

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: Install storage container to south of Vistas Cafe for 2 year temporary period.

LOCATION: Site Adjacent to, Vistas Beach Cafe, Vazon Road, Castel.

APPLICANT: Vazon Bay Cafe 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: 29/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects:2208/01.01, /02.01A & /02.02A.

Application Ref: FULL/2024/2117

Property Ref: D019140000

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 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.

3.The permission for this development shall cease, the storage container shall be removed in its entirety (including any foundations), and the hard surface below shall be restored to its former condition, within 2 years of the date of this decision.

Reason - The storage container hereby approved has been granted temporary permission to enable the applicant/agent sufficient time to devise a comprehensive scheme to extend the premises in a holistic manner to limit the effect of the development on the landscape character and appearance of the area.

Expiry Date: This permission will cease to have effect on 29/01/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This decision permits the proposed storage container to be used only for purposes incidental to the use of the café known as Vistas Brasserie.

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/2024/2117
Property Ref: D019140000
Valid date: 20/12/2024
Location: Site Adjacent to Vistas Beach Cafe Vazon Road Castel
Guernsey
Proposal: Install storage container to south of Vistas Cafe for 2 year
temporary period.
Applicant: Vazon Bay Cafe 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 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.

3. The permission for this development shall cease, the storage container shall be removed in its entirety (including any foundations), and the hard surface below shall be restored to its former condition, within 2 years of the date of this decision.

Reason - The storage container hereby approved has been granted temporary permission to enable the applicant/agent sufficient time to devise a comprehensive scheme to extend the premises in a holistic manner to limit the effect of the development on the landscape character and appearance of the area.

INFORMATIVES

This decision permits the proposed storage container to be used only for purposes incidental to the use of the café known as Vistas Brasserie.

OFFICER’S REPORT

Brief Description of the site:

The application site comprises a café (known as Vistas) located to the west of Vazon Road and served by a public car park to the north. The café adjoins public toilets to the rear of the building. The building forms a cohesive and comprehensive design that is set in an open, coastal location.

The café is located north of a bus stop and the Guernsey Surf School building, which is erected on a seasonal basis (FULL/2024/1292). A new sauna trailer has also been granted temporary permission nearby (FULL/2024/1158).

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

Planning permission was granted in 2022 to install a storage container to the south of Vistas’ café for a temporary 2 year period (FULL/2022/0393). It was noted that the storage container would be in place for 2 years and would be removed thereafter as the temporary permission would give the applicant’s time to explore options to develop the site to enhance the facilities on offer.

The permission has since lapsed and it is now requested that a further permission is sought to extend the temporary period for another 2 years. *It is noted that the extension to the temporary structure for an additional 2 years will allow sufficient time for the redevelopment of La Grande Mare before commencing any major permanent works to Vistas.*

The structure measures 3m (l) x 2.44m (w) x 2.59m (h) and would be used to serve the existing kitchen facility of the café.

Relevant History:

FULL/2024/1292	Erect single storey outbuilding with sign to east elevation and install store adjacent to east boundary wall (1st May to 31st October each year)	Granted
FULL/2024/1158	Install sauna trailer to south of Vistas Restaurant for temporary period (1st October 2024 - 31st March 2025)	Granted

FULL/2022/0393	Install storage container to south of Vistas cafe (for temporary period).	Granted
FULL/2022/0464	Erect outbuilding/bar to east of roof terrace (for temporary time period)	Pending
FULL/2011/0188	Extend at front and sides of cafe, change fenestration, create terrace at first floor level, raised decking at rear and path adjacent to sea wall.	Granted
FULL/2011/3440	Erect three temporary structures for cafe facilities.	Granted
FULL/2018/0256 D019140000- south of café/toilets	Erect beach office and surf board store for a 5 year period operating from 1st May 2018 to 31st October 2018 and then with 6-month operating periods from 1st May to 31st October each successive year until 31st October 2023.	Granted

Existing Use(s):

Retail – café.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

X
✓
✓

Policies considered most relevant:

OC4 Retail Outside of the Centres
GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable Development

Conclusion/Brief comment:

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.

The application site is located within the Coastal Landscapes as set out in Annex V Landscape Character of the Island Development Plan. The area in question falls under the Western Bays. It is noted in paragraph V.9 of Western Bays, *“Development on the Mares and along the coast road impacts on the character of the coastal landscape.”*

Although the development will be visible in public views along Vazon Road, is physically detached from the building, and lies outside of the footprint of the building; the structure is in close proximity to the café and adopts materials to match the external appearance of the café, albeit the paintwork has weathered and started to come away since the permission was granted in 2022.

Whilst sufficient time has passed to enable the applicant to find a more permanent solution for the café, it is considered that an additional 2 year period is acceptable given the particular circumstances of the case. This decision has been reached on the basis that a comprehensive design is developed and granted planning permission during such time, as it is highly unlikely that a further temporary permission would be supported given the 'visual cluttering' effect on this highly sensitive coastal landscape and the increased permanency of the structure.

For the purposes of Policy GP8 and OC4, the proposal is considered to adopt a satisfactory standard of design (given the temporary nature of the development), will support the recreational enjoyment of the coastal location, and will not have an unacceptable adverse effect on the visual character and amenity of the locality when taking into account the amendments secured, and the temporary grant of planning permission.

As noted in the previous officer's report, within the two year temporary period, the Planning Service would be able to assist the applicant/agent in working towards developing a more permanent solution for the café through a pre-application enquiry.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 28/01/25

