



## Development Plan Consultation Report: Evidence Base for Statutory Consultation 2015

### 1. Introduction

1.1 This report summarises the consultation that has been undertaken to inform preparation of the draft Development Plan for statutory consultation, in particular the initial consultation in 2014.

1.2 Commencing work on a review of the development plan was approved by Executive Council in August 2012. The report (200/12) set out the reasons for that review, which are repeated below.

- *Outdated evidence base. The Plan was drafted in 2002-03 and was based on the 2001 census and other information available at the time. A review of data available since then should be carried out and may justify new or changed policies. The forthcoming results of the Census 2012 should be of particular value.*
- *Economic Development Strategy (EDS) – the EDS should be reviewed to draw out land and planning implications that should be reflected in Development Plan policies.*
- *Rural Development Strategy (RDS) – the RDS should also be reviewed for any land and planning implications that should be taken into account in Structure Plan policies.*
- *Hydrocarbons exploration, appraisal and development - the anticipated development of the Sea Lion Field from 2017 and implications for the islands from on-going exploration and appraisal of other hydrocarbon licensed areas have implications for planning and development.*
- *Other strategies, plans or programmes – that have been approved by Government since the Development Plan was prepared should be reviewed for their land use and planning implications, with appropriate policy responses developed and included in the revised Plan. Such documents include the Islands Plan, Tourism Development Strategy and the Biodiversity Strategy.*
- *The boundary of the Stanley Town Plan is also in need of review as an increasing number of developments that support the town have been proposed beyond it, which are difficult to assess in the absence of local plan policies. This trend is likely to increase as the town continues to grow.*
- *Finally, the review and alteration will update the Structure Plan and Town Plan maps to reflect proposals that have been implemented and other changes and also include new policies and proposals.*

1.3 A scoping report to Executive Council in January 2014 (21/14) set out a broad approach for taking this forward. It was noted that the current version of the development plan is an impressive piece of work, especially as it is the first such plan prepared for the Falkland Islands. However, there is a pressure to review the plan to better take account of the emerging potential for oil-related development and to improve those areas where lessons can be learnt from the plans implementation so far. Overall, there is an opportunity to move from a traditional “manuals for development control” approach to a more forward looking strategy.

1.4 To respond to these issues it was proposed to base the Development Plan review on the principles set out below.

- The overall development plan to be simpler, forward looking and to provide a mechanism for spatial planning, based on setting out a proactive strategy for what will be supported where.
- Plan to be based on “say it once” approach with stance on re-occurring issues (e.g. heritage, biodiversity etc.) being clearly set out and then cross referred to (thus avoiding the danger for confusion and inconsistencies).
- Structure Plan to include clear vision, aims, outcomes and targets and overall say-it-once policies which can inform both local plan(s), planning applications and, if appropriate other decisions and prioritisation.
- Stanley Town Plan to cover wider geographic area and be used as a mechanism to determine approach to relevant key policy choices set out in Towards an Infrastructure Development Plan document.
- Where a high level detail is required for planning applications this should be included in a supplementary planning document (which subsumes and updates the planning design guidance notes into a single easy to use document which can easily be kept under review).

## 2. Progress so far and next steps

2.1 The timeline below sets out the key stages up to the start of the statutory consultation.

**Table 1**

Month	Stage
August 2012	Executive Council approval for development plan review
March 2013	“Towards an Infrastructure Development Plan” published, which highlights various planning issues
January 2014	Executive Council approval of revised approach/timeline
February 2014	Waste Management Workshop
April 2014	Executive Council approval public consultation on headline issues
April – May 2014	Public Consultation (see section 3)
May 2014	P&BC, HBC and Lands Committee workshop, which included discussion on the purpose of planning
June 2014	Consultation results summarised in reports to Planning & Building Committee and Lands Committee.
July 2014	Presentation to Farmers Week P&BC, HBC and Lands Committee workshop, which included discussion on the working draft of the Structure Plan and identification of key issues to be addressed through the development plan review (see report to P&BC on 23 <sup>rd</sup> October).
August 2014	Planning & Building Committee endorse public consultation on the broad approach to Sapper Hill Phase 5, in advance of any formal planning application Executive Council approve a 2 year Waste Management Action plan and the creation of a post to implement it Executive Council approve the release of additional land at Kiel Canal Road for light industrial uses and formally approve the safeguarding zone around the ammunition store
September 2014	P&BC, HBC and Lands Committee workshop, which included an update on the employment and housing land evidence base work Informal discussion with MLAs including approach to Port William, Industrial Land and role of mobile homes Sapper Hill Phase 5 Public Consultation (results reported to PWD to inform the eventual planning application and summarised in update report to

