

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 land as a domestic garden (1980 sqm)
(Residential Use Class 1)

ADDRESS OR The Chalet, Les Prins Lane, Portinfer, Vale.
LOCATION OF LAND:

NAME AND ADDRESS Ms M Le Cras
OF APPLICANT: Kaikoura
Rue Des Heches
St Peters
GY7 9AD

I refer to the application referred to below received as valid on 06/01/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 14/02/2023

Application Ref: CLU/2023/0128

Property Ref: C02395A000

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 land for domestic garden land 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 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