

DEVELOPMENT & PLANNING AUTHORITY

NOTICE OF OPEN PLANNING MEETING

An Open Planning Meeting will be held at Beau Sejour Centre, Cambridge/Delancey Rooms, on **Wednesday 29th July 2020 starting at 14:30hrs.**

The following applications will be considered at the Open Planning Meeting:-

APPLICATION NUMBER:	FULL/2019/2623
APPLICATION ADDRESS:	Domarie & Avondale Vineries Oatlands Lane St. Sampson
DESCRIPTION OF WORK:	Vary planning conditions 4,5,6,7,8,10 and 12 on FULL/2017/0995 (Change of use to form 16 storage units and 2 open yards) to pre-commencement conditions.
NAME OF APPLICANT:	Mr & Mrs B Slattery

APPLICATION NUMBER:	FULL/2020/0077
APPLICATION ADDRESS:	Camp De Reves Glamping Limited Rue Des Paysans Au Val St. Pierre Du Bois
DESCRIPTION OF WORK:	Variation of Condition No. 7 of planning permit FULL/2017/0947 to allow retention of 'glamping' safari tents until 31 October 2022 (Revised scheme).
NAME OF APPLICANT:	Mr & Mrs D & J Barnes

The agenda for the open planning meeting, along with the planning application reports relating to the above applications, are made available five working days before the date of the Open Planning Meeting on the States' website. The planning application report contains a summary of any consultation responses and of any representations received on the application from third parties.

There will be provision for **public speaking** at the open planning meeting. The opportunity to speak is afforded only to persons who:

a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and

Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and

b) who have notified the Planning Service in writing (by letter or by e-mail addressed to Planning@gov.gg) of their intention to speak which is received by the Planning Service by 12:00 Noon two working days prior to the date of the Open Planning Meeting (i.e. **by 12:00 Noon on Monday 27th July for the OPM held on Wednesday 29th July**).



PLANNING APPLICATION REPORT

Application No: FULL/2019/2623
Property Ref: B010310000+B01032A000
Valid date: 20/12/2019
Location: Domarie & Avondale Vineries Oatlands Lane St. Sampson
Guernsey
Proposal: Vary planning conditions 4,5,6,7,8,10 and 12 on FULL/2017/0995
(Change of use to form 16 storage units and 2 open yards) to pre-commencement conditions.
Applicant: Mr & Mrs B Slattery

RECOMMENDATION – Agree to variation of conditions 4,5,6,7,8,10 & 12 of FULL/2017/0995 to revised wording below:

Condition No	Approved condition:	Recommended condition:
4	Within 2 months of the date of this decision a phasing timetable for removal of all existing buildings, glasshouses and structures (excepting B1 and B18) and including all areas of hardstanding and glasshouse paths and footings shown on the approved plans, from the areas of the site outside of the storage area marked in purple on the approved plans shall be submitted to and agreed in writing by the Authority. Those structures shall then be removed in accordance with the approved timetable, and within 6 months of the date of this decision.	Prior to the commencement of any operations on site, a phasing timetable for removal of all existing buildings, glasshouses and structures (excepting B1 and B18) and including all areas of hardstanding and glasshouse paths and footings shown on the approved plans, from the areas of the site outside of the storage area marked in purple on the approved plans shall be submitted to and agreed in writing by the Authority. Those structures shall then be removed in accordance with the approved timetable, and prior to the commencement of any operations from the approved storage units and open yards.
5	Within 2 months of the date of this decision, a method statement detailing the proposals for demolition, removal and disposal of all existing buildings, glasshouses, structures and areas of hardstanding, including contractors' hours of operation, shall be submitted to and approved in writing by the Authority. The	Prior to the commencement of any operations on site, a method statement detailing the proposals for demolition, removal and disposal of all existing buildings, glasshouses, structures and areas of hardstanding, including contractors' hours of operation, shall be submitted to and approved in writing by the Authority. The demolition works shall be

	demolition works shall be undertaken in accordance with the approved method statement.	undertaken in accordance with the approved method statement.
6	Within two months of the date of this decision, a timetable for alterations to the access drive shall be submitted to and agreed in writing by the Authority. The works shall then be undertaken in accordance with the approved plans and the approved timetable, and within 6 months of the date of this decision.	Prior to the commencement of any operations on site, a timetable for alterations to the access drive shall be submitted to and agreed in writing by the Authority. The works shall then be undertaken in accordance with the approved plans and the approved timetable, and prior to the commencement of any operations from the approved storage units and open yards.
7	Within 2 months of the date of this decision, precise details of the means of closure of the southern access, including the lockable gate, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and shall be undertaken within two weeks of the completion of works to the north access. The lockable gate shall thereafter be retained in perpetuity.	Prior to the commencement of any operations on site, precise details of the means of closure of the southern access, including the lockable gate, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and shall be undertaken within two weeks of the completion of works to the north access. The lockable gate shall thereafter be retained in perpetuity.
8	Within 2 months of the date of this decision, precise details of acoustic fencing enclosing the open yard associated with Building B16 shall be submitted to and agreed in writing by the Authority and the agreed acoustic fencing shall be erected in accordance with the approved details. The acoustic fencing shall thereafter be retained in perpetuity.	Prior to the commencement of any operations within the open yard associated with Building B6, precise details of acoustic fencing enclosing that yard shall be submitted to and agreed in writing by the Authority and the agreed acoustic fencing shall be erected in accordance with the approved details. The acoustic fencing shall thereafter be retained in perpetuity.
10	Within 2 months of the date of this decision, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:	Prior to the commencement of any operations on site, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

	<p>i) the treatment proposed for all ground surfaces, including hard areas;</p> <p>ii) full details of tree and hedge planting;</p> <p>iii) planting schedules, noting the species, sizes, numbers and densities of plants; and</p> <p>iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.</p>	<p>i) the treatment proposed for all ground surfaces, including hard areas;</p> <p>ii) full details of tree and hedge planting;</p> <p>iii) planting schedules, noting the species, sizes, numbers and densities of plants; and</p> <p>iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.</p>
12	<p>Within 2 months of the date of this decision, details of any works to the streams along the south-west and north boundaries of the site, or the area of open water in the north-east corner of the site, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.</p>	<p>Prior to the commencement of any operations on site, details of any works to the streams along the south-west and north boundaries of the site, or the area of open water in the north-east corner of the site, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.</p>

OFFICER'S REPORT

Site Description:

The application site comprises a 12 vergee glasshouse site, with ancillary structures, set on the north-east side of Oatlands Lane. The site wraps around a residential property known as Avondale to the west to border Oatlands Lane on either side of that property. To the north-west and south-east ends of the roadside boundary the property borders two further residential properties, known as Southview and Arroutresse. Along the north boundary, the remainder of the south boundary and part of the east boundary the site borders agricultural land. For the remainder of the east boundary the site abuts another horticultural site.

