

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 block and hardstanding to south boundary of agricultural land.

LOCATION: Le Courtil Belle, Le Courtillet, Guilliard Lane, St. Andrew.

APPLICANT: Ms A Parnwell & Mr J Youlton

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: 07/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Site Location Plan (option 1), Application Block Layout Plan (option 1), elevation drawings (south, west, east and north) and Colt Stable details

Application Ref: FULL/2025/1277

Property Ref: K003740000

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 stable and associated area of hardstanding hereby approved cease to be used by horses, or such other period previously agreed in writing by the Authority, the hardstanding and stables hereby permitted 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 has been granted only on the basis that it is required in association with horses using the land. There is no justification to retain the stables and hardstanding if horses are not using the land.

Expiry Date: This permission will cease to have effect on 06/11/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant/developers attention is drawn to the need to contact the Waste Regulation Officer from the Office of Environmental Health and Pollution Regulation for advice on manure storage and management. Environmental Health can be contacted via telephone on: 221161 or via email at: envhealth@gov.gg

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/2025/1277
Property Ref: K003740000
Valid date: 01/09/2025
Location: Le Courtil Belle Le Courtillet Guilliard Lane Guilliard Lane
St. Andrew Guernsey
Proposal: Erect stable block and hardstanding to south boundary of
agricultural land.

Applicant: Ms A Parnwell & Mr J Youlton

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 stable and associated area of

hardstanding hereby approved cease to be used by horses, or such other period previously agreed in writing by the Authority, the hardstanding and stables hereby permitted 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 has been granted only on the basis that it is required in association with horses using the land. There is no justification to retain the stables and hardstanding if horses are not using the land.

INFORMATIVES

The applicant/developers attention is drawn to the need to contact the Waste Regulation Officer from the Office of Environmental Health and Pollution Regulation for advice on manure storage and management. Environmental Health can be contacted via telephone on: 221161 or via email at: envhealth@gov.gg

OFFICER'S REPORT

Site Description:

The site is situated to the north of Guilliard Lane. The land slopes away to the north and the southern, roadside boundary is marked by hedging, and where gaps exist it was noted at the time of the site visit that new hedge plants have been introduced. A horse box was also present on the site at the time of the site visit. The land was divided by temporary fencing. Vehicular access to the site is towards the western end of the roadside boundary. There is a mix of open land and residential development in the local area.

The site is located Outside of the Centres and within (on the edge of) the Agriculture Priority Area as designated in the Island Development Plan. The site is within the Airport Safety Zone.

The site sits largely within the valley landscape character with an element of the plateau landscape character either side of the valley. Annex V sets out that a valley system reaches into the Plateau of the upper parishes in a series of narrow, branching stream courses that drain through the Escarpment to the coast. Valleys divide the Plateau regularly into a series of high ridges. In the Valley bottoms, open meadows provide linear views along the valley. Clustered settlements are traditional in the valleys but garden planting impact on the form and semi-natural character of the landscape.

The Plateau landscape type is characterised by a web of hedges, banks, hedgerow trees and tree-lined lanes, which enclose numerous small pastures. Small scattered settlements are often found in lower sheltered ground clustered around a spring/lavoir/church etc. and are sometimes connected by a network of narrow green lanes that wind around the field boundaries. The landscape fabric of hedges, banks and tree-lined lanes generally keeps views short. The parishes which make up much of this plateau area tend to each have a distinctive character and provide the basis for division into sub-zones of Western, Central and South Eastern Plateaux.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

28 agriculture

Brief Description of Development:

The application relates to the erection of a single-storey 'L' shaped stable building with timber clad exterior and an onduline roof with associated hardstanding. The building will contain three stables and a tack room.

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

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Area

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

Representations:

One letter of representation has been received objecting to the application and raising the following points:

Agricultural use

- The application describes the building as agricultural but the primary use appears to be keeping horses as pets not for agricultural or farming purposes
- Agriculture implies that the building is used for production, cultivation, livestock kept commercially or for subsistence purposes or other related farming activities not for leisure or hobby purposes

Visual impact

- Building on greenfield land will result in the erosion of open countryside, loss of rural character and harm to the landscape

- Greenfield land is typically protected unless there is a compelling agricultural need and no reasonable alternative
- Using greenfield for non-commercial pet stables does not appear to meet the threshold for development

Other matters

- The site notice was not easily visible from the roadside
- This risks setting a precedent for further development and for other applications mislabelled as “agriculture” for pet/hobby animal buildings on greenfield land

Conclusions

- The application should be refused as it does not meet the definition of an agricultural building; or
- Require full justification of agricultural purpose, commercial or subsistence value and demonstrate no alternative location (or existing building) is available
- Ensure that greenfield land is protected and only used for developments when absolutely necessary, and appropriate under policy

Consultations:

Office of Environmental Health and Pollution Regulation - do not wish to raise any objections to the proposals.

