

Island of  Guernsey

Ordinance of the States **XXIX**

1982

Made 27th October, 1982.
Came into Operation ... 27th October, 1982.

**The Island Development (Exemptions)
(Guernsey) Ordinance, 1982**

THE STATES, in pursuance of their Resolution of the thirtieth day of April, nineteen hundred and eighty, and in exercise of the powers conferred upon them by section one of the Island Development (Amendment) (Guernsey) Law, 1972(a), hereby order:—

1. A person shall not require permission in pursuance of the provisions of Part III of the Island Development (Guernsey) Law, 1966, as amended (hereinafter referred to as "the principal Law")— Develop-
ment
permission
not required
for certain
works.

- (a) to carry out any development or other work specified in paragraph 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 or 15 of the Schedule to this Ordinance in any area of the Island other than in a Green Zone,

(a) Ordres en Conseil Vol. XX, p. 276; Vol. XXII, p. 573;
No. XII of 1981.

(b) to carry out any development or other work specified in paragraph 16, 17, 18 or 19 of the said Schedule in any area of the Island other than in a White Area or a Green Zone,

(c) to carry out any development or other work specified in paragraph 20, 21, 22, 23, 24, 25, 26, 27 or 28 of the said Schedule in any area of the Island,

in the circumstances and subject to the conditions, if any, respectively specified in the said paragraphs in addition to the condition applicable to each class or description of development or other work specified in the said Schedule, namely, that the development or other work does not involve the lopping or felling of any tree.

Lopping
or felling
of trees.

2. Notwithstanding the provisions of the last preceding section, a person shall not require permission in pursuance of the provisions of Part III of the principal Law to lop or fell any tree in any area of the Island in accordance with the requirements of good husbandry after the expiration of five years from the date on which permission was last granted in pursuance of the provisions of the said Part III in relation to the land on which the tree concerned is situate.

Interpreta-
tion.

3. In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“agricultural purposes” includes all purposes directly connected with the use of land as arable, meadow or pasture land;

- “ a Detailed Development Plan ” means a Detailed Development Plan prepared by the Island Development Committee in accordance with the provisions of subsection (1) of section six of the principal Law and approved for the time being by the States which Plan for the purposes of identification has been signed and dated by the President of the States and lodged at the Greffe;
- “ Green Zone ” means any area shown and delineated on the Outline Development Plan or on a Detailed Development Plan and thereon coloured green;
- “ the Outline Development Plan ” means the Outline Development Plan prepared by the Island Development Committee in accordance with the provisions of subsection (1) of section four of the principal Law and approved by the States on the twenty-seventh day of November, nineteen hundred and sixty-seven, which Plan for the purpose of identification was signed by the President of the States on the twenty-seventh day of November, nineteen hundred and sixty-seven, and lodged at the Greffe;
- “ glasshouse ” includes any structure which would be a glasshouse were it not for the fact that in the construction thereof translucent material other than glass is used instead of glass;
- “ conservatory ” means a glasshouse which is adjacent to and is intended for use and is used otherwise than for profit in connection with a dwelling house;
- “ public highway ” has the same meaning as in the principal Law;

“road” means a public highway and a service road;

“service road” means any road, path or way not maintained at public expense which is laid out or constructed for the purpose of giving access or improved access to two or more dwelling houses;

“White Area” means any area shown and delineated:—

(a) on the Outline Development Plan and thereon coloured white including the area hatched in red but does not include any such area within a continuous blue, brown or red line;

(b) on a Detailed Development Plan and thereon coloured white.

Repeal. 4. The Island Development (Exemptions) (Guernsey) Ordinance, 1972(b) is hereby repealed.

Citation. 5. This Ordinance may be cited as the Island Development (Exemptions) (Guernsey) Ordinance, 1982.

SCHEDULE Section one

Development or other work for which permission is not necessary subject to conditions except in Green Zones

1. The construction of a catchpit and an oil storage tank on condition that no part of the

catchpit or oil storage tank is situate in front of the building line, is less than thirty feet from a road and not more than seven feet in height.

2. The provision of flue pipes and balanced flues in connection with the installation of a domestic central heating boiler in a dwelling on condition that they are not provided on the front or any part of the building that may be viewed from a road, that they do not extend more than three feet above the roof of the dwelling or in any case do not project above the ridge of the roof of the dwelling and that no structural alterations affecting the external appearance of the dwelling are involved.
3. The construction of a water storage tank below ground level, at ground level or on a stand the height of the total structure being not more than six feet above the level of the ground on condition that no part of the water storage tank or stand is less than thirty feet from a road.
4. The construction of sanitary accommodation for use by persons working in a group of glasshouses on any growing property on condition that—
 - (a) the sanitary accommodation has a floor area of not more than one hundred square feet and is not more than eight feet in height; and
 - (b) no part of the sanitary accommodation is less than thirty feet from a road and

is not situate between a road and the building line of the glasshouse among those which it is serving which is nearest the road.

5. Re-covering the roof of a building, other than a semi detached building or a building which forms part of a terrace, with materials of a similar design, colour and texture to the existing materials.
6. The re-construction of a detached conservatory or a glasshouse, the floor area of which does not exceed two hundred square feet, on substantially the same site within the curtilage of a dwelling house on condition that the conservatory or glasshouse is not situate in front of the building line of the dwelling house.
7. The erection within the curtilage of a dwelling house, of a detached garden glasshouse, the floor area of which does not exceed one hundred and twenty square feet, on condition that one garden glasshouse only is erected, no garden glasshouse exists already on the property concerned and that the glasshouse is not situate in front of the building line of the dwelling house or is not less than thirty feet from the road.
8. The provision of waste or vent pipes in connection with the installation or improvement of sanitary facilities in a building on condition that they are not provided on the front or any part of the building that may be viewed from a road and that no structural alterations affecting the external appearance of the dwelling are involved.

