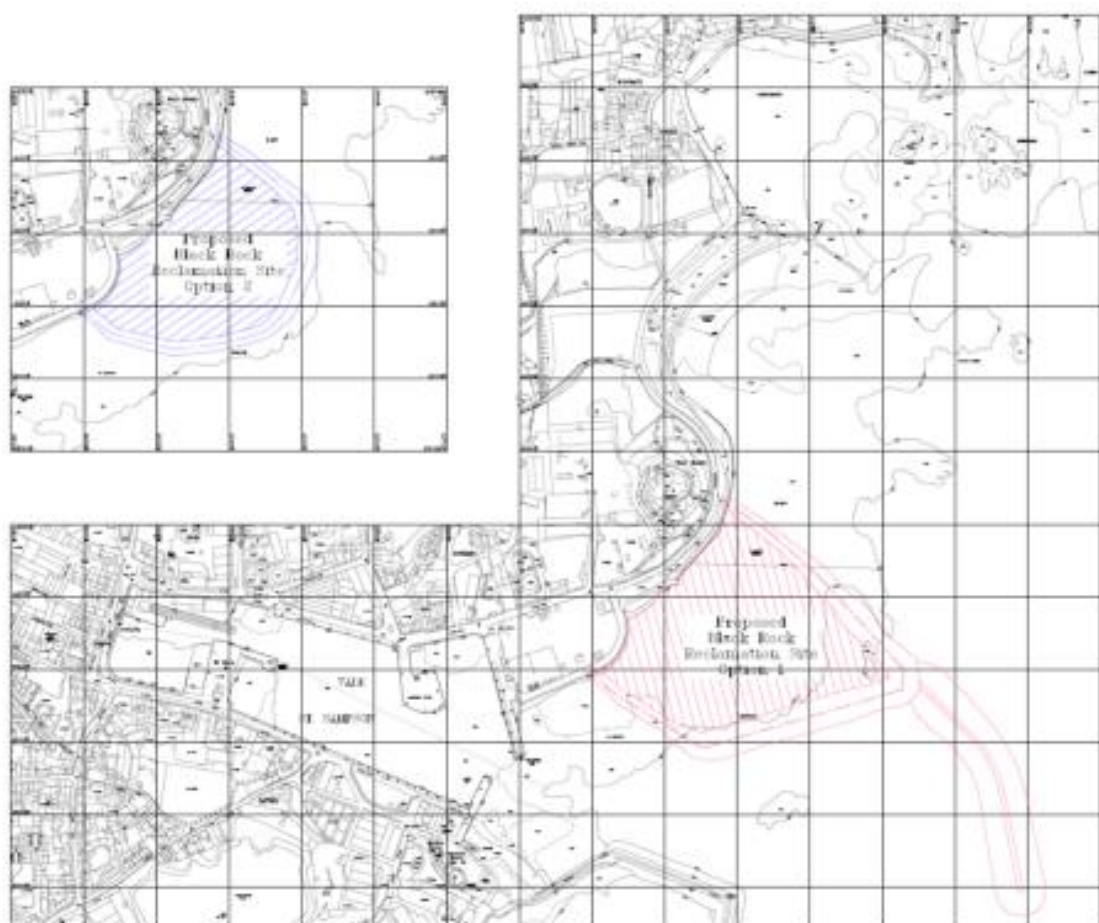


Figure 2: Black Rock Reclamation Proposal – Extract from Drawing 6415/41

Yours Sincerely,

Peter Watson

Chairman of the Guernsey Development Agency

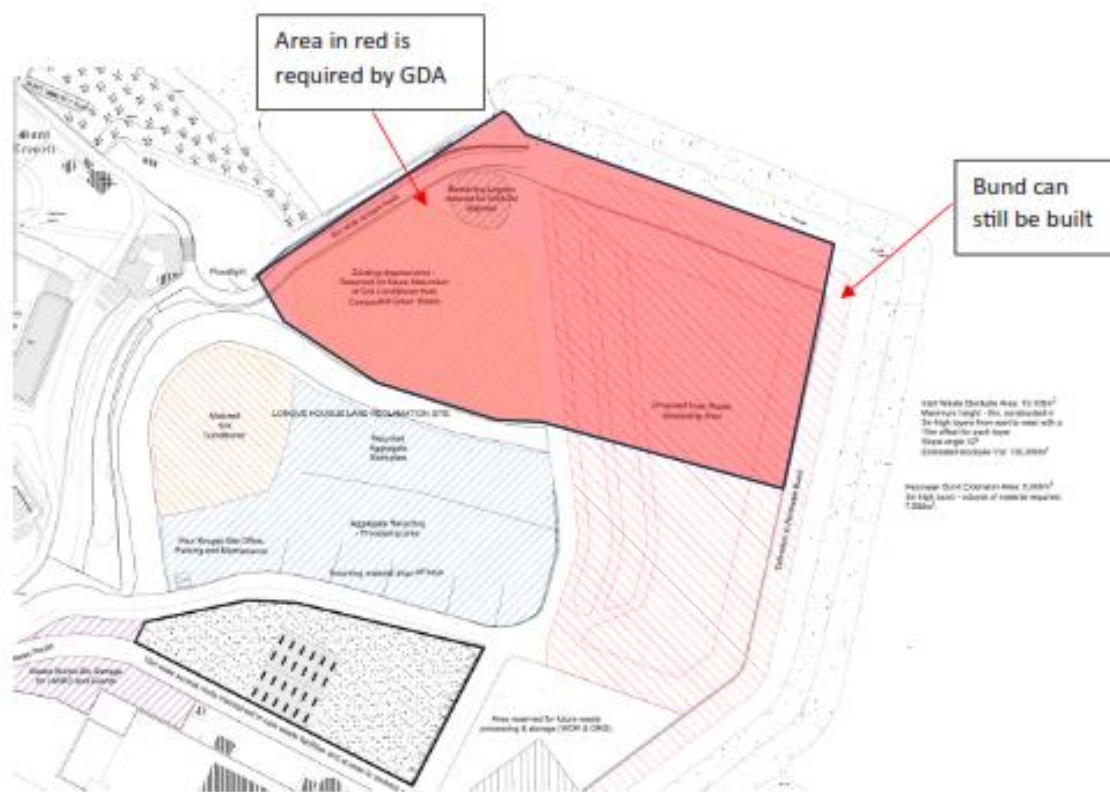


Figure 1: Extract from drawing 9014_2024_0

Alternative stockpile area – Black Rock

The GDA is exploring the area to the East of Griffith's yard (named Black Rock) for land reclamation. See below area which have previously been discussed by the States in Figure 2. Creating this land provides the following key benefits:

- Key economic enabler for the GDA. Land is created which creates an economic opportunity (for example housing)
- If combined with further flood defence (a wall from black rock to the corner of Longue Hougue), allows for an overall reduction in cost to construct a flood defence which benefit the whole of the St Sampsons area.
- Inert Waste is moved directly to Black Rock as soon as feasible, to prevent any stockpiling and double handling of material in the future. This will minimize any traffic disruption.

The GDA recommends that Guernsey Waste assists the GDA in accelerating the planning permission, environmental impact assessment and associated design of the proposed black rock reclamation area.

APPENDIX 1E: Revised Stockpile Layout (1 July 2024)

From: Roussel, Robert <Robert.Roussel@gov.gg>
Sent: Monday, July 1, 2024 5:19 PM
To: Rowles, Jim <jim.rowles@gov.gg>
Cc: Tildesley, Edward <Edward.Tildesley@gov.gg>; Barrett, Claire <claire.barrett@gov.gg>; Mackay, Doug <Doug.Mackay2@gov.gg>
Subject: RE: Representation about planning application from the waste board for Longue Hougue to stock pile waste on it

Hi Jim

Further to our discussion earlier today, I have amended the layout of the proposed stockpile area as discussed. I have attached two drawings. The drawing replacing the original layout plan submitted with Guernsey Waste's planning application (Drawing no. 9014_2023_1 Rev B) shows the revised area for stockpiling to accommodate the GDA's initial proposals to the north of the reclamation site, with a short return on the bund to the north of the site (30m long at the ridge). The second drawing is the same stockpile layout, but includes blocks showing the GDA's proposed locations of relocated marine services and the proposed future power station to provide context for the GDA.

I believe the revised layout allows Guernsey Waste to continue managing inert waste received at the site whilst at the same time enabling the GDA sufficient area to progress development of the northern section of the site. Whilst fully supportive of the aims of the GDA, until an alternative inert waste management facility is approved by the States', Guernsey Waste will still require areas of land at Longue Hougue for other operational activities related to the management of inert waste, including providing sufficient land for Guernsey Waste's aggregate recycling contractor, the maturing of soil conditioner from composted green waste, the relocation of gully sludges/road sweeping processing from Mont Cuet, and the management of minor quantities of asbestos waste.

