

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: Change of use of agricultural land (Use Class 28) to equestrian related activities (sui-generis). Erect stable block (west boundary), erect single storey hay store (north boundary), install menage, erect fencing and associated works.

LOCATION: Les Buttes, Rue Des Buttes, Torteval.

APPLICANT: Mr & Mrs D Collings

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: 10/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Steve De Vial & Company: Block Layout Plan (1:500), Strategy for Nature 2020 Plan, Bug Hotels & Nesting Boxes Photo Sheets, Stable Block data sheet (SK1 revA), hay barn/store data sheet (SK1 revB), Data sheet re arena by Andrews Bowen Ltd, details of Fencing set out in the letter from Steve de Vial & Company Ltd dated 18/09/2025.

Application Ref: FULL/2025/1536

Property Ref: G001620000+G00162A000

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.If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5.The stables, hay barn and menage hereby permitted shall be used for a purpose personal to the owners/occupiers of the dwelling currently known as Les Buttes 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.

6.The permission granted relates only to the agricultural land to the south of the dwelling currently known as Les Buttes and divided from the domestic garden area by a pink dotted line on the Block Layout Plan (1:500).

Reason - To clarify the extent of the change of use of land.

7.Within six months of the date when use of the site for equestrian related activities ceases, or such other period previously agreed in writing by the Authority, the stables and menage with all associated fencing 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 for the stables and menage have 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 menage if there is no longer any equestrian related activities being undertaken to accord with Policies GP1: Landscape Character and Open Land, OC5(B): Agriculture Outside of the Agriculture Priority Area and OC9: Leisure and Recreation Outside of the Centres of the Island Development Plan.

8.Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) full details of tree and hedge planting
- ii) planting schedules, noting the species, sizes, numbers and densities of plants

Reason - To help assimilate the development into its surroundings and to satisfy the requirements of the Strategy for Nature Supplementary Planning Guidance.

9.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the completion or first use of any individual element (hay barn, stable block or menage) of this permission, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted. trees or plants of a size and species similar to those originally required to be planted.

Reason - To help assimilate the development into its surroundings and to secure biodiversity enhancements as required by the Strategy for Nature Supplementary Planning Guidance.

Expiry Date: This permission will cease to have effect on 09/11/2028 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/2025/1536
Property Ref: G001620000+G00162A000
Valid date: 01/10/2025
Location: Les Buttes Rue Des Buttes Torteval Guernsey GY8 0LJ
Proposal: Change of use of agricultural land (Use Class 28) to equestrian related activities (sui-generis). Erect stable block (west boundary), erect single storey hay store (north boundary), install menage, erect fencing and associated works.

Applicant: Mr & Mrs D Collings

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

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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.

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Reason - To help assimilate the development into its surroundings and to satisfy the requirements of the Strategy for Nature Supplementary Planning Guidance.

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Reason - To help assimilate the development into its surroundings and to secure biodiversity enhancements as required by the Strategy for Nature Supplementary Planning Guidance.

OFFICER'S REPORT

Site Description:

Les Buttes is a detached dwelling situated to the east of Les Buttes. The land that is the subject of this application sits to the south of the dwelling and the majority of the common boundary between the two sites is marked by a hedge. An access gateway to the agricultural land is situated towards the western end of the north site boundary whilst a break in the hedge to the domestic garden also exists, further east, rear of the dwelling. The southern boundary with the dairy farm is marked by very tall evergreen trees whilst the roadside boundary to the west is marked by a wall/bank with trees and some other planting on top. The east boundary, with open land beyond, is marked by a bank with some trees but with views through to the houses and church in the distance. Low key storage was being carried out at the site at the time of the officer site visit, including a horse box and hay.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

28 agriculture

Brief Description of Development:

The application relates to the construction of a ham barn to the north site boundary, adjacent to the main house which is shown to be open fronted to the south and with a shiplap clad exterior and a grey steel corrugated sheet roof. The stable building is proposed in the southwest corner of the site, adjacent to the roadside boundary and would contain three stables, a take room and a wash bay with associated hardstanding to the north/front. Doors are shown to either side of the building as to the rear/south, each stable would have access to an individual turn out sand area. The manure storage is indicated to be a skip, with collections made by Island Waste. Fencing of the menage, yard and turn out areas is also proposed and incorporates 1.2m high posts with rope and electric fencing combined for the turnout areas with the menage enclosed by a post and rail fence as noted on the section drawing of the arena base construction.

