

Encl.

Compliance Case No. CMP/2018/00186
Enforcement Notice Case No. ENF/2019/00008

ENFORCEMENT NOTICE

PLANNING AND BUILDING (JERSEY) LAW 2002

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. J1003, La Rue des Peupliers, St. John, Jersey**, shown edged by a bold black line on the attached plan.
3. **The Breach of Development Controls:** Without planning permission as follows:
 - a) Operational development works not undertaken in accordance with the Approved Landscape Plan (Drawing No. 3370 900 Rev P4 under P/2017/0800 resulting in the unauthorised change of use of part of Field J1003 from agriculture to hardstanding area.
 - b) The failure to comply with Conditions B and C of Planning Permission P/2017/0800 requiring that the development be carried out in accordance with the plans, drawings, written details and documents and that a landscaping scheme be implemented prior to first occupation of the section of hardstanding already constructed and occupied.
 - c) The material change of use of the land by the unauthorised operation of a commercial scaffolding business from the land.
4. **The reason for serving this Notice:** It appears that the above breach of development controls has occurred within the last 8 years. The site is within the designated Green Zone where, with certain exceptions, there is a strong presumption against development. The primary purposes of the Green Zone are the conservation and enhancement of the natural beauty and wildlife. Whilst a certain amount of development on the site was approved under P/2017/0800, the unauthorised works have gone beyond that approved to the visual detriment of the area, contrary to Policy NE 7 of the Island Plan.

5 You are hereby required to:

- a) Remove the area of hardstanding from Field J1003 not associated with P/2017/0800 and reinstate this land to the rough grassland/agricultural land indicated on Drawing No. 3370 900 Rev P4
- b) Undertake the required landscaping scheme as indicated in 2 b) and 4 a) above.
- c) Cease the use of the land for the operation of a commercial scaffolding business and remove all vehicles and scaffold storage structures associated with the business. .

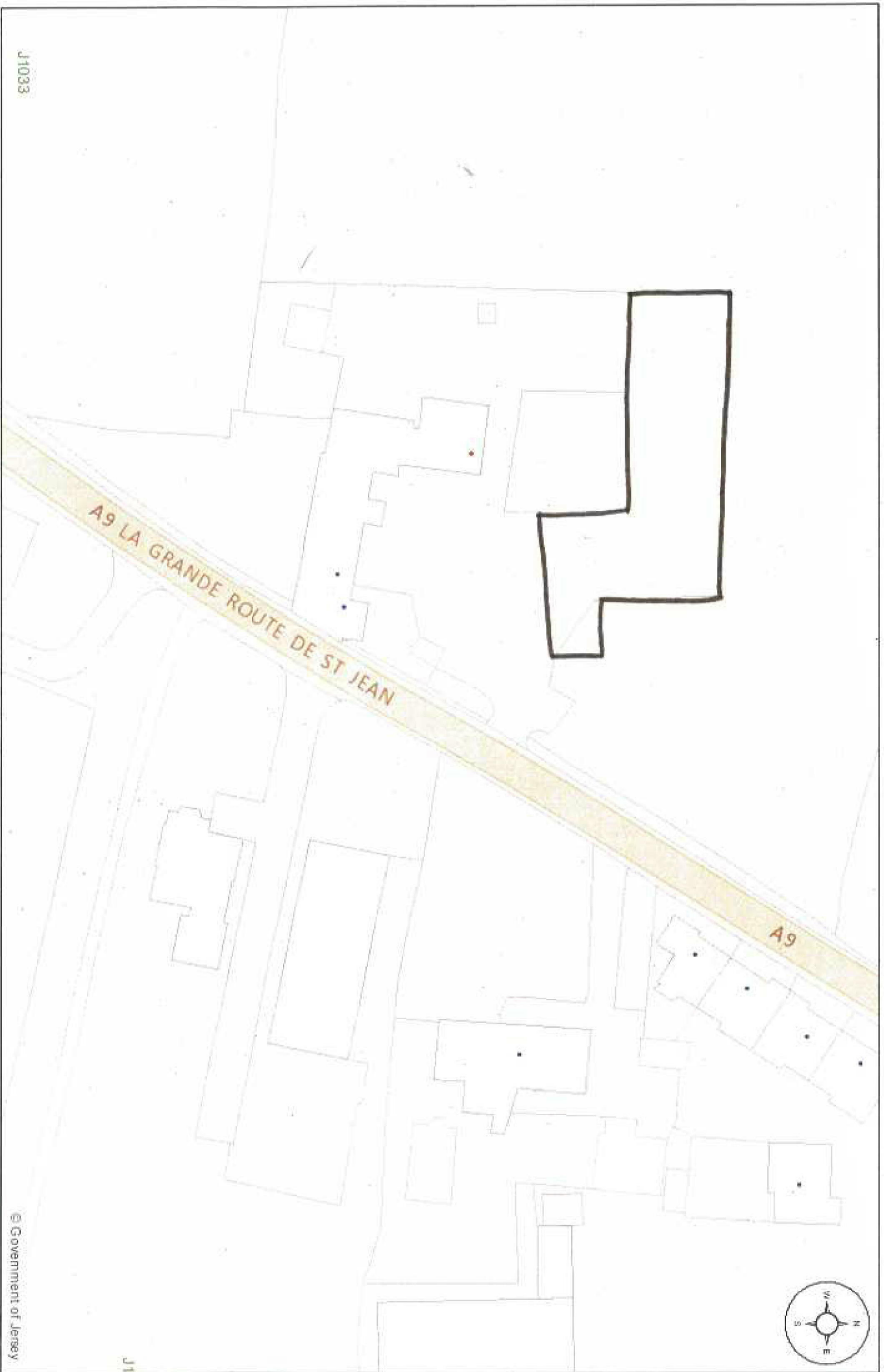
6 Period of compliance: 8 weeks after the issue of this Notice.

7 What will happen if this Notice is not complied with: If you fail to comply with this Notice, you may be liable to prosecution under the appropriate Article of the Planning and Building (Jersey) Law 2002 for developing land without the benefit of planning permission as well as failing to comply with an Enforcement Notice.

8 Your rights of appeal: In accordance with Article 109 of the above Law, you may appeal against the Notice, in writing to the Greffier no later than the end of the period of 28 days beginning with the date of issue of the Notice. The date of the issue of the Notice shall be taken as the date stated below.

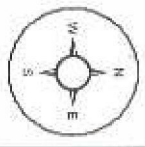
SIGNED:  On this Date: 8th July 2019

For and on behalf of the Chief Officer



J1033

A9



Date: 08/07/2019

Location Plan

SCALE 1:1,128.5



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