The revised area for stockpiling shown on the drawings is slightly less than the area shown on the original planning application (18,885m² compared to 19,100m²), but I have reduced the remaining benching to compensate for this. This should give us approximately 3 years stockpiling at current modelled disposal rates (although actual rates can vary significantly depending on the activity within the construction market). The construction of the stockpile would commence once the extension to the bund is completed. The stockpile will be constructed from the southeast corner, gradually working northwards. The most westerly section shown on the revised plan would be completed last as this will encroach on existing operational areas that will need to be reconfigured to accommodate the stockpile.

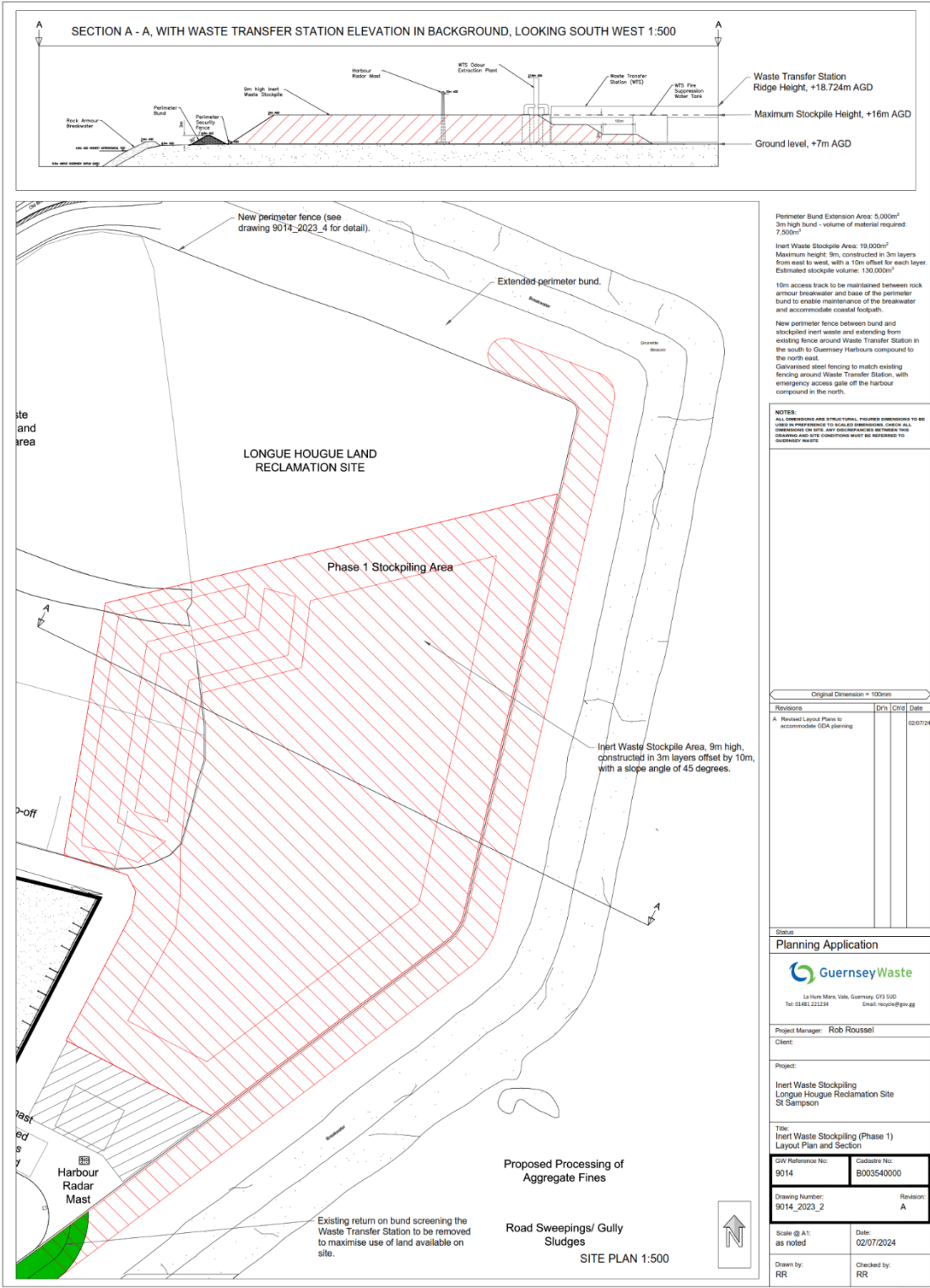
The reduced length of the bund is not anticipated to result in any greater flood risk as the surface levels at the site naturally slopes towards the rock armour breakwater allowing drainage of surface water back towards the sea.

Obviously stockpiling of inert waste is the last thing Guernsey Waste wants to do as there is significant cost involved in double handling; however we currently have no other option.

If you require any further clarification please let me know.

Regards
Rob

Rob Roussel BSc (Hons), MCIWM, CEnv
Senior Technical Adviser
Guernsey Waste



APPENDIX 1F: GDA consultation response (2 July 2024)

From: Peter Watson <peter.watson@gda.gg>

Sent: Tuesday, July 2, 2024 1:46 PM

To: Rowles, Jim <jim.rowles@gov.gg>; Simon Kildahl <simon.kildahl@gda.gg>; Louis Le Poidevin <louis.lepoidevin@gda.gg>

Cc: Tildesley, Edward <Edward.Tildesley@gov.gg>; Roussel, Robert <Robert.Roussel@gov.gg>

Subject: Re: Representation about planning application from the waste board for Longue Hougue to stock pile waste on it

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you trust the sender.

Jim,

We appreciate the revised plan proposed by Rob Rousell and feel we can work with it on the basis that stockpiling ceases after 3 years and all stockpiled material is removed within 6 years from date of the consent. Equally we understand that if another site can be produced (as you know GDA is proposing to reclaim land off Blackrock) for inert waste that this would be used in priority. All the above we believe is the common intention.

We hope it is helpful to make two points to aid an understanding of the GDA role:

1. It is early days for the GDA role and many aspects are beyond our control so our requirements inevitably may change to accommodate this. An example would be the location of the discharge point for foul. We would hope this can be relocated on the south eastern corner of the LH site however if this is not physically or economically possible or health and safety issues are raised in respect of the food production at the animal aneroir then the location of the emptying point may need to change.
2. The GDA has been mandated by government to deliver and we take this responsibility very seriously. This may require various actions to be taken to ensure we deliver as required by government. Clearly these unknowns cannot be applied at this stage as GDA may have to react to future changes

Both of the above are we think obvious and not inconsistent with our agreement to support the waste proposal as set out in Rob's note of last night.

If there is any thinking further that you require just let us know. We hope the above is sufficient to enable the planning team to support the application by waste.

Kind regards

The GDA

APPENDIX 2: Transcript of Open Planning Meeting (22 July 2024)

Attendees

Deputy Victoria Oliver	-	VO
Deputy Andrew Taylor	-	AT
Deputy Sasha Kazantseva-Miller	-	SK
Deputy Chris Blin	-	CB
Deputy John Dyke	-	JD
Planning Officer	-	PO
Director of Planning	-	DP
Development Control Manager	-	DCM

VO Right going to start, it's nearly time. Right, welcome to Longue Hougue Reclamation open planning meeting. Today, we've got Deputy Taylor, Deputy Kazantseva-Miller, Deputy Blin, Deputy Dyke and myself. I'm sorry for the room, we were going to go to Beau Sejour but we said, there was no representations on this meeting so, we decided to save money and use one of the States rooms so, sorry for being a bit squashed.

We've just come back from the site visit but if we could just please remind people to turn off mobile phones and try not to heckle us in this little room. I'm going to pass you over now to the Planning Officer.

PO Thanks very much. So, first of all, just to give you a bit of a site location context, the area for the site is as indicated on the image there. Basically the coast borders the site to the east and north, with the entrance to the Bridge harbour also to the north. To the west are various industrial buildings and also the gas storage tanks and the fuel tanks in this direction. Northwest is Mont Crevelt.

VO Hold on. Do you want to see with the better view, do you want mine and I'll go over there? Okay. Thanks [Planning Officer].

PO Okay, okay to continue?

AT Yes.

PO So, basically to the south, you've got the waste transfer station and southwest the abattoir and basically the typography of the site is relatively flat, from the waste transfer station it decreases to the east and also decreases to the north towards the coast.

In terms of the IPP designations, the site is within a key industrial expansion area, with the main centre out area, the harbour action area which is shown dotted on that image there and Mont Crevelt, which is just again to the North, Northwest of the building, that is a protected monument.

Part of the site as you can just see, just towards the waste transfer station there, is within the major hazard public safety zone, it's the outer side though so, it's not too much of a concern for the use that is proposed.

Very brief background to the application. Since 1995, works been ongoing to reclaim this site, it's currently authorised as the main site for inert waste disposal in the Waste Management Plan. As you can see, the remaining allocated void space is set to be filled during 2024. I mean, that's 2022 that photograph there and that side, that's the void space there, that's just left now, it's just a small section there.

No other sites have been officially approved by the States to take inert waste but this capacity has been reached therefore, a temporary stockpile is required and proposed as part of this application, while the future management of inert waste is decided at a political level and until the next inert waste disposal site is designed and commissioned.

