

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 sauna trailer with signage to south elevation and lighting to west elevation of trailer to north-west of car park for a temporary period (May - October 2025 and 2026)

LOCATION: Land Area At L'Estrainer, Cobo Coast Road, Castel.

APPLICANT: Mr P Lawson

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: 28/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Plan, Block Plan & Details of Sauna entitled Supporting Pictures and letter dated 21/02/2025

Application Ref: FULL/2025/0317

Property Ref: D01440A000

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 sauna trailer hereby approved shall only be installed in the approved position between 1st May - 31st October 2025 and 2026 as set out in the applicant's letter dated 21st February 2025, after which the permission shall cease, and the sauna trailer hereby approved shall be removed from the site in its entirety.

Reason - The permission is granted for a temporary period only due to the nature of the proposal and in order to clearly define the permission.

5.For the avoidance of doubt, any external lighting shall be submitted to and agreed in writing by the Authority. Any agreed scheme shall thereafter be implemented and shall only be illuminated when the sauna is operational, and at all other times the lighting must be switched off.

Reason - In order to avoid undue light pollution to locality.

6.No amplified music shall be operated inside or outside the sauna hereby approved at any time.

Reason - To avoid potential noise nuisance in the interests of the amenity of the surrounding area and neighbours.

Expiry Date: This permission will cease to have effect on 27/03/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Attention is drawn to the requirement under the Environmental Pollution (Air Pollution) Ordinance, 2019 which requires the approval from the Director of Environmental Health and Pollution Regulation for the use of the stove and the applicant/developer should contact Environmental Health regarding the operation of a stove in this location.

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/2025/0317
Property Ref: D01440A000
Valid date: 03/03/2025
Location: Land Area At L'Estrainfer Cobo Coast Road Castel Guernsey
Proposal: Install sauna trailer with signage to south elevation and lighting to west elevation of trailer to north-west of car park for a temporary period (May - October 2025 and 2026)

Applicant: Mr P Lawson

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 sauna trailer hereby approved shall only be installed in the approved position between 1st May - 31st October 2025 and 2026 as set out in the applicant's letter dated 21st February 2025, after which the permission shall cease, and the sauna trailer hereby approved shall be removed from the site in its entirety.

Reason - The permission is granted for a temporary period only due to the nature of the proposal and in order to clearly define the permission.

5. For the avoidance of doubt, any external lighting shall be submitted to and agreed in writing by the Authority. Any agreed scheme shall thereafter be implemented and shall only be illuminated when the sauna is operational, and at all other times the lighting must be switched off.

Reason - In order to avoid undue light pollution to locality.

6. No amplified music shall be operated inside or outside the sauna hereby approved at any time.

Reason - To avoid potential noise nuisance in the interests of the amenity of the surrounding area and neighbours.

INFORMATIVES

Attention is drawn to the requirement under the Environmental Pollution (Air Pollution) Ordinance, 2019 which requires the approval from the Director of Environmental Health and Pollution Regulation for the use of the stove and the applicant/developer should contact Environmental Health regarding the operation of a stove in this location.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of an area of land adjacent to the car park adjacent to Cobo Coast Road where the land to the northeast rises to accommodate a WWII bunker. Two small buildings exist close to the Cobo south slipway, one is a coastal kiosk and the other provides public WC facilities. The site is located to the north of Cobo Coast Road and adjacent to a wall separating the car park area from the beach beyond. There are long and short views of the site from various public vantage points.

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

Planning permission is sought to install a sauna trailer to the south of Vista’s restaurant. The trailer will be 4.3m (l) x 2.1m (w) x 2.64m (h).

The applicant’s letter (date stamped received 25/02/2025) states that:

- It is intended to operate the Beach Box Sauna between 8am and 9pm (Wednesday – Sunday) for up to 6 people and each session lasting 1 hour
- The sauna will be located on the site for 6 months between May and October for the 2025 and 2026 seasons
- This represents between 5 – 13 sessions a day for private and community bookings depending on the tide and weather conditions
- Future aspirations are also noted.
- The Sauna will not be fixed to the ground and no generator is needed, nor the need for utilities such as water and electricity
- The applicant has liaised with various other States Departments

Relevant History:

Vazon slipway

FULL/2024/1158 - Install sauna trailer to south of Vistas Restaurant for temporary period (1st October 2024 - 31st March 2025) – granted subject to conditions.

4. The sauna trailer hereby approved shall only be installed in the approved position between 1st October 2024 - 31st March 2025 as set out in the applicant's e-mail dated 8th August 2024, after which the permission shall cease, and the sauna trailer hereby approved shall be removed from the site in its entirety.

5. Prior to installation, the exact details of the proposed sauna shall be submitted to and agreed in writing in terms of its size, colour and appearance. The agreed details shall thereafter be implemented.

6. For the avoidance of doubt, any external lighting shall be submitted to and agreed in writing by the Authority. Any agreed scheme shall thereafter be implemented and shall only be illuminated when the sauna is operational, and at all other times the lighting must be switched off.

