

ENFORCEMENT NOTICE

Planning & Building (Jersey) Law 2002

THIS NOTICE TAKES IMMEDIATE EFFECT ON THE DATE IT IS ISSUED

1 This Notice: is issued pursuant to the powers conferred under Article 40 of the Planning and Building (Jersey) Law 2002 because it appears that a breach of development controls has occurred at the Land stated below. Article 5 of the above Law defines the meaning of development and Article 7 of that Law states that Land shall not be developed without planning permission.

2 This Notice relates to land at:

Field No. MN88, Le Mont de Rozel, St. Martin (shaded in RED on the attached plan),
Woodland directly to the east of Field MN88 (shaded in BLUE on the attached plan).

3 The Matters which appear to constitute the Breach of Development Controls:

Without Planning Permission development has occurred at Field MN88, Le Mont de Rozel, St Martin and the Woodland to the east of Field MN88, namely;

3.1 Field MN88 presently contains up to three (3) timber and metal frame shed structures that have been erected without prior planning consent. These sheds and structures contain non-agricultural contents and are situated upon hardstanding. These structures amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and are not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

3.2 Field MN88 presently contains up to six (6) timber and metal frame structures that are being used as livestock shelters/chicken coops and have been erected without prior planning consent. These structures amount to development, as

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defined in Article 5 of the Planning and Building (Jersey) Law 2002 and are not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

- 3.3 Woodland directly to the east of Field MN88 contains one (1) timber feeding platform structure that is presently being used for the storage of waste items and has been erected without prior planning consent. This structure amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.
- 3.4 Field MN88 and the Woodland directly to the east of Field MN88 have an outer boundary fence structure enclosing the parcels of land that is comprised of wooden pallet boards, sheets of timber, metal posts and panels. These structures amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and are not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.
- 3.5 Field MN88 has internal fenced livestock pens comprised of wooden pallet boards, sheets of timber, metal posts and panels. These structures amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and are not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

4 Reasons for Issuing this Notice:

It appears that the Breaches of Development Controls have occurred within the last 8 years.

Field MN88 lies within the Green Zone as defined in the Jersey Island Plan 2011 (Revised 2014), wherein lies a general presumption against development that would cause serious harm to landscape character.

The Woodland to the North-east of the site lies within the designated Coastal National Park as defined in the Jersey Island Plan 2011 (Revised 2014) which is given the highest level of protection and a general presumption against all forms of development.

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The unauthorised development is considered to cause serious harm to the landscape character of this sensitive rural area and would fail to meet the requirements of Policies SP4, GD1, NE4, NE6 and NE7 the Jersey Island Plan 2011 (Revised 2014)

5 Steps Required to Rectify the Breach: Remove the unauthorised development and restore the land to a condition comparable to that prior to undertaking the unauthorised works by;

- 5.1 Removing the three (3) timber and metal framed structures and any associated platforms/hardstanding located within field MN88, approximately marked 5.1 on the attached plan
- 5.2 Removing the six (6) timber and metal frame structures that are being used as livestock shelters within Field MN88 and any hard-standing used upon which they stand. The approximate location of the structures in question are marked 5.2 on attached plan.
- 5.3 Removing the single timber feeding platform that is located in the Woodland directly to the east of Field MN88 and any hardstanding or footings that may have been used to support the structure. The approximate location of the structure in question is marked 5.3 on attached plan.
- 5.4 Removing the fence structure that is comprised of pallet boards, wooden sheets and metal sheet that encloses Field MN88 and the Woodland directly to the east of Field MN88 and any footings that may have been used to support the structure. The approximate location of the fencing to be removed is marked with a blue line within the woodland to the East and borders the entirety of field no. MN88.
- 5.5 Removing the internal fenced livestock pens that are comprised of pallet boards and wooden sheets within Field MN88 and any footings that may have been used to support the structures. The approximate location of the fencing is edged in black toward the Northern end of field MN88 on the attached plan.

6 Time for Compliance: You are required to have complied with this notice by the end of 90 days commencing from the day that this notice is issued.

Date of Issue: 27th (MEYER J & MEYER G) and 28th (FERNANDES F & PESTANA L)
May 2021

Signed: Simon Thomas Date: 24th May 2021
(Authorising Officer)

For and on behalf of the Chief Officer;

Simon Thomas

Acting Building Control Manager (Regulation Directorate)
Infrastructure Housing and Environment, Development Control,
28-30 The Parade, St Helier. JE49SS

Enclosures.

1. Enforcement Notice Location Plan – ‘Identifying Areas’.
2. Enforcement Notice Location Plan – ‘Location of Breaches’.
3. Enforcement Notice Location Plan – ‘Aerial Mapping 2014-2020’.