So, just with regards to the application, planning permission is sought for the temporary stockpiling of 18,805 metre squared, that's footprint, of inert waste to the east of the site, as shown in red on that image. Around the long section, around the outlet also shown in red, is basically a 266-metre permanent extension to the existing perimeter bund, again this will be done in inert waste.

Between the stockpiling and the perimeter bund, new security fencing is proposed and a new access gate is going to be posed here, this is the site for the fence to come all the way round and link up with the existing bund here as well.

So, that's the cross section to the site and also shows the bund detail. It's anticipated it will take 2½ to 3 years to complete the stockpile and a similar timeframe to transfer the stockpile to a new site, once that's been fully established and commissioned.

So, the stockpile will consist of all residual inert waste received in the construction sector and at also the household recycling centre. It will be constructed by existing operational staff on site, it will be graded at increments of three metres to a maximum height of nine metres.

The stockpile will be created from the southeast corner of the site, gradually continuing over the remainder of the area I identified, just to make that clear, it's going to basically start in this corner here and progress further north.

The finished surface of the stockpile material will be seeded to the same specification as the existing perimeter bund, this will help the stockpile to stabilise and it will also limit the impact on the surrounding area.

The waste material will be stored temporarily, part and final disposal and will be transferred to an appropriate longer-term inert waste facility once one has been identified and approved at a political level.

So, with regard to the bund, the perimeter bund will be constructed again using inert waste, this is required ahead of any future development on the site, so this will come before the stockpiling is actually done on the site and that is basically to make sure that it helps to screen the development so we know it's secured. The bund will be three metres in height and it also, it will do a dual role, a visual barrier but it will also protect the sea water overtopping during storm conditions.

The bund again is proposed to be planted with the same seed, grass and wildflowers and shrubs, as the existing bund around the waste transfer station, with the intention of softening of the appearance and limited visual impact. Between the bund and the rock armour, there will be a 10-metre track and that will allow the rock armour and also the bund to be maintained in the future if required.

As I referred to earlier, this is basically the security fencing that's going to be around the perimeter of the site and this is to allow the coast to put back, to be re-established around the site, between the bund as well. So, that's a basic requirement to protect the site from anybody getting in effectively and that will be 2.4 metre in height and there are the gates at the bottom of the drawing.

So, this is just to give you a bit of an indication, this is taken from Mont Crevelt and it shows the current condition of the site as a working inert waste facility. The bottom image is taken within the site, standing in the southeast corner, that's effectively where it's going to start, the inert waste facility, the stockpiling is going to start in that corner and then progress. You can see here, rock armour's here and the bund will effectively continue around there.

VO [Planning Officer], we were standing just to the right of that weren't we?

PO One hundred percent yeah, that's correct yeah, just to the right of that bottom image.

VO Yeah.

PO This review point, so you can see there's an annotated image at the top of that picture there, to show how it will appear from Vale Castle, you can see it's level pretty much with the eaves of the waste transfer station, that's a similar image, I've tried my best to get it as close as I can, to give you a bit of an indication of how it is now and how it will appear once stockpiling is completed.

Again from the north side, there will be very little change from this point, just be in between Mont Crevelt and the jetty there, as you can see, very little change from what exists at present.

Delancey Park, the trees were in leaf then, you can just see the waste transfer station there, the roof of it so again, you won't see much from the Delancey Park viewpoint and Salerie Corner just where the radio mast is, that's where it was going to start so, you'll effectively just see a little section continuing in this sort of area here.

So, there was no representations on the application. We did have some consultations - Office of Environmental Health & Pollution Regulation, they didn't object to this scheme but they requested that the variations to waste management licence is in place to increase the amount of storage and capacity at the site of the inert waste and they also wanted a Dust Management Plan to be put in place for the site, to control any dust on you know, within the site and the boundary to the site, due to the operations.

Guernsey Development Agency, they initially had concerns regarding the application, and they were consulted, they requested the area of stockpiling be reduced and relocated on the site, to leave the northern aspect of the site development in the shorter term, for their long-term plans. So, just so you know, the image on the lefthand side shows, how the application was initially submitted to us and the revised scheme, to take into account the comments from the Guernsey Development Agency, on the righthand side.

Also to note is there's a slight reduction in the amount of footprint but only slight, so it still will accomplish what it's intended to do.

So, the key issues, so whether the principal development is acceptable and supported in advance of a local planning brief being published for the harbour action area. So, the principal development falls to be considered under Policy IP2, Policy MC5A and Policy MC10 of the Island Development Plan.

Paragraph 20.3.7 of the IDP forms a preceding text to Policy IP2 which identifies Longue Hougue as an established location for waste management and proposals for waste management facilities at the site, put forward prior to the approval of local planning brief, will be supported, provided they have not prejudiced the long-term development of the site and accord with all relevant policies of the Island Development Plan.

Policy MC10 has a similar approach, it supports development where there is not an approved local planning brief for the harbour action area or where the proposed development is of minor or inconsequential nature, provided that it would not prejudice the outcomes of the local planning brief process or would not inhibit the implementation of approved local planning brief and in all cases, accords with all relevant policies of the Island Development Plan.

Turning to Policy MC5, this reserves key industrial expansion areas or industrial or storage and distribution uses and it does require development framework to be produced ahead before releasing any land for development. However, again it does allow for development prior to the approval of development framework where it is unlikely to inhibit the implementation of industrial storage and distribution development and would not prejudice the comprehensive development of the site.

So, the proposal represents an extension to an existing industrial operation on the site, by the processing of waste and heavy industrial activities are encouraged. Although situated within a key industrial expansion area and harbour action area, as part of the application, evidence has been provided to demonstrate that there are no alternative sites suitable for the proposed use, within the existing key industrial areas or on sites within the Main Centres and Main Centre Outer Areas.

The Guernsey Development Agency were also consulted on the scheme, following their initial concerns raised, additions have been sought to address their concerns and to ensure that the area proposed for the stockpiling would not jeopardise their vision or long-term plans for the site, for the redevelopment of St Sampson Harbour Action Area.

The Guernsey Development Agency have been reconsulted on the revisions and raised no objections subject to a stockpiling ceasing on the site within three years and all stockpile material will be removed from the site within six years.

In light of this and given the temporary nature of the proposed development, which can be controlled by a planning condition, any intention to reinstate land ahead of any longer-term requirement for this site, the proposal would not inhibit the comprehensive development of the site, prejudice the outcomes of the local planning brief process or inhibit the implementation of an approved local planning brief.

So, therefore the principal of the development is considered to be acceptable in this instance and complies with policies IP2, MC10 and Policy MC5A.

Turning to the impact of the proposal of a landscaping character. In this respect, proposal needs to be assessed against policies GP1 and GP8. The stockpiled material will be particularly visible from the north of the site, from Vale Castle carpark and east of the site, on the approach from the coast. The stockpile will also be seen in long range views from Salerie Corner to the south and from higher vantage points, looking North, from the top of Val des Terres as well and such viewpoints as Mignot Plateau.

However, during construction, there will be limited noticeable change in the site, as this will be similar to existing operations that are occurring today. As you can see from the photographs previously, up in the south, the stockpile will be seen in context with the waste transfer station and/or the large industrial buildings to the west as well.

The perimeter bund will be constructed prior to any stockpiling on site, will screen part of the stockpile, ensuring that only the top six metres will be visible. The stockpile will be progressively seeded to mitigate visual impact. Overall, any harm or impact will be temporary and would not result in a permanent feature or impact on the visual amenity of the surrounding area.

Turning to the environment considerations. Prior to the submission of the application, it was screened to determine whether it comprised EIA development. Given that the scheme involves an extension to existing activities on site, given the temporary nature and it will be removed once a new site has been established, it was unlikely to be any significant short-term or long-term adverse environmental impact and an EIA was not required.

However, environmental considerations always need to be assessed in the normal way, as part of any application and so, we've basically done that and the site has very limited biodiversity value and flora and fauna, due to the fact that it's been reclaimed since 1995. Eventually contamination of the existing ground conditions will be managed and controlled, to the existing waste management licence in association with the Office of Environmental Health & Pollution Regulation.

The future condition of the soil will be managed, following the decommission of the stockpiles, in a waste facility to ensure that no future land uses at the site will be jeopardised.

With regard to hydrology, drainage and flood risk, there are no potable groundwater sources at the site, the site is outside of the water catchment area, the proposal would not affect groundwater or site drainage, which drains naturally towards the sea and the land and rock armour will protect the site from flooding and if breached during storm events then, the bund that's proposed will prevent any flooding of the site.

With regards quality and climatic factors, the proposal represents a variation to existing operations on site. Traffic movements and associated omissions will remain largely unchanged and dust generation and noise will be the main impact on air quality, which will be controlled through a dust management plan in accordance with the Office of Environment Health & Pollution Regulation.

The site is close to a Mont Crevelt Loophole Tower, it's about 100 metres to the west of the site, so Policy GP6 Protected Monuments and the impact on cultural heritage needs to be assessed. Although it has the potential to alter the setting, this site is already disturbed by existing industrial activities on the site and in the surrounding area and given that the height will be at the base of Mont Crevelt, it's not seen to cause any significant or reversible harm. Again it will be temporary as well, which is worth noting.