Month	Stage
	P&BC on 13/11/14)
	Environment Committee approve public consultation on the scope/approach to reviewing Stanley Common Legislation (results partly summarised in update report to P&BC on 13/11/14)
October 2014	Historic Buildings Committee
	P&BC, HBC and Lands Committee workshop, which included discussion of draft Zone Descriptions (see minutes from P&BC on 23 <sup>rd</sup> October 2014)
	Report to Planning & Building Committee and Lands Committee seeking endorsement of the Draft Structure Plan and Town Plan for Public Consultation, resulting in broad support but a number of changes (see minutes of that meeting)
	Public Consultation on Stanley Common Closes
November 2014	Further discussion at P&BC of October report, minutes and matters arising (including update report)
	Report to P&BC on Mobile Homes
December 2014	Report to Executive Council
January 2015	Statutory Public Consultation beings

2.2 At the Planning & Building Committee workshop on the 16<sup>th</sup> October 2014 a number of comments were made in relation to the planning zones, and these were collated and circulated in advance of the meeting on the 23<sup>rd</sup> October 2014 to inform the debate. The report to Planning & Buildings Committee on the 23<sup>rd</sup> October sought support for the draft plan, and noted that discussion at CMT and the Rural Development Strategy Steering Group were planned after the meeting, and similarly the Stanley Common consultation will close after the meeting (relevant as it tests support for the 'no net loss' concept). Therefore it was proposed that if any material issues were raised the matter would be brought back to the November planning meeting. The Historic Buildings Committee (HBC) nominated two of their members to attend on the 23<sup>rd</sup> October, to ensure heritage was considered as part of the discussion (rather than the plan being taken to a meeting of the HBC).

2.3 The meeting on the 23<sup>rd</sup> October resulted in broad support for the plan, but a number of detailed/comments changes which were recorded in the minutes (as were the comments from the workshop on the 16<sup>th</sup> October). The recommendations of the report were not, however, discussed. At the subsequent November meeting, under minutes, the changes discussed previously were confirmed and, under matters arising, the recommendations endorsed. A report on mobile homes was also presented, as was an update on the results of the Sapper Hill Phase 5 consultation. In light of these discussions, an updated version of the draft Development Plan has been produced, and it is this updated version which Executive Council is asked to approve for consultation.

#### Next Steps

2.4 The table below sets out the timescale for the remainder of the process.

**Table 2**

Stage	Date
Consultation	23 <sup>rd</sup> January – 23 <sup>rd</sup> March 2015
Circulate report on issues & proposed responses	1 <sup>st</sup> April 2015
P&BC Considers Report	May – June 2015
ExCo Considers Report	June 2015 (if meeting dates allow)
Undertake Revisions	July 2015
Adoption of Plan (ExCo)	August 2015

### 3. Consultation April – May 2014

#### Approval for Initial Consultation

3.1 In April 2014 Executive Council approved consultation during April and May 2014 on the following documents:

- Non-Technical Summary (NTS);
- Main Consultation document (which included the summaries, key assumptions and options referred to in paragraph 4.5);
- response form; and
- draft Town Plan map.

3.2 The report noted that, given the timescales and approach to identifying priorities for capital funding, the proposed consultation focuses more on broad approaches, housing supply and planning issues. Further specific consultation on infrastructure priorities may be appropriate later in the year, and further details planning consultation will also be required in accordance with the requirements of the planning ordinance (as set out in the scoping paper).

3.3 The report set out that the consultation would be by:

- making documents available;
- press & media;
- topic and public workshops in Stanley; and
- a tailored approach to Camp.