9. The construction of an external water closet attached to or within six feet of the rear of a detached dwelling house.
10. The construction of party or division walls between the curtilages of dwelling houses or rear boundary walls or garden or screen walls on condition that—
 - (a) the walls are not more than four feet in height; and
 - (b) the walls are constructed wholly of blockwork cement rendered or wholly of exposed stone on both faces or with one face wholly of exposed stone and the obverse face wholly of blockwork cement rendered or wholly of brickwork (but not perforated precast ornamental screen or other units); and
 - (c) none of the walls extend in front of the building line of the dwelling house or of any neighbouring houses; and
 - (d) the construction would not contravene any condition of any permission granted under Part III of the principal Law.
11. The construction of party or division fences between the curtilages of dwelling houses or rear boundary fences or garden fences on condition that—
 - (a) the fences are not more than four feet in height; and
 - (b) the fences are constructed of chain link fencing on timber, concrete or metal posts; and

- (c) none of the fences extend in front of the building line of the dwelling house or of any neighbouring houses; and
 - (d) the construction would not contravene any condition of any permission granted under Part III of the principal Law in respect of the houses concerned.
12. The erection within the curtilage of a dwelling house of trellis screens not exceeding seven feet in height and arches on condition that they do not form part of a boundary and are not situate in front of the building line of the dwelling house or not less than thirty feet from a road.
 13. The reconstruction of a detached timber or asbestos clad or corrugated iron clad garden shed, the floor area of which does not exceed sixty square feet on substantially the same site within the curtilage of a dwelling house, on condition that the garden shed is not situate in front of the building line of the dwelling house and that no part of the replacement shed is clad with corrugated iron.
 14. The erection within the curtilage of a dwelling house of a detached timber or asbestos clad or cement rendered concrete block garden shed the floor area of which does not exceed sixty square feet, on condition that one shed only is erected, that no shed exists already on the property, that the shed is not visible from any road and is not situate in front of the building line of the dwelling house or is not less than thirty feet from the road and that no part of the shed is clad with corrugated iron.

15. The construction of a storm porch at the rear or side of a dwelling house on condition that the floor area of the porch does not exceed thirty-six square feet and that the porch is not seen from any public or other place to which the public has access.

Development or other work for which permission is not necessary subject to conditions, except in White Areas and Green Zones

16. The construction of a boiler house chimney for a boiler used for heating a glasshouse on condition that the chimney is not more than thirty-five feet in height and no part thereof is less than thirty feet from a road.
17. The construction of a boiler house for a boiler used for heating glasshouses on condition that—
- (a) the boiler house has a floor area of not more than two hundred square feet; and
 - (b) the boiler house is not more than twelve feet in height (excluding any chimney attached thereto); and
 - (c) no part of the boiler house is less than thirty feet from a road, is not situate between a road and the building line of the glasshouse among those which it is serving which is nearest the road, and is located a minimum of fifty feet from any adjacent dwelling.
18. The construction of a glasshouse on condition that—

- (a) the glasshouse does not exceed thirty-two feet in width or sixteen feet in height to the ridge; and
 - (b) the glasshouse is in replacement of an existing glasshouse to be demolished being of the same length and situate in the same position; and
 - (c) no part of the first-mentioned glasshouse is less than thirty feet from a road.
19. The placing of tarmacadam on existing drive-ways within the curtilage of a dwelling house on condition that the tarmacadam is finished with a gravel surface rolled into bitumen.

Development or other work for which permission is not necessary subject to conditions, anywhere in the Island

20. The construction of a catchpit around an existing oil storage tank.
21. The replacement of existing farm gates and the construction of new farm gates in any position other than those opening directly on to a road, and the provision inside existing hedges of post and wire field fences for agricultural purposes.
22. The erection and display of one sign only within the curtilage of a dwelling house for the purpose of selling surplus garden produce on condition that—
- (a) only home grown produce is sold from the property; and

- (b) the sign is displayed on the property only at such times as there is home grown produce to sell; and
 - (c) the sign does not exceed a total size of approximately two square feet.
- 23. The erection and display of one contractor's signboard on a building or development site on condition that—
 - (a) the signboard does not exceed a size of two feet six inches by one foot six inches; and
 - (b) only the main contractor displays a signboard on the building or development site; and
 - (c) the signboard is displayed for the duration of the contract only.
- 24. The erection and display on a building of professional nameplates not exceeding a size of twelve inches by twelve inches.
- 25. The display for charity and other public events of direction signs and other advertising material other than the erection of banners across streets in St. Peter Port or St. Sampson's, on condition that the direction signs and advertising material are displayed for the day/days of the event and are removed immediately the event is ended.
- 26. The construction within the curtilage of a dwelling house of fruit cages constructed of chain link or wire mesh supported on a timber or metal frame on condition that no part of the fruit cage exceeds seven feet in height and is not situate in front of the building line of the dwelling house.

27. The provision of timber or wrought iron gates within existing pedestrian openings.
28. Replacing a corrugated iron roof of a building with a roof of slates, tiles or corrugated asbestos or replacing a corrugated asbestos roof of a building with a roof of slates or tiles or replacing a cedar shingle roof of a building with a roof of slates or tiles.

K. H. TOUGH,

Her Majesty's Greffier.

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