Informative. Any other item or issue not specified in this enforcement notice may be subject of a separate enforcement notice.

ADVISORY NOTES

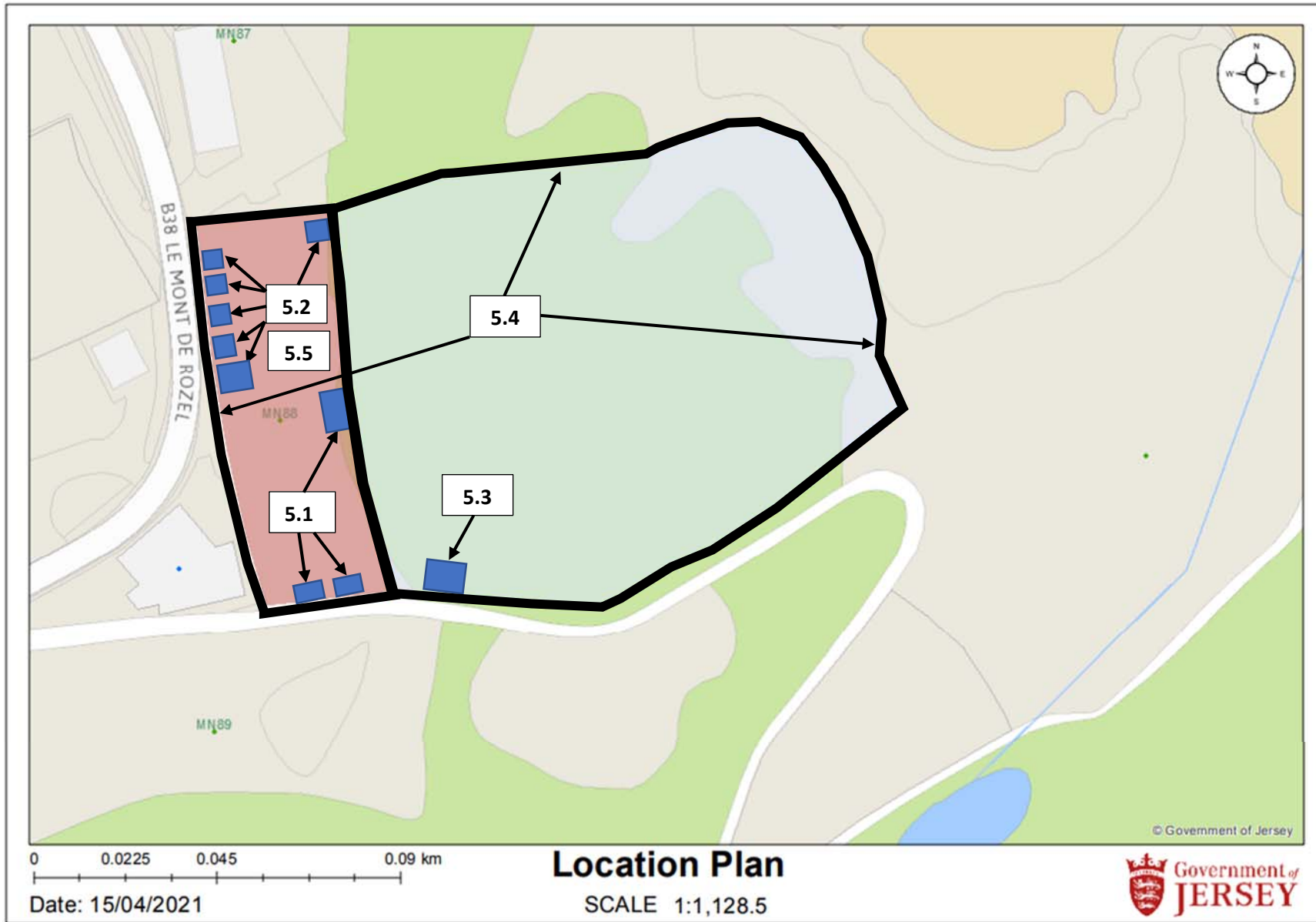
What will happen if this Notice is not complied with: If you fail to comply with the requirements of this Notice you may be liable to prosecution under the appropriate Article of the Planning and Building (Jersey) Law 2002.

Your Rights of Appeal: In accordance with Article 109 of the above Law, you may appeal against this Notice by writing to the Greffier no later than 28 days beginning with the date this Notice is issued.