#### Consultation Undertaken

3.4 The consultation ran from the 11<sup>th</sup> April to the 30<sup>th</sup> May 2014. In total 99 responses (as at 2<sup>nd</sup> June 2014) have been received. Many of these were entered directly into 'Survey Monkey' (SM), those provided in hard copy or by e-mail have been entered into SM in order to produce the statistical analysis. The main issues from the consultation response forms are summarised in annex 1, with the detailed comments contained in annex 2.

3.5 Adverts were placed in the Penguin News and on FIRS at the start of the consultation period (and the EPD Facebook Page). There was also a press release. During the consultation period, the plan has been the subject of articles, an editorial and MLA Cheek's column. An interview was also given to FIRS by the Head of Environmental Planning.

3.6 Letters and e-mails were sent to the organisations set out in the table below.

**Table 3**

<b>Group</b>	<b>Organisation</b>
Government	FIG (all staff)
	MLAs
	Lay Members of P&BC, EC, HBC (note: Lands Committee has no Lay Members)
Key Stakeholders	Falkland Islands Development Corporation
	Falkland Islands Tourist Board
	MoD
	Falklands Conservation
	SAERI
	FCO
	Government of South Georgia
Christ Church Cathedral	

Group	Organisation
	Sure
	KTV
	Stanley Chartered Bank
Main Builders, Developer and Land owners	Falkland Islands Company
	Stanley Services
	Morrison's
	Byron Marine
	Fortuna
	Stanley Growers
	Various Builders/Developers
Organisation reps (to circulate to members)	Chamber of Commerce
	Rural Business Association
	Fishing Companies Association
	Falklands Island Production Licensee Association
	Museum and National Trust (Trustees)
	Farms in Camp (via DoA)

- 3.7 Relevant staff were asked to include a note at the bottom of all e-mails publicising the consultation.
- 3.8 The documentation was made available electronically on the Policy Unit Page of the FIG website and a summary of the main consultation document together with the questions was used to create an on-line questionnaire (SM).
- 3.9 All of the documentation was made available in hard copy (to view) in the EPD Offices, the library and the post-office, with copies of the NTS and response form to take away. A box was provided in these locations for completed forms to be deposited in. The Public Notice, Map, NTS and Response Forms (the latter two to take away) were provided in the hospital reception. A copy of the public notice and map was displayed in the West Store, Chandlery, FIGAS, Bank, Kelper Stores (K1, K3 and K4) and Stanley Services Shop.
- 3.10 On the 30<sup>th</sup> April a presentation was given to the Chamber of Commerce, followed by a Q&A session. The key issues raised from this are shown in appendix 1.
- 3.11 On the 13<sup>th</sup> May a staffed stand was in the West Store, and on the 16<sup>th</sup> May the Chandlery in PN/FIRS (11:30 – 14:30 in both cases). These drop-in sessions were an opportunity for interested people to talk to us and to take away hard copies of the documents. These were advertised by advert in the Penguin News and FIRS, and also the EPD Facebook page (shared on the FI Community FB Page). Results from these are not summarised separately, as the focus was on getting people to complete the forms.
- 3.12 A member of EPD attended a session of the FICS Leisure and Tourism Class to talk about the consultation and seek views. The Head of FICS also created a display in the staff room with map and forms etc.
- 3.13 During the course of the consultation, one-to-one discussions were held with key developers, builders and land owners, including those set out below. The key issues raised from this are shown in appendix 2.
- Falkland Islands Company
  - Morrison's
  - Byron Marine
  - Mr. R. Rowlands
  - Mr. R. Short

- Mr. N. Bishop
  - Mr. I. Stewart
- 3.14 Similarly, one-to-one discussions were undertaken with 6 potential first time buyers (further to advice from the Housing Working Group). The key issues raised from this are shown in appendix 3.
- 3.15 It had been envisaged that towards the end of the consultation period (i.e. mid May) workshops may be held in Goose Green and Fox Bay to update on not only the Development Plan Work, but also the National Infrastructure Plan, and other related work such as Environmental Impact Assessment Regulations. However, as work on these others areas has not progressed as quickly as first envisaged, and concerns had been raised by Planning & Building Committee about the value of a workshop looking only at the Development Plan, these workshops have not taken place. Instead, it is proposed to facilitate discussions on relevant issues in Farmers Week (this will be in July and so tie-in to the production of the draft Structure Plan – see table 3).

