

**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:** Regularisation of use for storage and distribution (Use Class 22) and Industrial use for the specific purpose of crushing of rubble (Use Class 27).

**ADDRESS OR** Yard & Land, La Vassalerie, St. Andrew.

**LOCATION OF LAND:**

**NAME AND ADDRESS** Bob Froome and Sons Limited

**OF APPLICANT:** Les Vauxbelets

La Mare

St. Andrew

GY6 8XX

**REF:** CLU/2022/1389

The Development & Planning Authority hereby certify that on 28/06/2022, 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 hatched in brown and purple respectively on the plan attached 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 and documentation submitted is sufficient to demonstrate that on the balance of probabilities the area hatched in brown on the application drawing has been used for the storage of building materials and associated plant machinery (use class 22) continuously since April 2009 and for a period of 4 years since the Authority first knew that the alleged use was occurring. The area shown hatched in purple has been used for the storage and crushing of waste/rubble (use class 27) continuously since April 2009 and for a period of 10 years or more.

Date: 25/01/2023

Signed.....

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

**A J ROWLES**

Director of Planning

Planning Service

## **Appendix 1**

Use of land hatched in brown on the submitted application plan which is specified in Appendix 2 to this Certificate of Lawful Use for storage of building materials and associated plant machinery within use class 22: General storage or distribution, of the Land Planning and Development (Use Classes) Ordinance, 2017; and use of the land hatched in purple on the submitted application plan which is specified in Appendix 2 to this Certificate of Lawful Use, for the storage and crushing of waste/rubble within use class 27: Waste, of the Land Planning and Development (Use Classes) Ordinance, 2017.

## **Appendix 2**

Plan of the Yard & Land, La Vassalerie, St. Andrew, Arctech drawing no. BF-22-001-01, dated 12 May 2022, stamped as received by the Development and Planning Authority on 28/06/2022, which identifies land within the site hatched brown and purple respectively.

## **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 uses 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 uses which are materially different from those described or which relate 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.