The site is located Outside of the Centres in the Island Development Plan, and immediately to the south of an Agriculture Priority Area.

Relevant History:

23/10/19 FULL/2017/0995 Permit for change of use of horticultural buildings, glasshouse and land to south-east of site to form 16 storage units and 2 open yards. Undertake landscaping. (Revised scheme)

Existing Use(s):

Horticultural site – Agricultural Use Class 28

Brief Description of Development:

Permission is sought under this application to vary the following conditions to require the stipulated information/actions prior to commencement of operations on site:

- 4 Phasing timetable for removal of structures and hardstanding;
- 5 Method statement for removal of structures and hardstanding;
- 6 Timetable for alterations to the access drive;
- 7 Details and implementation of closure of southern access;
- 8 Details of the acoustic fencing to open yard B16;
- 10 Landscaping scheme;
- 12 Details of works to streams.

For the avoidance of doubt, the proposals do not include any alterations to any other conditions applied to the decision, which would remain in place.

In particular, there is a note on the submitted information in relation to Condition 9 which states that the acoustic fencing to the yard labelled G4 will be omitted, with the storage containers re-positioned to provide a barrier along the southern boundary of that yard. This work is not shown on the submitted drawings and does form part of the current application. A separate application for planning permission would be required should the applicant wish to pursue this option.

In respect of Condition 22, the limitation on vehicle sizes relates to both users of the approved storage units and the open yards and no change is proposed to that condition under the current application.

The proposal would not result in any alteration to the date of expiry of the permission, which would remain at 22/10/2022.

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

- | | |
|--------|--|
| OC3 | Offices, Industry and Storage & Distribution Outside of the Centres |
| OC5(B) | Agriculture Outside of the Centres – Outside of the Agriculture Priority Areas |
| OC6 | Horticulture Outside of the Centres |
| OC7 | Redundant Glasshouse Sites Outside of the Centres |
| GP1 | Landscape character and open land |

GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of Redundant Buildings
IP7	Private and communal car parking
IP9	Highway safety, accessibility and capacity

Representations:

Three letters of representation received in respect of the current application raising the following points:

- Planning permission should be adhered to as granted, taking into account the weight of representation received against the previous application;
- There is no evidence that any conditions have been adhered to and the second access remains in use;
- If the conditions are not adhered to the site should return to its authorised use;
- The uncertainty in respect of this site is having significant impacts on inhabitants of the area;
- Pre-commencement conditions are open ended and places no pressure on the applicant to proceed with any haste.

Specifically in respect of the conditions the following points are made:

- Condition 6 refers to the new access drive through the property and not the access gateway and should stand;
- Condition 8 should stand irrespective of whether the yard is used as it is an unsightly area close to neighbouring properties. Alternatively the area should be grassed and planted as a further buffer to neighbouring properties;
- Condition 22 should relate to the open yards as well as the users of the storage units.

Consultations:

The Constables of St Sampson comment as follows:

The applicant is requesting that the 2-month deadlines be revised to “prior to commencement”. As we are not privy to your reasons for setting the 2-month deadlines we cannot comment on this.

We do however note the following:

- We are concerned that the imposition of 22 conditions on the project will required a significant resource for the Authority to police effectively.
- It seems that this application did not require a fee, yet it requires resources to administrate.
- The documents we received from you have notes which indicate the applicant is planning further revisions to the application.

The Office of Environmental Health and Pollution Regulation have no comments to make, provided that office is consulted on the information to discharge any necessary conditions moving forwards.

Summary of Issues:

Whether the amended conditions would accord with Plan policy.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Background

The authorised use of this site is as a horticultural site, falling within Agricultural Use Class 28 in the Land Planning and Development (Use Classes) Ordinance, 2017.

Permission was granted at Open Planning Meeting on 23/10/19 for the change of use of horticultural buildings, a glasshouse and surrounding land to the south-east of the site to form 16 storage units and 2 open yards. This permission was granted subject to 22 conditions to ensure that the proposal met the terms of policy.

Ordinarily when an application for change of use is made, any additional information or work required by condition is to be submitted or undertaken prior to commencement of operations at the site. An example of this is the permission granted for a similar proposal at Extension Vineries (ref FULL/2016/2864).

At the time of determination of the application at Domarie & Avondale, the proposed uses were however already operating from the site, without the benefit of planning permission. Consequently, it was not possible to require the necessary information or works prior to commencement of operations. Seven of the conditions applied to the decision were therefore amended to require the information to be provided and works to be implemented within a specific timescale, to ensure that the works necessary to meet the terms of policy or to mitigate the impact on neighbouring properties would be undertaken in a timely manner.

At the time of writing, none of the conditions applied to the planning permission have been discharged and the specified timeframes for discharge of condition has now elapsed.

Current use of the site

A site visit was undertaken 06/02/2020, including access into all buildings on the site. All uses had vacated the site, access to both driveways was barred and crates had also been placed to block access to the southern gateway. The unauthorised use of the site has

therefore ceased and there is no active use of the site at present. In planning terms, the site has reverted to its authorised use.

The authorised use of the site remains for horticultural purposes, with no constraints in terms of the gateways or size of vehicle which can be used by traffic associated with that horticultural use. The planning permission for change of use has not been implemented and the conditions attached to that decision have not therefore been engaged.

Purpose of this application

The principle of the use, and the conditions required to ensure that the proposal is implemented in a manner which meets the terms of policy and can be appropriately controlled by the Planning Service, was established at Open Planning Meeting on 23/10/19.

The current application does not propose any changes to the substance of the previous approval and does not therefore provide an opportunity to revisit the principle of the proposal, or to add to or amend the applied conditions, beyond those which form the subject of the application.

Consideration of the application is therefore limited to the amendment of the timescales within which the specified conditions have to be discharged.

Conditions which form the subject of this application

As stated above, the conditions attached to the decision were applied to meet certain policy criteria and, as the uses were already in operation at the site, timescales were applied within which the conditions needed to be discharged.

The information required by the specified conditions however requires the input of third parties and until such time as that information is available the conditions cannot be discharged. The agent states that it has not been possible to gather the information from the relevant specialists within the stipulated timeframes and it has not therefore been possible to discharge the conditions.

In addition, subsequent to the grant of planning permission, the unauthorised use of the site has ceased.

The current application is therefore to vary the conditions which required information to be submitted/works to be undertaken within a specified timeframe to pre-commencement conditions, requiring the specified information to be submitted/works to be undertaken prior to the use of the site for the approved operations.