Turning to impact on neighbours. Criterion B of Policy GP9 and Section 13 of the General Provisions Ordinance, requires an assessment on the likely effect of development on the reasonable enjoyment of neighbouring properties.

The site is surrounded by heavy industrial activities, with the household waste recycling facility and ancillary functions to the south. So, it's a heavy industrial area, due to those existing operations. The proposal will use existing transport routes, the existing weighbridge, so there will be no alteration to any operations on site.

Office of Environmental Health & Pollution Regulation were consulted and raised no objections to the application, subject to those conditions mentioned earlier.

It's also worth noting, that Policy MC5A, does reserve Longue Hougue key industrial area and the key industrial expansion area and I'll quote this:-

"For heavy and specialist industrial development, which cannot be easily located on other sites, owing to its potential negative impacts on neighbours, such as through noise, dust, vibration, smells and omissions, associated with the processes undertaken and for strategic infrastructure, including development associated with the processing of waste."

So, the actual principal use is encouraged in the Island Development Plan on that particular site.

Finally, turning to impact on highway safety for this section. Again, it's a continuation of existing services, the only difference being that residual inert waste will be diverted to the stockpile area, rather than in the lagoon as is current practice. The applicant has confirmed that as a result of the proposed stockpiling, there will be no changes to vehicle movements, in and out of the site, it will be normal experience. It will use

existing traffic routes into the site and long queued access road is designed for larger heavy goods vehicles and also linked to the inter-harbour route, which is the main route for heavy good vehicles around the Island. So, in that respect, there will be no harm to highway safety.

Turning to the recommendation. It's recommended to grant full permission with conditions as set out in the officer report, I've done a brief summary below so:

- To allow the temporary use of the site, allowing inert waste to be accepted at the site for three years, from the date of planning permission and requiring the stockpiled material to be removed from the site within six years, from the date of any planning permission.
- No development to start until a variation to the Waste Management Licence has been completed and that again was at the request of the Office of Environmental Health & Pollution Regulation, and also a Dust Management Plan has been submitted and approved in writing and also that the development has to be completed and operational in strict accordance with those approved details.
- A condition restricting the height of the stockpile to sixteen metres above the Guernsey datum and also a condition requiring the extension to the bunds to be created and seeded in accordance with a full planting schedule to be submitted and approved in writing. This will ensure the biodiversity of the site is improved, it will also ensure that we don't introduce anything, invasive species or anything like that.

Any questions?

VO Thank you so much [Planning Officer] for that.

PO No problem.

VO Thank you. If I start at the end of the table. Deputy Taylor, do you have any questions?

AT I haven't really got many questions.

VO That's fine.

AT I feel like I should ask one.

VO You don't have to if you don't want to.

AT I will ask one. Is the timeframe, that it's a temporary approval...?

PO Yes.

AT Probably be opposite to my colleagues here but is there any real necessity to have that timeframe? If for example no States decision is taken on what to do with inert waste and it needs to remain there, the inert waste needs to remain there, can the DPA actually really enforce that?

- PO We can do because we're allowing the temporary stockpile for three years only on the site, so anything beyond that three years from the date of planning permission, effectively would either need a variation to that condition or it would need a follow-up application to be reconsidered and you know, given that this application has come to the board, that probably would be in a, you know, similar sort of process as well. So, you will be made fully aware of that, if it was required.
- AT Yeah.
- DP Can I just answer that? I mean your question you know, it goes to the heart of the planning issue principle around this development, which is the balancing act between something which is sufficiently temporary not to prejudice the local planning brief that's emerging at the moment and will shortly go for public consultation in a final draft form.
- AT Yeah.
- DP And therefore the harbour action area also, that we're aware through the representations on the application, the aspirations of the Guernsey Development Agency, which very much link in with those potential developments within the harbour action area. So, the conditions or the condition that's been recommended with regard to the temporary nature of both the deposition and the removal of the waste is really you know, essential to the mitigation of those issues of principle so, without that condition, I mean I don't know, if you were suggesting removing the condition or changing the timescales or whatever but it's absolutely core to enabling that proposed development to meet the terms of the policies.
- AT Yeah.
- DP If in the future, because none of us know exactly how development will work, will pan out in reality and the timescales involved in that, any subsequent application, that might be able to vary conditions on this or for a different form of development or whatever, would entail exactly those same balancing acts around the policies that are in place at that particular time. So, this is almost, it's a point in time, it's what's required for this application to meet the current policies, anything else in the future, is pure speculation, as to what the authority's position might be you know, depending on the circumstances that exists at that point in time.
- AT Yeah.
- DP If that helps.
- PO Just to expand on that as well Deputy Taylor, the EIA was also done on the fact that it is a temporary basis so, the applicant has been made fully aware of that as well, so the screening opinion went out with the assessment that because the impacts are effectively temporary, it wouldn't have a big impact on the environment potentially so therefore, if they did come back with any longer-term plans, they'd have to do a new screening process as well so, it could tip the balance and it may require the environmental impact assessment, that's something we'd have to reassess.

AT Yeah, perfect. Cool, thank you very much.

VO Thank you ever so much. Sasha, any questions?

SK Thank you. I was just reading the IDP which was obviously drawn in 2015 and approved in 2016 period, which clearly indicated that there was a deadline that we are coming towards and speaking to the operations manager of Guernsey Waste today, who confirmed that he's been working on inert waste plans, identifying a site for 10 years.

I think this raises the question about, which kind of builds on what Deputy Taylor said, is why three years? Do we have any indication this could be temporary or not and I appreciate we could, we may not extend an application if we had to but it also feels like three years is quite arbitrary in a sense and given the way the States makes decisions, could be longer. So, I'm quite concerned about the three year grant of the application because it almost puts the States off the hook of actually making a decision quicker.

So, what is the rationale for three years rather than two years or two and a half years or 18 months, is there any evidential evidence to support that?

DP My understanding is that the three years is based on the rate of deposition effectively. So, to arrive at something which is more likely than not to be environmentally acceptable in terms of visual impact, the amount of material that can be stored then obviously, looking at estimates of fill rates etc., that's where the estimation of the two and a half to three years originates from.

PO That's right.

DP So, it's not an arbitrary figure from that point of view but it also relatively neatly dovetails for the reasons that [Planning Officer] and I explained before about the environmental impact assessment and the balancing act with the policies and the IDP so that those things will, in our estimation, work together, if that makes sense.

SK Yeah, I think the report mentions that there is no significant environmental additional impact but obviously we are, there is the impact that we're handling the waste and the implications effectively, the double the energy, the trucks and the movement of transport required to move between sites so, I probably don't fully agree that there is minimal additional environmental impact and anything we're doing is really kind of additional costs and environmental impact that shouldn't really be there.

So, I think to me, one of the key points and I appreciate I think Deputy Blin was going to ask something similar is that originally when officers got in touch with the Committee about determining an application, I think the Committee raised the concerns that the GDA didn't seem to have been consulted, the Guernsey Development Agency. So, we wanted to understand the process to which stakeholders had been chosen for such significant, also the application and it sounds like there were a few kind of last minute meetings and the original designs and submission got altered quite significantly. So, just to understand the process of which stakeholders are chosen to engage at the early stage for such applications? I think it would be useful to understand that.

- DP So, the application obviously was validated some time ago, it was publicised in all the normal statutory ways, there was an awareness as I understand it on the part of the GDA but it first really came to our attention when they raised questions about some other unrelated developments at the Longue Hougue site and that's when the discussion with them began in earnest, which admittedly was some way down the line with the application but we did catch up and they caught up quite quickly and as you say, there was meetings held with a degree of urgency to ensure that what was coming forward to the Committee was acceptable to all parties.
- SK I think this builds into the Committee has seen the proposals for the local planning brief, we have seen the early proposals that Guernsey Development Agency is bringing forward which have been also I believe approved by our senior committee. Their original proposals from the Guernsey Development Agency wanted a bigger portion of the site to be ringfenced away from inert waste. Unfortunately this image is not included in the presentation but especially given Policy MC10 in terms of potential prejudice for the local planning groups, it seemed to be quite a sensible manner to ringfence an important part of the site and potentially make it available for future development, moving pieces around. So, it feels like, even the updated designs, don't potentially give us the full flexibility that we may need, also knowing that the application, we just don't know when the application will actually terminate, whether an extension will be required so, I'm still concerned that this application prejudices the future local planning brief, proposals and what could come through.
- DP If I may just explain the sequence of the papers. So, we've included the representation that was initially submitted by the Guernsey Development Agency, which includes the plan, as you've mentioned there. Two meetings were subsequently held at which there was an exchange of views and some of the assumptions behind both the application and also the representation were tested and the outcome of those two meetings was the proposal that's been revised, which the GDA have accepted they can work with and would not prevent their aspirations in the short to medium term, for the site. The long term would be satisfied anyway in relation to what we talked about, the conditions and so forth. So, anything that foreseeably might come forward for development, connected with the Guernsey Development Agency or the local planning brief, within the lifetime of any permission, as recommended to you, would not prejudice the local planning brief and the GDA have signed up to that conclusion and you have a subsequent email from the GDA there that confirms that.
- SK I have seen and I think they've also highlighted in their email that the need to meet the demands of the economy and they may be merging issues and based on what we've seen through the local planning briefs and the importance of the harbours in potentially bringing development, it just for me feels we're not quite on the right balance in terms of enabling that future development of the harbours because we just don't know what's going to happen with the inert waste timing-wise because we could be getting to waste asking for an extension for this stockpiling, if no decision is made.
- So, I'm not easy with the difficulty of striking the right balance and understanding how important this area is for the future harbour development and harbour action areas.

