

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:

The area of land forming part of the land known as 17 Le Clos de la Fontaine, St. Peter, JE3 7ZG (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 removal of a banque and wall defining part of the northern boundary of the property with La Rue de la Fontaine, St Peter, to create a pedestrian access to the domestic property.
- 3.2 Without planning permission, an advertising banner was attached to the fence of the property bordering La Rue de la Fontaine, St Peter.

4 Reasons for Issuing this Notice:

- 4.1 It appears that the breaches of Development Controls have occurred within the last 8 years, and it is expedient to issue a notice to remedy the breaches.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

- 4.2 Condition C.3, Class C, attached to the Planning and Building (General Development) (Jersey) Order 2011, provides that any land on which work permitted by Class C has been carried out must, as soon as reasonably practicable, be reinstated to its condition before that work was carried out.
- 4.3 The unauthorised development constitutes an unsympathetic and incongruous development which is harmful to the character, visual amenity and appearance of the host dwelling and the established street scene in this part of La Rue de la Fontaine, located within the Green Zone. The development is contrary to Policy NE3 of the Bridging Island Plan 2022 and Policy NE2 – Green infrastructure and network.
- 4.4 The unauthorised advertising banner is on a rural lane and its presence constitutes an unsympathetic and incongruous development which is harmful to the character, visual amenity and appearance of the established street scene in this part of La Rue de la Fontaine, located within the Green Zone. The development is contrary to Policy NE3 of the Bridging Island Plan 2022.

5 Steps Required to Rectify the Breach:

- 5.1 With the exception of the 1 metre pedestrian access that was created, reinstate the banque and wall defining part of the northern boundary to its previous built condition before the unauthorised work was carried out.
- 5.2 Remove the advertising banner from the fence and remove all resulting debris from land.

6 Time for Compliance: One (1) Calendar month from the date this Notice takes effect.

Date of Issue: 18 March 2024

Authorising Officer: Nina Cornish Senior Officer, Compliance – Land and Habitat
For and on behalf of the Chief Officer.

Enclosures.

1. Enforcement Notice Location Plan.

Informative. 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:

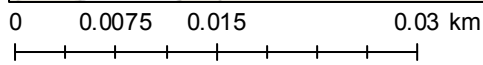
planningtribunal@courts.je

Appeal Information:

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



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Enforcement Notice Location Plan

Date: 14/03/2024

SCALE 1:564.25

