

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. **The Land to which this Notice relates:** Keppel Tower and Elizabeth Cottage, La Grande Route des Sablons, Grouville, Jersey JE3 9FP shown 'edged in RED' on the attached plan.

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

Without Planning Permission;

3.1 The excavation of land and the construction of a sub-structure with associated piling to create the foundations of a building larger than that given consent under P/2018/1250. The area in question is shown edged red on attached plan 4856/03 G

4. **Reasons for Issuing this Notice:** It appears that the Breach of Development Controls has occurred within the last 8 years.

On 19th of February 2019 planning permission (ref: P/2018/1250) was approved to "Demolish 2 No. dwellings. Renovation / conservation of existing Tower. Construct 6No. two bed and 4No. three bed units of residential accommodation with associated landscaping and parking". There is no planning consent for the matters which appear to constitute the current breach of development controls.

4.1 The site lies within the Built-up area, wherein lies a presumption in favour of sustainable development. Within the site lies Keppel tower, a Grade 3 Listed Building, situated to the North of the area subject to the current breach of development controls.

4.2 The unauthorised works amount to development, for which planning consent has not been granted. Applications P/2019/0900 and P/2019/0855 both sought consent to extend the footprint of the basement in line with the substructure that has already been partially implemented on site. Both applications have been subject to a full assessment and were subsequently refused by the Minister for the Environment. In accordance with Part 5 Article 39 (3) Land is to be taken to have been developed without planning permission if it is developed otherwise

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

than in accordance with plans of the development approved for the purpose of granting planning permission for the development.

4.3 The developer and agent for the scheme have been notified of the breach of development controls in writing. The Department offered an opportunity to apply for consent for the below ground works subject to this notice, however, this was declined. As a result of this, the Department considers that it is necessary to ensure that the area in question is suitably blocked off from the approved basement and retained as such in perpetuity.

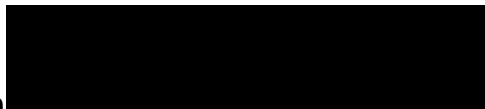
5 **Steps Required to Rectify the Breach:** (what you are required to do):

5.1 Within the area outlined in red on the attached plan 4856/03 G, you are required to infill the area in question and separate it from the remainder of the basement by a solid wall of permanent construction and infilled with compacted type 3 hardcore, in accordance with the attached plans labelled 13185 - Ba_FL03 C2 – Basement layout and 13185 - Ba_X02 C0 - Infill under Block C. Once implemented, the area in question is to be retained as indicated in perpetuity, unless otherwise agreed in writing.

6 **Time for Compliance:** You are required to have complied with this notice by the end of 56 days commencing from the day that this notice is issued.

7. **Date of Issue:**

Sign



ate

28 April 2021

(Authorising Officer)

For and on behalf of the Chief Officer;

Peter Le Gresley

Head of Development and Land (Regulation)

Infrastructure Housing and Environment, Development Control, Philip le Feuvre House, La Motte Street, St. Helier, Jersey JE4 8PE

Enclosures.

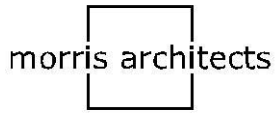
1. Enforcement Notice Plan.
2. 4856/03 G
3. 13185 - Ba_FL03 C2 - Basement layout
4. 13185 - Ba_X02 C0 - Infill under Block C

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.

