

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: Creation of petanque court with seating area and pathways to west elevation.

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

APPLICANT: Beaucette Marina Limited

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: 03/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton - 2450 03.01, 03.02 & 03.03.

Application Ref: FULL/2024/1342

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. 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.

Expiry Date: This permission will cease to have effect on 03/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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 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) 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/2024/1342
Property Ref: C000010000
Valid date: 30/07/2024
Location: Beaucette Marina La Route De La Lande Vale Guernsey GY3
5BQ
Proposal: Creation of petanque court with seating area and pathways to
west elevation.

Applicant: Beaucette Marina Limited

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.

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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.

OFFICER'S REPORT

Brief Description of the site:

The application site is a grassed area adjacent to the restaurant and motorhome campsite, a short distance from the shepherd huts and immediately adjacent to the marina access. It is situated adjacent to the access road through the site and large granite boulders have been installed to prevent the area being used for parking. At the time of the site visit a number of picnic tables had been placed on the land.

The application relates to the installation of a pétanque pitch.

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

The site was identified as very good quality land by the then Commerce & Employment Department but its size was a limiting factor and the land had not been used for agricultural purposes for some time.

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

FULL/2021/1946 - 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 – granted

FULL/2024/1167 – Variation of condition 8 of planning permission FULL/2021/1946 - to allow use of 12 motorhome pitches all year round and to allow an individual motorhome to be parked on site for a cumulative period no more than 90 days within a 12 month period – under consideration

FULL/2024/1369 - Erect single storey building for staff accommodation and associated landscaping to south of site – under consideration

Existing Use(s):

- 29 Sui generis – marina and boatyard
- 28 Agriculture
- 10 Restaurant

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

- GP1: Landscape Character and Open Land
- GP8: Design
- GP9: Sustainable Development
- OC5 (B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
- OC4: Retail Outside of the Centres
- OC8(B): Visitor Accommodation Outside of the Centres – Campsites
- OC9: Leisure and Recreation Outside of the Centres

Conclusion/Brief comment:

The land is situated in close proximity to the restaurant and marina however given the variety of recognised uses on the site as a whole the associated planning policies should be assessed.

Being situated outside the Agriculture Priority Area the IDP makes provision for proposals not associated with agriculture through OC5(B). The proposal does not relate to the extension or alteration of an existing retail use, although may be used by visitors to the restaurant and so Policy OC4 is not considered to be directly relevant. In terms of campsites, the IDP makes reference to development that is proportionate to the scale of the camping operation and would be incidental to the campsite operation. The single pétanque pitch is considered proportionate and incidental to the motorhome/shepherd hut camping facilities at Beaucette.

Through OC9 a pétanque pitch would be a form of Outdoor Formal Recreation (sports pitch) and similar to OC8 requires ancillary built development to be proportionate to the nature and scale of the use.

The single pétanque pitch is considered proportionate to the campsite and leisure and recreation uses and would not result in harm to the character, appearance and visual amenities of the area. The pitch would be situated amongst other built development and represents a good standard design that will respect the local landscape character. It will not result in the unacceptable loss of any specific distinctive features that contribute to the wider landscape/local distinctiveness and will improve physical access to open land.

There are residential properties in the vicinity of the site and it is noted that the pitch would be suitable in size for competitions. With only one pétanque pitch available however, its general use will be casually, by visitors to Beaucette and staying on site. The use of the pitch will not therefore, result in undue harm to the amenities of neighbouring properties.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

In view of the above it is recommended permission is granted for the development. Although OC8(B) requires all structures to be removed from the site when the use ceases, this land does not form part of the approved campsite and as outlined elsewhere in this report, the facility would not only serve campsite users but could contribute towards public access to open land. In view of this, it is not reasonable to impose a condition relating to its removal.

Recommendation:

Grant with Conditions

Date: 30/08/2024