The OEHPR would however like to advise the applicant that should planning consent be granted, they should contact the Waste Regulation Officer of this department for advice on manure storage and management once operational.

Summary of Issues:

The key issues in this case relate to the principal of the proposed development and the effect of the development of the landscape character of the area.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, ‘the Law’, have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy OC5(A) does make provision for development not related to a farm or agricultural holding and also in relation to hobby farms and small holdings. Paragraph 17.3.2 of the IDP considers that current agricultural practise in Guernsey centres on

the dairy industry but also includes outdoor vegetable growing and a range of hobby farming and small holdings. It provides support for proposals relating to the agricultural use of an existing farmstead, or for a purpose ancillary or ordinarily incidental to the existing principal agricultural use, where there are no other buildings or structures which could with, or without reasonable adaptation be otherwise used for the proposed purpose. In this case this is a sole parcel of land within the ownership of the applicant and there are no buildings on that land.

It is also noted that the current Exemptions Ordinance allows for the construction of small scale agricultural building on any agricultural land.

Although the application form accompanying this application has described the development as “agricultural building, erect stable block with hardstanding – 3 stables/tack room” the description of development given by the Planning Service and used in the publicity of the application describes the proposal as the erection of a stable block and hardstanding on agricultural land.

The grazing of horses on agricultural land does not amount to a material change of use in Guernsey. The primary use of this site therefore remains as agricultural land falling under Use Class 28 of The Land Planning and Development (Use Classes) Ordinance, 2017. The Planning Service is not assessing the stable as an agricultural building but the stable would introduce an element of equestrian related activity on agricultural land.

The proposed stable building represents equestrian related activity associated with the grazing of horses on agricultural land. It represent Outdoor Formal Recreation under Policy OC9. Policy OC5(A) allows for the loss of existing agricultural land, which in this case relates to the stable and hardstanding only, where the proposed new use accords with other relevant policies of the IDP. Policy OC9 make provision for new facilities for outdoor formal recreation or informal leisure and recreation (which includes equestrian activities), or to extend, alter or redevelop existing facilities, subject to compliance with a number of criteria:

- i. any ancillary built development is proportionate to the nature and scale of the formal outdoor recreation or informal leisure and recreation use*
- ii. the visual impacts of ancillary built development can be mitigated to respect the character of the locality*
- 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*

The field has an overall area of 5488sqm of which the stables would represent 0.1% of the site area (5436sqm remaining) and the stables and hardstanding would represent 1.47% of the whole site area leaving 5408sqm available for agriculture although it is acknowledged that the land between the building and south boundary would not be actively used/useful for that purpose and site boundaries likely encroach into the site thereby reducing its actual usable area. Nonetheless however,

it remains the case that the stable will be proportionate to the use of the agricultural land for the grazing of horses.

The design of the building is considered appropriate for this rural location and its size is proportionate to the size of the land parcel. The structure is indicated to be erected in close proximity to the existing vehicular access (option 1 labelled on the plans) and will not undermine the ability of the remainder of the land to be used for agricultural purposes, within the Agriculture Priority Area, which includes the grazing of horses.

The height of the building is limited and the boundary landscaping will reduce its impact on the character and appearance of the streetscene. The boundary landscaping will also limit views of the structure from the north, west and east but any glimpse views will see the structure set against the mature boundary landscaping with some scattered residential buildings beyond. The development therefore represents a good standard of design that respects the open landscape and landscape character concerned.

The structure will not result in harm to residential amenity in terms of privacy or overshadowing.

The proposed hardstanding is proportionate to the size of building proposed and appropriate for the equestrian use of the structure proposed. It would be reasonable however, to impose a condition requiring the building and associated hardstanding to be removed when the keeping of horses on this land ceases given its location with the Agriculture Priority Area so as to allow the field as a whole to be made available/used for agricultural purposes.

The stables are not associated with any of the adjoining residential properties however, given the limited size of the size and building proposed it is not considered necessary to impose a condition relating to private/personal use only.

In relation to the site notice, it was set within the site access on a fence post. When initially displayed it did not include the date of display and was required to be redisplayed for a further 21 days. The siting of the notice complies with the Ordinance in relation to the siting of a notice in a location that is visible and legible from a place to which the public has access.

With regard to comment about the development setting a precedent for other development, this is not the case. It is difficult to safely draw conclusions that what applies in one case will apply in the same way in another. Each case must be considered on its own merits and against the planning policies in place at the time and no two situations will be precisely the same.

The condition relating to the removal of the building/hardsurfacing will also ensure that following the cessation of use it cannot be retained as a redundant building for possible future development.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 30/10/2025