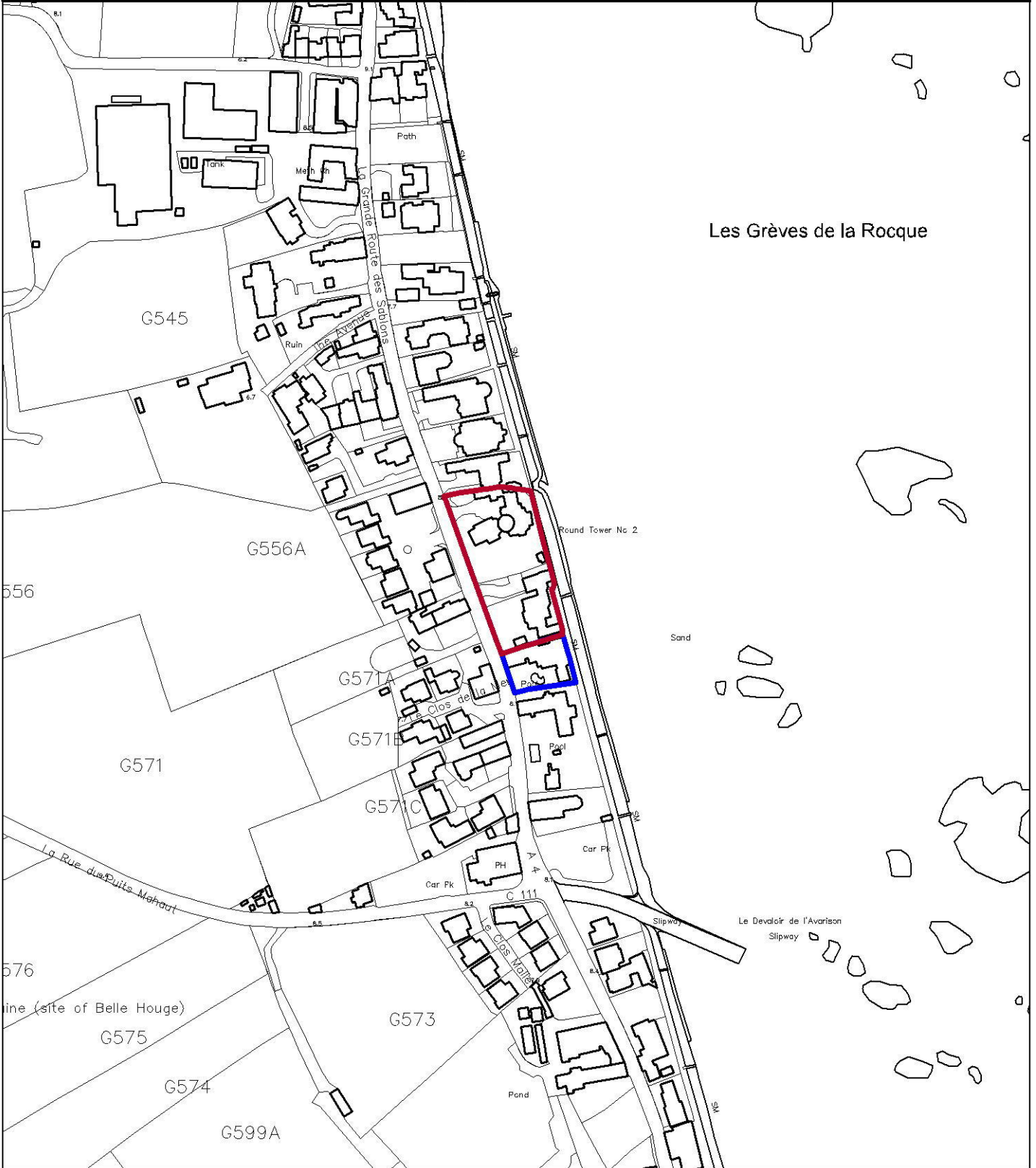
Your Rights of Appeal: In accordance with Article 109 of the above Law, you may appeal against this Notice by writing to the Greffier no later than 28 days beginning with the date this Notice is issued.



17 LA MOTTE STREET, ST HELIER, JERSEY JE2 4SY
Tele: 01534 738635, Fax: 01534 769359, E-mail: email@morrisarchitects.co.uk

General Notes

Morris Architects © Copyright reserved 2004. Do not scale. Use written dimensions only. All dimensions in millimetres unless otherwise stated. This drawing must be read in conjunction with all other architect's and consultants' drawings, details and specifications. Any discrepancy between details/drawings and / or specifications must be referred to the architect before carrying out the work.



