

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 covered pergola to east elevation of building.

LOCATION: Salt Water Restaurant, 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: 26/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2485 02.04C and 02.06A

Application Ref: FULL/2025/0055

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 space provided by the pergola hereby approved shall be used only as ancillary space associated with the principal use of the restaurant, currently known as Salt Water. The space shall be used only when the existing restaurant is open to the public and at no time shall it be used independent from the primary restaurant use.

Reason - To define the extent of the permission. To introduce an independent retail/restaurant space would require different policy considerations.

Expiry Date: This permission will cease to have effect on 26/02/2028 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/2025/0055
Property Ref: C000010000
Valid date: 24/01/2025
Location: Salt Water Restaurant Beaucette Marina La Route De La Lande
Vale Guernsey GY3 5BQ
Proposal: Erect covered pergola to east elevation of building.

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 - To define the extent of the permission. To introduce an independent retail/restaurant space would require different policy considerations.

OFFICER'S REPORT

Brief Description of the site:

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 Area of Biodiversity Foreshore also adjoins the Beaucette Marina.

The site is located adjacent to the restaurant element of the facility which has parking to either side and an access road to the west. The motorhome campsite is situated beyond the roadway. 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.

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
OC4: Retail Outside of the Centres
OC9: Leisure and Recreation Outside of the Centres

Conclusion/Brief comment:

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. The submission notes that the proposal would increase the number of covers available at the restaurant and, from previous submissions it is noted that the restaurant currently has a high rating (Trip Advisor Traveller's Choice Award).

The proposal would have the potential to extend the level of retail operation with more visitors being accommodated at the restaurant which would not comply with Policy OC4 a, however, the site does also contribute to the recreational enjoyment of the coast. Policy OC4 does not require both criteria a. and b. to be met and in this case the scheme complies with criteria b.

The proposal represents a good standard of design that will not result in harm to the open landscape concerned. Overall, the structure will be viewed in the context of the existing, two-storey restaurant building. The development will not result in harm to residential amenity in terms of overshadowing or loss of privacy. It is reasonable however, to consider a planning condition relating to the use of this space only when the restaurant is open to ensure no new/separate retail operation is formed which would require different policy considerations.

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.

Recommendation:

Grant with Conditions



Date: 26/02/2025

