

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. B25, Le Mont a la Brune, St. Brelade UPRN 69210217

(shaded in RED on the attached plan)

Field No. B26, Le Mont a la Brune, St. Brelade UPRN 69210218

(shaded in GREEN on the attached plan)

Field No. B27, Le Mont a la Brune, St. Brelade UPRN 69210219

(shaded in PURPLE on the attached plan)

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

3.1 Without Planning Permission; a material change of use of fields B25 and B26 from agriculture to the storage and siting of miscellaneous and non-agricultural trailers, plastic bollards, fencing panels, metal girders, pallet boards, metal scaffolding poles, wooden lengths, fire extinguishers, plastic netting and general detritus.

3.2 Without Planning Permission; the creation of an area of hard standing within fields B25 and B26 measuring approximately 660 square metres.

- 3.3 Without Planning Permission; the creation of an earth bund within field B25 and B26 measuring approximately 145 square metres in area and 1.7 metres in height.
- 3.4 Without Planning Permission; the creation of an area of hard standing within field B27 measuring approximately 400 square metres.

4 Reasons for Issuing this Notice:

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

Fields B25, B26 and B27 lie 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 unauthorised development is considered to cause serious harm to the landscape character of this 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 miscellaneous and non-agricultural trailers, plastic bollards, fencing panels, metal girders, metal poles, pallet boards, metal scaffolding poles, wooden lengths, fire extinguishers, plastic netting and general detritus from fields B25 and B26, approximately marked **5.1** on the attached site plan.
- 5.2 Removing the area of hard standing within fields B25 and B26 measuring approximately 660 square metres, approximately marked **5.2** on the attached site plan. In addition, the removal from fields B25 and B26 all the material used to construct the hard standing area to a minimum depth of 300mm. Cover that area with a minimum of 300mm of topsoil levelled to the same gradient of the surrounding ground surface and reseed the topsoil with grass.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

5.3 Removing the earth bund within fields B25 and B26 measuring approximately 145 square metres in area and 1.7 metres in height, approximately marked **5.3** on the attached site plan.

5.4 Removing the area of hard standing within field B27 measuring approximately 400 square metres, approximately marked **5.4** on the attached site plan. In addition, the removal from field B27 of all the material used to construct the hard standing area to a minimum depth of 300mm. Cover that area with a minimum of 300mm of topsoil levelled to the same gradient of the surrounding ground surface and reseed the topsoil with grass.

6 Time for Compliance: You are required to have complied with this notice by the end of 60 days commencing from the day that this notice is issued.

Date of Issue: 13/9/21

Signed:



(Authorising Officer)

Date: 13th September 2021

For and on behalf of the Chief Officer;

Mr Peter LE GRESLEY

Head of Land Control (Regulation Directorate)
Infrastructure Housing and Environment, Development Control,
28-30 The Parade, St Helier. JE11EQ

Enclosures.

1. Enforcement Notice Location Plan – 'Identifying Areas'.
2. Enforcement Notice Location Plan – 'Identifying 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.

