

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: Erect single storey building for staff accommodation and associated landscaping to south of site.

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: 11/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates: 2439/03.01, .02A, .03A & .04.

Application Ref: FULL/2024/1369

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.

4.The premises shall be used only for staff accommodation serving the adjoining restaurant premises and for no other purpose including any other purpose in Retail Use Class 11: Food of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.Prior to the commencement of any work in connection therewith a scheme showing the provision to be made for secure and covered cycle parking has been submitted to and agreed in writing by the Authority, and no part of the building or development hereby permitted shall be used or occupied until the agreed scheme has been fully implemented. The cycle storage approved shall be used for no other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

6.Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas (incorporating permeable paving);
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - In order to help assimilate the development into its surroundings.

7.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or 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 satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 11/09/2027 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/2024/1369
Property Ref: C000010000
Valid date: 08/08/2024
Location: Beaucette Marina La Route De La Lande Vale Guernsey
Proposal: Erect single storey building for staff accommodation and associated landscaping to south of site.

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.

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. The premises shall be used only for staff accommodation serving the adjoining restaurant premises and for no other purpose including any other purpose in Retail

Use Class 11: Food of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5. Prior to the commencement of any work in connection therewith a scheme showing the provision to be made for secure and covered cycle parking has been submitted to and agreed in writing by the Authority, and no part of the building or development hereby permitted shall be used or occupied until the agreed scheme has been fully implemented. The cycle storage approved shall be used for no other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

6. Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas (incorporating permeable paving);
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - In order to help assimilate the development into its surroundings.

7. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or 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 satisfactory and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Site Description:

Beaucette is located Outside of the Centres and within an Archaeological Area as designated in the Island Development Plan. The L'Ancrese Common area is adjacent to the marina and this area of land is designated as a Site of Special Significance. The coastal path that wraps around the northern part of the marina is an Area of Biodiversity Importance. The Area of Biodiversity Foreshore also adjoins the Beaucette Marina.

The site is located adjacent to the boatyard element of the facility with shepherd huts separated from the site by an access road to the boat yard, the roadside boundary is marked by a series of large granite boulders whilst the boatyard boundary is marked by a high bank and trees. A dourt runs around the outer edge of the site with trees also along the boundaries. The roadside boundary is, in part, open but a cluster of trees and other planting is also situated adjacent to the road, inside the roadside wall. Residential properties are situated adjacent to and opposite this roadside boundary wall but with no fenestration directly facing the site.

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.

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/2024/1342 – Creation of petanque court with seating area and pathways to west elevation – granted

Pre-application advice was sought in this case which highlighted the benefit of providing details regarding the requirement for the accommodation, how many/who etc and noting that the matter of design and open landscape character would need to be assessed as part of a formal planning application.

Existing Use(s):

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

Brief Description of Development:

The application relates to the erection of a single-storey, flat roof building adjacent to the south site boundary and south of the approved glamping/shepherds huts on the site, west of the boat yard. An area of open land would be retained to the west of the building, between it and Route Des St Maglore where a number of frontage residential properties exist.

The building contains six en-suite bedrooms (four single and two double) all with kitchenette facilities along with a communal lounge and dining area. It has been confirmed that the building would be occupied by no more than 8 people.

The submission outlines that various other locations at the site were considered but discounted for various reasons. The principal occupiers of the accommodation will be those working at the restaurant although one room would be utilised by a member of staff connected with the wider uses of the site as a 24/7 presence is necessary (quasi-caretaker/site management position). The submission also highlights that the land is not utilised at present thereby making efficient use of land and that the scheme will offer good quality accommodation for occupiers in terms of outlook and privacy with good access to the main building (work/life balance).

The application submission has not made a request for a minor departure from the Island Development Plan.

The application was deferred to seek further information and clarification regarding the proposed accommodation following comments from the Office of Environmental Health and Pollution Regulation. Revised drawings were provided along with supporting information to address the points raised. The accommodation is to be utilised by no more than 8 people.