### Results

- 3.16 A report summarising the results was taken to Planning & Building Committee in June 2014. The consultation results from April-May 2014 indicated broad support for the vision, objectives, assumptions (including housing target). There was no significant level of overall concern raised in relation to the draft Town Plan map (although a number of points of detail), however it was suggested that the map could usefully be expanded to cover a wider area.
- 3.17 The consultation raised a number of issues (some of which were not entirely planning issues), which have informed and/or to some extent been resolved by subsequent reports and consultations, including:
- FIG land release;
  - the need for additional light industrial land;
  - desire for consultation on larger FIG developments;
  - implications of approach to Port William for Town Plan; and
  - potential support for amending Common Boundary if no net loss.
- 3.18 Detailed points were raised in relation to housing which have been fed into the ongoing discussions of the Housing Working Group, similarly a report on the rural issues raised is to be taken to the next Rural Development Strategy Steering Group. A key message in relation to the pattern of development in Camp is that this needs to be tied to both existing and potential future job opportunities and communication links, and so the settlement hierarchy in the existing Structure Plan (based largely on current size) may not be appropriate to retain, and a more flexible approach may be more appropriate moving forward.
- 3.19 The June report to Planning & Building Committee also sets out the proposed next steps and key legal issues. After the report an additional response was received (raising points of detail about Kiel Canal). An informal response (requested to be kept confidential) was also received from an oil company. Verbatim copies of the consultation results are available for Planning & Building Committee/HBC Members on request, on a confidential basis.

## APPENDIX 1: MAIN ISSUES FROM CHAMBER OF COMMERCE DISCUSSIONS

- Decisions on Port William are key
- We need to know where the big infrastructure projects are going to go as surely that will determine some of what you're talking about in terms of developing the town plan. For example, if you decide to put the prison over near lookout lodge, you're not then going to build lots of houses with families around it. People in the community need to say where they think it should go
- Noble Jetty isn't on the map. If exploration shows up then it's likely to be there for several years – more than three. Maybe we should be showing it as a temporary port.
- One of the biggest challenges is Government policy in relation to land release and restrictions on what is perceived to be "oil related".
- If the "oil related" policy changes then there will be a lot of demand for Gordon Lines land immediately (in the next few years) which will have an impact on this. If there's a temporary oil dock will there be enough heavy industrial land available to meet that demand? Probably need more and needs to be near FIPASS, port, south of bypass, south west/north of Megabid. There may be a need for two or three dock facilities. Most of Gordon Lines is currently taken up.
- There is plenty of room for development at Gordon Lines although some of that land may contain a lot of peat.
- The plan will work whichever way is the cheapest way of developing it e.g. your housing area, employment area, and the cost of the infrastructure necessary to develop it
- Is there enough land here for housing for the next 15 years? We already seem to be using at least a quarter of that allocated?
- Feel it important to save some recreation space.
- The Common is well delineated on the map, is there any appetite for going into that area for development?
- What does the Common mean today, it's very different to how it used to be and today's reflection should be different. Do we need the common area or should we just have an area set aside as a recreational area? What is it we want/need?
- There could be more scope to develop the Two Sisters/Longdon area for recreation and then take land out of the common that could be developed but we are then offsetting the loss of the common by increasing it elsewhere.
- The area on the south side of the bypass is suitable for industrial, offices, supermarkets type developments. It's not suitable for housing on the exposed south side and makes more sense to have housing on the north where existing housing is.

## **APPENDIX 2: MAIN ISSUES FROM DEVELOPER ONE-TO-ONES**

### **Type and Level of Housing Development**

#### Scale

- Need to think about whether there is a short term housing shortage and demand in the longer term will go down
- Need to be realistic about long term changes in permanent populations versus need for workers camp etc.