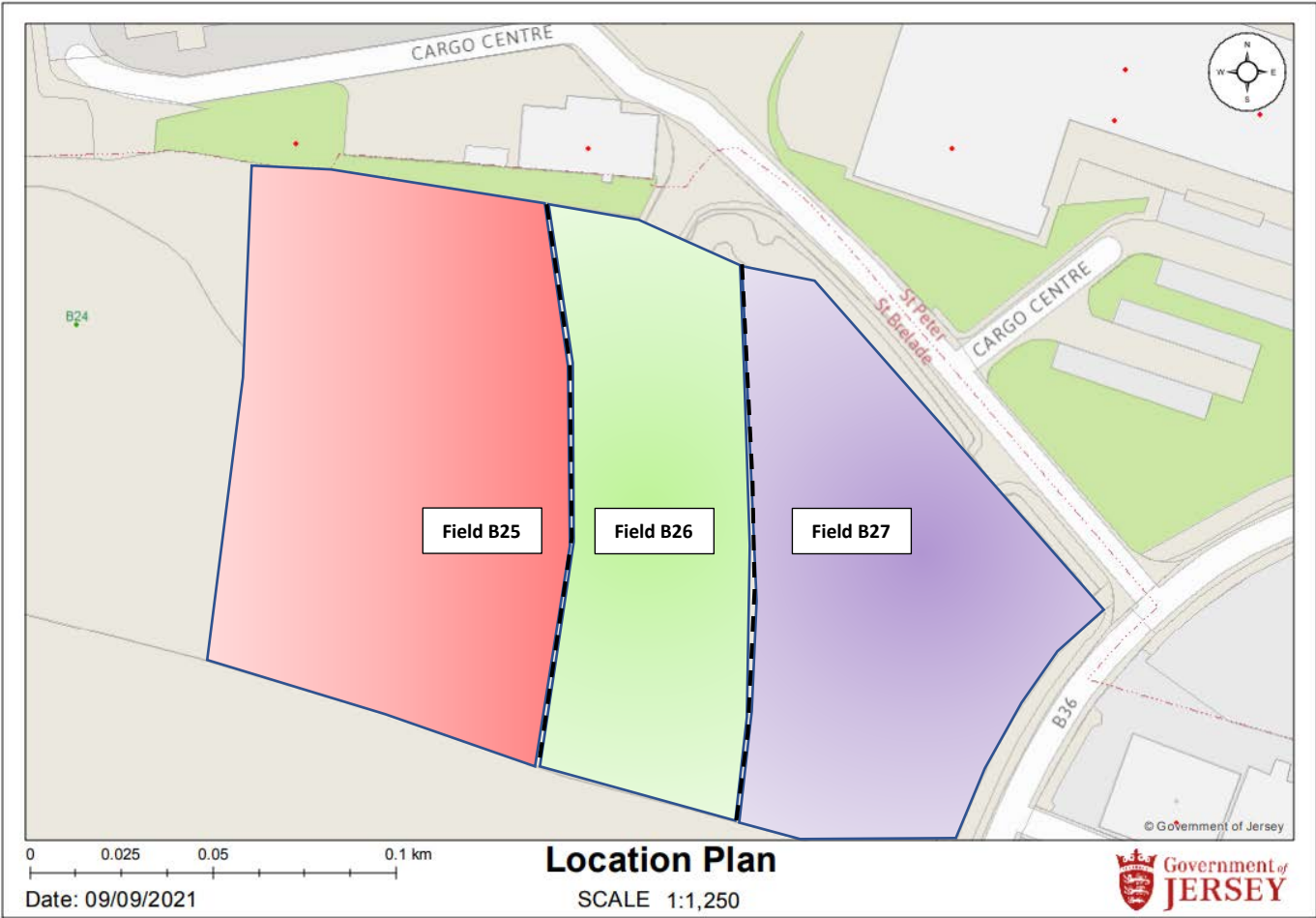
ADVISORY NOTES

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.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

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.

