

Compliance Case No. ENF/2015/00004
Complaint case No. CMP/2015/00099

ENFORCEMENT NOTICE

PLANNING AND BUILDING (JERSEY) LAW 2002

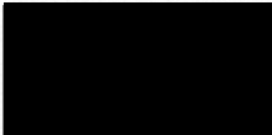
- 1. This Notice** is issued pursuant to the powers conferred under Article 40 of the Planning and Building (Jersey) Law 2002 because it appears that a breach of development controls has occurred at the land stated below. Article 5 of the above Law defines the meaning of development and Article 7 of that Law states that land shall not be developed without planning permission.
- 1. This Notice relates to land at: United Foods Ltd - Centrestore, La Route de la Trinite, Trinity, Jersey**, shown edged by a bold black line on the attached plan.
- 2. The Breach of Development Controls:** Without planning permission, a Class E warehouse is operating, in part, as a Class A retail shop; these Use Classes being defined in Schedule 2 of the Planning and Building (General Development) (Jersey) Order 2011. This operation is considered to represent a material change of use which falls within the definition of development under Article 5 of the Law.
- 3. The reason for serving this Notice:** It appears that the above breach of development controls has occurred within the last 8 years. The Island Plan, 2011 (revised 2014) places a presumption against the establishment of new retail uses outside the Built-up Area and there are no proven exceptional circumstances to warrant a deviation from that presumption. In addition, the retail use may harm the character of the surrounding area, increase intensity of activity and detract from the viability of retail uses within the Built-up Area. The unauthorised use is, therefore, contrary to Policies SP1, SP3, GD1 and ER10 of the Island Plan.
- 4. You are hereby required to:** Cease retail sales from the site.
- 5. Period of compliance:** 28 days after the issue of this Notice.
- 6. 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.
- 7. 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

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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: [Redacted]
for and on behalf of the Chief Officer

Date: 24 April 2015