Project THE WAVES Keppel & Elizabeth Cottage La Grande Route Des Sablons, Grouville	Drawing Location Plan Client Sea View Investments Limited	Date Aug 2011	Scale 1:2500 (A4)	Drawn by JSB
		Drawing Number 4856/01		Revision A

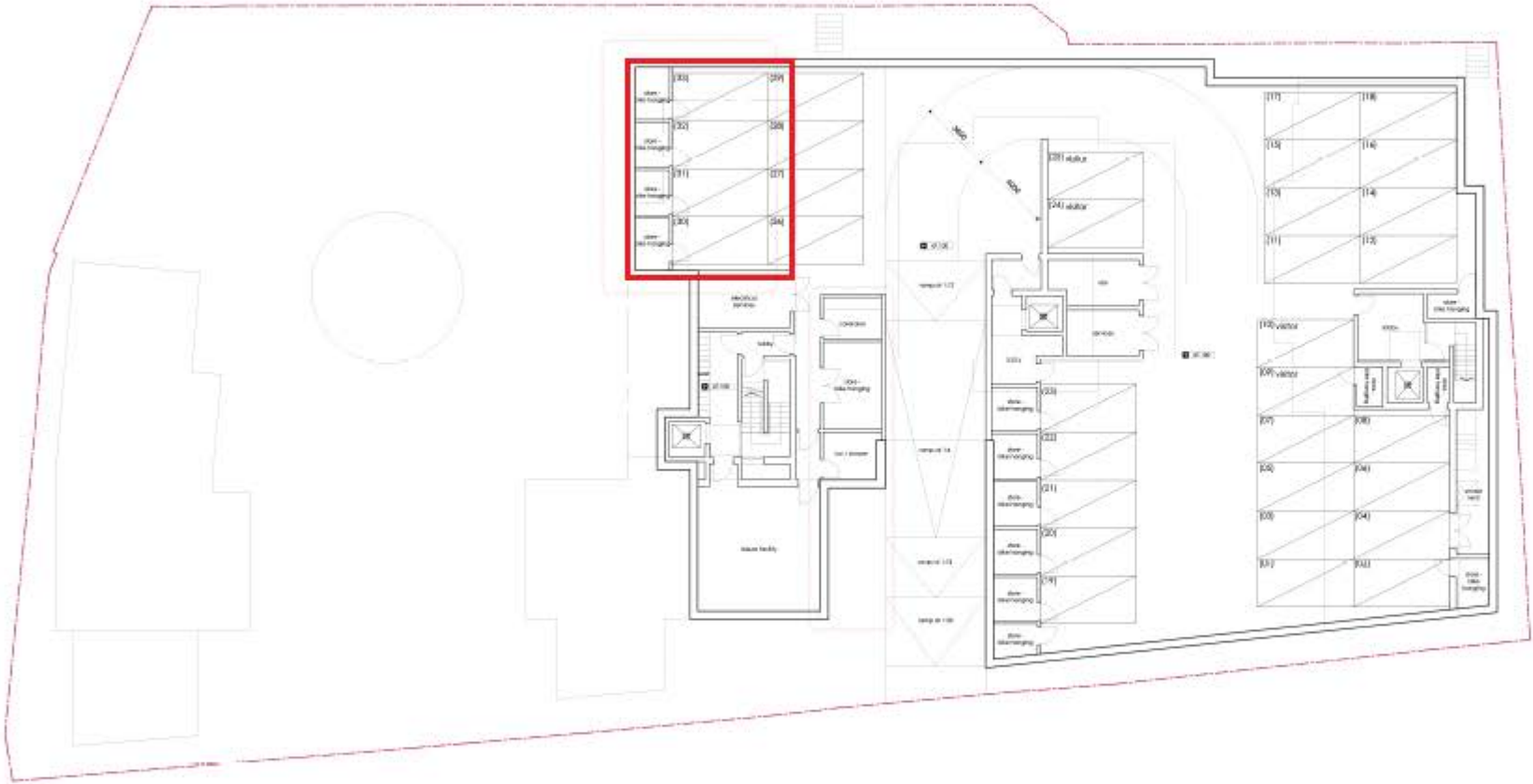


General Notes

1. This drawing is prepared in accordance with the provisions of the Building Act 2004 and the Building Regulations 2006. It is intended to be used in conjunction with the approved plans and specifications. Any alterations to the drawings must be made in accordance with the provisions of the Building Act 2004 and the Building Regulations 2006.

