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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: Extend decking area, remove part of hedge and erect single storey extension (north elevation).

LOCATION: Jardin De Haut, Rue De L'Eclet, St. Pierre Du Bois.

APPLICANT: Mr & Mrs A Tautscher

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: 15/07/2011

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/06/2011 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hunt Brewin: 12292.02.01, 02 & 03

Application Ref: FULL/2011/1826

Property Ref: F00122A000-P11

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 Environment Department 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 Regulations, 1992 (as amended) 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 Environment Department and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Environment Department 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 additional accommodation hereby permitted shall remain an integral part of and incidental to the principal dwelling presently known as Jardin de Haut.

Reason - To prevent the establishment of independent accommodation.

5. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2007 (or any other Ordinance replacing or re-enacting that Ordinance), no doorway shall be installed to the north elevation of the extension hereby approved without the express prior written permission of the Environment Department.

Reason - The north elevation of the extension hereby approved will form the boundary of the domestic curtilage of this property and direct access onto the agricultural land would be resisted.

Expiry Date: This permission will cease to have effect on 14/07/2014 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Department does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Jardin de Haut. For the avoidance of doubt, the domestic curtilage associated with this property is defined by the existing hedging adjacent to the north elevation of the dwelling.

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 Department made this decision. The official Appeal Notice Forms are available on the Department's website at www.gov.gg/planning-appeals 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 Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

This document is not a Building Licence and confers no approval under the Building Regulations.

A J ROWLES
Director of Planning Control Services