#### Location

- For those wishing to self build, Sapper Hill and Mink Park are OK and take the pressure of, but maybe not what everyone wants.
- There's too much infill development – this seems a short sighted approach, given how much land there is (also issues with capacity of infrastructure within Stanley e.g. drains)
- There's plenty of land for development down towards Mink Park
- Development to the West of Stanley should be allowed, accessed onto Ross Road directly (as Mink Park is)
- Is the full extent of the Race Course really needed or could some of this be developed? (racing might cease to exist whilst the Government is frozen out of putting the land to use because of the freeze imposed on development of it by the previous owners)
- Need to think about privately owned land to the North of Ross Road and what this might be used for
- Why don't we build houses on the other side of the bypass?

#### Design

- Grid system works but loops not appropriate – Mink Park doesn't look very good – need better guidelines for development - orientation and sunlight are key issues East Stanley works OK because mainly FIG houses there although not on a straight line they all point North and are on a similar line
- Increased density may help to make schemes more viable (although it would reduce sale prices, it would overall be more likely to make schemes stack up). But - need to understand whether there is a demand (and the finance) for smaller units.

### **Oil Development, Port Facilities and Warehousing**

#### Port Facilities

- The Town Plan should show the new port and development land
- Need to be realistic about what is really oil related in terms of restrictions in the interim - much of what is called 'oil related' development is actually distribution and warehousing. Given the vast sums of money involved in oil, if and when a new port is developed the relative cost of building new distribution and warehousing facilities is a tiny proportion of overall costs. Furthermore, if not used for oil, the presence of units adjacent to Stanley (as the capital of the Falklands) will be useful for other purposes.
- The business case for Port William may not stack up, and there are concerns over the choice of location (too close to Stanley so negative impacts on residential amenity and lost opportunity to spread development and deliver the Rural Development Strategy). Oil companies ultimately will want to be away from population centres and may wish to avoid interference with a multi-user port.
- Need to think about new port and if it will have capacity for very big cruise ships (concerns over water depth and potential need for repeat dredging)
- Need to let Gordon Lines develop facilities to support the next stages of oil (over next 5-10 years), including investing in FIPASS.

### Warehousing

- Need to think about the scale of warehousing that may be necessary for oil related development and ensure planning policies and building regulations allow for this.
- May need to allow more than one access onto Stanley Airport Road from the general area of Gordon Lines development (not just Boxer Bridge Road), rather than insisting sites use up their internal space with internal roads
- The roads, within and surrounding Gordon Lines (Boxer Bridge, Coastel Road) were put in by the military in 1982 and were originally quite narrow, they appear wider due to grading of material on top, but need properly constructed roads over the entire width within Gordon Lines commercial/industrial area to accommodate industrial traffic (and consider how/when Boxer Bridge will be replaced).

### Workers Camp

- Need to think about allocated a site for a Portakabin type facility to be used as workers camp and emergency accommodation an event of an incident (so facility is needed for the long term, even though once initial work completed may not be fully in use)

### **Land Ownership**

- FIG seems to let land go begrudgingly and without sufficient structure for decision making.
- The overall approach to Land Release seeks to retain an unnecessarily high level of control
- The recent policy of leases/freehold sales was appropriate, but the interim policy is causing difficulties, particularly in terms of raising finance for development.
- Giving longer term leases and/or selling land encourages people to invest in improving areas (e.g. Canache)
- Land release needs to be done in an uncomplicated way. Decisions can be very slow, but if businesses try to respond to this by planning ahead they are accused of land banking (similarly the subsequent process for issuing licenses etc. could be streamlined)
- Where land is poorer quality should be sold/leased for less, or even not developed and other land offered instead. The generic "price" placed on the value of FIG land makes private sector development almost unaffordable, given no two pieces of land have the same development costs.