Revisions

No.	Date	Description	By
1.	10/20/16	Issue for approval	GM
2.	10/20/16	Issue for approval	GM
3.	10/20/16	Issue for approval	GM
4.	10/20/16	Issue for approval	GM



Project:
THE WAVES
 Kappel and Elizabeth Cottage
 La Grande Route Des Sabons
 Grouville

Client:
 Sea View Investments Limited

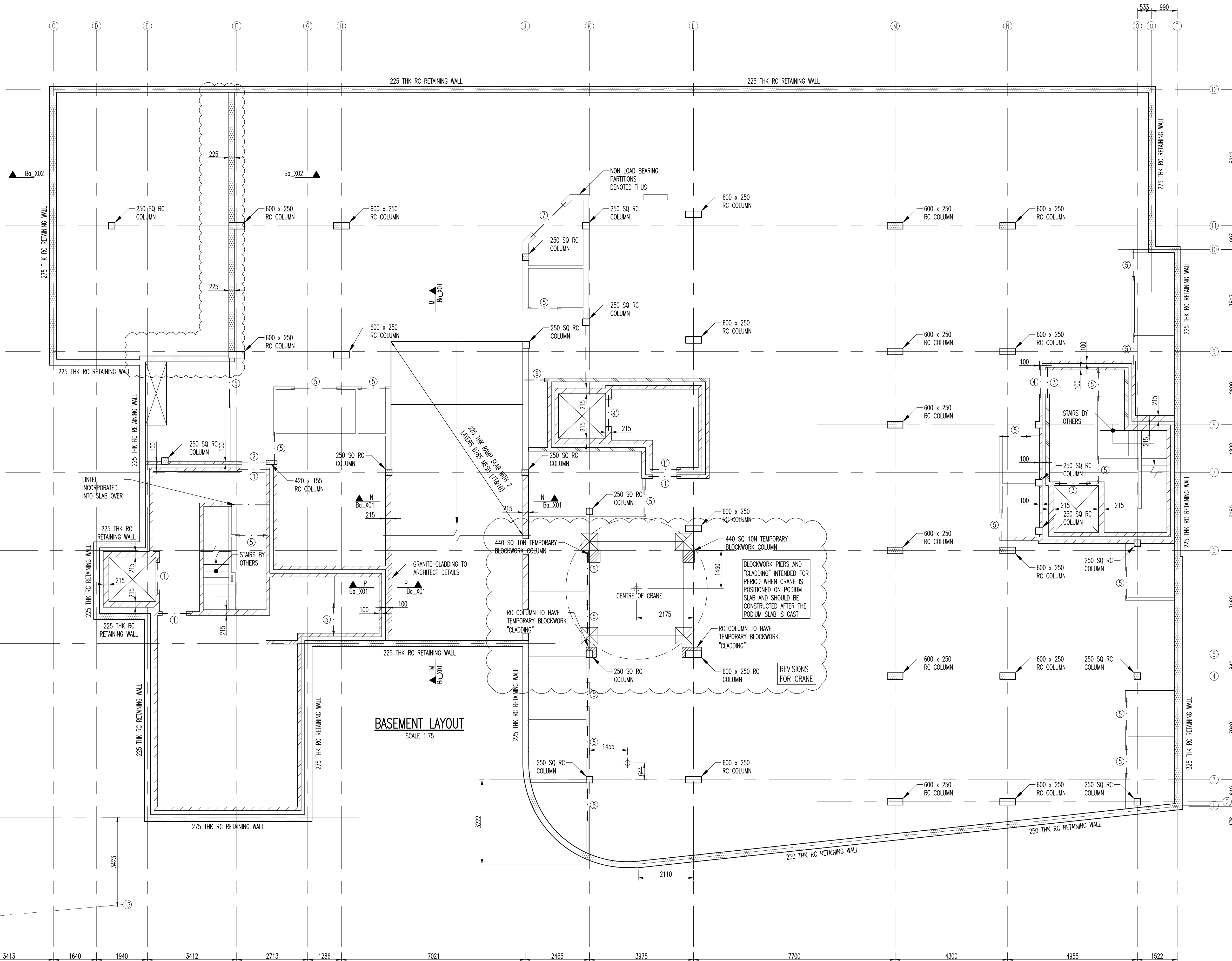
Drawing:
 Planning Drawing
 Basement Layout



