

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Erect stables to north of existing stables, install solar panels and alterations to existing stables. Install sand school, remove hedge and erect fencing.

LOCATION: Shinglewood, Rue De La Ronde Cheminee, Castel.

APPLICANT: Miss S Heathcote

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: 05/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd - 927-3-009, 010, 011, 012, 013, & 015

Application Ref: FULL/2021/1774

Property Ref: C02330000+D018510000

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 stable and sand school hereby permitted shall be used for a purpose personal to the owners/occupiers of the dwelling currently known as Shinglewood and shall not be used in connection with any livery, schooling or business.

Reason - To define the permission for the avoidance of any doubt and to protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 04/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/1774
Property Ref: C02330000+D018510000
Valid date: 26/08/2021
Location: Shinglewood Rue De La Ronde Cheminee Castel Guernsey GY5 7GB
Proposal: Erect stables to north of existing stables, install solar panels and alterations to existing stables. Install sand school, remove hedge and erect fencing.
Applicant: Miss S Heathcote

RECOMMENDATION - Grant: Planning Permission with Conditions:

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not be used in connection with any livery, schooling or business.

Reason - To define the permission for the avoidance of any doubt and to protect the reasonable amenities of neighbouring residents.

OFFICER'S REPORT

Brief Description of the site:

Shinglewood is a detached dwelling situated to the north of Rue de la Ronde Cheminee. Vehicular access is to the east of the dwelling and leads to a garage to the northwest of the dwelling and a parking area to the south east of the existing stable block. The stable block is a detached building with painted exterior and PVCu doors and windows. To its north is a timber building raised on a concrete base and used as a tack store. A wall exists to the northwest site boundary and hedges mark the southeast and north east boundaries. The land to the northeast of the stables, garage and parking area has been divided into paddocks for the grazing of horses.

The application relates to the erection of a hay store and stable to the northwest of the existing stables and tack room building. An existing garden fence is to be removed to the southwest of the proposed hay store and stable and new field gates are proposed around the main yard/yard paddock and leading to a proposed sand school to the northeast of the stables and other paddocks to the northwest. The tack room doors are also shown to be replaced.

The installation of solar panels to the south elevation of the existing one and a half-storey stable block within the recognised domestic garden of the dwelling and within 30m Shinglewood constitute exempt development that do not require the specific grant of planning permission.

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

Relevant History:

FULL/2018/2733 - Change of use of agricultural land to domestic garden and erect stable block – granted

A site visit carried out in connection with this application indicates that the stable block was not constructed in accordance with the approved plans because the overall height of the building is lower and the doors were not installed in accordance with the approved plans (and an internal wall has not been provided). The building is being used solely as a tack room.

Existing Use(s):

01 dwellinghouse
28 agriculture

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:

Island Development Plan policies:

GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:Stables, gates and fences

The proposed build has been designed with a timber clad exterior and shallow pitched roof. The development is considered to be proportionate to the use of the land owned by the applicant for animal grazing, with associated feed storage etc. The design and appearance of the building, fence and gates are such that they represents a good standard of design that respects both the local built environment and open landscape concerned and the development will be viewed in the context of existing stable buildings on the site and residential development that fronts Rue De La Ronde Cheminee.

The stable building is low in height, with a shallow pitched roof and will be situated away from residential neighbours. The building will not result in overshadowing or loss of light to adjoining residential neighbours and nor will it result in overlooking and loss of privacy. The proposed stable building therefore accords with the aims of Policies GP8, GP9 and GP13 of the Island Development Plan

The proposed development will not result in the loss of any landscape features that contribute to the wider landscape character and as the building will be situated adjacent to adjoining garden areas will not appear unduly prominent or out of keeping in the open landscape. The proposal would satisfy the provisions of Policy GP1.

It is noted that part of the existing garden area associated with Shinglewood will be given over to a yard paddock to the west of the stable buildings however this still forms part of the domestic garden associated with the property. This would result in livestock being situated closer to the garden of a residential property than existing but cannot be prevented through the consideration of this application. Any potential issues relating to odour and nuisance from the use would need to be addressed through Public Health legislation by contacting the Office of Environmental Health and Pollution Regulation.

Sand School

The sand school is situated solely within the domestic curtilage for the property and will not result in the loss of agricultural land. Used for personal use and not in connection with a trade or business as confirmed by the applicant (which can be controlled by condition) the sand school falls to be considered under Policy GP13 of the IDP. The sand school is of an appropriate scale for its intended purpose and is well related to the existing and proposed stables and the main dwelling. The means of enclosing the area (with fencing) is appropriate in this location and having regard to existing fencing on the site, meeting the aims of Policies GP8 and GP13 of the Island Development Plan. The site is not located within an Agriculture Priority Area.

The application does not require the removal of any existing established boundary features and will not be highly visually prominent in the area. The proposal will not undermine the landscape character of the area and accords with Policy GP1 of the Island Development Plan.

The design, layout and appearance of the sand school are what would be expected from such a development. The area is separated from residential properties by mature and established landscaping and will not be highly publicly visible from outside the site given landscaping to the northwest and coast. The use of the sand school will not result in harm to the amenities enjoyed by the occupiers of surrounding residential neighbours. The scheme therefore accords with Policy GP8, GP9 and GP13 of the Island Development Plan.

As the school is to be used for private purposes only for the owner/occupier of Shinglewood the development will not impact on the local road network and traffic generation in the area.

The proposed sand school therefore meets the aims of all relevant policies in the Island Development Plan.

Alterations to tack and rug room

As outlined above, planning permission has been granted for a stable and tack room in the location of the tack/rug room on site. Having reviewed the approved drawings however the building appears lower, despite the concrete plinth, and the doors have not been installed in accordance with the approved plans. An internal dividing wall

appears also not to have been installed. This application seeks to replace the doors of this building and in order to regularise the breach of planning control the application will also address the other variations from the approved scheme. The change in height as built and door arrangement as proposed represents a good standard of design that will not result in harm to the character and appearance of the locality or the amenities of surrounding residents.

Conclusions

The proposed development is considered to accord with all relevant policies in the Island Development Plan and it is recommended that planning permission is granted for the proposed developments. All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 05 October 2021

