

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Erect stable block to north west corner of field.

LOCATION: AppleTree Cottage, Les Hurettes, St. Martin.

APPLICANT: Ms Laura Miller

I refer to the application referred to below received as valid on 21/07/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 01/02/2023

Drawing Nos: JG Architecture Ltd - 2221.02.01A

Application Ref: FULL/2022/1400

Property Ref: J008220000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The site forms part of a large swathe of open and undeveloped land. Whilst the stables would not be visually prominent from public highways, the erection of the proposed stables would alter and undermine the undeveloped and open landscape character of the area. The proposal would result in a significant incursion of built development into a wider open and undeveloped landscape, it would constitute an unnecessary loss of open and undeveloped land and it would have a detrimental impact on the landscape character of the area. The proposal conflicts with Policies GP1 and OC9.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning

permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/1400
Property Ref: J008220000
Valid date: 21/07/2022
Location: AppleTree Cottage Les Hurettes St. Martin Guernsey GY4 6QS
Proposal: Erect stable block to north west corner of field.
Applicant: Ms Laura Miller

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The site forms part of a large swathe of open and undeveloped land. Whilst the stables would not be visually prominent from public highways, the erection of the proposed stables would alter and undermine the undeveloped and open landscape character of the area. The proposal would result in a significant incursion of built development into a wider open and undeveloped landscape, it would constitute an unnecessary loss of open and undeveloped land and it would have a detrimental impact on the landscape character of the area. The proposal conflicts with Policies GP1 and OC9.

OFFICER'S REPORT

Site Description:

The site comprises of an open and undeveloped agricultural field which gently undulates, rising then falling to the south, and is bounded by earth banks. The site is surrounded by and forms part of a larger area of open and undeveloped agricultural land. The site is located Outside of the Centres.

Relevant History:

None

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Planning permission is requested to erect a stable block in the north-west corner of the field comprising of 3 stables and a tack room. The stables are proposed to be an L-

shaped single storey pitched roof building, finished with timber cladding and Onduvilla Tiles and with an area of concrete hardstanding in front of the stables.

The application is accompanied by a letter from the agent setting out comments in support of the application.

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

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy OC9: Leisure and Recreation Outside of the Centres

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Representations:

None

Consultations:

None

Summary of Issues:

The main issue in deciding this application is the impact on the landscape character and openness of the area.

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 site is not within an Agriculture Priority Area and therefore Policy OC5(B) supports development on this site that would result in the loss of agricultural land where the proposed use accords with other relevant policies of the Island Development Plan.

The proposed stables are an equestrian related activity, constituting an outdoor formal recreation use as set out under Policy OC9. Where development is designed to meet a recognised demand, Policy OC9 states that:

“Development to provide new facilities for outdoor formal recreation or informal leisure and recreation, or to extend, alter or redevelop existing facilities, will be supported providing that:

- i. any ancillary built development is proportionate to the nature and scale of the formal outdoor recreation or informal leisure and recreation use; and,*
- ii. the visual impacts of ancillary built development can be mitigated to respect the character of the locality; and,*
- iii. the site does not fall within an Agriculture Priority Area, or where it does fall within an Agriculture Priority Area the land cannot positively contribute to commercial agricultural use or cannot practically be used as such without adverse environmental impacts”.*

The agent advises that an existing arrangement to stable 3 existing horses is coming to an end, there is no suitable livery currently on island and their client has no alternative other than to provide a stables on their land. In addition, the agent advises that their clients circumstances have changed since a pre-application enquiry was submitted to erect a stables in a field to the north, adjacent to their dwelling, and that the field to the north will not be owned by their client.

Whilst a demand for stables is noted, and it is understandable that the applicant would want the stables to be located on land under their ownership, considering the open and undeveloped nature of the land and its distance from existing built development, there are concerns about whether there is a recognised demand for stables to be located on this site.

With regards to the impact on the landscape character and openness of the area, Policy GP1 also requires consideration as to whether the proposal would result in the unnecessary loss of open and undeveloped land, which would have an unacceptable impact on the open landscape character of the area; whether the proposal respects the landscape character type within which it is set; and whether the proposal would result in the unacceptable loss of distinctive features that contribute to the wider landscape character and local distinctiveness of the area.

In this case, the field that is the subject of this application is located partly within the upland Plateau and partly within the Cliffs coastal landscape as identified in Annex V of the Island Development Plan. The field is surrounded by and forms part of a large swathe of open and undeveloped land. Whilst the stables would not be visually prominent from public highways, the erection of the proposed stables would alter and undermine the undeveloped and open landscape character of the area. The proposal would result in a significant incursion of built development into a wider open and undeveloped landscape, it would constitute an unnecessary loss of open and undeveloped land and it would have a detrimental impact on the landscape character of the area. The proposal conflicts with Policies GP1 and OC9.

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.

It is recommended that the application is refused.

Date: 27/01/2023