7. No amplified music shall be operated within the site at any time.

Existing Use(s):

Open, public land

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
- OC9: Leisure and Recreation Outside of the Centres
- IP8 Public Car Parking
- IP9 Highway Safety, Accessibility and Capacity

Representation

One letter of representation has been submitted raising concerns regarding the hours of operation proposed and lighting associated with the development. It is also queried whether this is a seasonal or permanent operation. The development should be limited to the same time as the takeaway van and with no lighting after that time particularly in order to protect roosting sea birds. Being used by groups of people in the evening, and with drinks involved is of concern.

La Societe Guernesiaise – would like to highlight the environmental impact of light pollution on many types of wildlife such as birds, bats and insects. Such pollution can be particularly problematic when introduced into a landscape such as this one, which is in a coastal location and adjacent to le Guet. The Bailiwick Bat Survey has showed that Le Guet is of significant island importance for various bat species. Similarly, the foreshore of Cobo Bay hosts a range of wildlife including Oyster catchers; this species and other shore birds feed during the night as well as in the daytime.

We would question why fixed lighting is required when the sauna is unlikely to be heavily used during the hours of darkness. Customers could simply use torches during any times when the sauna is used at night.

It is also highlighted that in July 2024 permission was refused for an illuminated sign at the nearby kiosk.

Consultations:

The Office of Environmental Health and Pollution Regulation - reviewed the proposed plans for the installation of a sauna trailer with signage and lighting to the north-west of the car park at the above site. I do not wish to raise any objections to the proposals, however the applicant should be aware that there is a requirement under the Environmental Pollution (Air Pollution) Ordinance, 2019, to seek the approval of the Director of Environmental Health and Pollution Regulation (OEHPR) for the use of the stove. Whilst the specifications of the stove have not been included in this application, I can confirm that the applicant has previously been in correspondence with this department and the stove would meet the Director's approval.

Should planning consent be granted for this application, the applicant should contact OEHPR so that a formal letter of approval can be issued for the operation of the stove in this location.

Conclusion/Brief comment:

The proposal relates to a form of informal leisure and recreation that is development ancillary to the beaches and coast. Policy OC9 makes provision for new facilities for informal leisure and recreation where ancillary built development is proportionate to the nature and scale of the leisure and recreation use and the visual impacts of the development can be mitigated to respect the character of the locality.

The applicant's vision is to offer a unique and immersive wellness experience to the local community and visitors while fostering partnerships with neighbouring businesses. It is noted that the sauna will be positioned on a 6 month basis, and will be relocated during extreme weather events.

The proposed sauna is intrinsically linked to sea swimming activities, and there is a clear functional relationship and being sited close to the sea such as at Cobo as proposed. Although the public consultation has raised concerns about the use of the sauna in the evening and involving people drinking alcohol there is no evidence to demonstrate that the facility will be used in this way.

The concerns raised regarding external lighting and the impact of this on wildlife is also noted. The lighting appears to be limited to a string of fairy lights along the ramp and around the recessed doorway only. It is not possible to draw direct comparisons with the refused scheme for an illuminated sign nearby as each application must be considered on its own merits. Consistent with the Vazon location of this sauna it would be reasonable to limit the lighting and a condition could be imposed setting out that the lighting may only be used when the sauna is operational. It will be during the early and late months for this temporary sauna installation that the lighting may be useful to guide people safely to the entrance. The level of lighting proposed is not considered unreasonable nor would it result in unacceptable harm to the locality.

The proposed position of the sauna is acceptable, close to an existing wall and where a small scattering of other buildings and movable structures such as the Mim's pizza van, used for catering purposes. Given the topography of the adjoining land and the other structures close by, in addition to the greater visual impact the sauna would have if situated on top of the bunker (which would not likely be possible for logistical reasons) the proposed location is reasonable and logical, whilst making most effective and efficient use of the land.

No mitigation measures have been proposed to help screen the temporary development in public views, although as noted above, the sauna would be located close to other buildings/temporary structures and amongst the vehicles parking in the coastal car park, and kayaks often stored there. Its siting and design is such that

its visual impact is limited and no mitigating measures are considered necessary in this case.

Due to the temporary nature of the sauna, the proposal will not have any medium-to-long term visual impacts or on the open landscape character, and due to its siting, the proposed development is considered to respect the surrounding built environment. Whilst there will be some harm caused to the openness of the landscape and visual amenity, the structure is on a temporary basis and therefore any harm is not considered to be permanent which could give rise to reasons for refusal.

The scale of the development is considered appropriate and proportionate to the functional relationship between the proposed use and the sea.

The site is not located within an Agriculture Priority Area and overall, the proposal complies with Policy OC9.

The proposed sauna would be limited in size, is of a high quality design, finish and materials, and will have no fixings to the ground, therefore would accord with Policy GP8 (Design).

Due to its siting, no traffic management or road safety issues are raised. The surrounding area is served by adequate public car parking, therefore any increase in pressure on short-term public parking in the area is likely to be negligible when taking into account the capacity of the sauna and its connection with sea swimming where people would likely already be parked in the vicinity to undertake this other pursuit.

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: 27/03/2025