A supporting email was also provided by the planning agent stating:

“Due to the recent success of Beaucette Marina and Saltwater Restaurant, it is becoming impossible to provide the quality of service required due to staffing levels. The restaurant turnover is rapidly growing, and Saltwater was voted Trip Advisor Traveller’s Choice Award for 2023. Our client is keen to maintain the quality of service, but this is very much reliant on retaining reliable, trained, qualified staff. This proposed staff accommodation is therefore imperative to providing on-site staff who can service this restaurant, especially as it will soon be providing brunch and afternoon refreshments in addition to its lunch and evening service.

Without this accommodation, there is real concern that the standard of service will deteriorate, and the restaurant may not be able to continue.

Our client also anticipates that the lack of staffing will also impact on the ongoing development and ever-increasing success of Beaucette as a site. The marina and camping facilities are becoming increasingly popular, and the restaurant facilities are therefore extremely important in servicing this. Our client fears that they will not be able to provide a quality tourist destination without on-site staff.”

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

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

OC5 (B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

OC1: Housing Outside of the Centres

OC4: Retail Outside of the Centres

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

OC9: Leisure and Recreation Outside of the Centres

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

Representations:

None.

Consultations:

Building Control – No comments to make on this application.

Office of Environmental Health and Pollution Regulation

Commented on the application as originally submitted:

There are a number of issues where additional information is needed, primarily in relation to the space and facilities that will be provided to the residents for cooking and eating and the size of the bedrooms. response I should be grateful if the applicant could provide details of the following;

- Maximum number of occupants in each sleeping room
- Total number of occupants in the dwelling (maximum)
- The room size in square meters for each shower room
- The number of ovens, cooking rings, sinks and amount of workspace for each bedroom
- What food storage and preparation facilities are provided in the shared living room/ kitchen/ dining room.

Attention is drawn to <https://www.gov.gg/housingstandards> which details the current minimum standards for rental accommodation. It should be noted that the States of Guernsey passed the Housing (Standards and Regulation) (Enabling Provisions) Law in 2021. The purpose of this law is to enable the drafting of legislation which will improve rental property housing standards, including houses in multiple occupation. The applicant is advised to consider the applications in relation to future legal requirements.

Further comments were received following additional information and plans having been provided to address the points raised above:

I note that the accommodation is intended for 8 occupants. The proposed kitchen facilities are sufficient for 8 occupants.

Summary of Issues:

Retail and visitor accommodation Outside of the Centres
Design and appearance
Character of the area
Sustainable development
Access matters
Effect on neighbouring properties

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 OC5(B) makes provision for development not related to agriculture on land outside the Agriculture Priority Area where a scheme accords with all other relevant policies and this offers a gateway to further consider the proposed staff accommodation.

IDP Policy OC4 provides scope to extend and alter retail operations in the coastal areas where the development is limited in scale to facilitate the continuation of the existing retail use at its current level of operation (Policy OC4 a). Alternatively, OC4 supports changes where an existing convenience retail operation supports the recreational enjoyment of the coast for both island residents and visitors (Policy OC4 b).

The restaurant is located within a coastal area and so the use of the restaurant contributes to the recreational enjoyment of the coast for both island residents and visitors both on a convenience basis for campers at Beaucette and walkers on the coast and a destination restaurant for others. Furthermore, the submission also explains that the staff accommodation is to enable the restaurant to continue to function at its current level having regard to its high rating (Trip Advisor Traveller's Choice Award). Although reference is made to changes to the restaurant (brunch and afternoon refreshments) the submission clearly sets out that the staff are required to ensure that a high standard of service can continue to be provided.

In this regard, the scheme complies with both OC4 a. and b., although only one of these policy criteria must be satisfied to comply with this aspect of the IDP, there is scope therefore for extension/alteration to the restaurant element of the site to provide staff accommodation.

