

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**  
**AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)**  
**ORDINANCE, 2007**

## **NOTIFICATION OF GRANT OF PLANNING PERMISSION**

**PROPOSALS:** Retention of 8 motorhome bays (retrospective), erect earthbank to create 4 additional motorhome bays (for use between 1st March - 31st October annually) and remove shipping container.

**LOCATION:** Beaucette Marina, La Route De La Lande, Vale.

**APPLICANT:** Beaucette Marina Ltd

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

**Date of Grant of Permission:** 28/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Tyrrell Dowinton Associates - 2144/03.04A.

**Application Ref:** FULL/2021/1946

**Property Ref:** C000010000

**Conditions and reasons:-**

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. Prior to the commencement of any work in connection therewith, details of the construction of the approved earthbanks shall be submitted to and agreed in writing by the Authority. The work shall be carried out in strict accordance with the approved details and the banks shall be in situ prior to the first use of the four new motorhome bays.

Reason - To ensure the appropriate construction methods are used in connection with the formation of sound and substantial earthbanks and in order to help assimilate the development to their surroundings.

4. The landscaping scheme shown on approved plan 03.04A shall be fully completed, in accordance with the details agreed under the terms shown on this plan, in the first planting season following the formation of the four additional motorhome bays hereby approved or in accordance with a programme previously agreed in writing by the Authority. Any hedge plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by hedge plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is in keeping with the character and appearance of the locality and to help assimilate the development into its surroundings.

5. No more than twelve motorhomes shall be accommodated on the site at any time and only on the plots shown for such use on drawing no. 03.04A.

Reason - A limit is needed to make sure that the proposal does not adversely affect the environment of the area and result in an over-intensive use.

6. Use of the site to accommodate motorhomes as hereby permitted shall be carried out wholly in accordance with the provisions of the 'Motorhomes Procedure Note' and the conditions of the 'Motorhome Permit' as may be in force at any time.

Reason - To ensure that the use operates in a way which does not adversely affect the environment of the area and the Island as a whole.

7. A log of visitors using motorhomes as overnight accommodation shall be kept by the camp site operator and shall be made available for inspection by the Authority subject to 48 hours' notice being given.

Reason - To allow satisfactory monitoring pursuant to the requirements of conditions 4 and 5 above.

8. No motorhome shall be kept on site outside the period of 1 March until 31 October and no individual motorhome shall be parked on site for a cumulative period of longer than one month in any year.

Reason - To make sure that the site is used for holiday purposes. Any other type of occupation would raise different planning considerations.

9. Within six months of the date when use of the site for campsite purposes ceases, or such other period previously agreed in writing by the Authority, the earthbanks installed to mark the motorhome bays hereby permitted shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the earthbanks has been granted only on the basis that they are required in association with the campsite use of the land. There is no justification to retain the structures if there is no longer any campsite use of the land and the Island Development Plan requires, through Policy OC8(B) for all structures to be removed from the site upon cessation of use or when no longer required.

**Expiry Date: This permission will cease to have effect on 27/01/2025 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

Details regarding earthbank construction techniques can be found in Conservation Advice Note 3: Earthbanks in Guernsey which can be found online at [www.gov.gg/needpermission\(https://www.gov.gg/CHttpHandler.ashx?id=87673&p=0\)](https://www.gov.gg/needpermission(https://www.gov.gg/CHttpHandler.ashx?id=87673&p=0))

**Effect of planning permission:**

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

**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, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. 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. The official Appeal Notice Forms are available on the States of Guernsey website at [www.gov.gg/planningpanel](http://www.gov.gg/planningpanel) and must be completed with all enclosures in multiples as requested and received within the six months deadline.

**Copy of representations made:**

In reaching this decision the 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 under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

**Other Remarks:**

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services ([highways@gov.gg](mailto:highways@gov.gg)) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

**This document is not a Building Licence and confers no approval under the Building Regulations.**

**A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.**

**A J ROWLES**

Director of Planning  
Planning Service





**PLANNING APPLICATION REPORT**

**Application No:** FULL/2021/1946  
**Property Ref:** C000010000  
**Valid date:** 17/09/2021  
**Location:** Beaucette Marina La Route De La Lande Vale Guernsey GY3 5BQ  
**Proposal:** Retention of 8 motorhome bays (retrospective), erect earthbank to create 4 additional motorhome bays (for use between 1st March - 31st October annually) and remove shipping container.  
**Applicant:** Beaucette Marina Ltd

**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. Prior to the commencement of any work in connection therewith, details of the construction of the approved earthbanks shall be submitted to and agreed in writing by the Authority. The work shall be carried out in strict accordance with the approved details and the banks shall be in situ prior to the first use of the four new motorhome bays.

Reason - To ensure the appropriate construction methods are used in connection with the formation of sound and substantial earthbanks and in order to help assimilate the development to their surroundings.

