

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: Variation to Condition 6 on application FULL/2018/0383 - extend length of period for camper van/motor home to stay on campsite from 01/03/2022 to 29/05/2022.

LOCATION: La Bailloterie Camp Site, La Bailloterie Lane, Vale.

APPLICANT: Mr Y Lenormand

I refer to the application referred to below received as valid on 03/08/2021 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 29/12/2021

Drawing Nos: Application Block Layout Plan and email from Mr Lenormand received by the Planning Service on 30/11/2021

Application Ref: FULL/2021/1499

Property Ref: C015780000

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. The proposed use of a motorhome pitch at La Bailloterie campsite for an extended period of 90 days by the applicant and their family would represent the long-term residential use of a motorhome pitch created for use as visitor accommodation only and would be contrary to paragraph 17.7.5 of the Island Development Plan which seeks to limit the use of campsites, and motorhome pitches on such sites, to visitor accommodation which will support the visitor economy of the Island.

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



PLANNING APPLICATION REPORT

Application No: FULL/2021/1499
Property Ref: C015780000
Valid date: 03/08/2021
Location: La Bailloterie Camp Site La Bailloterie Lane Vale Guernsey
Proposal: Variation to Condition 6 on application FULL/2018/0383 - extend length of period for camper van/motor home to stay on campsite from 01/03/2022 to 29/05/2022.
Applicant: Mr Y Lenormand

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed use of a motorhome pitch at La Bailloterie campsite for an extended period of 90 days by the applicant and their family would represent the long-term residential use of a motorhome pitch created for use as visitor accommodation only and would be contrary to paragraph 17.7.5 of the Island Development Plan which seeks to limit the use of campsites, and motorhome pitches on such sites, to visitor accommodation which will support the visitor economy of the Island.

OFFICER'S REPORT

Site Description:

The campsite occupies two separate areas of land to each side of Bailloterie Lane. This application refers to the southern area which is accessed via a track from Bailloterie Lane close to its junction with La Route du Braye. There is planting defining the site boundaries and within the site.

The site is located Outside of the Centres. The old sea wall running along the southern site boundary is a Protected Monument. Bailloterie Farmhouse and outbuildings which are located to the north of Bailloterie Lane are a protected building.

Relevant History:

FULL/2021/0615	Variation to condition 6 on application FULL/2018/0383 - Extend length of period for a visiting motorhome to stay on campsite (1st July 2021 until 15th September 2021).	Granted 19/05/2020
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FULL/2020/0277	Variation to condition 6 on application FULL/2018/0383 - Extend length of period for a visiting motorhome to stay on camp site.	Granted 14/02/2020
FULL/2018/0383	Permission granted to utilise part of campsite to accommodate up to 16 motorhomes (revised).	Granted 20/04/2018

Existing Use(s):

Sui generis (campsite/agricultural land)

Brief Description of Development:

The application relates to the variation of condition 6 of application reference FULL/2018/0383 which stipulates that no individual motorhome should be parked on site for longer than one, one month period.

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

Island Development Plan policies:

Policy OC8(B): Visitor Accommodation Outside of the Centres - Campsites
Policy GP8: Design

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issue in this case relate to the principle of the variation of the condition to allow the applicants to use the motorhome at La Bailloterie campsite as their primary residence for a period of 90 days in 2022.

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.

La Bailloterie campsite currently has planning permission to utilise part of the campsite to accommodate up to 16 motorhomes at any one time between 1st March and 31st October and for no individual motorhome to be parked on site for longer than one, one month period (FULL/2018/0383).

Planning permission was previously granted to vary condition 6 of the permission (FULL/2018/0383) to allow two visitors to stay on the campsite in their motorhome for longer than one month, between 1st June and 15th September 2020 (FULL/2020/0277).

Under the application, planning permission is proposed for a further variation to condition 6, to allow other people in a different motorhome to occupy the site between 1st March and 29th May 2022. The application was deferred for the applicant to supply further information regarding the reason for the stay and vehicle to be located on the site. This information was provided via email on 30 November 2021.

The motorhome would be sited within the area previously approved for motorhomes and within the time period that motorhomes are permitted to be on the campsite. The application sets out a requested need to vary condition 6 in this particular case to accommodate the local residents stated in the application.

The preceding text to Policy OC8(B) sets out in paragraph 17.7.5. that *“campsites will be provided to support the visitor economy and not to provide long-term residential accommodation and, as such, the length of residency will generally be controlled through planning conditions.”* As this part of the Plan sets out, as does the reason for imposing condition 6, the motorhome spaces on the campsite are for visitor accommodation and not residential accommodation.

There would be concerns about the potential use of the site for residential purposes as opposed for visitor accommodation if the maximum length of stay for any one motorhome as set out in condition 6 is generally relaxed. This would prevent the motorhome pitches being used for their intended purposes, to serve visitors to the island and would not represent an appropriate form of long-term residential accommodation on Guernsey.

Siting of the motorhome in this location between 1st March and 29 May 2022 for the purposes of visitor accommodation would have no additional adverse effects on the character and appearance of the area or on neighbouring amenity when compared to the current permission for the siting of motorhomes on the campsite. However, the application does not relate to providing visitor accommodation for an extended period but rather long-term residential accommodation which runs contrary to the aims of the Plan and the reason for imposing the planning condition. As a result, the application is recommended for refusal.

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 proposal would have no adverse impact on protected trees, buildings or sites.

Date: 29 December 2021

