

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

**Regulation
Infrastructure and Environment**
Po Box 228
Jersey
JE4 9SS
www.gov.je



Compliance Case Ref: CMP/2023/00121
ENF/2024/00003

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 on 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:**
 - 2.1 Field No.L587, Le Chemin des Montagnes, St. Lawrence
(Edged in RED on the attached Enforcement Location Plan)

- 3 The Matters which appear to constitute the Breach of Development Controls:** Without Planning Permission development has occurred on the land, namely:
 - 3.1 Without the necessary planning permission, a material change of use of the land for storage

 - 3.2 Without the necessary planning permission, the removal of a hedgerow or banque or other physical feature defining a boundary of the land or of any part of it.

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- 3.3 Without the necessary planning permission placing unauthorised structures on the land
- 3.4 Without the necessary planning permission, excavation and levelling out of the land undertaking an engineering operation on the land
- 3.5 Without the necessary planning permission laying of hardstanding on the land
- 3.6 Without the necessary planning permission, unauthorised development involving the dumping of waste on the land

4 Reasons for Issuing this Notice:

- 4.1 It appears that the breach of Development Controls has occurred and intensified within the last eight years, and it is considered expedient to issue a notice to remedy the breach.
- 4.2 The material change of use of the land is contrary to Policy ERE1. (Protection of agricultural land) of the Bridging Island Plan 2022.
- 4.3 These fields form part of the island's Green Zone. The Bridging Island Plan states that any development in this Zone should serve to protect and enhance the landscape character.
- 4.4 Individually and collectively, the developments on the land have a detrimental effect on the natural environment, contrary to Policy SP5.
- 4.5 The development, singularly and cumulatively, directly causes harm to Jersey's landscape, contrary to Policy NE3.

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- 4.6 These fields form part of the island's Green Zone. The Bridging Island Plan states that any development in this Zone should serve to protect and enhance the landscape character.
- 4.7 Individually and collectively, the developments on the land have a detrimental effect on the natural environment, counter to Policy SP5.
- 4.8 The development, singularly and cumulatively, directly causes harm to Jersey's landscape, counter to Policy NE3.

5 Steps Required to Rectify the Breach:

- 5.1 Cease the use of the land for storage.
- 5.2 Cease the use of the land for vehicle parking and removal all non-agricultural vehicles.
- 5.3 Demolish and remove all structures and remove all plant and other stored items.
- 5.4 Remove all dumped waste from the land.
- 5.5 Break up the hardstanding and remove all resulting debris from the land.
- 5.6 Return the land to its previous contours of 1:3.5 meters, using any previously excavated material and sow the meadow with a suitable grass mix.
- 5.7 Reinstate the part of the banque removed, using material matching that of the remaining banque.

6 Time for Compliance:

6.1 Two (2) calendar months

Date of Issue: 16 February 2024

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Signed: Nina Cornish Date: 16 February 2024
(Authorising Officer)
For and on behalf of the Chief Officer;

Nina Cornish

Senior Compliance Office
Infrastructure and Environment, Development Control,
28-30 The Parade, St Helier. JE49SS

Enclosure.

Enforcement Notice Location Plan (ENF/2024/00003) – Plan identifying the site.

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:

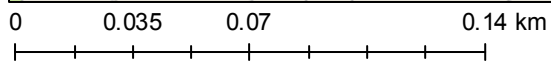
planningtribunal@courts.je

Appeal Information:

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



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Field No.L587 Enforcement Location Plan

Date: 22/01/2024

SCALE 1:2,256.99

