

## **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 Part 5, 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:**

The area of land forming part of the land known as Sundown, La Rue des Landes, St. John, JE3 4AF on the Jersey Digital Map and having the UPRN 69118565.

(edged in *RED* on the attached '*Enforcement Notice Location Plan*')

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

- 3.1 Without planning permission, the construction of a Garden Storeroom to the north of the site known as Sundown, La Rue des Landes, St. John, JE3 4AF (Breach of Development Controls). The Breach of Development Controls has been marked on the attached '*Enforcement Notice Location Plan*', indicated by an area edged in *BLACK* and annotated 3.1.

#### **4 Reasons for Issuing this Notice:**

- 4.1 It appears that the Breach of Development Controls has occurred within the last 8 years and that it is expedient to take action to remedy the Breach.

## **IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST**

4.2 The unauthorised development, due to its design, and location, constitute an unsympathetic and incongruous development which is harmful to the character and appearance of the host dwelling and the established street scene in this part of La Rue des Landes. The development is contrary to the Jersey Integrated Landscape and Seascape Character Assessment and contrary to Policies GD1 and GD6 of the Bridging Island Plan 2022.

4.3 The unauthorised development, due to its design and location results in an over-intensified frontage and erode the openness, existing landscape and the local distinctiveness in this part of La Rue des Landes, located within the Green Zone. The proposal is contrary to Policy NE3 of the Bridging Island Plan 2022.

### **5 Steps Required to Remedy the Breach:**

5.1 Demolish the Garden Storeroom.

5.2 Remove all resulting debris and materials from the land.

### **6 Time for Compliance:**

Two (2) calendar months from the date this Notice takes effect.

**Date of Issue:** 24.01.2024

**Authorising Officer:** Senior Officer Compliance Nina Cornish **Date:** 15.01.2024  
For and on behalf of the Chief Officer;

Nina Cornish  
Senior Compliance Officer,  
Infrastructure and Environment  
28-30 The Parade, St Helier. JE49SS

#### **Enclosures.**

1. Enforcement Notice Location Plan

#### **Informative.**

1. Any other item or issue not specified in this enforcement notice may be the subject of a separate 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 to the Judicial Greffier by writing to the Planning Tribunal, First Floor, International House, 41 The Parade, St Helier JE2 3QQ no later than 28 days from the date this Notice is issued, enclosing the required fee.

### **Planning Tribunal:**

[planningtribunal@courts.je](mailto:planningtribunal@courts.je)

### **Appeal Information:**

<https://www.gov.je/planningbuilding/appealscomplaints/pages/appealplanningbuildingdecision.aspx>

**ENF/2024/00003**  
**Sundown, La Rue des Landes, St. John, JE3 4AF**