The conditions proposed to be varied are outlined below.

- 4 Phasing timetable for removal of structures, hardstanding & paths*
- 5 Method statement for removal of structures and hardstanding*
- 10 Landscaping scheme*

These conditions were applied to ensure that the proposal met the terms of Policies OC3 (Offices, Industry and Storage & Distribution Outside of the Centres) and OC7 (Redundant Glasshouse Sites Outside of the Centres), which require, inter alia, that:

- The proposal includes the demolition and removal from the site of all glasshouses and ancillary structures which are not capable of being used for a use in accordance with the relevant policies of the Island Development Plan; and
- The proposal includes details of an appropriate soft landscaping scheme, which will make a positive contribution to the visual quality of the environment and will sufficiently screen the activities on the site and mitigate impacts.

6 Timetable for alterations to access drive

7 Details and implementation of closure of southern access

The notation on the submitted document states that no alterations are proposed to the access of the drive, and Condition 6 is considered to be discharged. The condition however relates to the driveway itself, and not to the point of access on to the adjoining highway, and remains to be discharged. The condition was applied to ensure that the angle at which a vehicle exiting the site addresses the highway would minimise the likelihood of that vehicle crossing into the pedestrian/cycle path on the opposite side of the highway.

Both conditions 6 & 7 were applied to meet the terms of Policies OC3 & OC7, specifically that:

- The proposals will not jeopardise highway safety and the free flow of traffic on the adjoining highway.

8 Details of acoustic fencing (B16)

This condition was applied to meet the terms of Policies OC3 and OC7, specifically:

- There would be no unacceptable adverse effect on the living conditions of neighbouring occupiers including by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit or significant visual intrusion.

The comments made in the letters of representation suggest that the area should be screened from neighbouring properties regardless of whether the approved use is implemented. A planning condition however has to be reasonable and relevant to the development permitted and, if the use is not implemented, it would not only be unreasonable to require works to mitigate the impact of an existing and authorised use, but it would fall outside of the powers conferred to the Authority by the Land Planning and Development (Guernsey) Law, 2005.

12 Details of works to streams

This condition was applied to ensure that the impact on the natural environment was taken into account, and any impacts on existing streams and areas of open water were

appropriately addressed, in accordance with Policy GP1 (Landscape Character and Open Land) and the material considerations of the Law.

The submitted information states that no works are proposed to streams. However, in the event that further site investigations establish that works are required to streams, it is recommended that this condition is also amended to be pre-commencement.

Assessment

In all cases, provided that the information required under these conditions is submitted and the works are undertaken prior to the site being brought into use for the approved operations, the proposal would meet the terms of policy.

It is acknowledged that this would not place any pressure on the applicant to clear the site, improve the site access or to meet any of the other conditions within a particular timeframe, or indeed at all if the permission is not implemented. The required information and works can however only be required in connection with the approved use, and there is no planning mechanism to require them to be implemented independently of that use. Under the previous application it was only reasonable to apply a condition requiring the works to be undertaken within a defined period as the unauthorised uses were already in operation at the site. As the use of the site has now ceased, it would be unreasonable to require clearance of the site, or any of the other works, irrespective of whether the approved use is implemented.

Whilst it is imperative that the required information and works are submitted/undertaken prior to commencement of the approved operations at the site, it would be unreasonable and ultra vires to require them irrespective of that use occurring.

Other comments made in consultation responses and letters of representation

The number and content of the conditions applied to the planning decision were determined at the Open Planning Meeting on 23/10/19, and it is not within the scope of this application to revisit the number or content of the conditions. The proposal is simply to alter the timeframe for the discharge of the identified conditions.

The Land Planning and Development (Fees)(Amendment) Regulations, 2019 states that *"An application to remove or vary a condition will not normally attract a further fee. However, where approval would result in a significant change to the permitted development, a fresh application may be required"*. In this case, the proposed variations do not go to the heart of the previous proposal and would not result in a significant change to the permitted development, therefore no fee was required.

As stated by the Constables, there could be potential for further applications in relation to this site. There is no mechanism within the Land Planning and Development (Guernsey) Law, 2007 or the Island Development Plan to apply a moratorium on the submission of planning applications in relation to this, or any other, site. The owner of any land, or any person with the consent of the owner, has a right to make and have considered an application for planning permission.

The Office of Environmental Health and Pollution Regulation would be consulted on any information submitted to discharge the conditions relating to their area of expertise as a matter of course.

Conclusion

The information and actions required by the conditions which form the subject of this application are required to make the approved use acceptable. It would only however be reasonable to require the information to be submitted or the actions to be undertaken in association with that use. As the unauthorised use of the site has ceased, there is no requirement for that information to be submitted or action to be undertaken within a stipulated timeframe, provided it is submitted or undertaken prior to the approved use being commenced at the site.

In light of the above, it is recommended to the Committee that the proposed variations to the conditions be agreed as set out at the beginning of this report.

Date: 20/07/2020



PLANNING APPLICATION REPORT

Application No: FULL/2020/0077
Property Ref: F005310000
Valid date: 08/01/2020
Location: Camp De Reves Glamping Limited Rue Des Paysans Au Val St. Pierre Du Bois Guernsey
Proposal: Variation of Condition No. 7 of planning permit FULL/2017/0947 to allow retention of 'glamping' safari tents until 31 October 2022 (Revised scheme).
Applicant: Mr & Mrs D & J Barnes

RECOMMENDATION – Agree to variation of condition 7 of FULL/2017/0947 to revised wording below:

Approved condition	Recommended condition
<i>Unless otherwise agreed in writing beforehand by the Authority, the site shall not be used for camping or 'glamping' between 31st October and 1st March each year and all tents shall be removed from the land on or before 31st October each year. The safari tents may be stored at the site between 31st October and 1st March each year within the approved camping facilities building only.</i>	<i>Unless otherwise agreed in writing beforehand by the Authority, the site shall not be used for camping or 'glamping' between 31st October and 1st March each year. All tents shall be removed from the land on or before 31st October each year, excepting the Safari tents, which may remain in situ until 31st October 2022, following which date the Safari tents shall also be removed by 31st October each year. The Safari tents may be stored at the site between 31st October and 1st March each year within the approved camping facilities building only.</i>

OFFICER'S REPORT

Site Description:

The application site was formerly a composting site and field located to the south side of Rue des Paysans Au Val, a short distance south-west of La Houquette School. The site is located at the crest of the escarpment, with views over the open land and scattered development towards the coast to the west.