The policy does not preclude the erection of a detached building however, it is necessary to ensure that the development will not have an adverse impact on the visual character and amenity of the locality (OC4 c., GP8 and GP1). In this case, the building is remote from the existing restaurant, being over 150m between the existing and proposed buildings.

It is noted that one room in this building would be for a site manager, covering the site as a whole. Both Policy OC8(B) and OC9 offer support for additional built development that is ancillary and proportionate to the nature and scale of the use. The scheme does not however, specifically relate to development in connection with the campsite uses (shepherds huts/motorhome pitches) or the marina but the campsite and shepherds hut occupiers may use the onsite restaurant to which this application relates so Policies OC8(B) and OC9 are of some relevance in this instance.

The proposal is to provide dedicated staff accommodation on the Beaucette site for the attraction and retention of staff, as this is a key issue for the running of the restaurant and, to make provision on site for a manager to oversee all aspects of operations on the site. Good quality staff accommodation has always been a key factor supporting the long term viability of Guernsey's tourism offerings and the submission highlights the high quality restaurant offering at the site. It is also acknowledged that there are additional operational benefits deriving when staff accommodation is located at or very near to the establishment concerned. This scheme will assist Beaucette to maintain and develop itself for tourism purposes, with the restaurant readily available for motorhome visitors, glamping guests and also occupiers/visitors using the marina plus local and other visitors staying elsewhere on the island but choosing to visit this area. In this regard the scheme complies with Policies OC8(B) and OC9 of the IDP but as the primary purpose of the accommodation is to serve the restaurant there would be no expectation of the building being removed as would be the case if solely related to the campsite. A condition relating to its use only as staff accommodation for the site would however, be appropriate.

The single-storey building will be seen in the context of activities at the boatyard and the adjoining shepherds huts, which are permitted to remain and be used all year round. The building would not represent an isolated development that would be harmful to the character and appearance of the landscape concerned, where development (residential and other) is scattered. The single-storey nature of the building and additional landscaping proposed would help to assimilate the development to its surroundings and offer screening thereby ensuring that the building will respect the built environment and open landscape concerned. This matter can be managed by condition. In this regard the scheme addresses Policies GP1 and GP8 of the Island Development Plan.

The building represents a good standard of design and although it is single-storey a taller building would be more prominent in the landscape. The submission has sought to highlight that other locations at Beaucette Marina were considered but discounted, for example, to move the building closer to the road and amongst other frontage development would likely have resulted in the loss of an area of established landscaping which could affect the character and appearance of that part of the lane. In this case therefore, the single-storey nature of development represents efficient and effective use of land when balancing the other requirements of the IDP. Being single-storey only the scheme has demonstrated accessibility to and within the building for people of all ages and abilities.

The building will provide adequate sunlight/daylight for occupiers, albeit two single rooms are north facing, and aspect and outlook for the rooms (single aspect given the nature of the development) will be acceptable across areas of new planting proposed. Shared accommodation is situated to the south of the building with south facing windows and west facing doors serving a shared patio area offering access to external open space in addition to the coast which is right on the doorstep. Privacy within the development has been considered, with landscape buffers around the

building so as to provide an element of defensible space between bedroom windows and the site. The building will not result in overlooking or loss of privacy to any adjoining buildings/gardens. In terms of internal space provision this addresses the requirements of the Building Regulations and the facilities shown to be provided have addressed concerns raised by the Office of Environmental Health and Pollution Regulation. The scheme would address GP8 and Annex I in relation to the health, well-being and amenities of occupiers, and neighbours of the development.

The scheme does not include provision for car or cycle parking and in Outside of Centre locations such as this each case must be considered in its own merits. Living on site means that occupiers can walk to work and although some occupiers may choose to own a car these would likely be accommodated within existing car parking areas on site. The lack of secure and covered cycle parking is noted but could be accommodated on the site and managed by planning condition. The scheme is therefore satisfactory in terms of Policies IP6 and IP7 of the Island Development Plan.

In view of the above it is recommended permission is granted for the proposed development.

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: 11/09/2024

