

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 single storey stable/hay store to north-west boundary.

LOCATION: Fairview & Adjacent Land, Rue De L'Aitte, St. Pierre Du Bois.

APPLICANT: Mr S D Ellis

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: 30/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - 10795-LOA-AB13-ZZ-D-A-0100
P01, 0110 P01

Application Ref: FULL/2025/0340

Property Ref: F009870000+G003530000

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.Within six months of the date when use of the site for the keeping of horses ceases, or such other period previously agreed in writing by the Authority, the building hereby permitted and any associated structures shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the building has been granted only on the basis that it is required in association with the proposed use. There is no justification to retain the building if there is no longer any equestrian use of the land.

Expiry Date: This permission will cease to have effect on 29/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the stable hereby approved is for equestrian purposes only and no permission is granted for any ancillary domestic use.

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/2025/0340
Property Ref: F009870000+G003530000
Valid date: 27/02/2025
Location: Fairview & Adjacent Land Rue De L'Aitte St. Pierre Du Bois
Guernsey GY7 9BP
Proposal: Erect single storey stable/hay store to north-west boundary.
Applicant: Mr S D Ellis

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. Within six months of the date when use of the site for the keeping of horses ceases, or such other period previously agreed in writing by the Authority, the building hereby permitted and any associated structures shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the building has been granted only on the basis that it is required in association with the proposed use. There is no justification to retain the building if there is no longer any equestrian use of the land.

INFORMATIVES

For the avoidance of doubt, the stable hereby approved is for equestrian purposes only and no permission is granted for any ancillary domestic use.

OFFICER'S REPORT

Brief Description of the site:

The residential property known as 'Fairview' falls within the same ownership as the adjacent agricultural land to the south-east, east and north-east. The site is to the northeast of Rue de L'Aitte and Rue Collas Simon runs along the southeast boundary. The topography of the land is that it falls away from the road (Rue de L'Aitte) to the northeast. The adjacent land has several mature trees around the perimeter and has some high hedges close to the road. The property is located Outside of the Centres and is within an Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

A pre-application enquiry relating to the erection of a stable in 2024.

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(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

Conclusion/Brief comment:

This application is to erect a single storey hay store/stable for the family's retired horse on the adjacent field to the dwelling. The building represents a small area of the agricultural land within the property ownership and is located peripherally to that land, whilst retaining access to the remainder of the land. The erection of stables as proposed would not therefore prevent ongoing use of the agricultural land for its authorised purpose.

Initially the stable block faced southwest, which was considered to project unnecessarily into the field area, and the application was deferred to request a 90 degree turn in the stable position so it was in line with the boundary, gable onto the road, lessening the impact of the structure on visual amenity and the encroachment on to the agricultural land.

This application is to erect a 7.3m x 4.5m stable block for one horse, with a hay store. The stable would be located along the northwest boundary of the field facing southeast (close to the dwelling, in line with the existing garage), approx. 17m away from the field entrance, which is toward the middle of the southwest boundary, with hedges and other landscaping to an approximately height of 3m.

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. The built development proposed would meet the needs of the horse 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 design of the stable block is considered to be appropriate and acceptable and the structure would be of limited visibility. Notwithstanding this, it is considered reasonable and necessary to ensure that the stable is removed should there no longer be a use for the structure.

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

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: 30/04/2025

