

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: Regularise use of site as a scaffold yard (Storage/Distribution use class 22)

**ADDRESS OR
LOCATION OF LAND:** Land, Les Petites Capelles Road, St. Sampson.

**NAME AND ADDRESS
OF APPLICANT:** Mr D Drury
C/O Chateaux Estate Agency Ltd
Brenton House
Les Petites Capelles
St Sampson
GY2 4GX

REF: CLU/2019/2289

The Development & Planning Authority hereby certify that on 25/11/2019, this being the date of the application to the Authority for the certificate, the use described in Appendix 1 to this certificate in respect of the land specified in Appendix 2 to this certificate and coloured green on the plan attached to this certificate, was 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 area of land specified in Appendix 2 to this certificate has been used for the uses described in Appendix 1 to this certificate for a continuous period of more than 4 years since the Authority first knew the alleged use was occurring.

Date: 21/09/2020

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

A J ROWLES
Director of Planning
Planning Service

Appendix 1

The use of the area of land as defined in Appendix 2 below, as a scaffold yard (Storage/Distribution use class 22).

Appendix 2

This application relates to the area of land coloured green on Chescoe Chartered Surveyors & Architects plan number 2760-01/A1a.

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 use specified in Appendix 1 taking place on the land described in Appendix 2 was 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 use described in Appendix 1 and to the land specified in Appendix 2 and identified on the attached plan. Any use which is materially different from that described or which relates 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.
5. For the avoidance of doubt, this certificate relates only to the use of the site as a scaffold yard and does not authorise any of the unauthorised operational development that has been carried out including the installation of gates and fences, the erection of scaffold canopies and storage racks and the placement on the land of portacabins and containers.