

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:** 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 formation of a means of vehicular access, by way of demolishing a section of wall roughly 3m in width, within the Southern Boundary wall of the rear garden.

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

There is no planning consent for the matters which appear to constitute the current breach of development controls.

4.1 The creation of the new vehicular entrance is considered to lead to an unacceptable risk to the safety of highway users, given the poor visibility afforded to vehicles when accessing or egressing from the newly formed parking area. The visibility splay to the North-west only allows for 16m of vision, when the visibility splays are calculated in line with the 'access standards for new housing developments' which is the document used by IHE – Transport to determine the safety of new vehicular access. Additionally, the site is restricted in that it is not possible for a vehicle to turn within the site, leading to unsafe manoeuvres in the road. Policy GD1 (5c) of the Island Plan states that new developments should provide a satisfactory means of access and manoeuvring space within the site and (5b) states that new development should not lead to unacceptable problems of traffic safety. As such, the work that has been undertaken fails to meet the requirements of the Adopted Jersey Island Plan, 2011 (Revised 2014).

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

5.1 You are required rebuild the 3m section of boundary wall which has been removed, to a standard that matches the remaining section of wall in terms of materials of construction and dimensions.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

6 **Time for Compliance:** You are required to have complied with this notice within three calendar months commencing from the day that this notice is issued.

7. **Date of Issue:**

Sig  Date
(Authorising Officer)

For and on behalf of the Chief Officer;


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

Enclosures.

1. Enforcement Notice Plan.
2. Visibility splay plan 1:200
3. Site photos

Informative. Any other item or issue not specified in this enforcement notice may be subject of a separate enforcement notice.

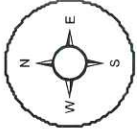
ADVISORY NOTES

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.

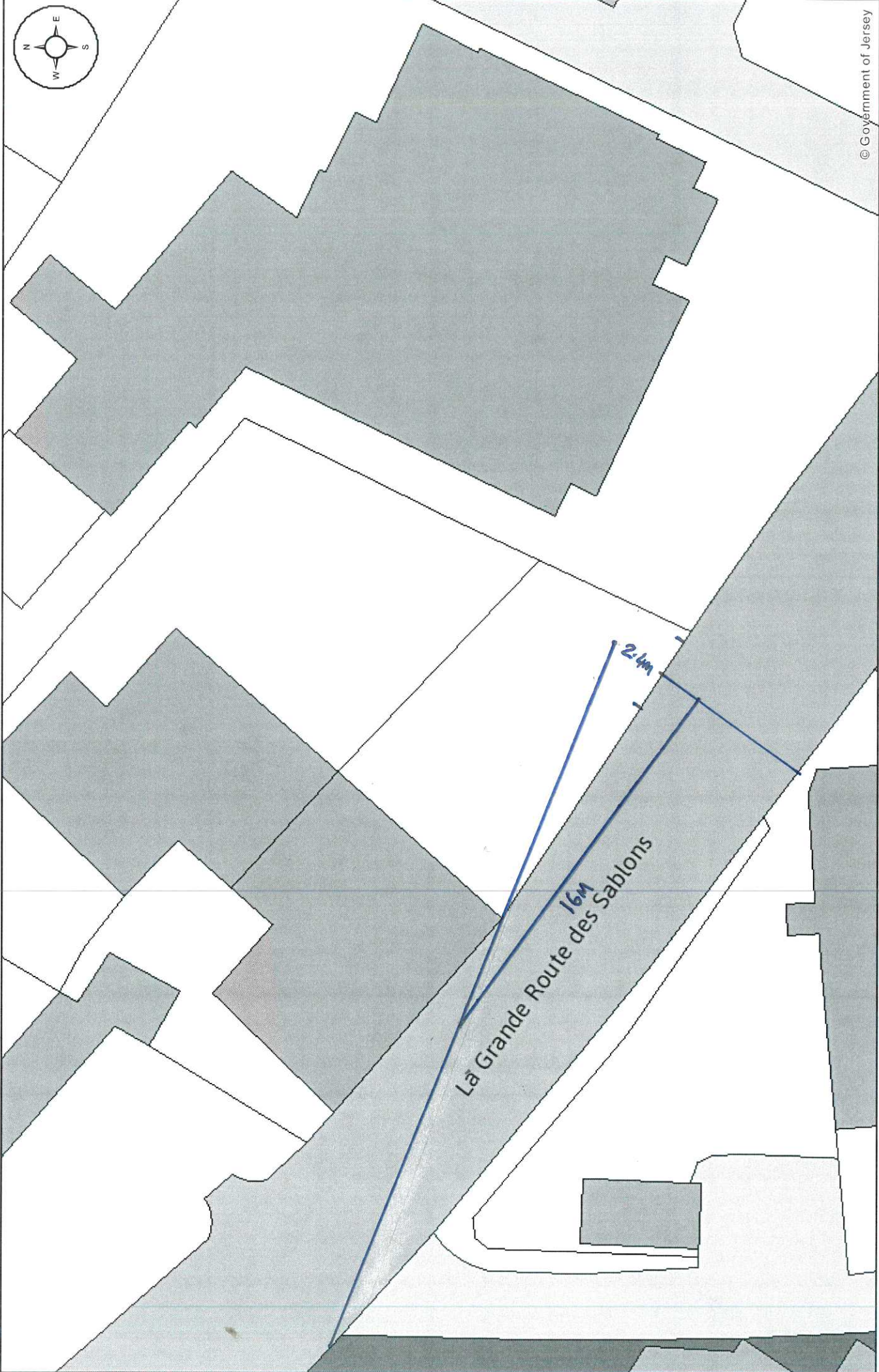
Your Rights of Appeal: In accordance with Article 109 of the above Law, you may appeal against this Notice by writing to the Greffier no later than 28 days beginning with the date this Notice is issued.