I'm not one hundred percent comfortable right now with the balance, which land is being protected against inert waste stockpiling.

DCM What I would say to that is that's part of the reason why there's a three year condition on there as well, so that we can assess after those three years, where we are with regards to any development that's being put forward by the GDA or where waste is at that time.

SK Yeah. The problem with three years is that it's another three years for decommissioning so, we're talking about a six year cycle potentially and you know, that's a very long period of time. So, I'm uneasy with the three year mark, I would probably prefer it to be shorter in reality because ideally we want the States to reach a more constructive decision on the future inert site.

I think we also have questions about, we were going through the IDP review process where we've identified the need to allocate industrial land and obviously this is a key industrial expansion area and I think we've talked with officers and I think probably correct quotes, the land required for the inert waste has been included in the demand forecasting for the industrial land...

PO Yes it has.

SK 20,000.

PO Yeah around two hectares, that's correct.

SK That corresponds exactly, so I think I'm comfortable that we have taken into account the demand for industrial land within the IDP projections.

PO That's correct, yeah.

SK I think there was reference to the Dust Management Plan and within the report it mentions that the Dust Management Plan was included, a copy of it was included but it wasn't included in the papers provided...

PO Yeah, there's a draft of that, that's basically enforced by Office of Environmental Health & Pollution Regulation so, what we'd be doing, we'd be working in liaison with them, to ensure that when you know, permission was to be granted say, one of the conditions, they'd have to make sure that was fully in compliance before any works commenced for the stockpiling on site.

VO Sasha, there's a tiny bit on the end about the Dust Management and where the prevailing winds come from, is that what you, you wanted more than that?

SK Well page 13 said that, of the report said that...

VO Of the report?

SK The Dust Management Plan, a copy of which has been submitted as part of this application and unless I've missed something, I don't believe there's been a copy of that.

VO [Development Control Manager], you were going to say something.

DCM I was going to say, it's subjective of condition so...

VO So yes.

DCM So yeah, it's a requirement of part of Condition 5B, they need to submit a Dust Management Plan. So, while one may have been, a draft may have been submitted, there is the requirement to submit something else as part of the application, which would need to be discharged and as [Planning Officer] said, that would be in accordance with consultation with Environmental Health.

SK So, was a copy submitted as part of the application or not submitted because the report says it has been submitted?

PO It was.

DP We do have it, apologies, we've got it as Appendix 2 to the Guernsey Waste Letter that you received. If I can just give you, it was a...

DCM Yeah, so on the Water Report here, it's page 13 and then it's got the Dust Emissions Risk Assessment, it's what I was showing beforehand.

SK Yeah.

DP It talks about managing complaints, halting works in certain weather conditions, reducing dust emission.

DCM Yeah, have you got it?

SK Yeah, yeah. So, you're not expecting a different report, is this report sufficient or are you still expecting an updated report?

PO Once the applicant has submitted the information, we'll consult with Environmental Health to discharge that condition so, I believe so yeah. I think Environmental Health have seen that as well.

DP It will be a condition of the Waste Management Licence I would imagine.

PO That's right.

DP So, it's to ensure that the two things tie together.

PO Tie together, that's right.

SK So, Environmental Health have seen it, why do they need to approve it again?

DP Like you say because it will be a condition on the Waste Management Licence, so there's some need to ensure that when there's an application to vary the Waste Management Licence, the two things sit together.

- DCM So it needs to go in the conditions, to make sure that it's there, so they'll say that's been passed but it's still part of the planning application.
- PO Yes and that the development is completed in strict accordance with the details submitted as well so, it gives us control as an authority to actually take actions or for Environmental Health to take action if they're not you know, sticking in accordance with that Dust Management Plan.
- SK Okay, that's fine. I don't have any other questions.
- VO Thank you ever so much Sasha. Deputy Blin.
- CB Yes, in no particular sort of order, just given the speed of preparing of the OPM and you know, comments made regarding GDA etc. and there's no representations, community impact, has there been any bodies approached or have they had the chance to be made aware and how?
- PO It was publicised in the press, which is the usual planning application process and also I understand that there was actually, when the application was submitted, it was actually published in the press as well I believe. It went live you know in the Guernsey Press, the applications come in, within windows effectively so, media release has been done via the applicant.
- CB And no representations, not even the...
- PO Nothing came forward, no, from any member of the public or community bodies.
- CB Yeah, okay. The route around the outside of it is going to be a sort of a track, making security and walk, public access?
- PO There's going to be a walkway around there yes.
- CB So it will extend...
- PO The original, I believe the original local planning brief for the expansive, you know to reclaim that land included reinstating that as part of the local planning brief so, hence the need for the fencing and the security barriers, just to maintain the security on the site. So, it's a dual purpose that track is. It's to maintain the rock armour as well in the event of a storm if the rock armour is damaged and also if it did overtop and the bund was affected in any way, then the inert waste bund could be repaired and it's also emergency access for the development site as well.
- CB Okay. Another part is, as we saw on site today that they changed the GDA plans which has been you know, I've seen the letter from the GDA but it's approved with the newer changes which kind of you know, changes a part of it, I believe that because the rest of the stockpiling area sort of increased, sort of the lower end.
- PO That's correct.

- CB However, I'm not sure if I picked up correctly but the entrance still is through the area which is going to be left for the GDA. Now why is that because it's just going to extend the vehicle movement and vehicle movement going through there, even though? Is that correct?
- PO In terms of the...
- CB One of the gate accesses remains on the area...
- PO Yes, maintaining existing access point basically.
- CB Just going to be through access, through that...
- PO It's where the weighbridge and everything, all the facilities, the weighing so rather than move all of that, it would be using the existing way so they can monitor what's going on in site.
- CB So, that will become kind of yes, sort of continue the access and industrial entrance, than go across that part of it which is kept and then referring in effect to the question that Deputy Kazantseva-Miller was asking about the three years and the three year decommission. If the idea was, there would be sections for three years and like Deputy Kazantseva-Miller I have this sort of concern on the timing. Now, if it was done in sections then there would be time to review, to see if there's any change because if not, you know, I have a concern that there are various factors you know, for the LPB and the GDA to complete but on this three plus three, six it concerns me. So, is there anything you could explain, how it would work if it was done on a lower period of time, like for example one year or possibly two years, how would you consider the impact?
- DP The first thing is that's not what they've applied for.
- PO Applied for.
- DCM Yes.
- DP That's the difficulty there.
- PO I think the stockpile's been assessed on the current amount of inert waste that's been received at that site, you know so...
- DP Plus or minus yes.
- PO Plus or minus you know, a bit of a variation there so, I think where the applicant has come in from is effectively you know, we've got this inert waste that needs to go somewhere, this is the difficulty and the amount of land that we're going to need to make this worthwhile and make it operational.
- CB So, on that basis then, on the same sort of calculated basis of you know, the volumes and the time, what would be the comment towards the end of the three years and the three year decommissioning, we're not actually there, there's still requirements,

being change in the volume of aggregate or inert waste. What's the, I don't know the trigger which then does something to...

PO We've have to reassess an application you know, if it was to go beyond that timeframe, they'd have to reapply. The condition is quite, it's worded to effectively make sure that we don't accept any additional inert waste at that site, beyond and that would be a set date...

CB And that would be fixed and if that is breached, that is crossed...

PO It would be breach of condition.

DCM Yeah, it would be breach of planning condition.

PO So, the day after that, if another lorry load comes, effectively they will be in breach of condition, so we would have controls to you know, seek an application or to take important action.

CB Okay. I had other questions around the volume of traffic coming in but that really is the, thinking of it sort of impacts the volume coming in and coming out, how that would change.

DCM It probably wouldn't change much.

PO I mean the application material says the opening hours of the site are 08.00 until 1600 hours Monday to Friday and around one hundred and forty vehicle movements are in and out of the site on a daily basis and that would remain the same. As I've touched upon in the report, effectively they'd come, they'd weighbridge, they'd turn right instead of going straight ahead towards the lagoon, that currently needs to be filled at the moment so, you know, it's effectively some very similar operations on site, it's just relocating where they're tipping the waste and sorting it effectively.

CB Thank you for that. Given the fact that actually you know, as you say the planning is for this duration, calculated on this volume, matrix etc., so in other words, it's finite, what is the situation if for example through GDA or other things change and there's an opportunity, is there an action that can reverse it or to change or rather to you know...

