

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**

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

**NOTIFICATION OF REFUSAL OF A  
CERTIFICATE OF LAWFUL USE**

**DESCRIPTION OF USE:** Regularise use of an outbuilding for storage (Storage and Distribution Use Class 22) and use of adjacent land for storage and the parking of vehicles (Storage and Distribution Use Class 22).

**ADDRESS OR  
LOCATION OF LAND:** Former Beaulia Vinery, Route Militaire, St. Sampson.

**NAME AND ADDRESS  
OF APPLICANT:** Bailiwick Investment Holdings  
PO Box 141  
La Tonnelle House  
Les Banques  
St Sampsons  
GY2 4BF

I refer to the application referred to below received as valid on 26/10/2020 regarding the above proposals as described more fully in the application and drawings referred to below.

**Date of refusal of Certificate:** 13/01/2022

**Drawing Nos:** BIHL-20-1002-01 & 02  
**Application Ref:** CLU/2020/2170  
**Property Ref:** B006970000

The Development & Planning Authority has decided to refuse your application under the provisions of section 3 of the Land Planning and Development (Certificates of Lawful Use) Ordinance, 2019 for the following reasons:-

The evidence/documentation submitted is not sufficient to demonstrate on the balance of probabilities that use of the building and land for storage and the parking of vehicles was established as of 06 April 2009, nor that such a use has continued without material interruption, on the same part of the site, and consistent in scale and nature for 4 or 10 years after that date.

**OTHER REMARKS:-****Right of appeal against planning decisions**

Your attention is drawn to the provisions of Section 68 of the Land Planning and Development (Guernsey) Law 2005, as amended, which provides a right of appeal against a decision to refuse an application for a Certificate of Lawful Use to the Planning Tribunal on the ground that the Authority made a material error as to the facts of the case. 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 three months beginning with the date on which the Authority made this decision.

**A J ROWLES**

Director of Planning  
Planning Service