

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: Use of land and buildings to administer and provide horticultural and other training and supported employment for up to 30 disabled people at any one time, for the production and sale of plants, produce, compost and other growing media, the manufacture, repair or refurbishment, and sale of wooden and metal items, garden furniture, planters and ornaments, the manufacture and sale of seasonal items, and the operation of a grounds and garden maintenance business.

ADDRESS OR LOCATION OF LAND: Grow Ltd, Verte Rue, St. Sampson.

NAME AND ADDRESS OF APPLICANT: Grow Limited
Les Petits Quartiers
Coutanchez
St Sampson
GY2 4GE

REF: CLU/2020/0229

The Development & Planning Authority hereby certify that on 24/01/2020, 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 respectively hatched and edged red on the site location and block plan 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 Authority is satisfied that the evidence/documentation submitted is sufficient to demonstrate that, on the balance of probabilities, the identified land has been in use for the purpose described above for a continuous period of more than 10 years.

Date: 28th April 2020

Signed.....*signed*.....
(for and on behalf of the Development & Planning Authority)

A J ROWLES
Director of Planning
Planning Service

Appendix 1

The use of the land specified in Appendix 2 to this certificate and respectively hatched and edged red on the site location and block plan attached to this certificate, to administer and provide horticultural and other training and supported employment for up to 30 disabled people at any one time, for the production and sale of plants, produce, compost and other growing media, the manufacture, repair or refurbishment, and sale of wooden and metal items, garden furniture, planters and ornaments, the manufacture and sale of seasonal items, and the operation of a grounds and garden maintenance business.

In the context of The Land Planning and Development (Use Classes) Ordinance, 2017, this constitutes a mixed (*sui generis*) use not falling within any of the recognised use classes.

Appendix 2

The land at Grow Ltd, Verte Rue, St. Sampson that is respectively hatched and edged red on the site location and block plan bearing the drawing number 056-3-101 revision A produced by Grey Bear Chartered Architect and date stamped as received by the States of Guernsey on 24th January 2020.

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 that use 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.