DCM Not once you've done the three years, it's an obligation so, you couldn't change it.

CB And the three years decommissioning would have to be the three years because we're restricting in effect...

DCM Halfway through you can't just say, you're going to only do it for a year and a half.

CB I was thinking more the three years directions and then there's the decommissioning, at the other end of it and up to that period.

- PO Again, the report touches on that, so there's, from the information that was submitted, if the applicant put this to resources, it could pull the decommissioning site, it would also depend on if the States did decide on a new site, if that was in that local area you know, for Longue Hougue South or Black Rock which have been talked about previously, obviously the truck loads wouldn't be going as far as Les Vardes Quarry, so the actual physical movement would be less so that time potentially could be altered and also if the States brought a site forward ahead of that three years and decided to do something ahead of that then, effectively we've got a commitment from the applicant that could simply just link to the site that they'd want to go to effectively and reclaim that land.
- CB Okay and my last question is almost like, you know, from the conversation we had on site, the search for this site has been looking still for 10 years, how on earth do we just presume that after the three years and the three years decommissioning, we will leave, I appreciate it's on paper or are we going to be back in the same situation because you know, from the understanding this has been a long process and why it's still the date and so I appreciate it's not a planning aspect but it's a practical understanding.
- PO Yeah, that will have implications like I said, the first for the environmental impact assessment you know so, it will throw a whole new range of considerations for the authority but rather than this being a temporary, if it goes beyond, then it may trigger that that need for the environmental assessment, it would definitely trigger the need for a new application and whether we would grant is something again, that will come to the political or potential to decide.
- CB Once it's there, it's there, it may need impact assessments, maybe all these aspects but...
- PO Yeah.
- CB It will be there.
- PO Really the three years is the cut off point, if we don't accept another site, so if we don't accept any additional waste coming in there which is what the condition is saying, they would have to start decommissioning that site, at that point because they've got the three years to decommission it.
- CB Yeah.
- PO And they're not allowed to bring any more lorry loads to the site.
- CB But because we've been looking for so many years, I'm concerned...
- PO I see what you're saying, yeah...
- CB And once this is approved...
- PO Yeah, I appreciate that.

CB Then it's...

PO It's a difficult position.

CB The difficulty...

PO Yeah.

CB Yeah okay. Thank you very much, I appreciate that.

PO No problem, thank you.

VO Thanks every so much Chris. Deputy Dyke.

JD Yeah, I thank the officers for their presentation, which I think is as good as it could be, in terms of their professionalism. However, I just find this application one of the most ludicrous things I've ever seen, in terms of the history of it and what we're planning to do. I mean environmentally we're saying that for three years, we're going to have 14- vehicles a day, dumping stuff on the site, with all the dust, mess, fumes and petrol and that involved and then for the next three years, another 140 vehicles a day, coming the other way. So, we're seriously doubling up on some quite serious environmental concerns here, both in terms of traffic, pollution, dust which is going to be a six year project and the issue with MC10 to me is, is quite serious.

To start with, we have the initial six years, which in my view does impinge on our development plans and the plans of the Development Agency and they did initially come out somewhat against it, I know they've been compromised with moving the site, just a slightly smaller site but I'm still concerned about MC10 on this.

What I do notice, which might be a ray of light, is that the Development Agency did come up with the suggestion or at least the idea that there was no objection to the whole area being raised to a consistent height. I mean conscious that we are where we are and it's not a planning problem that's been caused by the planners, it's been caused by the States not doing an SO but given that the island is in a difficult position with regard to disposing of this inert waste, is it not possible that the plan could be changed, so that the period would be shorter, the site would be used and raised to a uniform level, which would take quite a lot of waste, as would the bund, that would take quite a lot of waste and maybe that could be a one and a half years, one and a half years. Well no it wouldn't be because you won't have to take it out again, you could have one project lasting one and a half to two years and it would have the benefit of not doubling up on the time, in fact reducing the time, giving the States something to do now, as an emergency because a lot can be used up, you'd also have better flood defences because the whole thing would be higher. Isn't that a better way to go, has that been discussed with anyone?

DCM That would be a new application, Deputy Dyke.

JD That would be a new application?

DCM Yeah which would have to be well, you would need to refuse this application, that would have to go back through the applicants and a new application submitted.

JD But that would be a way forward if this application...?

DCM I can't make comment on that, what's been presented is what's before us, to determine an application.

JD I did have a couple of other small points that were concerning me. One was, with the height of this thing at approximately 30 feet, with the bund only being approximately 10 feet, it is quite visible from a number of areas and I also wasn't happy that we don't really have a decent planting plan. When we're looking at Mont Cuet for example, we insisted on shrubs, trees, all sorts of things with details but all we've got here is that, there's nothing in terms of detail. It is an important site, given its visibility, I do think we need a really good planting plan.

VO John, do you want that as an additional...?

PO It's recommended.

JD Yeah.

PO The point...

JD Yeah, trees, shrubs and the whole palaver to get something...

PO Yeah, with the trees, the only issue with the trees is effectively it cuts, I would say it could destabilise the bund itself so, that's something we'd have to be very careful about.

JD Well you'd have to choose the trees carefully.

DP Just to interject on that point. I recall that trees were considered back in the days of firstly a local planning brief and secondly a devolved framework and the conclusion from the advice we received was that they wouldn't, they wouldn't be a satisfactory solution, given the marina environment.

DCM The level of the salt and the wind out there, they would be quite unstable.

DP It's reclaimed land.

PO Reclaimed land, it's also exposed on the coast to the east as well, there's nothing in between, there's only Herm and Sark you know so...

DCM Plus it would funnel through there.

DP So, whilst we can certainly discuss that further and it maybe that you know, I'm going back quite a number of years [Planning Officer] but, I don't want to sort of raise expectations that tree planting would be satisfactory.

PO No but the condition...

VO Which condition is it [Planning Officer]?

PO It's condition seven. So, prior to commencement of works to create the temporary unit, waste stockpiles hereby approved, the extension to the existing bund shall be implemented in accordance with details shown in the approved plan and seeded in accordance with the planting schedule.

JD Seeding is not really a good planting plan.

VO No.

PO But with the planting schedule, you could get what you wanted effectively you know, within reason.

DCM The condition does go on to say that the schedule does need to confirm the type of plants and density of the planting, details of which must be provided to and approved in writing by the authority. It would be open to the Committee should they be minded to approve the application to request to see those details when they are submitted.

JD Thank you.

VO Okay.

JD I think that's all I have, thank you.

VO Thank you. [Planning Officer], you mentioned that anything coming forward, you needed a [development framework] on the land, is that correct?

PO For the key industrial expansion area yes.

VO So, forgive me if I'm...

PO Under MC5A that is.

VO Yeah so, if we're doing a development framework needed for that because this is taken from large area, you don't need one for, what's coming forward?

PO If it doesn't inhibit, if it's temporary like you know, on the basis that this was temporary...

VO That's fine.

PO You know.

VO I thought that when you said it I was just like...

PO It interlinks with, MC5 interlinks with MC10.

VO Yeah.

PO And IP2 in that respect. I mean it's a higher level, the LBP is the highest level in environment framework is at the lower level so, if someone was coming forward for small developments...

VO Yeah.

PO Then they would have...

VO That's what I thought, I just wanted to doublecheck.

PO Yeah.

VO That we weren't missing something.

PO Yeah.

VO It was quite, I felt, I thought it was amazing when you actually had the.... guys!

CB Sorry.

VO I thought it was amazing when you actually had the photos of 1995, 2013 and now, how much it's filled up. I know within the IDP it did say that when it came in 2016, we had eight years to find something, somewhere. Now you've been quite clear about the three years only and three years decommissioning, what happens in three years' time, if they say, we have not come up with a site, we cannot decommission this, what happens?

PO They cannot decommission it?

VO Yeah.

PO It would come back...

VO Just have another planning application?

PO The condition is quite strict in that it has to be decommissioned so, they'd have to vary the condition and come for a new application to actually come forward and change that condition because we would want to see it gone and the full assessment of this application against the EIA development has been on the basis that this is temporary.

VO Yeah.

PO So, the impact on neighbours, the impact on the visual amenity of the area, everything, Mont Crevelt is on the basis that it's temporary. So, if it wasn't decommissioned, it would become a permanent feature, which would then trigger the need for an application and a full assessment of...

VO I think that's what worries me the most is that. I don't know if you can answer this but when is something so, three years is considered temporary, when is not considered temporary?