4. The landscaping scheme shown on approved plan 03.04A shall be fully completed, in accordance with the details agreed under the terms shown on this

plan, in the first planting season following the formation of the four additional motorhome bays hereby approved or in accordance with a programme previously agreed in writing by the Authority. Any hedge plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by hedge plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is in keeping with the character and appearance of the locality and to help assimilate the development into its surroundings.

5. No more than twelve motorhomes shall be accommodated on the site at any time and only on the plots shown for such use on drawing no. 03.04A.

Reason - A limit is needed to make sure that the proposal does not adversely affect the environment of the area and result in an over-intensive use.

6. Use of the site to accommodate motorhomes as hereby permitted shall be carried out wholly in accordance with the provisions of the 'Motorhomes Procedure Note' and the conditions of the 'Motorhome Permit' as may be in force at any time.

Reason - To ensure that the use operates in a way which does not adversely affect the environment of the area and the Island as a whole.

7. A log of visitors using motorhomes as overnight accommodation shall be kept by the camp site operator and shall be made available for inspection by the Authority subject to 48 hours' notice being given.

Reason - To allow satisfactory monitoring pursuant to the requirements of conditions 4 and 5 above.

8. No motorhome shall be kept on site outside the period of 1 March until 31 October and no individual motorhome shall be parked on site for a cumulative period of longer than one month in any year.

Reason - To make sure that the site is used for holiday purposes. Any other type of occupation would raise different planning considerations.

9. Within six months of the date when use of the site for campsite purposes ceases, or such other period previously agreed in writing by the Authority, the earthbanks installed to mark the motorhome bays hereby permitted shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the earthbanks has been granted only on the basis that they are required in association with the campsite use of the land. There is no justification

to retain the structures if there is no longer any campsite use of the land and the Island Development Plan requires, through Policy OC8(B) for all structures to be removed from the site upon cessation of use or when no longer required.

## **INFORMATIVES**

Details regarding earthbank construction techniques can be found in Conservation Advice Note 3: Earthbanks in Guernsey which can be found online at [www.gov.gg/needpermission\(https://www.gov.gg/CHttpHandler.ashx?id=87673&p=0\)](https://www.gov.gg/needpermission(https://www.gov.gg/CHttpHandler.ashx?id=87673&p=0))

---

## **OFFICER'S REPORT**

### **Site Description:**

The land to which this application relates is the field to the west of the main marina building. It is bounded to the south and east by the access road serving the site and to the west by a narrow lane which is one way to the north. There is a high, dense hedge alongside this lane and this extends along part of the northern boundary of the field.

Eight motorhome bays have been created by installing earthbanks between each pitch adjacent to the west site boundary. A refuse storage area and washing up shelter exist to the east of the field.

The field is slightly below the level of the site access.

The site is located Outside of the Centres and in an Archaeological Area as designated in the Island Development Plan.

### **Relevant History:**

FULL/2015/3033 - Create camp site consisting of 8 plots for motor homes, install field gate, create new access track, alter ground levels, form earth banks and lay boulders – granted. Expired 31 January 2021

FULL/2017/2272 - Remove earthbanks, erect four shepherd huts for use as visitor accommodation, erect fencing and carry out landscaping – granted

FULL/2017/2299 - Change of Use of agricultural land to boatyard use, re-surface existing boatyard and rescind condition restricting use of part of boatyard to over-wintering only (part retrospective) – granted

FULL/2018/2125 - Reposition houseboat within boatyard and change of use to workshop – granted

FULL/2018/2300 - Erect enclosed structure to create waste bin storage and recycling area and relocate oil tank – granted

FULL/2020/0797 - Erect 3 storage containers for temporary period – granted

FULL/2020/0822 - Erect four bay marina and boatyard storage/workshop building - granted

FULL/2021/0029 - Change of use of agricultural land (Use Class 28) to use as part of mixed use marina and boatyard complex and erect 7 glamping pods - granted

FULL/2021/1942 – Erect 6 safari tents and remove hedge and earthbank to relocate access road – granted

**Existing Use(s):**

29 Sui generis – marian and boatyard

28 Agriculture

**Brief Description of Development:**

The application as originally submitted related to the installation of earthbanks to the east of the site to provide four additional bays with hedging proposed around the bays (which does not require the specific grant of planning permission). Following a site visit during the course of the application it was noted that the existing eight motorhome bays remained in use despite the temporary permission having expired. The application was therefore amended and re-advertised to include the retention of the existing motorhome bays (retrospective), for all bays to be available for use between 1st March - 31st October each year and for the removal of a shipping container.

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

Island Development Plan policies:

OC8(B): Visitor Accommodation Outside of the Centres – Campsites

GP1: Landscape Character and Open Land

GP8: Design

IP9: Highway Safety, Accessibility and Capacity

**Representations:**

None.