**ENFORCEMENT NOTICE LOCATION PLAN FOR
FIELD MN88 AND WOODLAND TO THE EAST**



ENFORCEMENT NOTICE – LOCATION OF BREACHES
FIELD MN88 AND WOODLAND TO THE EAST



AERIAL IMAGES FOR FIELD MN88 AND WOODLAND TO THE EAST



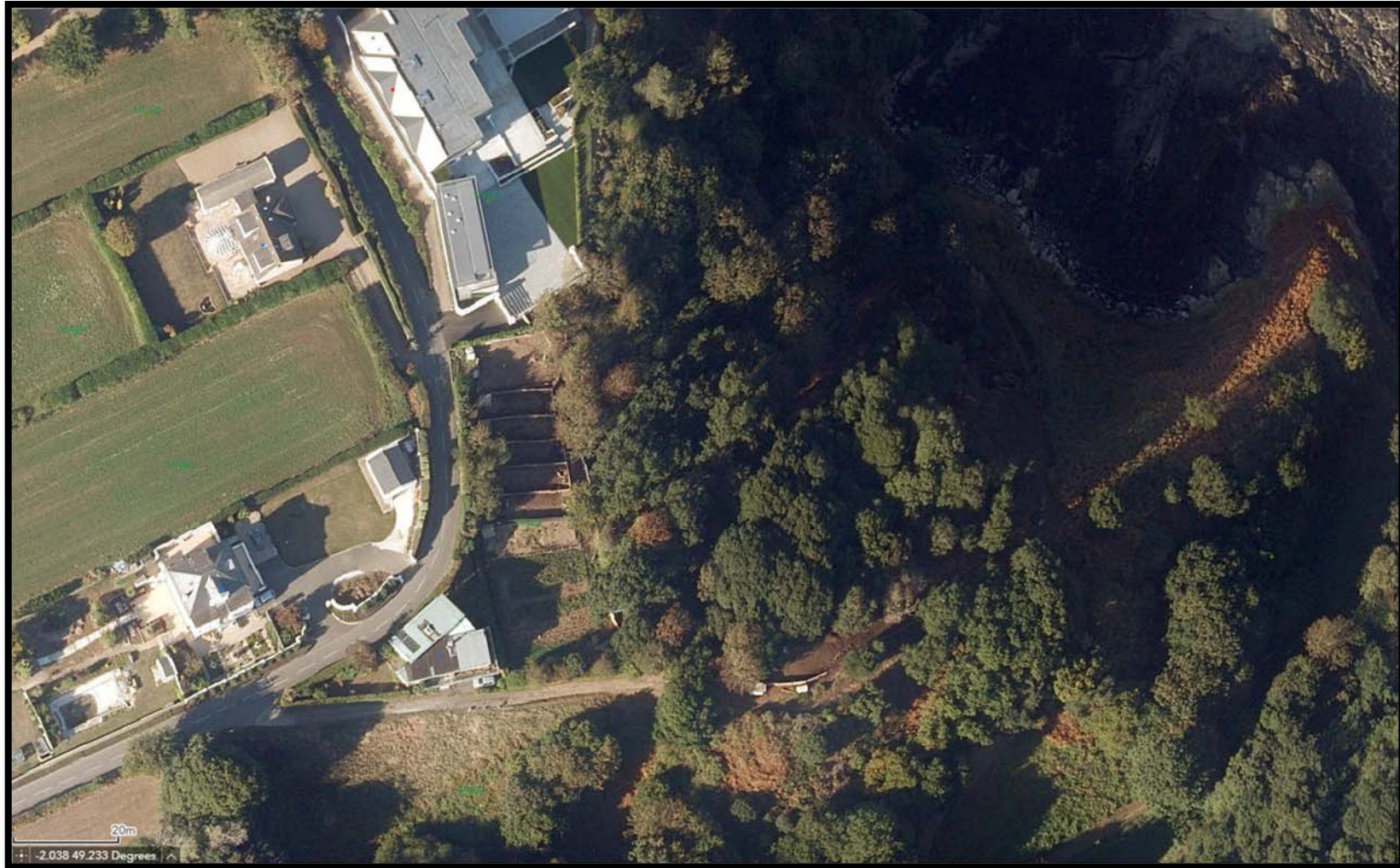
JERSEY MAPPING – AERIAL IMAGE 2014

AERIAL IMAGES FOR FIELD MN88 AND WOODLAND TO THE EAST



JERSEY MAPPING – AERIAL IMAGE 2017

AERIAL IMAGES FOR FIELD MN88 AND WOODLAND TO THE EAST



JERSEY MAPPING – AERIAL IMAGE 2018

AERIAL IMAGES FOR FIELD MN88 AND WOODLAND TO THE EAST



JERSEY MAPPING – AERIAL IMAGE 2019

AERIAL IMAGES FOR FIELD MN88 AND WOODLAND TO THE EAST



JERSEY MAPPING – AERIAL IMAGE 2020