Permission was granted in 2018 for the creation of a camp site on the land. The site is on two levels. At the time of the site visit (10/06/20) the facilities building and adjacent car

parking was complete and five safari tents had been erected on the upper (south-east) part of the site. Landscaping was underway, however the approved pool was not in place and the applicant stated that the provision of a pool was under review. Little work had been undertaken to the lower part of the site.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

Application site

02/05/19 FULL/2019/0216 – Permit for variations to plans previously approved: change of use of agricultural land to campsite - reconfigure access to lower field and widen vehicular access.

21/02/18 FULL/2017/0947 – Permit for change of use of agricultural land to camp site, install 6 glamping units, swimming pool and services block with associated landscaping and car parking.

24/09/15 FULL/2015/1266 – Refusal of application to erect horticultural outbuilding/store.

2014 – The Environment Department recognised the historic use of the land for composting as a legitimate use at the level/intensity specified at the time. The site has been used as a composting site and as a base for Mr Barnes' horticultural, gardening and landscaping business and before Mr Danny Barnes took over the tenancy in 2002 it was used by Mr Marcus Barnes for a tree surgery/wood chipping business for approximately 10 years.

During the occupation the site was used for the deposit of spoil from nearby excavations particularly from the Mirus battery installations. It appears that since 1898, when the States of Guernsey map was produced, most of the area has been scrub or rough grassland.

Other Campsites

Fauxquets Valley campsite

28/05/08 PAPP/2007/1027 Permission in principle granted to erect two log cabins:

- To be maintained ancillary and incidental to the seasonal operation of the Fauxquets Valley campsite and for no other purpose;
- Cabins to be available for occupation only in the calendar months April – September and within those months shall not be let to or occupied by any person for a period of more than 28 days in total.

La Bailloterie campsite

09/12/13 FULL/2013/2846 Permission granted to erect two log cabins:

- Cabins to be used only as holiday accommodation in association with the campsite available for occupation only between 1st April and 30 September in any year and shall not be let or occupied by any person for any longer than one, one month period. Condition imposed to make sure the cabins are used for holiday purposes because any other type of occupation would raise different planning considerations.

07/12/17 FULL/2017/2697 Permission granted to erect three wooden camping pods:

- Cabins to be used only as holiday accommodation in association with the campsite available for occupation only between 1st April and 30 September in any year and shall not be let or occupied by any person for any longer than one, one month period. Condition imposed to make sure the cabins are used for holiday purposes because any other type of occupation would raise different planning considerations.

Beaucette Yacht Marina

15/01/16 FULL/2015/3033 Permission granted to create campsite consisting of 8 plots for motorhomes, install field gate, create new access track, alter ground levels, form earthbanks and lay boulders:

- Permission limited to a period of 5 years because the permission was granted as a 'trial run' so that the impact of the use of this site to accommodate motorhomes as overnight accommodation on the environment and roads can be properly assessed;
- A log of visitors using motorhomes as overnight accommodation shall be kept by the campsite operator and shall be made available for inspection subject to 48 hours' notice being given and within one month of the closing of the campsite at the end of each season. Condition imposed to ensure that the use does not have an adverse effect on the environment of the area/over-intensive use;
- No motorhomes shall be kept on the site outside the period of 1st March until 31st October and no individual motorhome shall be parked on site for longer than one, one month period.

21/12/17 FULL/2017/2272 Permission granted to remove earthbanks, erect four shepherd huts for use as visitor accommodation, erect fencing and carry out landscaping:

- Each of the shepherd huts shall be removed from the site for a period of one month during each calendar year. A register shall be maintained of the periods that each shepherd hut is removed from the site, and that register shall be made available for inspection no later than 48 hours after such a request is made. Condition imposed to ensure the site is used for visitor accommodation purposes only. Any other type of occupation would raise different planning considerations;
- The shepherd huts shall not be occupied by any individual or group for a continuous period exceeding 28 days. Condition imposed to ensure that the site is used for visitor accommodation purposes only.

Existing Use(s):

Campsite.

Brief Description of Development:

Permission was granted 21/02/18 for the change of use of the application site to form a camp site, install 6 glamping units, a swimming pool and services block with associated landscaping and car parking (ref FULL/2017/0947).

The current application initially sought to alter Condition 7 of that decision, to allow for the “glamping” tents to be retained and for the campsite to operate year round.

Condition 7 states:

Unless otherwise agreed in writing beforehand by the Authority, the site shall not be used for camping or ‘glamping’ between 31st October and 1st March each year and all tents shall be removed from the land on or before 31st October each year. The safari tents may be stored at the site between 31st October and 1st March each year within the approved camping facilities building only.

The application was accompanied by a letter dated 5th January 2020, which stated that the reasons for the proposed extension of the operating season had only come to light since development of the site commenced. The letter sets out the following:

- There has been a massive interest and enthusiasm from the public for the development, with many compliments received, especially regarding the planting and landscaping that has been carried out – and there has been a request for the site to be included in the Parish Church Open Garden Walking Trail.
- The tents are guaranteed for all year weather and have been tested over this winter, and are insured for use all year round.
- VisitGuernsey are very keen to promote the site and have stated that it is ideal for Guernsey, it is included in the 2020 Brochure and correct heating in the tents could attract people all year round.
- Potential guests have contacted the applicant expressing an interest in staying out of season for astronomy, bird migration watching, yoga retreats and Christmas family gatherings and it is a waste to restrict and exclude winter usage.
- There is a shift in tourism, increased awareness of the wellness benefits of being outdoors and engaging in adventure/activity holidays.
- The climate concerns relating to air travel is increasing and there is an increase in the popularity of staycations/short boat journey destinations.
- Additional income over the winter months would be of benefit to the business (albeit at a lower rate) – this would be similar to Lihou where the winter months attract different clientele.
- There is no intention to operate any form of long winter lets.
- The tents are not permanent fixtures, they have a life expectancy and will be taken down and replaced over time.
- It is not economical to dismantle the tents and close the site every winter - it is expected to take between 1 – 2 weeks for two men to disconnect, dismantle and

transfer one tent to the storage building which will amount to between 5 and 10 weeks each year and reduces the season by two – three months (leaving Mid-April to Mid-September only)

- The length of time to dismantle and erect the tents reduces income and could affect the viability of the site (profit and reinvestment).
- There are additional costs associated with employing contractors for between 5 – 10 weeks a year to carry out the work.
- Small electric fan heaters have been tested in the tents and are very economical.
- With regard to neighbour amenity, the use for glamping will generate less dust, noise and have fewer large vehicles on the road than the existing use for composting.

The application was initially deferred in order to explore the possibility of allowing the tents to be constructed and dismantled in a 'window' before and after the authorised summer season.

