

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. L507, (UPRN 69212095) Le Bu de la Rue, La Route De St. Jean,
St. Lawrence**

(Edged in red on the attached plan headed 'Enforcement Notice Location Plan')

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

Without Planning Permission development has occurred at;

**Field No. L507, (UPRN 69212095) Le Bu de la Rue, La Route De St. Jean,
St. Lawrence namely;**

3.1 At the western end of the northern boundary between Field L507 at the junction of La Grande Route de St Jean with Le Bu De La Rue, two sections of hedgerow and banque have been removed to modify an existing vehicular access path into field L507 *(as indicated by two polygons shaded in green and annotated '3.1' on the attached 'Enforcement Notice Location Plan')*. The removal of the hedgerows and banques was carried out without prior planning consent. The removal of these sections of hedgerow and banque amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

- 3.2 At the eastern end of the northern boundary between Field L507 and Le Bu De La Rue a section of hedgerow and banque has been removed to create a new vehicular access path into field L507 (*as indicated by a polygon shaded in green and annotated '3.2' on the attached 'Enforcement Notice Location Plan'*). The removal of the hedgerow and banque was carried out without prior planning consent. The removal of this section of hedgerow and banque amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.
- 3.3 At the northern end of Field L507, adjacent to the northern boundary between Field L507 and Le Bu De La Rue a section of aggregate hard standing has been laid, creating a vehicle access path and parking area amounting to approximately 960m² (*as indicated by a polygon shaded in blue and annotated '3.3' on the attached 'Enforcement Notice Location Plan'*). The creation of a hard standing vehicle access path and car park was carried out without prior planning consent. The creation of a hard standing vehicle access path and car park amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.
- 3.4 At the northern end of Field L507 an earth bund has been created along the southern edge of the newly created vehicle access path and parking area (*as indicated by a yellow line and annotated '3.4' on the attached 'Enforcement Notice Location Plan'*). The creation of an earth bund was carried out without prior planning consent. The creation of an earth bund amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.
- 3.5 At the western end of the northern boundary between Field L507 and La Grande Route de St Jean, an area of concrete hard standing has been laid, creating a vehicle access path (*as indicated by a polygon shaded in black and annotated '3.5' on the attached 'Enforcement Notice Location Plan'*). The creation of a

concrete hard standing vehicle access path was carried out without prior planning consent. The creation of a concrete hard standing vehicle access path amount to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

4 Reasons for Issuing this Notice:

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

Field L507 lies within the Green Zone as defined in the Jersey Island Plan 2011 (Revised 2014), wherein there is 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 and wildlife of this sensitive rural area and would fail to meet the requirements of Policies SP4, GD1, NE7, EIW5 and ERE1 of the Jersey Island Plan 2011 (Revised 2014)

5 Steps Required to Rectify the Breach:

- 5.1 **Step 1** - Reinstate the previously removed banque as set out in '3.1' above and as indicated by the green rectangle annotated '3.1' on the attached plan headed "*Enforcement Notice Location Map*", so that the dimensions of the reinstated banque are between 1.2m and 1.5m wide at the base of the banque, between 0.50m and 0.75m wide at the top of the banque and at a height of between 0.75m and 1.00m. The reinstated banque is to be made up of topsoil mixed with stones in a proportion suitable for growing shrub vegetation.

- 5.2 **Step 2** – Reinstate the previously removed banque as set out in 3.2 above and as indicated by the green rectangle annotated '3.2' on the attached plan headed "*Enforcement Notice Location Map*", so that the dimensions of the reinstated banque are between 1.2m and 1.5m wide at the base of the banque, between 0.50m and 0.75m wide at the top of the banque and at a height of 0.75m and 1.00m. The reinstated banque is to be made up of topsoil mixed with stones in a proportion suitable for growing shrub vegetation.

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- 5.3 **Step 3** - Remove all of the hard standing, as set out in 3.3 above, and as indicated by a polygon shaded in blue and annotated '3.3' on the attached '*Enforcement Notice Location Plan*'. Having removed the hard standing, to a minimum depth of 300mm, remove all resultant materials from the land and replace with topsoil so that the resulting ground level matches the ground level for the immediate land, within field L507, adjacent to the area of unauthorised hard standing.
- 5.4 **Step 4** - Remove the earth bund that has been laid, as set out in 3.4 above and as indicated by a polygon shaded in yellow and annotated '3.4' on the attached '*Enforcement Notice Location Plan*'. Having removed the earth bund, reinstate the ground level so that it matches the ground level for the immediate land, within field L507, adjacent to the area of unauthorised earth bund.
- 5.5 **Step 5** - Remove all of the concrete hard standing, as set out in 3.5 above, and as indicated by a polygon shaded in black and annotated '3.5' on the attached '*Enforcement Notice Location Plan*'. Having removed the concrete hard standing, to a minimum depth of 300mm, remove all resultant materials from the land and replace with topsoil so that the resulting ground level matches the ground level for the immediate land, within field L507, adjacent to the area of unauthorised hard standing.

6 Period for Compliance:

120 Days

Date of Issue: 23rd February 2022

Signed: [REDACTED] Date: 23rd February 2022

(Authorising Officer)

For and on behalf of the Chief Officer;

Peter Le Gresley

Head of Development and Land (Regulation)

Infrastructure Housing and Environment, Development Control,

28-30 The Parade, St Helier. JE49SS

Enclosures.