- PO It all comes down to the nature of the use I would say you know, what sort of things could have different impacts, different you know, different issues. A temporary greenhouse or something like that is far less than you know, something like this and this would be needed for that larger time to make it worthwhile and effectively doing, if you know what I mean.
- VO Okay. Just because I think one thing I'm worried about is that we always say we can't prejudge things and because we've got the local planning brief coming forward, I'm just like okay, this is temporary but having and I know it's not part of this application because we just need to see what's in front of us but having seen the previous States history, we've had eight years, in fact we've pretty much had it since 1995, to come up with a new strategic area of where it's going to go, after this has been filled up and everybody knew it was going to be now and they are nowhere near close to finding anything because they've gone back through the circuit.
- DP There's sites have been found...
- PO Yes.
- DP But a political decision to actually approve...
- VO I know but we could keep having these political decisions, that's what I'm trying to get to and I'm just worried that if we're going to pre-judge something, saying okay, that can come here and then we've got that there more like permanently, rather than the temporary and I don't think there's anything that we can actually do about that, is that correct because it's just we've put it in here, we've got to hope that they actually...?
- PO Do something.
- DP All we can do is recommend to you sufficiently robust conditions to make that permission that we're recommending you know, stick basically.
- VO Yeah.
- DP So, that's the fallback position and as [Planning Officer] said, anything further and any change in those circumstances would need to come back and the Committee of the day would need to make similar decisions...
- VO Another decision.
- DP Yeah.
- JD Just another thought, I don't know if it really helps but the GDA and its initial thinking has come up with another site, namely Black Rock which could be a possible landfill site, so that's in there as another...
- VO But that needs an EIA.
- DP Yeah and again, if a site is found you know, earlier than three years, then there's nothing being proposed here that would prevent that waste being diverted to that new site.

VO Okay.

DP So, it wouldn't stand in the way of anything Black Rock, should that be approved through the process.

VO Okay. [Planning Officer] you mentioned there's no water source near that could be affected but there's the sea, have we looked at what's actually going in there to make sure it's safe for the sea as well?

PO Yeah, I believe so yeah, it's effectively, it's just the existing operations on site, will be very similar and that's all controlled under the Airways Management Plan for the site and it's a management plan with Environmental Health.

VO Okay.

PO So, it will come under their remit on that site...

VO And they're happy with it?

PO Yes, I believe so, been no action or anything that I know of.

DP It was also covered by the original EIA for the chipping operations to fill the lagoon.

PO That's right.

VO Okay.

DP So, it was obviously established in that waste disposal site, there was an EIA at that point, which dealt with all those issues.

VO Okay. Chris did you want to say.

CB Yes, just to add on to that I mean, you say it's sort of similar but when we were on site we saw the sort of green waste converting, fermenting... wrong word but for the composting.

VO Decomposing.

CB Decomposing for the compost and I asked kind of questions about the you know, how good the quality of their soil is but here, it will be different, it will just be inert waste coming in, we won't have that so, on the question of the impact for the sea, surely there is a difference and does that not...

VO No because the decomposing, I don't think was actually meant to be there originally, it was meant to be for inert waste.

CB Okay.

PO That's correct, yeah.

CB But it is there.

VO Yeah, that's been added, there's nowhere else for it at the moment, can you just look after it temporarily.

CB And the beautiful fridges.

VO And the fridges.

PO Yeah, yeah.

VO I just have one more question which was with the dust management plan, it basically just says that it's sort of, it just records how much dust there actually is. Is that correct because I would have thought there would have been sort of like, if it's really windy this will happen?

DP No, there's mitigation.

PO Mitigation in there, that's right. That would be one of the conditions that Environmental Health will...

DP So things like stopping work on exceptionally winding days, damping down presumably?

PO Yeah I mean...

DP In very dry conditions, things like that?

PO That's correct and like on site, you may remember near the Weighbridge, there's the wheel wash...

VO Yeah, yeah I saw that.

PO That's the sort of thing as well because that prevents dust coming onto the highway.

DP That's correct.

PO And onto the road which obviously would dry and blow further so, it's that sort of thing to make sure that all that is in place but again, that's recommended on a condition as well so, anything and like [Development Control Manager] said, if the Committee were minded to approve this application, we could same as the landscaping scheme, we could look at that as well and make sure that you're happy with the recommendations.

DCM It would be done in consultation with Environmental Health though.

VO Okay because all I've got is which way the wind blows and where the dust might go and then, it's got A and P and what potentially could be done and then, if it's just, if it's just windy or not on days and I was just like, there must be more to it than that.

PO Yeah, that's why we've got the condition in place.

DCM Yeah.

VO Okay, that's fine.

PO The condition...

VO So, we will get more than that?

PO Absolutely, everything in place...

VO It's just I didn't know if that was going to cut it.

PO Yeah.

VO Okay. Let me just doublecheck, I've got everything with DS. Okay, I'm done, does anyone else, has everyone else answered all their questions? [Planning Officer], is there anything else you want to say?

PO No, I'm okay thank you.

VO Okay. Are you in your...?

SK Five minutes.

VO You want to take five minutes? Okay.

CB Shall we go out?

VO Yeah, we'll go out.

MEETING IS PAUSED AS DPA MEMBERS AND OFFICERS LEAVE THE ROOM

VO Right, thank you very much for being patient with us. Are we in a position now to give our thoughts and comments on the application?

CB Yep.

VO Andy, do you want to go?

AT Kick off as always. So, there's a clear failure in government somewhere that has resulted in us having to make this decision and having this need for stockpiling of inert waste, I don't think anyone can escape from that. I think it would be easy to sit here and make suggestions in terms of solutions, I think as a Deputy it almost feels like it's your job to do that but I think doing that is prejudicial to the applicant. You know, rightly or wrongly they are where they are and that's what we're here to decide so, I think in making this decision it has to be separated from those alternative proposals, it has to be separated from the additional costs where it's a financial or environmental and you've no way of being aware of the future uses of the site so, not to prejudice the wider site, those proposals aren't currently on the table and we have had indication which I'm comforted by from the Guernsey Development Agency that the proposals as they've been put together wouldn't directly impact on their short to medium term so, that for me carries a large amount of weight.

What I do have in my mind and what I would hope would come out is that as a six year, potential six year project if you will, the granting of this permission does not preclude Guernsey Waste or the States coming to a different solution within that timeframe, a new location could come forward and subject to relevant permissions, that could go ahead so, yeah, an easy decision and a difficult decision but I'm ready to vote.

VO Okay. Sasha?

SK Yeah, I mean I don't disagree with a lot of what Deputy Taylor said but I think we talked at the site visit today, why is it three years rather than two and a half, eighteen months and I didn't get any kind of proper reason why it should be three years, ideally we all want to work to a lower time limit and for decision to be made on inert waste site somewhere else but I don't, I haven't got any evidence to indicate today why we should be giving a planning application for three years and I think with this, it also, having it for three years and kind of the shape of the stockpiling, I don't feel it's environmentally, it's implying double handling and I feel if we, a shorter, I'm not comfortable with giving permission for three years stockpiling with six years decommissioning cycle effectively, six years in total to decommissioning cycle. I would feel more comfortable with giving shorter permission which would perhaps enable better stockpiling such as raising the levels permanently so to become permanent features like the bund and raising levels and then revisit an application in a year and a half time for example once, hopefully there is more information from the wider States about a decision on inert waste.

So, I don't feel comfortable with the level of permission that's being proposed or asked for at this stage because I do feel it could be prejudicial to MC10, I'm quite concerned still about how consultation with the GDA happened, it felt like it's been a compromise reach at the last minute and perhaps the fact that they can work with proposals doesn't mean it's an ideal scenario for any party.

I think there is environmental, there's definitely an environmental impact which hasn't been properly I think spelt out in the application. So, I'm not comfortable with allowing a three year application, I would be perhaps more comfortable with a short application and with better, more permanent stockpiling, which will result in prioritising present level and only as a secondary phase doing the stockpiling that will have to be removed. So, I don't know if that's, whether we could have a discussion with an applicant about whether deferral would be a better option to consider because I think the problem we cannot propose redesign of the stockpiling and how you're going to be using that so, something has to come forward from the applicant. If a deferral is a more constructive way forward, you know I would be happy to do that otherwise, it would be probably a refusal at this stage, even though I'm happy with some of the elements like the bund and you know, the raising of the levels and doing it in phases.

VO Okay, thanks every so much Sasha. Chris.

CB Well first of all I appreciated the meeting we had just now because there were some specific questions I was asking and looking at the Policy MC5, you know there are certain aspects about it which is you know, this is kind of almost the only site available

for the industrial sort of usage plus etc. however, I am also sitting as Deputy Kazantseva-Miller so far and I take on board the points of Deputy Taylor.

So, I look at it sort of if we take it down to the sort of almost the policies, on the MC10 and environment, I can't see, so I'm trying to sort of stick to the aspects, I can't see how six years is temporary you know, given the three years in, three years out and all the other additional comments we've all explained for. I'm of the same opinion and I've been kind of watching the reaction for this deferral because you know, we're here to do what we can, to make sure that things kind of progress in the right way but a deferral you know, I know this wasn't made on any sort of scientific background but the comments made by Deputy Dyke, regarding you know raising the level, that would take quite a large cubic metreage of the area and the bunds, so I am ready to vote but I would very much like to hear through this process if there is an option on the deferral change and also how long it would take, if it were an option rather than having the possibility of voting against this. So, it's the length of duration, it's not temporary you know and it also, is it sustainable? You know, if you're taking it to MC10, is the waste storage like this sustainable? Therefore I would look at it needing to propose alternative solutions so, this is the justification, I'm trying to explain, so I will be ready to vote, thank you.