The applicant responded to this in a letter dated 28 February 2020 requesting that the application be considered on the basis of the original proposal, setting out that:

- At the time of the Open Planning Meeting the full experience of erecting and dismantling the structures was not known:
 - This activity is more intrusive to the local area than leaving them in-situ;
 - Resources would be better employed by enhancing the site and marketing the new business.
- Criteria e) of Policy OC8(C) requires all structures to be removed following the cessation of the campsite use which is considered entirely reasonable.
- The Tourist Board is keen to promote all year round tourism.
- Significant time and effort is required in connection with the erection and removal of the tents:
 - Electric and plumbing needs to be connected/disconnected;
 - Each tent needs to be moved to/from the pitch to storage;
 - There are no additional staff/funds for staff to assist with the construction/removal of the tents (it took four fully trained builders from the tent supplier 4 weeks to erect the site and a further 2 weeks to finish off (excluding follow up work by electricians/plumbers));
 - The tents cannot be constructed/removed during gale force winds or rain.
- Removal of 5 tents at 7 working days each equals 35 days and does not take into account bad weather which could extend this period by weeks. Work would need to start in mid-January and a significant period would be taking down and putting up tents at great cost and no income.

The application was deferred again to explore the possibility of retaining the safari tents on a year round basis, for a temporary two year period, but to retain the limitations on operation to the approved season.

The applicant agreed to this approach by letter dated 01/07/2020. The final proposal is therefore to vary Condition 7 of the original permission for glamping at this site (ref FULL/2017/0947) to allow for the retention of the safari tents on a year round basis, for a

temporary period of two years. The proposal does not include any increase to the approved length of the operating season.

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

Island Development Plan policies:

OC5(A)	Agriculture Outside of the Centres – within the Agriculture Priority Areas
OC8(B)	Visitor Accommodation Outside of the Centres – Campsites
GP1	Landscape Character and Open Land
GP8	Design
GP9	Sustainable Development
IP9	Highway Safety, Accessibility and Capacity

Representations:

Ten letters of representation were received objecting to the application as initially submitted and raising the following points:

- This matter should be considered at an Open Planning Meeting – the removal of condition 7 will negate neighbour and public confidence in the Planning Authority;
- The objections raised to the original application and at the Open Planning Meeting remain relevant;
- The original application report states *“It is our understanding that the proposed units are demountable, and can easily be removed from the site at the end of each permitted period of use”* – Officer understanding was based on inaccuracies in the previous application submission;
- The safari tents are erected and have been since they were originally installed which is a breach of the original planning permission;
- Some letters raise no objections to the retention of the tents on the site throughout the year but do not want year round occupation/use.

Justification for variation of planning condition

- There is no justification for the condition to be varied;
- The applicants submission includes a significant amount of hearsay comments e.g. level of bookings to date and “massive interest”;
 - The website shows very low bookings for the eight months of this year, despite a year’s marketing and it may be the case that the site is not viable;
 - Perhaps the site should be further evaluated, tents sold whilst in good condition and the land returned to the natural look of before.
- There is negligible winter demand and no reason to vary the planning condition;
- There is currently no requirement for campsites to operate under a permit in accordance with the Tourist (Guernsey) Laws 1948 – 1998:
 - there will be no control of standards as imposed on self-catering tourist accommodation thereby causing financial disadvantage for those in competition;

- Permanent use would require strict control and should be treated in the same way as other lodging facilities.
- There will be no benefit to the Parish or States in terms of rates or TRP;
- The site is not operational and the potential impacts cannot be gauged – the application puts the cart before the horse.

Impact on residential amenity

- The site has an adverse effect on residential amenity to properties in the valley below the site;
- The closure of the site between October and April would give residents respite from an unwanted development;
- The development will result in extra noise and the potential for anti-social behaviour, especially if long winter lets are permitted:
 - Noise travels down Rue du Val and loud music and evening activity would be harmful to residents, with c40 potential occupants of the tents;
 - How would noise levels be policed.
- The applicants do not live within close proximity or hearing of the site and any nuisance (drunkenness, music, shouting etc.) will not impact on or be managed by them, whereas such activities will cause grievance, noise and nuisance to neighbours;
- Additional traffic movements will impact on residential amenity.

Impact on landscape character

- The proposal is not appropriate for this lovely, rural area. The structures are disproportionate to the camping operation, are large and unsightly, and have had significant adverse effects on the visual quality and landscape character of the area;
- The large camping facility building has impacted on the visual aspect of the area and from nearby lanes;
 - If the tents are in place all year round the requirement for this building is no longer valid and the building should be removed having regard to the planning conditions imposed.
- The permanent use of this partly agricultural land would negate it being used for any other previous use e.g. grazing;
- The site and safari tents are more prominent than anyone could have imagined from the initial review of the plans and are the most prominent thing on the skyline at the higher end of the parish and from the coast;
- The profile of the tents is unsuitable and has had a high impact on the previously unspoilt countryside;
- It appears land levels have changed on the site, and possibly vegetation has been removed, increasing visibility in the local area;
- The operation of the site for 12 months of the year would have a greater detrimental impact, the winter operation of the site being at a time when there is a lack of foliage on surrounding vegetation;
- The site should be returned to its undeveloped visual state during the winter months with these non-permanent structures removed as required by planning;

- Litter in the lanes could become an issue;
- The site is located in an area of “dark skies” – the campsite will result in light pollution;
- The camping facility building could now be used for evening revelry in inclement weather and result in further noise and traffic movements from guests which would impact on amenity;
- One letter notes the site has been constructed in such a way that it doesn’t spoil the surrounding area.

Traffic movement and Road safety

- The application has not been quantified with regard to extra car usage from full, permanent site occupation (guests and friends);
- There is not capacity in the lanes for the development and the development will result in traffic disruption, particularly when the tides comes over the coastal road;
- The junction of Rue de la Houquette and Rue du Paysan au Val is dangerous;
- The lanes are too narrow for cars to pass and it would not be suitable to reverse long distances in the dark during the winter;
- A sewage lorry can just get through Rue du Val, touching both sides of the hedge. There is no mains drain therefore a sewage cart will have to visit the site frequently each week;
- The comment that there will be less vehicles is disputed, there will be extra traffic in this small lane. Additional traffic as a result of staff, deliveries and ‘campers’ would be inconvenient for neighbours and all other road users;
- Vehicles either have to stop or move past pedestrians extremely carefully;
- No consideration has been given to the impact and safety the proposal will have on all (including children) who walk in Rue de Val for leisure/to school:
 - Walking is promoted by HSC and ESC;
 - Pedestrians have to stand well into the banks for safety;
 - Non-locals drive too fast around the lanes.

