

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 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 Beaulieu Vinery, Route Militaire, St. Sampson.

LOCATION OF LAND:

NAME AND ADDRESS Bailiwick Investments Holdings

OF APPLICANT: P.O. Box 141

La Tonnelle House

Les Banques

St Sampson

GY2 4BF

REF: CLU/2022/2392

The Development & Planning Authority hereby certify that on 12/12/2022, this being the date of the application to the Authority for the certificate, the uses described in Appendix 1 to this certificate in respect of the building (edged red) and land (edged with a dashed red line) on the plan attached to this certificate, specified in Appendix 2, 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/documentation submitted is sufficient to demonstrate on the balance of probabilities that the building, labelled 'store' and outlined in red on the Block Layout Plan included with this decision notice has been used for storage and distribution purposes (Use Class 22) for a continuous period of more than 10 years. Furthermore, the land labelled 'parking' and outlined in a dashed red line on the Block Layout Plan included with this decision notice, has been used for the parking and storage of vehicles (Use Class 22) for a continuous period of 10 years or more.

Date: 02/03/2023

Signed.....

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

A J ROWLES

Director of Planning

Planning Service

Appendix 1

The use of the building and land as defined in Appendix 2 below, for storage and distribution purposes (Use Class 22: General Storage and Distribution)

Appendix 2

This application relates to the building outlined in red and area of land outlined in a dashed red line on the attached Block Layout Plan (ArchTech drawing no. BIHL-22-1105-01 dated 08/12/2022) for Beaulieu Vinery, Route Militaire, St. Sampson.

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 and in the building 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 building and 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.
5. As the site access and track accesses both the application building and land as well as the agricultural field to the west, and does not appear to have been used for storage purposes itself, it would not be appropriate to grant a CLU covering this area.