

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: Variations to plans previously approved to demolish outbuildings and erect two stable blocks, office, muck heap cover and covered seating area. Install sand school with lighting, horse walker, lunge pen and exercise track with associated parking and landscaping - reduce ridge height, and extend to west and east elevation, alterations to fenestration, re-position office/day room, increase arena width, omit fence, widen access road and erect gate.

LOCATION: Grace Stables, Les Damouettes Fields, Fort Road, St. Peter Port.

APPLICANT: Mr M Grunberg

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: 02/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 20-1232/PD/01D, /02B & /03C.

Application Ref: FULL/2022/0952

Property Ref: A410120000 + A409320000

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 on or before 29/11/2024.

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 permeable hard surfaces shall not be constructed until a written specification for their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 30/11/2021, issued under planning application reference FULL/2021/0802, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 29/11/2024 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/2022/0952
Property Ref: A410120000 + A409320000
Valid date: 20/04/2022
Location: Grace Stables Les Damouettes Fields Fort Road St. Peter Port
Guernsey
Proposal: Variations to plans previously approved to demolish
outbuildings and erect two stable blocks, office, muck heap
cover and covered seating area. Install sand school with
lighting, horse walker, lunge pen and exercise track with
associated parking and landscaping - reduce ridge height, and
extend to west and east elevation, alterations to fenestration,
re-position office/day room, increase arena width, omit fence,
widen access road and erect gate.

Applicant: Mr M Grunberg

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 on or before 29/11/2024.

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 permeable hard surfaces shall not be constructed until a written specification for their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 30/11/2021, issued under planning application reference FULL/2021/0802, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Site Description:

The site is one of two fields on the western side of Fort Road, south of Croutes Havilland, and a short distance before the former Morley Chapel.

The site is generally grassland with agricultural sheds along most of the western boundary. There is vegetation (trees/hedging) along the roadside boundary, and trees along the northern boundary, beyond which are the rear gardens of the houses along Croutes Havilland. The southern boundary, with the adjoining field, is also defined with trees and hedging. The site slopes down to the west (rear).

The site is identified within the Island Development Plan as being Outside of the Centres.

Relevant History:

23/05/18 FULL/2017/3017 Permit to erect new indoor riding facility and sandschool. Demolish existing outbuildings, remove conifer trees and hedge, create new vehicular access and access road, erect post and rail fencing and carry out landscaping.

30/11/21 FULL/2021/0802 Permit to demolish outbuildings and erect two stable blocks, office, muck heap cover and covered seating area. Install sand school with

lighting, horse walker, lunge pen and exercise track with associated parking and landscaping.

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

The current application proposes the following variations to the previously approved application:

- Reduce ridge height by 270mm;
- Add extensions to west and east elevations to provide hay stores, resulting in removal of part of the landscape screen to the west;
- Alterations to fenestration;
- Re-position office/day room;
- Increase arena width from 22m to 25m;
- Omission of post and fence around arena and replacement with low level kickboards;
- Widen access road to 4m, and widen vehicle access and gate to reflect this change;
- Alterations to surfacing material.
- Addition of vehicle charging points.

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

OC9 – Leisure and Recreation Outside of the Centres

GP1 – Landscape Character and Open Land

GP8 – Design

GP9 – Sustainable Development

Representations:

Two letters of representation received raising the following points:

- With the increases proposed this development appears to be creeping towards a commercial venture, as opposed to the previously stated personal use;
- Increasing the size of the access road and access gate creates a further problem for those travelling along Fort Road and sightlines have not been considered properly;
- Increasing the size of the horse arena and reducing the “holding” area would appear to create problems for those taking part in competitions;
- All roadways are to be covered with granite or brick paviours which are non-permeable and is likely to result in flooding;
- Removal of part of the earthbank is to be regretted;

- The widening of the access on the western side requires the removal of more of the hedge and tree.

Consultations:

The Office of Environmental Health & Pollution Regulation raise no objections.

Summary of Issues:

Impact on the character of the area;
Impact on neighbour amenity.

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).**

The principle of this development has been established under FULL/2021/0802, and the current application remains for the personal use of the site by the applicant.

The proposed alterations to the buildings would not result in any significant alterations to the visual appearance or impacts of the approved scheme. The introduction of a hay store to the west elevation would result in the removal of part of the landscape screen running along that elevation, however this would only comprise a limited part of the screen and, as there are no public views from that direction, this would not result in significant visual impacts. Neither would this amendment impact on the amenity of neighbouring properties.

The increased width of the arena would not have any adverse impacts, and the omission of the fencing would reduce visual impact. Whilst the reduction of the holding area is noted, this site is for personal use and it is for the applicant to determine what size of holding area is required.

The alterations to the access road width would not have any significant impacts. Whilst the amended gate design would formalise the access, it is set back from the roadside and would not significantly impact on the character of the area. No alterations are proposed to the access point itself, the works shown to the access on the submitted plans match those previously approved.

As initially proposed, the majority of surfacing materials were non-permeable. Following deferral, the proposed surfacing has been amended to permeable paving, with the exception of the previously approved concrete driveway. Subject to details in respect of the method of laying, the amended surfacing material would be acceptable and in accordance with Policy GP9.

Overall the variations proposed under this application would remain acceptable against the above cited policies.

It is noted that lighting is indicated on the submitted plans, however there is insufficient information available to assess the impacts of this lighting, and the condition on the previous permission requiring details of lighting remains extant.

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.

Date: 19/07/22