Date	Scale	Drawn by
Oct 20 16	1:100	GM
Drawing Number		Revision
4856/03		G

- LINTEL KEY & NOTES:**
- ① 450 DP x 140 WD IN SITU CONCRETE, 300mm BEARING
 - ② 450 DP x 140 WD IN SITU CONCRETE, 150mm BEARING
 - ③ 225 DP x 100 WD IN SITU CONCRETE, 150mm BEARING
 - ④ STRESSLINE RW22A, 150mm BEARING
 - ⑤ STRESSLINE R22A, 150mm BEARING
 - ⑥ 2 NO. STRESSLINE R22A BACK-TO-BACK, 150mm BEARING
 - ⑦ STRESSLINE 100 x 65, 150mm BEARING
 - ⑧ STRESSLINE 140 x 65, 150mm BEARING
 - ⑨ STRESSLINE 215 x 65, 150mm BEARING
- LINTEL CONCRETE GRADE - RC35
COVER - 30mm ALL ROUND

- BLOCKWORK KEY & NOTES:**
- 7N DENSE BLOCKWORK:
 - 10N DENSE BLOCKWORK:
 - 22.5N DENSE BLOCKWORK:
- BLOCKWORK TO BE 140 WD UNLESS NOTED OTHERWISE
- ALL BLOCKWORK IS TO HAVE M6 (MORTAR DESIGNATION ii) MORTAR



NOTES:

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS & OTHER CONSULTANTS DRAWINGS.

THIS DRAWING TO BE READ IN CONJUNCTION WITH ROTHWELL & PARTNERS GENERAL NOTES DRAWING (STRUCTURAL) 500.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, FABRICATION AND ERECTION OF ALL TEMPORARY WORKS.

SETTING OUT DIMENSIONS TO BE VERIFIED ON SITE. DEVIATIONS FROM THE SHOWN DIMENSIONS TO BE CONFIRMED WITH ENGINEER

IF IN DOUBT ASK

DO NOT SCALE

CONCRETE NOTES:

GRADE & COVER:

COLUMNS -
GRADE: RC40
COVER: 30mm ALL ROUND

PERIMETER RETAINING WALLS -
GRADE: C32/40 + WATERTIGHT ADMIXTURE TO SPECIALIST REQUIREMENTS
COVER: 40mm ALL ROUND

CONTRACTOR TO NOTIFY ENGINEER 48 HOURS PRIOR TO PROPOSED CONCRETE PLACEMENT.

ALL HOLES/PENETRATION THROUGH REINFORCED CONCRETE ARE TO BE FORMED.

CUTTING OF PLACED CONCRETE SHALL NOT BE PERMITTED WITHOUT PRIOR APPROVAL OF THE ENGINEER.

C2	15/04/21	GAT	UPDATED TO SUIT NEW BASEMENT LAYOUT
C1	18/11/20	GAT	REVISIONS CLOUDED CRANE REVISIONS
C0	30/10/20	GAT	CONSTRUCTION ISSUE
TO	29/05/20	ROB	TENDER ISSUE
Rev.	Date	By	Description

