

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: Demolish and erect a replacement chimney to south-west elevation.

LOCATION: Bruce Flats, Bruce Lane, St. Peter Port.

APPLICANT: Mr H Bisson

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: 12/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:500 scaled block layout plan & photograph showing chimney
(both date stamped received 05/08/2025)

Application Ref: FULL/2025/1259

Property Ref: A110750000

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.Prior to the commencement of any development a drawing, annotated photograph or similar showing full dimensions of the chimney shall be submitted to and approved in writing by the Authority. The replacement chimney shall match as closely as possible to the existing chimney stack in terms of its dimensions and materials

Reason - To secure the satisfactory appearance of the completed development and to ensure that the proposal conserves and enhances the character of the Conservation Area in accordance with policies GP4 and GP8 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 11/09/2028 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/2025/1259
Property Ref: A110750000
Valid date: 05/08/2025
Location: Bruce Flats Bruce Lane St. Peter Port Guernsey GY1 2LU
Proposal: Demolish and erect a replacement chimney to south-west elevation.

Applicant: Mr H Bisson

RECOMMENDATION - Grant: Planning Permission with Conditions:

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. Prior to the commencement of any development a drawing, annotated photograph or similar showing full dimensions of the chimney shall be submitted to and approved in writing by the Authority. The replacement chimney shall match as closely as possible to the existing chimney stack in terms of its dimensions and materials

Reason - To secure the satisfactory appearance of the completed development and to ensure that the proposal conserves and enhances the character of the Conservation Area in accordance with policies GP4 and GP8 of the Island Development Plan.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a traditional terraced type property situated to the northwest of Bruce Lane with Les Cotils situated to the rear of the site (northwest). Surrounding the site the area comprises residential properties of mixed building types and design.

The site is situated within a Main Centre Inner Area and a Conservation Area as designated in the Island Development Plan.

Relevant History:

A110750000	Demolish chimney.	Granted 28/07/2015
FULL/2012/3326	Replace 2 wooden windows with new PVC windows.	Granted 14/12/2012
FULL/2010/3491	Replace two existing wooden windows with upvc windows at the rear (north-west elevation).	Granted 19/11/2010

Existing Use(s):

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

☒
☒
☒
☒

visual amenity acceptable
no material neighbour impact
traffic not affected

☒
☒
☒

Policies considered most relevant:

GP4 Conservation Areas
GP5 Protected Buildings (setting)
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

The site is situated within St Peter Port Conservation Area as designated in the Island Development Plan (IDP). Policy GP4: Conservation Areas of the IDP is therefore relevant in the assessment of your application, as well as Section 38 of the Law. The aim of Policy GP4 is to ensure that development respects, conserves and, where possible, enhances the character and appearance of the particular Conservation Area concerned.

The application building is visible within the Hillside Town part of the Conservation Area. Its roof and chimney are visible from the harbour/marinas as well as from the Blue Mountains. From these views the application building can be clearly seen within an overall group of buildings with a traditional steep pitched roof and chimneys.

As initially proposed planning permission was sought to demolish the existing chimney and make good the roof in a material to match the remainder of the roof. However, given the character of the Conservation Area (referred to above) and that a typical characteristic of the Hillside Town is the presence of chimneys which add to the traditional character and form, concerns were raised. The application was subsequently deferred to seek a justification as to why the chimney could not be rebuilt. By email dated 11th September 2025 the applicant has agreed to demolish the existing but to rebuild a replacement chimney on a like for like basis (i.e. of the same size and using the same materials). In this instance dimensions of the existing chimney have not been provided, however given that scaffolding is required to take such measurements it is acceptable to include a condition to request such information to be submitted to the Authority prior to the commencement of any development.

Considering the above and subject to the recommended condition the replacement chimney will be rebuilt on a like for like basis and will continue to conserve and enhance the character of the surrounding Conservation Area in accordance with Policy GP5. The proposal would also not harm the setting of any nearby protected buildings or impact on residential amenities and complies with policies GP5 and GP8

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.

Recommendation:

Grant with Conditions



Date: 12/09/2025

