

Regulation  
Infrastructure Housing and Environment  
Po Box 228  
Jersey  
JE4 9SS  
[www.gov.je](http://www.gov.je)



Compliance Case Ref: CMP/2021/00086  
ENF/2022/00001

## **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. B248A, Le Mont Gras d'Eau, St. Brelade**

(edged in RED on the attached '*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. B248A, Le Mont Gras d'Eau, St. Brelade**

3.1 Field B248A has been laid with hard core and associated aggregate (as indicated 5.1 on the attached '*Enforcement Notice Location Plan*'). The introduction of hard core and associated aggregate amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not currently granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011.

**4 Reasons for Issuing this Notice:**

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

4.2 Field B248A lies 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.

4.3 The formation of the hard standing in Field B248A is visually damaging to the landscape character of the area, has implications for wildlife and for the agricultural use of the land. The proposal is therefore contrary to policies GD1, NE7 and ERE1 of the Adopted Island Plan 2011 (Revised 2014).

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

5.1 **Step 1** – Remove all of the hard core, associated aggregate and all resultant materials from field B248A to a minimum depth of 300mm as set out in 3.1 above and as indicated by the yellow shaded area marked 5.1 on the attached plan headed *“Enforcement Notice Location Plan”*.

5.2 **Step 2** - Having removed the hardcore, associated aggregate and resultant materials as stated in Step 1, return the ground level back to its original state with topsoil.

## **6 Periods for Compliance:**

60 days

**Date of Issue:** 14<sup>th</sup> February 2022

**Signed:** Date: 14<sup>th</sup> February 2022

(Authorising Officer)

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. JE49SS

### **Enclosures.**

1. Enforcement Notice Location Plan
2. Enforcement Notice Aerial Images
3. Enforcement Notice Site Images

**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:

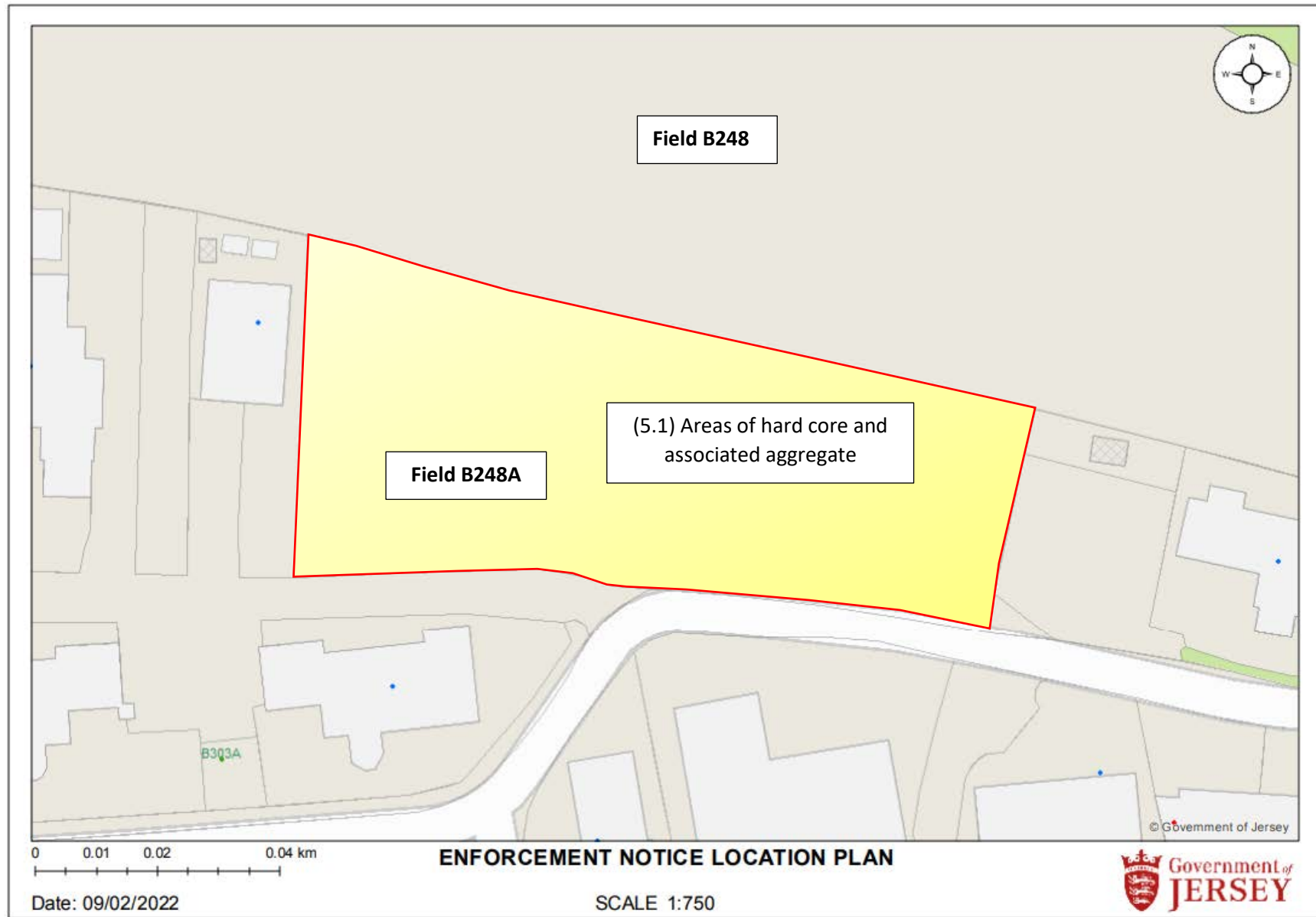
[planningtribunal@courts.je](mailto:planningtribunal@courts.je)

Appeal Information:

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

# ENFORCEMENT NOTICE LOCATION PLAN

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# ENFORCEMENT NOTICE AERIAL IMAGES

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Aerial Image of Field B248A – 2020

Jersey Mapping System



# ENFORCEMENT NOTICE AERIAL IMAGES

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Aerial Image of Field B248A – 2021

Jersey Mapping System

# ENFORCEMENT NOTICE SITE IMAGES

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**Figure 1**  
**Field B248A (Western End)**  
**Recorded on 28.05.2021**



**Figure 2**  
**Field B248A (Western End)**  
**Recorded on 28.05.2021**



# ENFORCEMENT NOTICE SITE IMAGES

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**Figure 3**  
**Field B248A (Vehicular Entrance)**  
**Recorded on 28.05.2021**



**Figure 4**  
**Field B248A (Eastern End)**  
**Recorded on 28.05.2021**



# ENFORCEMENT NOTICE SITE IMAGES

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**Figure 5**  
**Field B248A (Western End after Reinstatement)**  
**Recorded on 07.07.2021**



**Figure 6**  
**Field B248A (Western End after Reinstatement)**  
**Recorded on 07.07.2021**

# ENFORCEMENT NOTICE SITE IMAGES

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**Figure 7**  
**Field B248A (Western End after Reinstatement)**  
**Recorded on 01.02.2022**



# ENFORCEMENT NOTICE SITE IMAGES

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**Figure 8**  
**Field B248A (Vehicular Entrance and Eastern End)**  
**Recorded on 01.02.2022**