

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: Variation to condition 6 of previous permission FULL/2018/0383 -
Extend period motorhomes can be parked on site to a 3 month period.

LOCATION: La Bailloterie Camping, La Bailloterie Lane, Vale.

APPLICANT: La Bailloterie Camping

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: 17/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan received 12/11/2024

Application Ref: FULL/2024/1888

Property Ref: C015780000

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 20/04/2018, issued under planning application reference FULL/2018/0383, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5.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 90 days in any calendar year.

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

Expiry Date: This permission will cease to have effect on 17/12/2027 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/2024/1888
Property Ref: C015780000
Valid date: 12/11/2024
Location: La Bailloterie Camping La Bailloterie Lane Vale Guernsey
GY3 5HA
Proposal: Variation to condition 6 of previous permission
FULL/2018/0383 - Extend period motorhomes can be parked
on site to a 3 month period.
Applicant: La Bailloterie Camping

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 20/04/2018, issued under planning application reference FULL/2018/0383, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. 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 90 days in any calendar year.

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

OFFICER'S REPORT

Brief Description of the site:

The camp site occupies two separate areas of land to each side of Bailloterie Lane. There is planting defining the site boundaries and within the site.

Access to the northern area is from Rue des Haizes and access to the southern area is via a track from Bailloterie Lane close to its junction with La Route du Braye.

The land has planning permission for use by up to 16 motorhomes.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2013/0038 - Utilise part of the campsite to accommodate up to 16 motorhomes – granted

FULL/2018/0383 - Utilise part of campsite to accommodate up to 16 motorhomes (revised) – granted

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

FULL/2021/0615 - 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 – refused

FULL/2024/1539 - Variation to Condition 6 on application FULL/2018/0383 - Park up to 25 motorhomes for rally event for temporary period (between 10th-24th September 2025) – granted

Existing Use(s):

Campsite

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:

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

GP1: Landscape Character and Open Land

GP5: Protected Buildings

GP6: Protected Monument

GP8: Design

IP9: Highway Safety, Accessibility and Capacity

Consultation:

Traffic and Highway Services – commented on a previous application (FULL/2013/0038) and raised concerns about access to the site and concluded that from a traffic management perspective, the movement of motor homes within the network of lanes surrounding the proposed sites would be undesirable due to the minimal width of Rue des Haizes, Ruelle de la Folie, La Bailloterie Lane and La Folie Lane. In road safety terms, the substandard sightlines of both accesses in relation to oncoming traffic and the proximity to the junction of the southern access to Braye Road, are all matters for concern. In light of the above observations, the Traffic Services Unit considers that there are good Road Safety and some Traffic Management grounds on which to oppose the application in its current form.

At the time, the applicant indicated that the entrance off Braye Road has been used without issue for years and that motorhome visitors are directed to the site using Braye Road and approaching from St Sampson.

Conclusion/Brief comment:

The application relates to the variation of condition 6 of FULL/2018/0383 to allow the site to be used by up to 16 motorhomes. Condition 6 states:

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 longer than one, one month period.

A camp site by its nature generally requires a rural location and, taking into account Policies OC8(B) c. and GP8, it is considered that the proposal would not have a significant adverse effect on the visual quality or landscape character of the area.

Policy OC8(B) also requires all other relevant policies in the IDP to be satisfied. In this case, Policies GP8 (Design), GP9 (Sustainable Development) and IP9 (Highway Safety, Accessibility and Capacity) would be particularly relevant. Policy GP8 have been addressed above and given the location and positioning of the site to nearby neighbours, it is not considered that an extended stay of up to three months by any individual motorhome would represent an unacceptable increase in the potential for noise and nuisance. The scheme therefore meets the aims of Policies GP8 and GP9 of the Island Development Plan in this respect. With the variation proposed there would be no significant change in the potential impact on the setting of the Protected Building and Monument in line with the aims of Policy OC8(B) c., GP5 and GP6 of the IDP.

The Population Management (Guernsey) Law, 2016 came into effect on 03 April 2017 and in Part 5 this Law outlines:

- Anyone is able to be in Guernsey for up to 90 days within a 12 month period (starting from their first arrival into the island of Guernsey) without needing to hold a Permit or Certificate.
- This allows a person to stay in tourist registered accommodation or stay as a guest in someone's house where they are living.
- This period does not allow anyone to undertake employment, even if this is remotely for a non-Guernsey based employer.

The previous applications fell to be considered primarily under Policy OC8(B) (Visitor Accommodation Outside of the Centres – Campsites), and the amendments now proposed must remain in accordance with that policy. Criterion a) of Policy OC8(B) is not relevant as the site is not situated within the Agriculture Priority Area.

The prefacing text to this policy expands upon this criterion as follows, “Proposals for more permanent forms of development associated with campsites, such as toilet and shower blocks, will be supported, subject to the scale of development being proportionate to the scale of the camping operation”. A motorhome is not regarded as part of the permanent development of a campsite for the purposes criterion b, however, a refuse storage area and washing up shelter to the east of the field, along with the previously approved earthbanks are considered permanent development associated with the campsite use. These, represent proportionate and ancillary uses to the scale of the camping operation concerned in accordance with criterion c. and d. of Policy OC8(B).

The 90 day occupation would align with the immigration and population laws, referred to above.

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.”* This requirement was thus reflected in the reason for imposing condition 8 originally. There are concerns (see consultation responses above) about the use of a campsite for residential purposes as opposed for visitor accommodation if the maximum length of stay for any or all motorhome pitches were to be generally relaxed. To provide long-term residential in this Outside of Centres location accommodation would run contrary to the aims of the IDP.

Notwithstanding this concern however, the change would bring the use of the site in line with the Population Management Law which is very clear in setting out the parameters for visitor use and with their own mechanism in place to enforce against breaches of occupation/live/work arrangements. In view of this current legislation that allows visitors to the Island for an extended period to allow the motorhome pitches to be used in line with this Law would be consistent and the combination of planning enforcement, border enforcement and the existing planning condition (condition 5) attached to the original permission for the motorhomes relating to the logbook record that can be requested for review by the Authority is sufficient to ensure that the site remains in visitor accommodation use and not as a means of providing more permanent residential accommodation.

With regard to traffic and highway service matters, provided the motorhomes use the previously confirmed arrangements from Braye Road, the increased length of stay, would not unacceptably increase traffic and highway concerns and the scheme accords with Policy IP9 of the Island Development Plan. It would however, be unenforceable to impose a condition regarding the access arrangements as motorhomes are permitted on the highway network generally. Nonetheless, at the time of writing the campsite website states “specific travel directions are provided upon booking confirmation” which suggests that access from Braye Road will be recommended.

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 90 day stay by individual motorhomes.

Recommendation:

Grant with Conditions



Date: 11/12/2024