Much of the remainder of the site is shown to be utilised as a menage/sand school (50m x 25m) to be laid with a Pro Wax system which is durable and dust free. No floodlighting of the school area is proposed although task lighting off the stable block and haybarn is proposed with under eaves lighting.

The submission has been accompanied by supporting information that sets out that the stables and school will allow the applicants daughter to continue dressage training (has competed at HOYS, major county shows and BD Youth Junior Team and for GB) but to allow other family members to also ride for leisure/pleasure with the benefit of being able to offer on-site care. The applicant's horse is currently in livery elsewhere, with another pony off island in the UK although it is anticipated that a further horse will be purchased. The facilities proposed at Les Buttes would be for personal use only and would not form part of any trade or livery business. The applicant proposes to adopt the European system of using turn out paddocks and the school area for both exercise and turnout although enquires will be made with local farmers/land owners in relation to rented grazing.

The application was deferred to seek information relating to the Strategy for Nature SPG given the proposed change of use of land. An additional drawing has been provided showing two bug hotels and two nest boxes along with a water trough. The associated letter indicates that additional planting of native trees and shrubs will be undertaken along the site boundaries.

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

Island Development Plan policies:

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

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

Representations:

None.

Consultations:

Office of Environmental Health and Pollution Regulation - have reviewed the proposed plans for the change of use of agricultural land to equestrian related activities which include plans to erect a stable block, hay store, menage and associated works at the above site.

I note that the cover letter states that the school and stables are to be used for personal use and that manure will be collected from the site by Island Waste.

I have interrogated the States' Digimap records which show that glasshouses were historically located on adjacent land parcels to the north, east and south of the development site. Due to the close proximity of previous glasshouses and the risk that the land could be contaminated due to this former use, I would recommend that a discovery strategy condition is attached to any permission.

Summary of Issues:

The key issues in this case relate to the principle of the proposals and their impact on the character and appearance of the locality.

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(B) makes provision for the change of use away from agricultural land provided the new use accords with all other relevant policies in the IDP.

Policy OC9 includes outdoor formal recreation uses which incorporates equestrian related activities and requires that ancillary built development is proportionate to the nature and scale of the use and that visual impacts of ancillary built development can be mitigated to respect the character of the area.

The site is generally enclosed and the stable and hay barn will not be prominent in the street scene given their positions, low overall height and the existence of established boundary treatments, with further boundary planting suggested in the

submission. The number of buildings/level of associated storage proposed is also considered proportionate to the proposed small scale/personal domestic use associated with the adjoining property, Les Buttes in accordance with Policy OC9.

The design and appearance of the structures proposed is considered appropriate in this rural location, represent a good standard of design and will not result in harm to the wider open landscape when considering Policies OC9, GP1 and GP8 of the IDP.

The menage is considered a reasonable size to facilitate the exercise and training of horses for dressage/flat work (although would not preclude its use for jumping if desired) and its location and fencing with mature boundary planting is such that it will not result in harm to the wider open landscape in line with the aims of the IDP.

There is no reference made in the submission about where the horse box would be situated following the change of use of the field for equestrian related activities although there would clearly be sufficient space between the stable and hay barn to store such associated equestrian paraphernalia.

The proposed development will not have a detrimental impact on the amenities of any surrounding residential properties. Lighting is proposed to the buildings but no floodlighting is proposed to the menage, which would require separate planning permission.

In line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, the Development and Planning Authority has directed that all applications involving the change of use of agricultural land must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated on the subject land should planning permission be granted. The commitment to boundary planting and the bird boxes and bug hotels indicated on the drawings provide evidence that the Strategy for Nature SPG can be satisfactorily addressed. A condition will be necessary requiring details of boundary planting to be provided and implemented within a specified timeframe.

In view of the above it is recommended permission is granted subject to conditions relating to the use only by owners/occupiers of Les Buttes and not in connection with any trade or business/livery operation. It is also reasonable to require the stables and menage to be removed from the site when the equestrian use ceases. The hay barn could be useful for agricultural purposes and so it would not be reasonable to also require this to be removed from the land, which following the equestrian use ceasing and the stables/menage being removed would fall back to an agricultural use.

The change of use of the field only, will be considered to have been implemented only following the substantial commencement of either of the structures or the menage hereby approved. Until that time, the authorised use of the land for planning purposes remains as open and undeveloped agricultural land.

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: 04/11/2025

