

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 stable to south boundary of agricultural land.

LOCATION: Field off, La Croix Du Bois, Vale.

APPLICANT: Mr & Mrs Blanchard

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: 18/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Martel Design Ltd: 23-1091 01

Application Ref: FULL/2023/2203

Property Ref: C011010000

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 shelter/stables hereby permitted shall be used only for purposes ancillary to the agricultural use of the land, personal to the owner of the land and shall not be used in connection with any livery or business.

Reason - To define the permission for the avoidance of any doubt, to protect the reasonable amenities of neighbouring residents and because a business or trade operating from the site would require different policy considerations.

Expiry Date: This permission will cease to have effect on 17/12/2026 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/2023/2203
Property Ref: C011010000
Valid date: 07/11/2023
Location: Field off La Croix Du Bois Vale Guernsey
Proposal: Erect stable to south boundary of agricultural land.

Applicant: Mr & Mrs Blanchard

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The shelter/stables hereby permitted shall be used only for purposes ancillary to the agricultural use of the land, personal to the owner of the land and shall not be used in connection with any livery or business.

Reason - To define the permission for the avoidance of any doubt, to protect the reasonable amenities of neighbouring residents and because a business or trade operating from the site would require different policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The site is an approximately 88m wide and 18m deep field which is located north of La Croix du Bois. The Vale Church Hall is to the west, an entrance to Hougue Ricart Quarry is to the east, the quarry to the north and the other open field within the same ownership to the northwest. The property is located Outside of the Centres as defined in the Island Development Plan. The site is not within an Agriculture Priority Area.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Agricultural use class 28: agriculture

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

design acceptable

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

Policies considered most relevant:

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

OC9: Leisure and Recreation Outside of the Centres

GP8: Design

Conclusion/Brief comment:

This application is to erect a 10.8m x 3.6m stable block for two horses, with a central shelter area in the middle. The stable would be located along the south boundary of the field facing north, approx. 28m away from the field entrance, which is in the

southeast end of the south boundary wall, with hedge and other landscaping above to an approximately height of 3m.

The fields have been owned by the applicants since 2012 and between 2016 and 2019 horses were introduced on the land and have used the fields ever since. In Guernsey the grazing of horses on agricultural land does not, in planning terms, amount to a material change of use for which planning permission is required.

Policy OC9 states that proposals to extend, alter or redevelop existing formal outdoor recreation can be supported where the development does not unacceptably increase the scale of the facility.

Although not classed as agricultural the stable would be used ancillary to the existing principal use of the land. Equestrian related activities form an Outdoor Formal Recreation use (Policy OC9: Leisure and Recreation Outside of the Centres). The built development proposed would meet the needs of two horses being grazed at the site. The size and scale of the structure is considered to be proportionate to the use and there are no other structures in the area which could be used instead.

The stable is not considered to have any adverse impacts on the character of the area as it will be screened from public view by the well-established wall/earthbank and hedgerow which grows on it.

The design of the stable block is considered to be appropriate and acceptable and is considered to respect the landscape character of the area.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

The use of the building should be conditioned to be for purposes ancillary to the agricultural use of the land, not for any other purpose, including in association with a trade or business.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 18/12/2023