Biodiversity

- The site is an area of tranquillity with a structure of beautiful fields and greenery, where nature and its wildlife have a breathing space;
- There are owls, pheasants, ducks and hedgehogs in the lanes;
- Extra cyclists, pedestrians and motorists in the lanes will be detrimental to wildlife.

Other matters

- The car shown on the application drawings is not to scale and is misleading;
- There has been no communication between residents and the applicants – a number of neighbours remain opposed to the changes, the article in the Guernsey Press has exaggerated the positive change in the outlook of the neighbours;
- If this application is granted permission there will be further applications in future to expand the site into neighbouring fields;

- Concerns exist regarding the use of the site for purposes other than tourism during the winter months;
- When the demand in winter does not arrive the applicant may seek alternative uses on the site:
 - The accommodation will be used for casual workers – if this was the applicants' intention this should have been stated as part of the original application and it is likely that more objections would have been raised;
 - This proposal could represent an attempt to establish “permanent” buildings on the site with a view for further applications for permanent housing development in future;
 - An application for insulated roofs and double glazing to conform to Building Regulations will follow generating a Clos on this sensitive site.
- The economic reality is that glamping will either succeed or fail commercially based on the summer months;
- The site is not similar to Lihou because the property in Lihou is a centrally heated house built for winter use;
- The site is unsuitable for tourist accommodation in winter because it is completely exposed to the elements;
- Who would want to “glamp” on the site in the winter as a holiday: It would not do Guernsey a service to suggest people could endure a hellish winter night under canvas and pay for such discomfort;
- The applicant does not live on site to be of assistance to guests.

Those who had made representation to the initial proposal were re-notified of the amended proposals, and two further letters of representation were received reiterating the previous concerns, and particularly the following points:

- The tents are an eyesore on the skyline and within the surrounding rural area, as demonstrated by submitted photographs;
- The tents are exposed to the elements and would be unattractive for tourist accommodation over the winter;
- There are concerns regarding use of the tents as housing accommodation for short term workers;
- There is no rationale for the date of retention proposed;
- This represents application creep, to enable permanent habitable structures, contrary to the original permission for summer only camping in tents.

Constables of St Pierre Du Bois – object to the application. The changes to condition 7 will further intensify development without justification as there are very few bookings showing on the website for 2020. Concerns are raised that if planning permission is granted this, together with a lack of bookings, would lead to an application for permanent residential use of the site.

The rescinding of condition 7 would be contrary to the reason for imposing the condition, to “*control the use of the site as seasonal visitor accommodation in the interests of visual and neighbour amenity*”.

Consultations:

Office of Environmental Health and Pollution Regulation – raise no objections to the proposal.

Marketing & Tourism – support, in principle, a significant variation to the condition or its complete removal. It is understood however, that any relaxation or removal of the condition is ultimately a planning decision that must be grounded in the relevant Policies of the Island Development Plan, and which would be consistent with Planning Law.

Marketing & Tourism supported the original application to create a glamping operation at the site, as the proposals were in accordance with Policy SLP7 of the Strategic Land Use Plan and with the key aims of the Committee for Economic Development's published Tourism Strategic Plan. The Committee has recent published a revised ten point plan which calls for an acceleration in investigating the opportunity to help improve the breadth and quality of the islands accommodation offering.

There are two key considerations regarding this proposal:

1. The potential contribution to the visitor economy that could result from an extended period of operation
2. The operational impacts devolving from the annual erection, dismantling and re-erection of the units, which have clearly proven to be more onerous than originally anticipated

Whilst Marketing & Tourism is sympathetic to this circumstance, for the purpose of this application the comments are restricted to the potential visitor economy benefits that could accrue were the site open for a longer season. The provision of high quality camping and glamping facilities is a key part of the future accommodation jigsaw, especially considering the established appeal of these types of accommodation to a very sizable market segment, both in the UK and across Europe. There is also a growing demand for what is perceived as sustainable accommodation of this nature which may offer a more sustainable alternative to permanent bricks and mortar developments, which is only likely to increase given the current focus on climate change and related issues.

The high quality units erected undoubtedly contribute to the breadth and to the quality of the visitor accommodation product offering. Considered from a Tourism perspective, there appears to be no obvious reason why accommodation of this type and quality should not appeal to potential visitors throughout the year. This would be especially true for potential visitors seeking an immersive, experimental, or adventure holiday, rather than a more traditional leisure break. It is far less likely that the same applies to the year round holiday provision of traditional camping under canvas.

Traffic & Highway Services -

THS' only area of specific consideration under this application would be around the likely impact of the intensification of use aspect of this variation, and whether the intensification of use would result in a significant road safety or traffic management issue within the neighbourhood lanes leading to the site, or at the site's access.

In reviewing the comments previously made by THS in May 2017, at which point the change of use from agricultural to the Camp Site was applied for, THS are satisfied that in comparison to the previous year-round agricultural operation, this application to year round use of the Camp Site, does not result in a significant intensification of use from a traffic management perspective.

Additionally, checks have been made with Guernsey Police and in relation to the RTC statistics that relate to the neighbourhood lanes since the Camp Site was originally applied for. It has been confirmed that there is no reported RTC history for the lane network in the vicinity of the Camp Site in the period May 2017 to date.

On the basis of the above, THS would not object to this variation on either road safety or traffic management grounds.

Summary of Issues:

Whether the proposed variation to Condition 7 would alter the acceptability of the proposal against the relevant Plan policies and material considerations, namely:

- Whether the permanent retention of the Safari tents is acceptable in an Agriculture Priority Area;
- Whether the permanent retention of the Safari tents would impact on landscape character and open land;
- Whether there would be any increased impact on the reasonable enjoyment of neighbouring properties;
- Whether there would be any increased impact on traffic and parking.

Assessment against:

1 - Purposes of the law.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

3 - General material considerations set out in the General Provisions Ordinance.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

Minor amendment to FULL/2017/0947 – Number of safari tents

The planning permission granted under planning reference FULL/2017/0947 was for the erection of 6no safari tents. The plans submitted as part of the current application indicate 5no tents, and 5no tents have been constructed on site. A reduction in the number of tents represents a reduction in any potential impact associated with the campsite and, as such, the reduction in the number of tents can be considered as a minor amendment to the previous application.

The principle of the development

The planning permission granted under planning reference FULL/2017/0947 has established the principle of a campsite on this land, and the erection of safari tents for the duration of the operating season, and this application relates only to the variation of

Condition 7 of that permission. As initially proposed, the application sought to vary the condition to allow for retention of the approved safari tents on a permanent basis, and to allow for their year round use. Following deferral, the proposal has been amended to allow for the retention of the safari tents on a year round basis, for a temporary period of two years only. It is no longer proposed to extend the approved operating season.