### **Finance**

- Significant speculative private sector investment is unlikely until there is some certainty over oil.
- Other decision on key infrastructure will also influence decisions by private sector
- Residential development is the main challenge for the private sector
- FIG should be prepared to invest in infrastructure to unlock sites, and should explore different delivery vehicles with private sector
- Prices in the Falklands for building housing seems cheaper than in the UK, but rental yields are about 10% in FI, about 5% in UK. Suggests there is room for more competition in rental, which may increase overall number of units (but reduce return for existing landlords)
- Need clarity on who is buying houses in the FI (does it include people who are from the FI but not currently resident, those on a work permit but not resident) – key issue is whether those who are interested and legally allowed to buy have got the financial means (either funds are access to mortgages) to enable them to buy
- Part of the challenge in constructing financial models is understanding what land is actually worth and what the final house is actually worth
- Another part of the challenge is cash flow and rate of return

- Some appetite to explore different delivery models (such as FIG subsidising private plots (and/or giving land for free)
- Mortgage availability is limited for buyers (noting mean wage is low £20ks)– would FIG consider shared equity?
- Mortgage availability for developing properties to sell or rent can also be very difficult
- It is unlikely that a delivery vehicle can be developed that will make it cheaper to develop plots than FIG simply doing it themselves, but such a vehicle would mean FIG don't have to make the upfront capital investment
- Competition from subsidies government plots is difficult
- To facilitate development, need to be willing to consider mix of uses – including potentially office/hotel as well as housing

## **Labour**

- Capacity of building industry is limited now (particularly in relation to skilled workers) and if the Oil projects commence into development it will be very difficult to get any further serious construction projects built without the need to import and look after labour from other locations.
- Labour is difficult, as young people can get more pay as unskilled labourers than as apprentices (even though skilled trades-people get more in the long run)
- Commercial builds (i.e. houses for sale or rent) often take longer as builders prioritise jobs for other people
- To increase the rate of building the issue is not the housing materials (as can theoretically import lots of kit houses) but the labour to put them together, and so often costs more to do lots quickly as price of labour goes up. The cost of plots is therefore a product of going to bigger developers who bring in-staff to do work quickly.
- The time change has made building very difficult as now dark in the mornings so has reduced the working day on-site (can't start on site until 9am as dark before that and, as everyone else finishes at 4:30-5:00 pm workers are reluctant to just shift their work pattern from 8 – 4:30 to 9 – 5:30 (impacts on family life etc.).

## **Infrastructure & Facilities**

- Fire/Police/Ambulance could be centralised and with better access
- There can be long waiting lists for the provision of electrical connections – does this reflect staffing shortages in the power department?
- If close to services normally OK to develop sites in terms of infrastructure, although sewers can be an issue
- Shipment of materials is a challenge but unavoidable. However, many builders are now getting in their own stock as the main suppliers often run out and don't have much reserves. Therefore need to identify sites to be used for storage (and also for space for indoor work to keep staff busy when weather's bad otherwise have to send them home)
- Need to identify, within the current planning review, a site for a new cemetery in the longer term
- If land within Stanley is to be protected as greenspace, it should be properly laid out and used, otherwise just wasted space
- Should have a clear plan for the future of Stanley House – perhaps FIG should retain ownership as a key site
- Aggregate from the quarry is very expensive (and the price was relatively recently put up with little warning) and the sand pit for beach sand is finite – need a long terms strategy for supply of affordable aggregate
- Spoil dumping has been an issue, but the new site at the back of Megabid may resolve this, assuming it is managed in a way which is not unnecessarily onerous for businesses using the site (Especially where the material being dumped is just peat

and clay, rather than bricks and rubble). There is also a lack of control of dumps outside working hours.

- The harbour to the west of the public Jetty could be filled with rock and this would bring in additional space for parking and other uses as the town further develops and be of a long term benefit, this could possibly done by PWD road maintenance staff during the winter when all would be required is rocks and trucks to commence the project.

### **APPENDIX 3: MAIN ISSUES FROM FIRST TIME BUYERS ONE-TO-ONES**

- Mortgage availability is a key issue (with low wages)
- Would FIG consider lending?
- Rent to buy schemes
- Could they pay back over a longer period (some don't want to)
- Tax breaks/rent rebate whilst getting house built
- Deposit is an issue – could there be a government scheme where FIG lends deposit to allow them to get an SCB mortgage
- Some appetite for smaller units (although some said wanted bigger)