Drawing Status
CONSTRUCTION

Job Title
**THE WAVES
KEPPEL AND ELIZABETH COTTAGE
LA GRANDE ROUTE DES SABLONS
GROUVILLE**

Drawing Title
PROPOSED BASEMENT LAYOUT

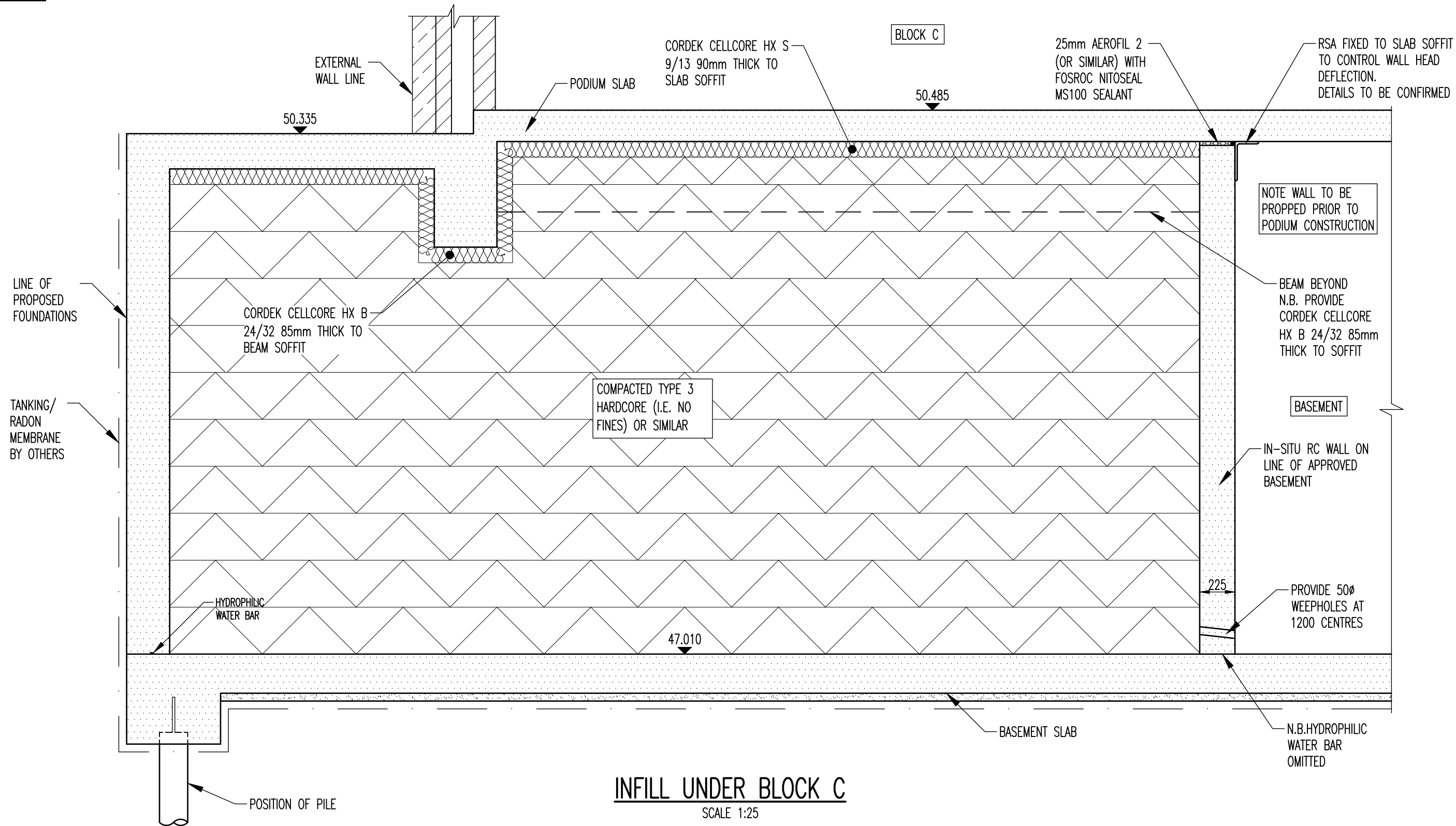
ROTHWELLS 17 La Motte Street, St. Helier, Jersey, JE2 4SY
Consulting Engineers Tel: (01534) 734585
www.rothwells-consulting.com

Scales: 1:75 @ A1 Originator: GAT
Approved: Date: MAY 20

Job No. 13185 Drawing No. Ba_FL03 C2

A3

100mm - SCALE WITH CAUTION AS DISTORTION CAN OCCUR



INFILL UNDER BLOCK C

SCALE 1:25

Rev.	Date	By	Description

Job Title
**THE WAVES
 KEPPEL & ELIZABETH COTTAGE
 LA GRANDE ROUTE DES SABLONS
 GROUVILLE**

Drawing Title
INFILL SECTION UNDER BLOCK C

Drawing Status
CONSTRUCTION

ROTHWELLS Consulting Engineers
 17 La Motte Street, St. Helier, Jersey, JE2 4SY
 Tel: (01534) 734585
 www.rothwells-consulting.com

Scales 1:25 @ A3
 Approved
 Job No. **13185**
 Drawing No. **Ba_X02**
 Rev. **C0**

Originator GAT
 Date APR 21