Online Version

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: Remove existing glasshouse and boiler house and erect groundsman store.

LOCATION: Glasshouse Site, Pre Du Gele, Le Gele Road, Castel.

APPLICANT: Westward Investments Limited

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: 25/07/2011

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/06/2011 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Michael D Nicolle & Partners Ltd drawing no's: 00-025-20 & 21

Application Ref: FULL/2011/1896

Property Ref: D00447A000-P06

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 building shall be used only in association with and ancillary to La Grande Mare Golf Club for purposes incidental to the operation of the golf course.
Reason - The application site is located in an area where new buildings are not normally permitted. This grant of permission has been given solely to meet the essential operational needs of the golf course.

5.No part of the development, hereby permitted, shall be used until parking and servicing areas have been laid out, hard surfaced and delineated in accordance with details which have been first submitted to and agreed in writing by the Environment Department. Those areas shall not thereafter be used for any purpose other than the parking of vehicles and for servicing.
Reason - To ensure that adequate off-street parking and servicing is provided and maintained, in the interests of road safety.

6.No development shall be commenced until details of all means of enclosure on the site boundaries or within the site have been submitted to and approved by the Environment Department.

Reason - To ensure a satisfactory form of development.

7.The existing buildings on the site and all ancillary materials, works and structures shall be demolished and removed from the site prior to any building works commencing.

Reason - To ensure the removal of existing buildings.

8.There shall be no outside storage whatsoever on this site without the prior express permission of the Environment Department, and any such approved storage areas shall be screened in accordance with details to be submitted to and approved by the Department before any items are stored there.

Reason - To ensure a satisfactory form and appearance of development in the interests of visual amenity.

9.No development shall take place until there has been submitted to and approved by the Environment Department a comprehensive scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, details of measures for the retention and protection of existing trees during the course of the development and details of the type, number and size of new trees/shrubs at the time of planting.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

10.All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first use of the new building. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Environment Department gives written approval to any variation.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

11.No development, excluding site works, shall begin until such time as details of the type texture and colour of the cladding material(s) to be used have been agreed in writing by the Environment Department. The work shall be completed in accordance with the agreed details.

Reason - To ensure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 24/07/2014 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 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.

Other Remarks:

Should the development abut the public highway you should ensure that any access/es to the development are constructed to meet the existing road/footway levels. Any changes required to the existing road/footway levels will need the prior approval of the States Public Services Department.

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

A J ROWLES
Director of Planning Control Services