The previous application to create the campsite 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. The individual criteria of Policy OC8(B) are addressed individually below.

a) where a proposal falls within an Agriculture Priority Area it is successfully demonstrated that the land cannot positively contribute to the commercial agricultural use of the Agriculture Priority Area or cannot practicably be used for commercial agriculture without unacceptable adverse environmental impacts

The safari tents are located on the upper part of the site, an area previously recognised as a composting facility (agreed by the former Environment Department in 2014) and not an agricultural use. Taking into account this use of the upper land, and the non-permanent nature of the camping proposed to the lower field, the application report attached to the previous planning permission concluded that the development of the site to form a campsite did not result in the loss of agricultural land within an Agriculture Priority Area.

The current proposal does not alter this conclusion. The removal of the safari tents over the winter period would not allow for use of the site for agriculture, as the bases, surrounding infrastructure and landscaping would remain in situ. The variation of Condition 7 to allow for the year round retention of the safari tents would therefore remain in compliance with this criterion.

In respect of the long term use of the site, Conditions 9 and 13 of the previous permission would remain in place, limiting the use of the lower field to a 'non-permanent' campsite, and requiring removal of all structures and buildings from the site following the cessation of the approved use as a campsite.

b) the scale of any permanent development is proportionate to the scale of the camping operation concerned

The permanent development was and remains confined to the upper part of the site. As approved this comprised the bases for the safari tents, a swimming pool, a single-storey oak framed facilities block (WCs, showers, laundry, shop, office, plant room and winter storage/summer games room) and a parking area.

Notwithstanding the assertions made in the letter of application, the proposed retention of the safari tents on a year round basis would alter those structures to permanent features. The tents are however of a lightweight nature and, ultimately, are removable structures.

The tents are obviously required to enable the operation of the campsite, during the operating season. The application material however explains that the time and labour

required to dismantle and erect the safari tents exceeds that previously anticipated, and has corresponding impacts for the viability of the business. The application was initially deferred to explore the potential for dismantling and erecting the tents within a two week 'window' at either end of the season, limiting any encroachment into the operating season or the 'off' season. This however was stated not to be sufficient, as the work is labour intensive, and in some instances specialised, and the campsite does not have enough employees to erect/dismantle numerous tents simultaneously. The investment in time and labour, and the associated financial implications, involved in dismantling and re-erecting the tents each year would be disproportionate to the operation of the campsite and would be likely to affect the viability of the operation.

On balance therefore, whilst the proposal would increase the scale of the permanent development at the site, the structures are essential to the proper running of the site and integral to the 'glamping' use.

c) the development is located so as not to have a significant adverse effect on the visual quality or landscape character of the area

This criteria reflects the requirements of Policies GP1 (Landscape Character and Open Land) and GP8 (Design) which require, inter alia, that development respect the relevant landscape character type within which it is set, the character of the local built environment or the open landscape concerned and provides soft and hard landscaping where this reinforces local character and distinctiveness and/or mitigates the impacts of development.

Concerns have been raised through the public consultation process regarding the impact of the safari tents on the character and appearance of the locality, particularly during the winter. The principle of the tents during the summer months was established under the previous application, and will not be revisited as part of the consideration of the current assessment. As stated above, this application seeks to retain the safari tents year round, due to the time and cost involved in dismantling and erecting the tents each year.

Having regard to Annex V: Landscape Character of the Island Development Plan, the site is located at the edge of the Western Plateau, stepping down to the west into the Escarpment and towards the Western Bays landscape character types. The area is characterised by open fields arranged across erosion platforms and interspersed with scattered buildings and mature planting, and provides a visual backdrop in views from the coast.

As part of the assessment of the previous application, it was concluded that the former use of the upper part of the site as a composting facility did not make a positive contribution to the landscape character and the proposed campsite, including some permanent development, with the tents removed over the winter period and additional landscaping approved as part of that application, would respect the landscape character.

The site and surrounding area was visited in June 2020. At that time, the site was largely screened from nearby properties and the lanes to the north by high earthbanks and hedges. Only the facilities building, located immediately adjacent to the site access, could be seen in views from the north, and only from immediately adjacent to the site access.

The site was however visible from the Rue des Paysans a la Pomare to the south-east and, whilst the facilities building blended into the surrounding tree canopies, the safari tents were prominent in views from that direction. The tents could also be glimpsed in distant views from the north-west and west, including the coast, however those views were generally limited to the roofs of the tents and, notwithstanding the location towards the crest of the Escarpment, the tents were viewed amongst the surrounding vegetation and did not have a significant visual impact.

On the basis of the site visit, it is therefore clear that the impact of the campsite, and specifically the safari tents, on landscape character, openness and visual amenity is negligible within the majority of the surrounding area, during the summer months. The site visit was however undertaken in the early summer, with the vegetation in full bloom, and the visual impact over the winter period would be likely to be greater.

As noted above, the tents are also visible from the Rue des Paysans a la Pomare to the south-east and, at present, the tents do constitute an intrusion into the open land in those views. The muted colour range of the tents does have some benefit in limiting the visual impact of the structures and, as part of the approved landscaping scheme, tree planting, including *Quercus Ilex* (Holm Oak), *Carpinus Betulus* (Hornbeam), *Acer Campestre* (Field Maple), *Quercus Robur* (English Oak), *Quercus Petraea* (Sessile Oak), *Crataegus Monogyna* (Hawthorn), *Prunus Spinosa* (Blackthorn) and *Sambucus Nigra* (Elderberry), is to be undertaken in the south-east corner of the site. In the longer term, this planting should provide some screening to the tents in views from the Rue des Paysans a la Pomare. Until such time as the planting becomes established, any mitigating impact, or any requirement for additional planting, cannot however be fully assessed.

In light of the above, the impact on the landscape character during the summer months would not be significant, with views limited to those available from the Rue des Paysans a la Pomare to the south-east, and with potential for the impact in those views to be mitigated once the landscaping becomes established. On balance therefore, it is considered that the revised proposal to retain the tents year round for a temporary period only would enable full assessment of the visual impact during the winter period and once the landscaping becomes more established.

d) all associated development is proportionate to and remains ancillary or ordinarily incidental to the campsite operation

The associated development in this case is the single-storey facilities block, swimming pool and parking area. These aspects were previously approved and would not alter as a result of the proposed variation to Condition 7.

