

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 the whole of the land parcel as domestic garden (14,215 sqm) (Residential Use Class 1).

ADDRESS OR Les Prevosts Farm, Les Prevosts Road, St. Saviour.

LOCATION OF LAND:

NAME AND ADDRESS Mr W Scott & Ms E R Barclay

OF APPLICANT: Les Prevosts Farm

Les Prevosts Road

St. Saviour

GY7 9UH

REF: CLU/2022/1991

The Development & Planning Authority hereby certify that on 10/10/2022, 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 edged blue on the plans 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 available is sufficient to demonstrate on the balance of probabilities that the area of land specified in Appendix 2 to this certificate has been used as a domestic garden as described in Appendix 1 to this certificate for a continuous period of more than 10 years

Date: 14 November 2022

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 domestic garden (Residential Use Class 1).

Appendix 2

This application relates to the area of land outlined blue on the attached 1:1000 and 1:2000 site plans for Les Prevosts Farm, Les Prevosts Road, St. Saviour.

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, as set out above, the issue of a Certificate of Lawful Use relates to the use of the land only, and does not regularise any unauthorised physical development such as sheds or glasshouses that do not meet the householder exemption criteria for that development as set out in The Land Planning and Development (Exemptions) Ordinance, 2007.