

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 Part 5, 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:

The land known as Field No. J1013, La Rue du Feugerel, Trinity and Field No. J1014, La Rue du Feugerel, Trinity on the Jersey Digital Map and having the UPRN 69211500 and 69211501.

(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, making a material change of the use of the land for storage purposes and the installation of storage structures, a hardstanding, non-agricultural materials, non-agricultural vehicles, disused agricultural machinery and equipment, fishing and aquaculture equipment and vehicles, dumped aggregate and soil.

4 Reasons for Issuing this Notice:

- 4.1 It appears that the Breach of Development Controls has occurred and intensified within the last 8 years, and it is expedient to take action to remedy the Breach.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

- 4.2 The material change of use of the land results in the loss of agricultural land, contrary to Policy ERE1 (Protection of agricultural land) of the Bridging Island Plan 2022.
- 4.3 The material change of the use of the land, situated in the Green Zone, and the associated storage structures and storing of vehicles and non-agricultural paraphernalia fails to protect or improve the landscape character and harms the locality, having a significant adverse impact on the landscape, contrary to 'Policies SP5 and NE3 of the Bridging Island Plan 2022.
- 4.4 The material change of use and associated storage of paraphernalia within a Water Pollution Safeguard Area as defined in the Bridging Island Plan 2022 is likely to result in contamination of surface and ground water contrary to Policy WER5 of the Plan.

5 Steps Required to Remedy the Breach:

- 5.1 Cease the use of the land for storage purposes.
- 5.2 Demolish all storage structures and remove all resulting debris from the land.
- 5.3 Break up the hard standing and remove all resulting debris from the land.
- 5.4 Remove all non-agricultural materials, non-agricultural vehicles, disused agricultural machinery and equipment, fishing and aquaculture equipment from the land.
- 5.5 Remove all aggregate and imported soil from the land and return to agricultural land and sow with suitable agricultural grass seed mix.

6 Time for Compliance:

- 6.1 Three (3) calendar months from the date this Notice takes effect.

Date of Issue: 12.02.2024

Signed

Ms Nina Cornish (Authorising Officer)
For and on behalf of the Chief Officer;

Date: 12.02.2024

Ms Nina Cornish
Senior Officer - Compliance, Land
and Habitat
Infrastructure and Environment
28-30 The Parade, St Helier. JE4 9SS

Enclosures.

1. Enforcement Notice Location Plan

Informative.

1. 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>

ENFORCEMENT NOTICE LOCATION MAP - ENF/2024/00004

Field No. J1013, La Rue du Feugerel, Trinity and Field No. J1014, La Rue du Feugerel, Trinity