Comment has been made in the letters of representation that, if there is no longer a requirement to store the safari tents over winter, there is no longer a requirement for the facilities building to be able to accommodate that storage. The facilities building is however dual purpose, and provides ancillary facilities for the camp site when the site is operational. The building has been constructed and there would be an ongoing requirement for the structure in association with the use of the camp site. The use of the building is controlled under Condition 10 of the previous permission, which states that the building shall only be used for the purposes specified in the approved application, and as

ancillary and incidental to the operation of the approved campsite, and for no other separate purpose. Any use of the building for alternative purposes, such as “revelry” unconnected to the campsite, would not therefore be permitted.

e) all structures are removed from the site upon cessation of use or when no longer required

Condition 13 of planning permission FULL/2017/0947 states that “*all buildings and structures hereby permitted shall be removed from the site on cessation of the approved use or when no longer required for campsite purposes. The land shall be reinstated to its former condition, in accordance with a scheme previously agreed in writing by the Authority*”. This condition relates to the safari tents as well as the other development approved at the site and would remain in place.

f) it accords with all relevant policies of the Island Development Plan

In this case, Policies GP1 (Landscape Character and Open Land), GP8 (Design), GP9 (Sustainable Development), IP7 (Private and Communal Car Parking) and IP9 (Highway Safety, Accessibility and Capacity) would be particularly relevant. Policies GP1 and GP8 have been addressed above in respect of impacts on open land, landscape character and visual amenity. The remaining policies are addressed below.

Impact on residential amenity

Policy GP9 (Sustainable Development) states that development will be supported where it has been demonstrated that it will not have an unacceptable impact on the amenities of neighbouring properties.

Condition 7 was applied to the previous permission for development at this site specifically to control the use of the site for seasonal visitor accommodation in the interests of neighbour amenity.

A number of concerns were raised in the letters of representation in respect of activities on the site which could generate noise and nuisance, and therefore impact on the amenities of neighbouring properties. These matters were largely considered as part of the previous application for the campsite, and controlled by conditions attached to that permission, but only on the basis that the site would operate for eight months a year. These issues can be difficult to objectively assess and the site has yet to be operational for a summer season in order to demonstrate the level of impact which will arise. It cannot therefore be practically demonstrated that the use of the site on a year round basis would not have an unacceptable adverse impact on the amenities enjoyed by the occupiers of surroundings residential neighbours in advance of the camp site coming into operation.

Notwithstanding the lack of objection from the Office of Environmental Health and Pollution Regulation, it was therefore considered premature to make an assessment of the impact on neighbour amenities and a recommendation on the application was deferred to remove the extension of the operating season from the application. The applicant has subsequently agreed to omit the proposal to allow for year round use of the safari tents

from the application and the operating season of the site would remain limited to 1 March until 31 October each year.

The presence of the tents in themselves would not impact on the amenities of neighbouring properties.

Parking and Highway Safety

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively.

The level of off-road parking, the requirement for it, and the number or type of vehicle movements will not alter as a result of the amended variation to Condition 7 and the proposal remains acceptable in terms of the requirements of Policies IP7 and IP9.

The potential for alternative use of the site

Matters raised in the letters of representation in relation to potential future development at the application site would need to be subject of separate application for planning permission, if proposed by the applicant. Each planning application must be considered on its own merits and against the planning policies in place at the time and cannot influence the consideration and determination of this current application.

Concerns have been raised in the letters of representation about the potential uses of the site if year round use of the safari tents was accepted, for example use for long stay winter lets and seasonal workers. These concerns are no longer relevant as the proposal no longer includes an increase to the length of the operating season. If however a future application came forward to increase the length of the operating season, as stated above, this would be considered on its merits under the relevant policy framework at that time and, if appropriate, restrictive conditions could be applied to prevent long term residential uses of the tents, such as those imposed on other campsites on island.

Concerns have also been expressed in the letters of representation regarding the potential for the safari tents to form a springboard for permanent residential use of the site. Again, any such use would require a formal application for a change of use and would fall to be assessed under the relevant Plan policies. The policies of the Island Development Plan do not allow for new build residential development in this location. The only scope for residential development would be where a proposal comprises the conversion of an existing building, where that building is of sound and substantial construction and capable of conversion without extensive alteration or rebuilding, under the provisions of Policy GP16(A) (Conversion of Redundant Buildings). Whilst the outcome of any formal application cannot be pre-determined, the safari tents are temporary structures which are not designed for permanent residential use.

Other matters

Comments made in the letters of representation note that the safari tents were not dismantled over the 2019/2020 winter, and state that the site is therefore already in breach of planning condition.

Condition 7 however states that the tents must be removed, unless otherwise agreed in writing by the Authority. In this case, the works to create the campsite, including the installation of infrastructure, tent bases and the tents themselves, had not been completed prior to 31 October 2019. Exceptionally therefore, for that winter only, it was agreed that the tents could remain in place during the winter period to allow completion of the campsite.

Summary and conclusions

The application as initially submitted sought to retain the safari tents on a permanent basis, and to allow for the year round use of those tents.

It is not however possible to fully assess the impact of year round use of the campsite on residential amenity in advance of the site being operational. Consequently, a proposal for year round use could not comply with Policies GP8 (Design) or GP9 (Sustainable Development) of the Island Development Plan and, following deferral of the application, that part of the initial proposal has been omitted from the application. The operational season would therefore remain from 1st March until 31st October each year.

The retention of the tents on a permanent basis is requested on the basis of the financial and practical impacts on the business arising from the timescales required to dismantle and re-erect the tents. On the basis of a visit to the site and surrounding area, the tents are not considered to have a significant impact on visual amenity or openness during the summer period. It is however noted that the tents may become more visible during winter, and it is not possible to assess this impact, or any potential mitigating impacts of the approved landscaping scheme, at the present time. On balance therefore, it is considered that the retention of the tents on a year round basis for a temporary two year period (ending 31 October 2022) would enable the business to operate in a viable manner, whilst allowing assessment of the visual impact over the winter months and once the landscaping has begun to establish. It would then be open to the applicant to re-apply, for the permanent retention of the tents or the year round use of those tents at their choice, on the basis of a robust analysis of the operational site.

In light of the above, it is recommended that Condition 7 planning permission FULL/2017/0947 is amended to read as follows:

Unless otherwise agreed in writing beforehand by the Authority, the site shall not be used for camping or 'glamping' between 31st October and 1st March each year. All tents shall be removed from the land on or before 31st October each year, excepting the Safari tents, which may remain in situ until 31st October 2022, following which date the Safari tents shall also be removed by 31st October each year. The Safari tents may be stored at the site between 31st October and 1st March each year within the approved camping facilities building only.

Date: 21 July 2020