1. Enforcement Notice Location Plan
2. Enforcement Notice Aerial Images (2019, 2020 and 2021)
3. Enforcement Notice Site Images (Recorded 19.01.2022, 31.01.2020 and 2010)

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 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.

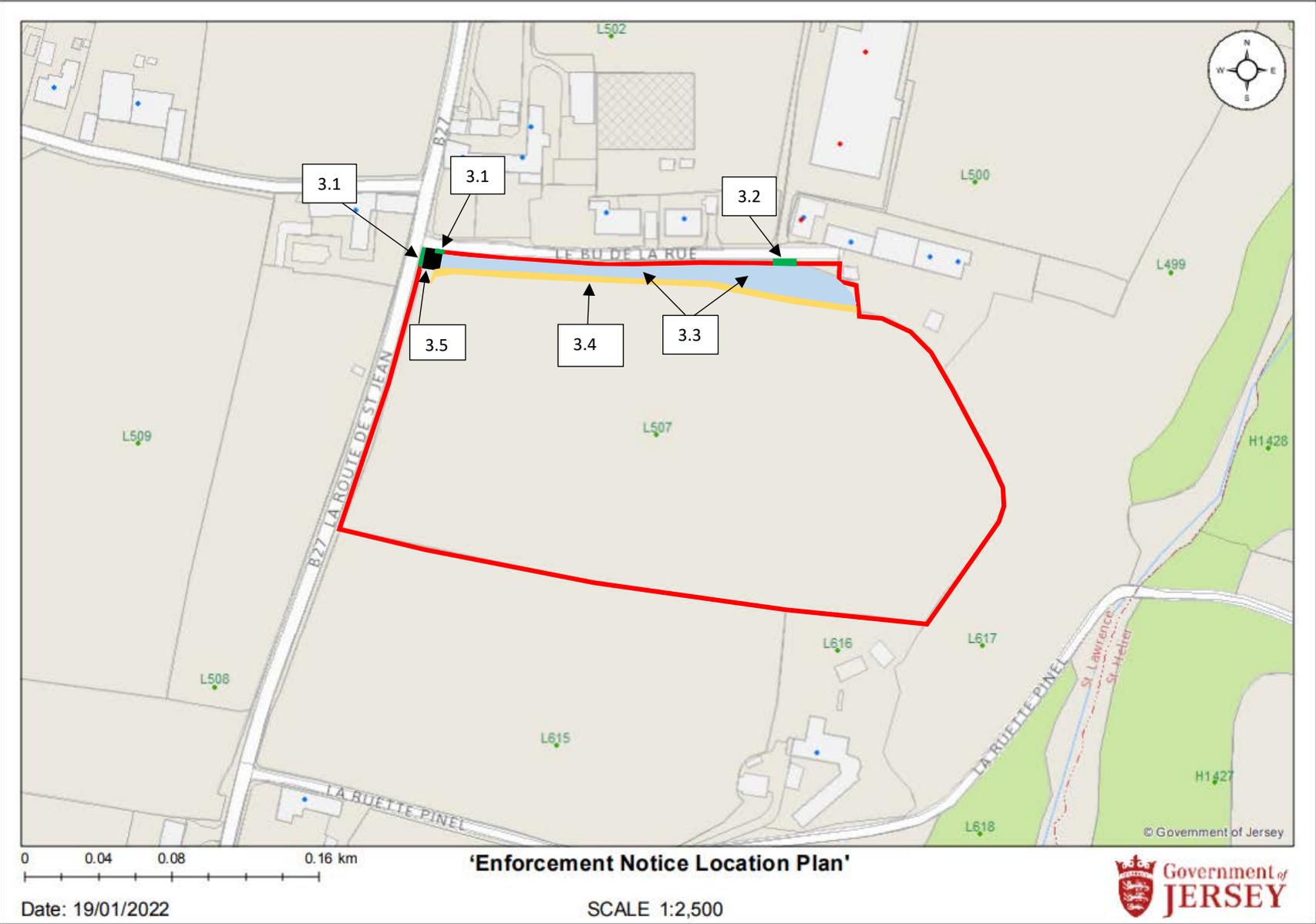
Planning Tribunal:

planningtribunal@courts.je

Appeal Information:

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

'Enforcement Notice Location Plan'



'Enforcement Notice Location Plan'

Date: 19/01/2022

SCALE 1:2,500



Enforcement Notice Aerial Images
(2019, 2020 and 2021)



2019 Aerial Image (Jersey Mapping)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

Enforcement Notice Aerial Images
(2019, 2020 and 2021)



2020 Aerial Image (Jersey Mapping)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

Enforcement Notice Aerial Images
(2019, 2020 and 2021)



2021 Aerial Image (Jersey Mapping)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.1)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.1)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Vehicle Access Path (Ref 3.3)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.2)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Parking Area (Ref 3.3)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Parking Area (Ref 3.3)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Parking Area (Ref 3.3)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Vehicle Access Path (Ref 3.3)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.2)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.2)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by S. Clarke 19/01/2022)

Enforcement Notice Site Images



Newly Created Field Entrance (Ref 3.2)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by Dept of Infrastructure during road survey on 31/01/2020)

Enforcement Notice Site Images



Pre-existing Field Entrance (Ref 3.2)

UPRN 69212095

Field No. L507, Le Bu de la Rue, La Route De St. Jean, St. Lawrence

(Recorded by Google Street View circa September 2010)