Site visit photos taken by AP 13/10/21



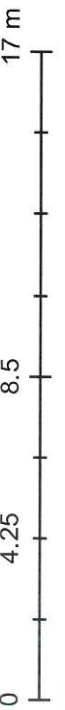


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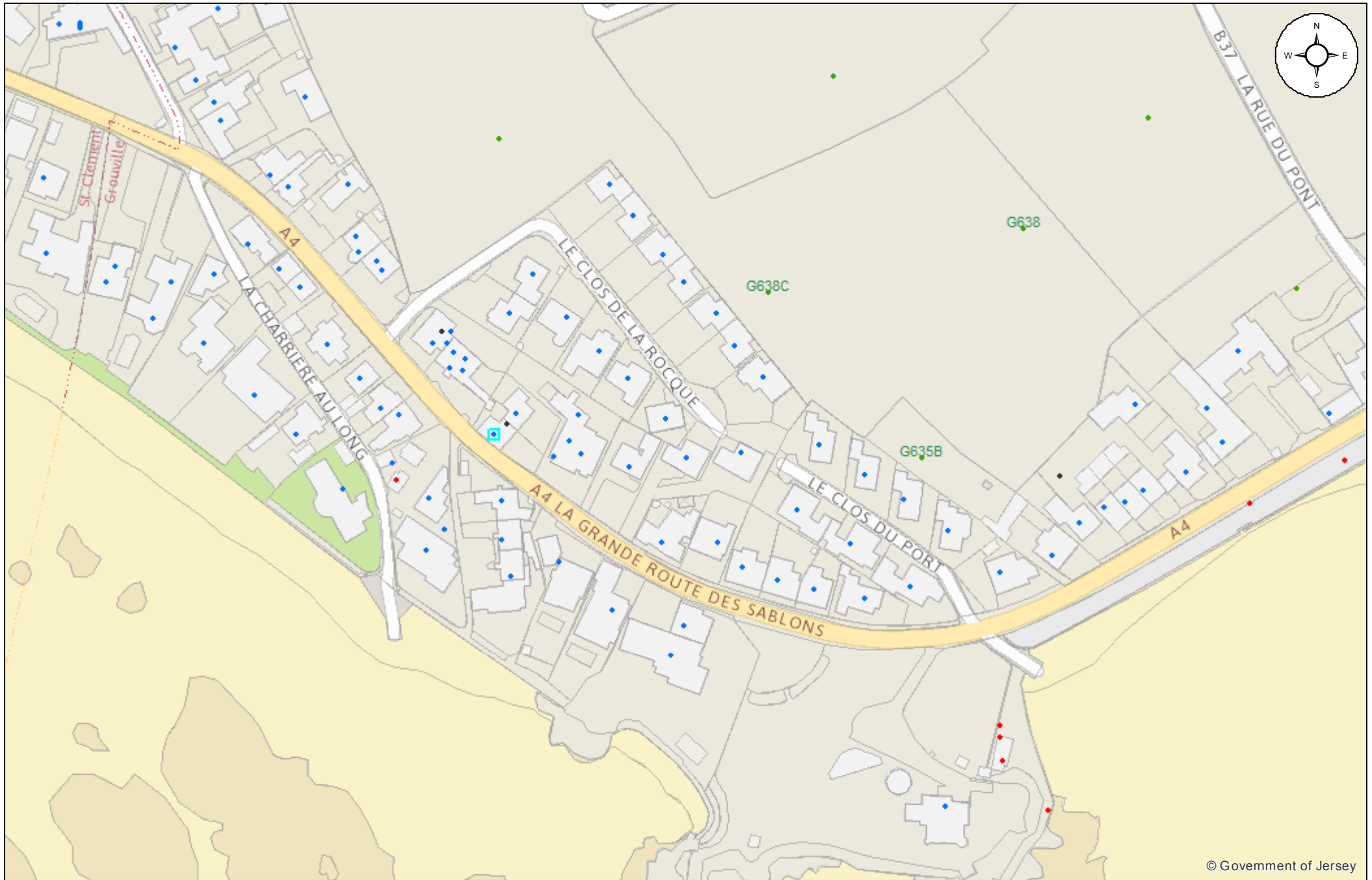


Location Plan

SCALE 1:200



Date: 28/10/2021



0 0.05 0.1 0.2 km

Date: 28/10/2021

Location Plan

SCALE 1:2,500

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