VO John.

JD Yeah, well I think I'm ready to vote, as I mentioned, I'm very concerned about MC10, the way this is running on for at least six years, which of itself, I think could well interfere with the local plans and the Guernsey Development Agency's plans but with the likely overrun which nothing can be done and that likelihood I think makes it worse, I'm very worried about the environmental thing.

To double up on this, 140 trucks in every day, for three years and then, reversing out again or coming out forwards, 140 trucks a day for another three years is just dreadful.

There are other options that have been out there for a while, there's another option that maybe coming up, Black Rock and there is the idea which I actually didn't make it up myself, it was suggested by the Guernsey Development Agency that they said that they had no objection to the whole area being raised to a consistent level and the advantage of that is that it will stay there, you'll have a better product because you'll have higher land and more flood defensible and that raising together with the bund will accept quite a lot of square metres of stuff, depending on how high we take it, which will give the States, which we're all members, time to come up with a better plan. So I'm, having said all this, I'm quite happy to come to a clear decision.

VO Thank you ever so much. I would say I'm actually angry with the States because we just get put in these situations all the time that we haven't done our jobs properly, we've sort of talked about strategy and everything like that and nothings actually ever come to it and then we're put in here but aside from that, we have to look at the application and just the application.

I do understand that we've had, the States have had eight years to deal with that and that's what the IDP states, that within this time, you're going to have to come up with another area.

I know that you, I know that it was said that the key industrial areas, that area of land has been excluded from the key industrial areas, I'm looking to nod, so that area where the inert waste has been excluded from the key industrial areas for the local...

DP From the land supply.

VO Yeah, from the land supply.

DP The IDP review.

VO That's it, the IDP review so, that is a positive but then you've also got MC10 and I just think about, we've had, this will be the second application that goes through the sort of, the gateposts of MC10 and I think what the previous application that we actually did, had to jump through and the amount of hoops that it had to get to, to get to a thing where it was planning permission and I also do understand that the guys down there, working on the site, they've just got mounds of stuff everywhere and they're just trying to find a permanent home or a semi-permanent home for it so, it can be stockpiled in the correct manner.

I don't think it's as clear as some people have sort of said but I do completely take on board the environmental impact of 140 lorries going in and then that is going to have to be reversed one day and I do understand that if in six years' time, they're not ready to move another planning application is going to be taken.

On the flip side of it, if we don't agree to this, I think what worries me is what we're actually going to do with the inert waste and that is my biggest I think, my biggest worry. So, that's where I am at, it's kind of a bit mixed.

Would you like to vote Andy?

AT Yeah, approve with conditions.

CB Can I ask a question before, oh it's too late is it? I just wanted to ask you a question and maybe the officers. It was just to see if anything can be mentioned on the...

JD I don't think you can keep asking questions all day Chris.

CB It's not a question, it's more of an, it's the question I asked when I was speaking to hear comment on the possibility of deferring but if not, that's fine.

VO I think we've started to vote Chris unfortunately, otherwise we could keep going around asking more and more questions.

CB Yeah, it makes it easier for me.

VO Sasha.

- SK Yeah, I think, I think a deferral would allow for a constructive period where an applicant could listen to some of the concerns we've raised and potentially be able to address them so I think I would not be able to support the application as it stands right now, on the conditions of the length of permission and not having those more permanent features suggested. So, I would, I think a deferral would probably be more constructive but I don't know whether that's possible within what we're asking.
- VO Okay. Chris.
- CB So yes, if there was a deferral obviously I was trying to ask before and I had asked during my explanation, if there's the option of a deferral, I know where I'd go and I would ask for that, to give a bit of time and not delay the whole process but if I'm not allowed to ask the question.
- VO Pardon, is this you saying that and you kind of raised the same, is this you saying that you don't know which way you want to vote, whether it should be a deferral or it should be a refusal?
- CB No, it's a deferral if possible and during my explanation I did ask and I'm sure it will be on record that if there's the option to defer, I'd like to know before but I wasn't able to. So, it's a deferral if possible or it's a no if I'm not allowed to continue asking it.
- DCM Would it help if I just stepped in?
- VO I think it's going to have to be a yes. Would you like to step in and sort of help on this.
- DCM I think if you are looking to change the timescale, then we could deal with that as a deferral. If you are looking to raise the land levels and change the scheme totally from what it is, so i.e. not stockpiling or reducing the stockpiling and raising levels, that's a new application.
- CB That is a...?
- DCM That is a new planning application.
- SK Who decides that I mean?
- DCM It's law, it's planning law, it's way beyond the scope of a deferred application.
- VO So, when we looked at deferring Pointes Rocques it was just about the car parking and I think it was one other thing, whereas this is sort of saying, if you want to do what Deputy Dyke is saying, this is saying, scrap the stockpiling, let's just do a flatbed and make that the new...
- DCM It's a different planning consideration.
- SK What if majority decided it was a deferral, what would the steps be?
- DCM If you decided that you wanted to defer the application?

JD By majority.

SK Yeah.

DCM You would need legal grounds on which to defer the application as I said, you would be looking at a deferral for minor reasons. A deferral to come through with a new planning application with a whole new scheme is a new application, it's different considerations, it would have to go through a whole new assessment.

JD But it's not an entirely different scheme, it's basically making rub arounds.

DCM Land raising is a different scheme, land raising is a different scheme to what is being proposed.

VO It's also different how you stockpile something to properly make something a hard...
Has that made it clear or would you like to say why you've come to it?

CB I've already said.

VO You've already said, sorry. Right John...

CB But then I'll have to say no, given the explanation obviously.

VO Right John.

JD For the reasons I've given, I'm going to say no in that expectation that the applicant will come with something better.

VO Would you like to give your reasons why you've said no?

JD The reason I think are environmental, the double handling is a terrible thing, you've got that and the dust for six years and the tying up of the site for at least six years, engages MC10 quite clearly to me, based on that period but more so, given that we know it's never going to finish in six years.

VO Okay. John, you said you've already said...

JD Sorry, I said no.

VO You're rejecting it, not deferring it?

JD I'm rejecting it, no.

VO Chris?

CB Being given the options I would like to defer it but there doesn't seem an option to do so, so therefore I've no other option than to say unless the others can agree to defer.

SK Based on what the officer said, I think my reasons would need to be you know, would be refusal rather than deferral for my reasons.

CB Yeah.

VO Andy?

AT Approve with conditions.

VO And I would probably defer it just to shorten that time period, that's it.

CB That's not an option though.

JD Well you've got three refusals now so, that's it.

VO I don't know, approve maybe. We'll have to go through why.

CB Did you say all approvals?

VO I said defer.

CB Deferred.

VO Just for the years.

CB So, just to clarify, the application is refused?

VO So, we need to just go through and....

CB Correct.

VO And work out why you've refused it.

SK We've explained, we will make sure it's clear in the paper.

VO I think [Director of Planning] probably needs clear outline of why.

JD Shall we do that now?

SK No, we'll do it...

JD So, that's the end of the OPM.

APPENDIX 3: Notification of Refusal of Planning Permission

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS:	Temporary stockpiling of inert waste to east of site, erect an extension to the existing landscaped bund and erect security gate and fencing.
LOCATION:	Longue Hougue Reclamation Site, Bulwer Avenue, St. Sampson.
APPLICANT:	Guernsey Waste

I refer to the application referred to below received as valid on 04/03/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 22/07/2024

Drawing Nos: Guernsey Waste - 9014_2023_1B, _2A, _3 & _4.

Application Ref: FULL/2024/0374

Property Ref: B003540000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. Given the scale of the proposed development and the likely timeframes involved, the Authority did not consider the proposal to be of a minor or inconsequential nature and was not satisfied that in the absence of an approved Local Planning Brief for St Sampsons Harbour Action Area, the proposal in the form submitted would not prejudice the outcome of the Local Planning Brief process, or would not inhibit the implementation of an approved Local Planning Brief. Consequently, it was considered that the scheme did not comply with Policy IP2 of the Island Development Plan.
2. Given the scale of the proposed development and the timeframes involved, the Authority did not consider the proposal to be of a minor or inconsequential nature and was not satisfied that in the absence of an approved Local Planning Brief for St Sampsons Harbour Action Area, the proposal in the form submitted would not prejudice the outcomes of the Local Planning Brief process, or would not inhibit the implementation of an approved Local Planning Brief. The development of the Local Planning Brief seeks to maximise the positive potential of the Harbour Action Areas to deliver economic, social and environmental

outcomes, while balancing significant competing issues with the potential to deliver significant strategic development. It also seeks to address issues such as increasing flood risk. Consequently, it was considered that the scheme did not satisfactorily comply with Policy MC10 of the Island Development Plan.

3. Given the scale of the proposed development, the Authority was also of the view that the proposal did not amount to sustainable development in accordance with criterion (b) of Policy GP8 of the Island Development Plan.

OTHER REMARKS:-

Right of appeal against planning decisions

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision.

Copy of representations made

In reaching this decision the Development & Planning Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service