

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

**AND SECTION 3 OF THE LAND PLANNING AND DEVELOPMENT
(CERTIFICATES OF LAWFUL USE) ORDINANCE, 2019**

CERTIFICATE OF LAWFUL USE

DESCRIPTION OF USE: Use of part of the site, as defined below, for the parking of vehicles and storage of tools and equipment in connection with the operation of a gardening business, and use of part of the site, as defined below, for the storage of private cars and light commercial vehicles, garden machinery and tools and the carrying out of mechanical repairs and servicing of those vehicles, machinery and tools.

**ADDRESS OR
LOCATION OF LAND:** Stratheden Vinery, Rue Du Douit, Vale.

**NAME AND ADDRESS
OF APPLICANT:** Mr R Allen
Santini
Rue Du Friquet
Castel
GY5 7SS

REF: CLU/2019/1104

The Development & Planning Authority hereby certify that on 14/06/2019, this being the date of the application to the Authority for the certificate, the uses described in Appendix 1 to this certificate in respect of the areas of land specified in Appendix 2 to this certificate, were lawful within the meaning of section 22(3) and (4) of the Land Planning and Development (Guernsey) Law, 2005 for the following reason(s):

Reasons: The evidence/documentation submitted is sufficient to demonstrate that on the balance of probabilities the areas of land specified in Appendix 2 to this certificate have been used for the uses described in Appendix 1 to this certificate for a continuous period of more than 10 years.

Date: 6th February 2020

Signed.....Signed.....
(for and on behalf of the Development & Planning Authority)

A J ROWLES
Director of Planning
Planning Service

Appendix 1

- (1) The use of part of the site, this being carried out only in the areas shaded in blue and yellow on the plan specified in Appendix 2 below, for the parking of vehicles and storage of tools and equipment in connection with the operation of a gardening business, and;
- (2) the use of part of the site, this being carried out only in the areas shaded in blue, yellow and green on the plan specified in Appendix 2 below, for the storage of private cars and light commercial vehicles, garden machinery and tools and the carrying out of mechanical repairs and servicing of those vehicles, machinery and tools.

Appendix 2

Stratheden Vinery, Rue Du Douit, Vale as outlined in red on the attached PF+A drawing number 6873-01/A1/B and specifically:

- (1) only in the areas shaded blue and yellow on that drawing in respect of use for the parking of vehicles and storage of tools and equipment in connection with the operation of a gardening business and;
- (2) only in the areas shaded blue, yellow and green on that drawing in respect of use for the storage of private cars and light commercial vehicles, garden machinery and tools and the carrying out of mechanical repairs and servicing of those vehicles, machinery and tools.

Notes

1. This certificate is issued solely for the purposes of section 22 of the Land Planning and Development (Guernsey) Law, 2005 ("the Law") and section 3 of the Land Planning and Development (Certificates of Lawful Use) Ordinance, 2019.
2. It certifies that the uses specified in Appendix 1 taking place on the land described in Appendix 2 were lawful within the meaning of section 22(3) and (4) of the Law on the date of the application to the Authority for the certificate and, therefore, a compliance notice may not be served in respect of those use[s] under Part V of the Law on that date.
3. This certificate applies only to the extent of the uses described in Appendix 1 and to the land specified in Appendix 2 and identified on the attached plan. Any use/s which are materially different from those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. This certificate does not certify the lawfulness of any use arising from a material change of use within the meaning of the Building (Guernsey) Regulations, 2012.