

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 land as a domestic garden (Residential Use Class 1)

**ADDRESS OR
LOCATION OF LAND:** Opaline, Les Landes Clos, Landes Du Marche, Vale.

**NAME AND ADDRESS
OF APPLICANT:** Ms P Clarkson
Opaline
Les Landes Clos
Vale
GY6 8DJ

REF: CLU/2020/1540

The Development & Planning Authority hereby certify that on 11/08/2020, 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 edged red on the 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 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 4 years since the Authority first knew of the change of use and it commenced before 6th April 2009.

Date: 05/02/2021

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 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 in red on the attached aerial photograph.

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.