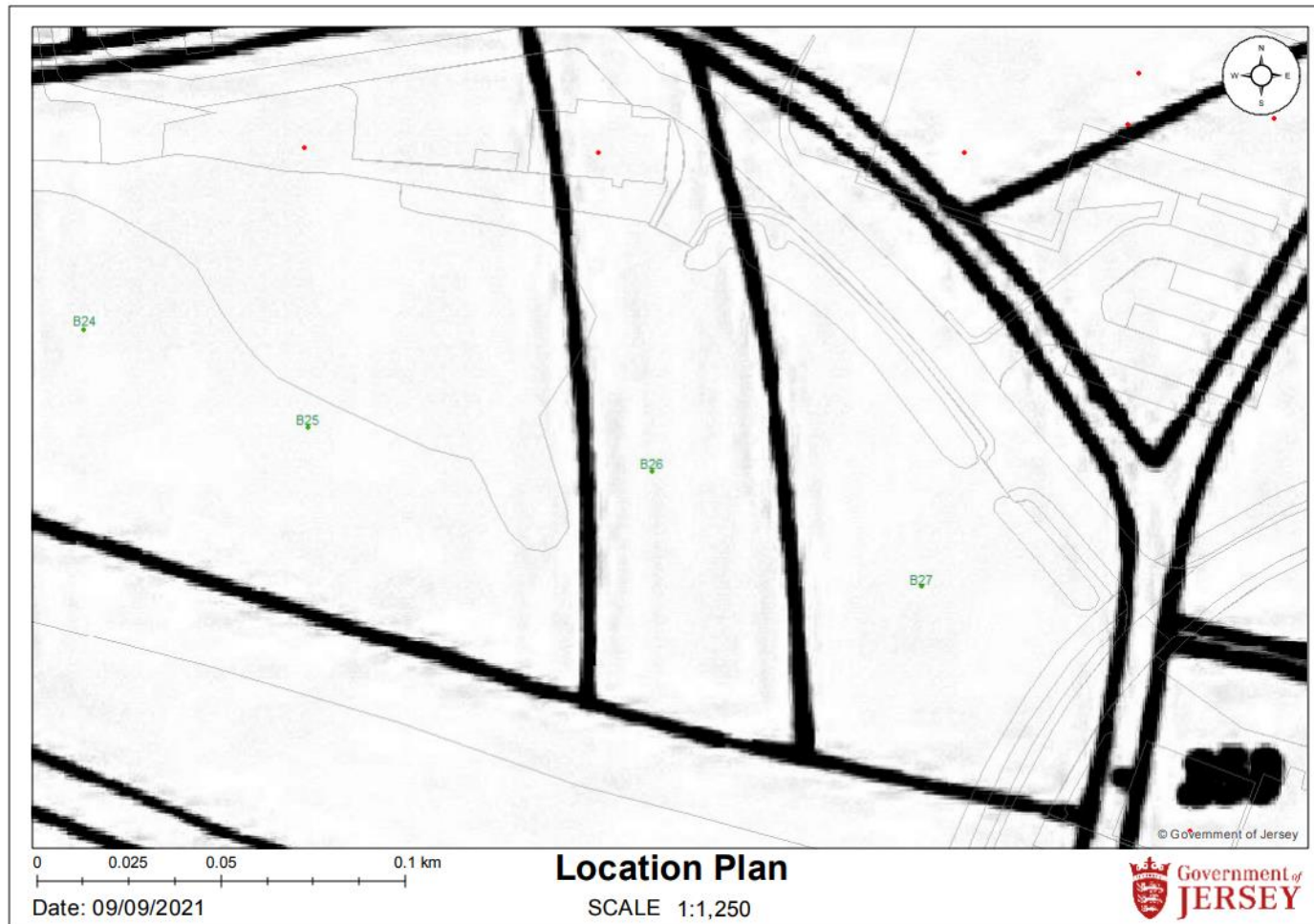
ENFORCEMENT NOTICE - LOCATION PLAN
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER



Approximate Field Boundaries between B25, B26 and B27

Le Mont a la Brun, St Peter

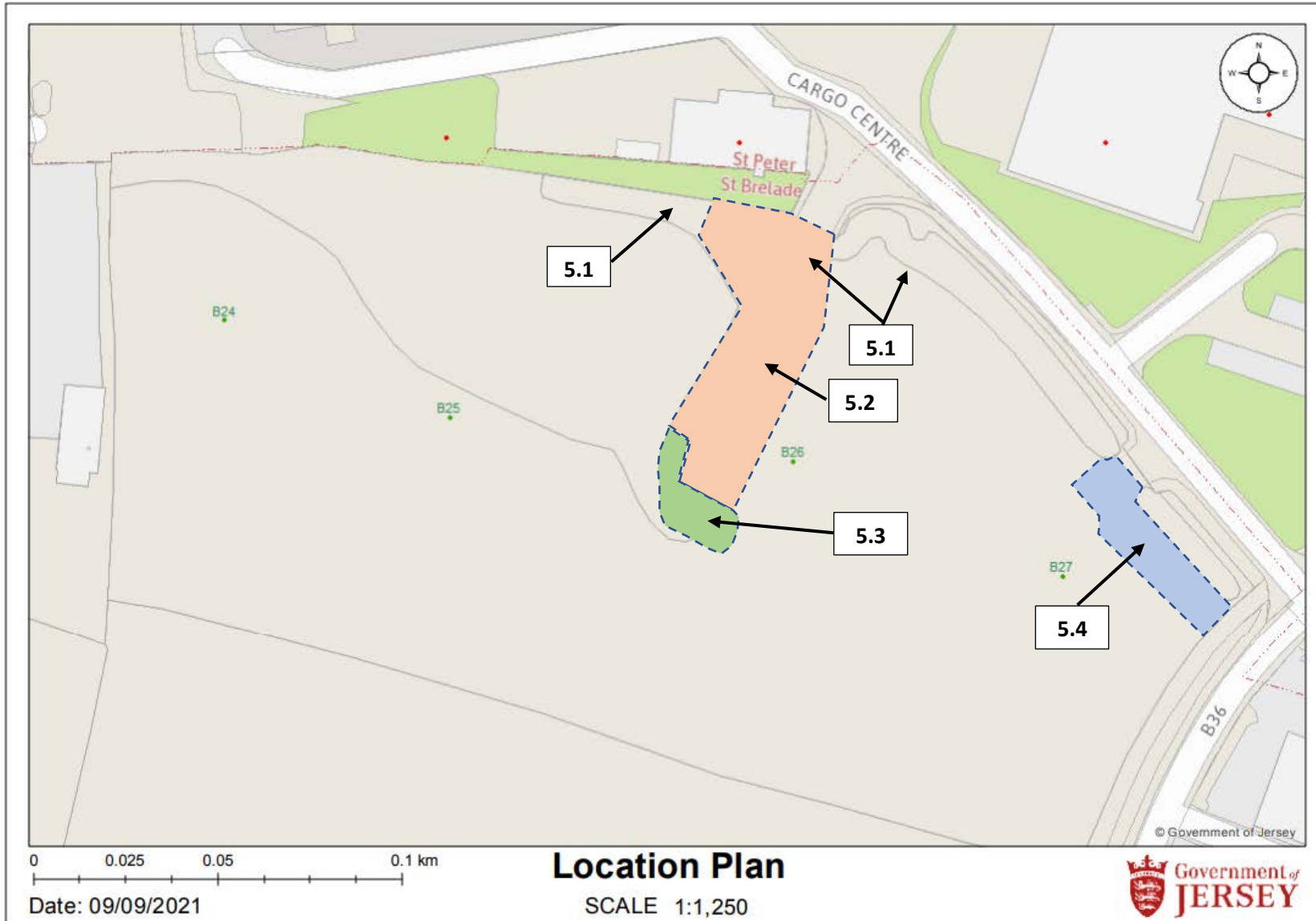
ENFORCEMENT NOTICE - LOCATION PLAN
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER



1935 Ordnance Survey Map

Depicting internal boundaries between B25, B26 and B27

ENFORCEMENT NOTICE – APPROXIMATE LOCATION OF BREACHES
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER

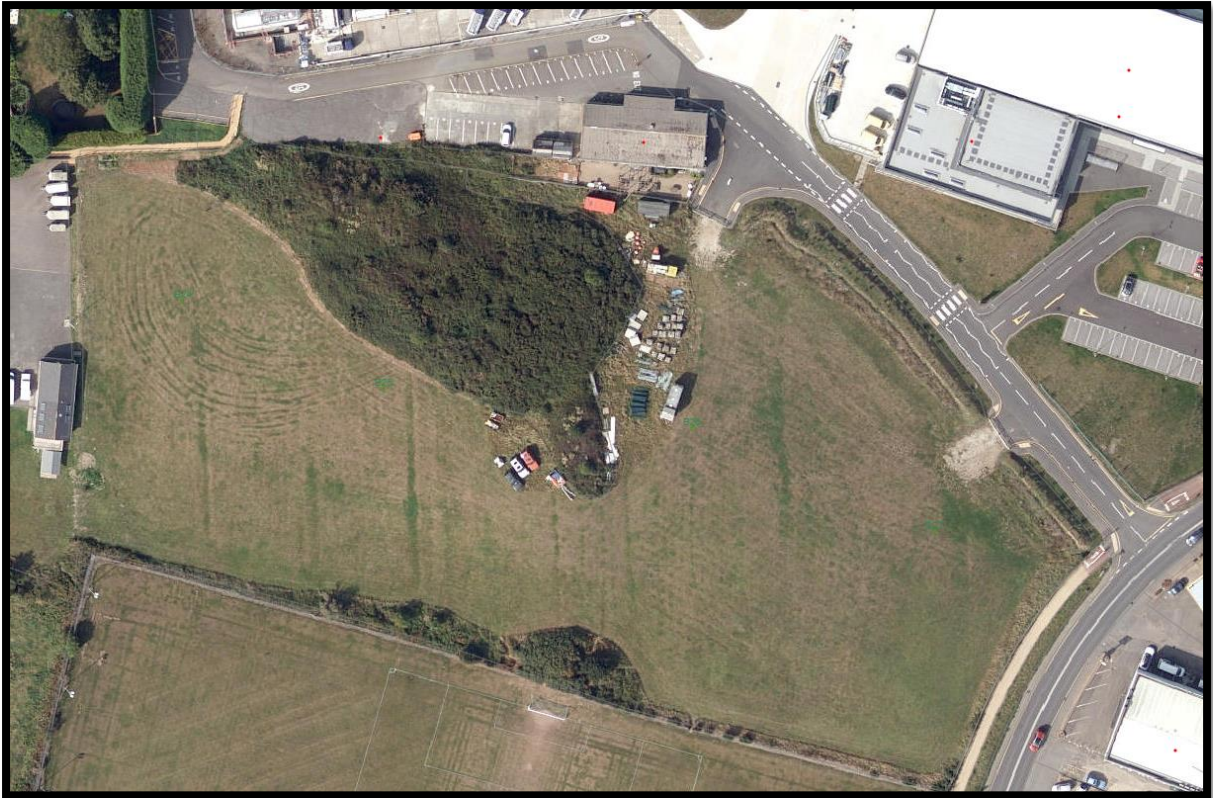


**ENFORCEMENT NOTICE – AERIAL VIEWS 2014-2020
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER**



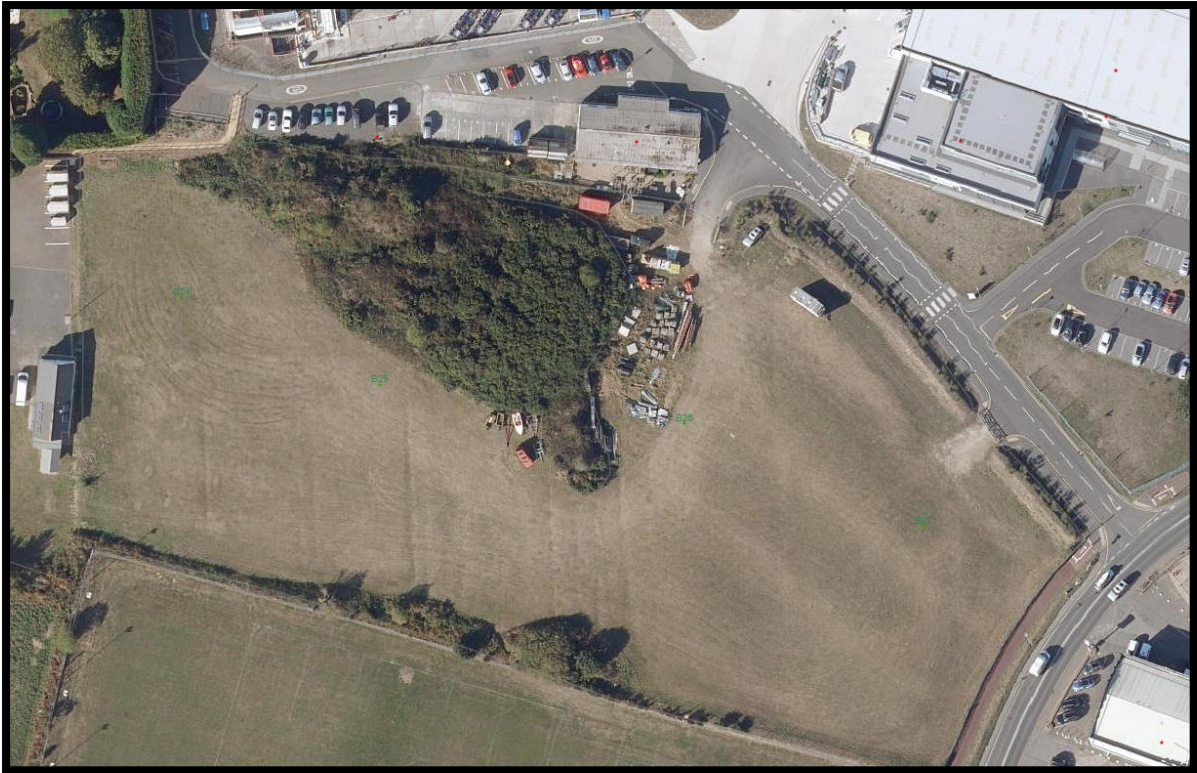
Aerial View – 2014

ENFORCEMENT NOTICE – AERIAL VIEWS 2014-2020
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER



Aerial View 2017

**ENFORCEMENT NOTICE – AERIAL VIEWS 2014-2020
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER**



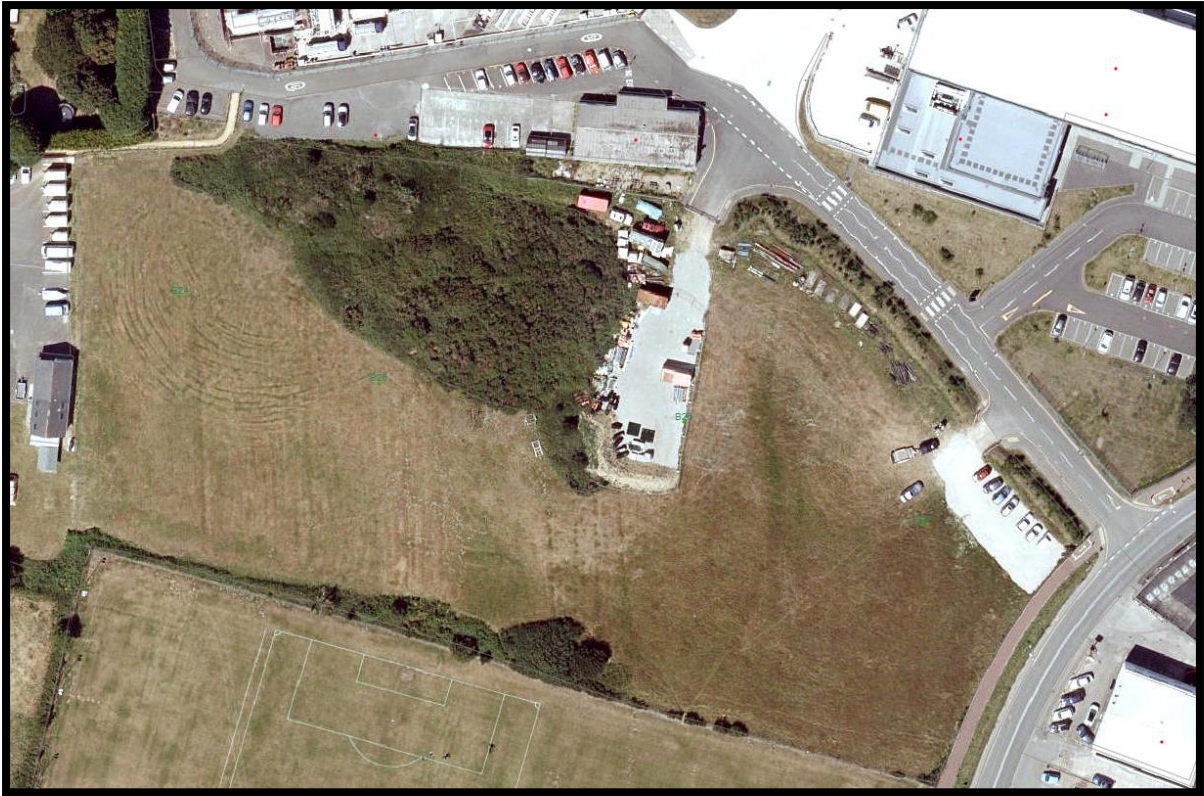
Aerial View – 2018

**ENFORCEMENT NOTICE – AERIAL VIEWS 2014-2020
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER**



Aerial View – 2019

**ENFORCEMENT NOTICE – AERIAL VIEWS 2014-2020
FIELDS B25, B26 and B27, LE MONT A LA BRUN, ST PETER**



Aerial View - 2020