### **Consultations:**

Tourism – No objections to the removal of the shipping container, the increased amount of motorhome bays nor the retention of the seasonal use of the original 8 motorhome bays at Beaucette Marina.

Tourism note that the availability of motorhome bays in Guernsey has proved popular with visitors, offering an alternative option to camping. The location of this site is well placed for guests to be able to benefit from the nearby Marina catering facilities as well as enjoying immediate access to the coastal walks and cycling routes.

Camping is not currently regulated by Tourism under the provisions of the Tourist Law, however, attention is drawn to the requirement to make adequate provision of appropriate toilet and ablution facilities, and provide waste and waste water disposal arrangements suitable to the proposed increased use of the site.

Traffic and Highway Services – No objections.

Guernsey Farmers Association – No objections to the application for the retention of the 8 motorhome bays and the creation of a further 4 with an earthbank surround on agricultural land providing that if the area is no longer required for the approved purposes it is returned to agricultural use thereafter. GFA reaffirms the response given by Commerce & Employment at the initial application and welcomes the applicant's use of native planting within the landscaping of the site. The benefit to the wider community of allowing this application is considered an offset to the loss of this land for agricultural use at the present time.

### **Summary of Issues:**

The key issues in this case relate to the principle of retaining and extending the campsite for motorhomes, its impact on the locality, residential amenity and the local highway network.

### **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.**

Policy OC8(B) sets out that proposals to create a campsite or works to an existing campsite will be supported subject to a number of criteria being satisfied relating to

commercial agriculture, the scale of development, impact on landscape character and the removal of all structures when the site is no longer required.

The area of the application site is approximately 0.25 hectare and although the site was, as part of the 2015 application, identified as very good quality land by the then Commerce & Employment Department its size was a limiting factor and the land had not been used for agricultural purposes for some time. Since the permission was granted for 8 motorhome bays on the site the land has not returned to agricultural use as the motorhome pitches have been created. It falls outside the Agriculture Priority Area and no objections have been raised to the proposal to retain 8 motorhome bays nor an extension to the site by creating 4 additional bays in the same field by the Guernsey Farmers Association on the basis that the land reverts to agriculture when the site is no longer required. This is a matter that can be controlled by planning condition.

The site is generally viewed in the context of the existing marina buildings and screening of the site is provided by the existing hedge along the west site boundary and extending along part of the northern boundary. A gridforce finish has been applied across the site for access and grass has grown to disguise this surface. Although the existing and proposed parking areas do impact on the character and appearance of the field the existing and proposed planting, to define the motorhome bays and site edge (south and east boundaries) reduces and mitigates the impact of the development on the local area and landscape character. The removal of the shipping container will be of benefit to the site and locality. A camp site by its nature generally requires a rural location and, taking into account Policies OC1, OC8(B) and GP8, it is considered that the proposal would have an acceptable visual impact. Although the proposed hedging does not require the specific grant of planning permission it is considered necessary in order to help mitigate the impact of the development on the character and appearance of the locality. As a result therefore, the motorhome bay banks and additional hedging shown on the application drawings can be managed by planning condition.

The land on the opposite side of the road comprises a disused vinery. The proposed siting relative to the position of nearby dwellings is such that there would be no physical impact on neighbours in terms of outlook or overlooking.

Any impact on neighbouring dwellings would result from the additional activity and associated noise and disturbance from vehicles accessing the site and from its use by visitors. Residential properties are set away from the site and the number of motorhomes remains limited, despite an increase of 4 bays. The extended use site will not represent an unacceptable increase in the potential for noise and nuisance in this semi-rural location where there are already marina related activities and movements. The scheme therefore meets the aims of Policies GP8 and GP9 of the Island Development Plan in this respect.

There are no parking implications associated with this proposal and, following the implementation of the temporary permission, concerns associated with the use of

the local road network by motorhomes have been monitored. As identified in 2015, the general decline in horticultural activity in the area and associated vehicle movements means there remain no traffic management concerns in relation to the proposed use. Visibility at the site entrance is limited with some limitations in relation to the access roads within the site however, these have not presented any issues in connection with the temporary use of the site for 8 pitches and the increase of 4 pitches will not significantly alter this situation. The one way system implemented as part of the 2015 permission has operated satisfactorily since that time and will continue to do so for the expanded site in accordance with Policy IP9 of the Plan.

The proposal involves the siting of up to 12 motorhomes on the land and this would be limited to 1st March - 31st October each year. Various conditions can be imposed on a planning permission controlling the use of the site to the 'season' specified, parking of up to 12 motorhomes only in the defined bays, and no stay exceeding one month. Such conditions will manage the potential impact of the development on the locality and ensure the site remains available for visitor accommodation and not long term residential use.

In view of the above it is recommended planning permission is granted for the proposed development subject to appropriate planning conditions.

### **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:** 25 January 2022