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: Variations to previously approved plans to demolish dwelling, erect replacement dwelling with associated works and install gate to existing vehicle access - Omit chimneys, alter roof form from hipped to raised flat roof; omit path to north west, alter retaining wall and external steps to north east of property.

LOCATION: Irwin Lodge, Ruette Irwin, Fort George, St. Peter Port.

APPLICANT: Mr & Mrs Robinson

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: 07/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne S1-05/E, 6/D, 10/Q, 11/M, 12/L, 20/J, 25/D, 26/D, 30/K, 31/K, 32/K, 33/J, 35/D
S10-01/E

Application Ref: FULL/2025/0780

Property Ref: A41110A123

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.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 04/07/2024, issued under planning application reference FULL/2024/0007, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 04/07/2027 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0780
Property Ref:	A41110A123
Valid date:	13/05/2025
Location:	Irwin Lodge Ruette Irwin Fort George Fort George St. Peter Port Guernsey GY1 2SN
Proposal:	Variations to previously approved plans to demolish dwelling, erect replacement dwelling with associated works and install gate to existing vehicle access - Omit chimneys, alter roof form from hipped to raised flat roof; omit path to north west, alter retaining wall and external steps to north east of property.
Applicant:	Mr & Mrs Robinson

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 04/07/2024, issued under planning application reference FULL/2024/0007, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

OFFICER'S REPORT

Brief Description of the site:

'Irwin Lodge' is a detached bungalow situated to the south of Ruette Irwin. The application site is located within Fort George, which itself is located Outside of the Centres as designated in the Island Development Plan.

The property has a rendered exterior and slate roof. A gable feature exists to the front and rear of the property. A flat roof garage is situated to the east of the dwelling and a swimming pool is located adjacent to the west boundary. 'Courtrai', located to the west of the application site, is situated at a higher level due to the topography and profile of the cliff face and is separated from the site by mature landscaping.

The application site has been subject to a number of demolish and rebuild applications on a one-for-one basis, since the adoption of the Island Development Plan in 2016. The proposals have varied in different design styles over the years.

Planning permission was granted in 2024 (FULL/2024/0007) to demolish and erect a replacement dwelling with associated works and install a gate to the existing vehicle access. The application was approved subject to various conditions. The permission has been implemented on site and is up to slab level.

Planning permission is now sought to vary said permission, FULL/2024/0007, by:

- Omitting the approved chimneys,
- Altering the roof form of the games room/wine room from a hipped to raised flat roof,
- The roof form of the garage,
- Omission of the pathway to the north-west of the site,
- Altering the position of the retaining wall to the north-west and retaining wall, and;
- External steps to the north-east of the site.

Relevant History:

FULL/2025/0300	Install ground mounted solar panels to west of site.	Granted
FULL/2024/0007	Demolish dwelling, erect replacement dwelling with associated works and install gate to existing vehicle access.	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

GP1 Landscape Character and Open Land
GP2 Sites of Special Significance
GP6 Protected Monuments
GP7 Archaeological Remains
GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

The principal aim of the Island Development Plan is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely.

Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings and Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved.

Policy GP13 is generally supportive of proposals for domestic extensions, alterations and other such householder development, unless material considerations indicate otherwise or conflicts with other Plan policies or the States strategic objectives are identified.

The proposed variation represents fairly minor alterations to the approved scheme. The agent has justified the changes to the roof form in response to the structural design of the scheme. Raising the ridge height of the pitched roof over the garage is considered to be fairly minor. Any changes to the impact on private neighbouring views as a result of the changes proposed is not a material planning consideration and there would be no impact on the nearby protected monument.

The amendments to the layout and position of retaining walls and other alterations are all considered to be reasonable aspirations of the property owner.

Consequently, the scheme still achieves a good standard of design and is not considered to have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

No representations have been received as part of this application.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:
Grant with Conditions ☑

Date: 03/07/25