

**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 the use of the property as one dwelling (residential Use Class 1).

**ADDRESS OR  
LOCATION OF LAND:** Roxanna Cottage, Route De La Rocque Poisson, St. Pierre Du Bois.

**NAME AND ADDRESS  
OF APPLICANT:** Ms J Le Noury  
Roxanna  
Route De La Rocque Poisson  
St Pierre du Bois  
GY7 9HW

**REF:** CLU/2020/2294

The Development & Planning Authority hereby certify that on 11/11/2020, 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 and building specified in Appendix 2 to this certificate and as shown edged in red on the 1:500 scaled block 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 information submitted demonstrates that the use of the property as an independent residential dwelling commenced prior to 6<sup>th</sup> April 2009. Sufficient information has also been presented as evidence to demonstrate that the use of the site has not subsequently been changed (including by reverting back to a previous lawful use as a cafe) or abandoned since that date and for a period in excess of 10 years.

In addition, the former Island Development Committee in 2001, following a complaint alleging that the premises were being used as a residential dwelling took no further action regarding this. The change of use has therefore taken place and the use has continued for more than four years since the Authority first knew about the change.

Date: 09/08/2021

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 site and the property as identified in appendix 2 as a residential dwelling (Residential Use Class 1).

## Appendix 2

Roxanna Cottage, Route De La Rocque Poisson, St. Pierre Du Bois.

## 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.