

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 area of land forming part of the land known as 24-7 Self-Store Unit 2, Peacock Farm, La Rue de la Piece Mauger, Trinity, JE3 5HW on the Jersey Digital Map and having the UPRN of 69389708.

(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, the siting of eight (8) intermodal shipping containers (Breach of Development Controls). The Breach of Development Controls has been marked on the attached Enforcement Notice Location Plan, indicated by an area edged in BLUE and annotated 3.1.

4 Reasons for Issuing this Notice:

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

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

4.2 The site is located within the Green Zone wherein any development should protect or improve landscape character. The unauthorised development amounts to eight intermodal shipping containers which are unsightly, and harmful to landscape character. For this reason, the development fails to satisfy the requirements of Policies PL5 and NE3 of the adopted 2022 Bridging Island Plan.

4.3 Intermodal shipping containers, by their nature and design, create an unacceptable level of noise whilst being used, thereby causing unreasonable harm to the amenities of nearby residents. For this reason, the development fails to satisfy the requirements of Policy GD1 of the adopted 2022 Bridging Island Plan.

5 Steps Required to Remedy the Breach:

5.1 Remove all intermodal shipping containers from the land.

5.2 Remove all resulting debris and materials from the land.

6 Time for Compliance:

28 days from the date this Notice takes effect.

Date of Issue: 10.10.2024

Authorising Officer: Andrew Marx (Head of Development and Land)

Date: 10.10.2024

For and on behalf of the Chief Officer and Planning Committee.

Andrew Marx

Head of Development and Land

Infrastructure and Environment

28-30 The Parade, St Helier. JE49SS

Enclosures.

1. Enforcement Notice Location Plan
2. Decision Notice for MS/2022/0743

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:

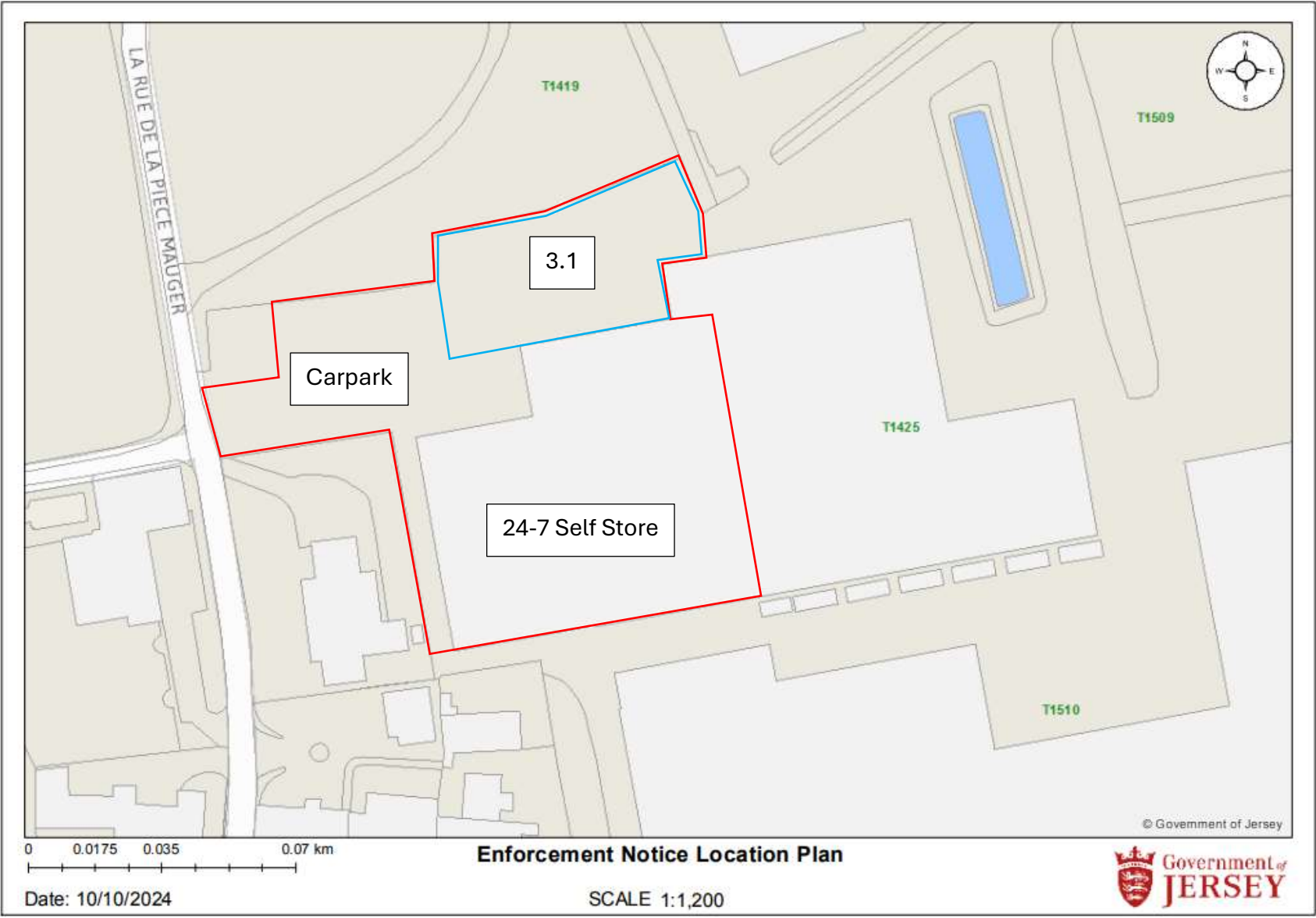
In accordance with Article 109 of the above Law, you may appeal against this Notice to the Judicial Greffier by writing to the Planning Tribunal, First Floor, International House, 41 The Parade, St Helier JE2 3QQ no later than 28 days from the date this Notice is issued, enclosing the required fee.

Planning Tribunal:

planningtribunal@courts.je

Appeal Information:

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



Enforcement Notice Location Plan

Date: 10/10/2024

SCALE 1:1,200



Decision Notice

PLANNING AND BUILDING (JERSEY) LAW 2002

Planning Application Number MS/2022/0743

This is notification of the decision to **REFUSE** to grant permission to develop land under Article 19 of the Planning and Building (Jersey) Law 2002;

In respect of the following development:

Install Container Storage Units to part of existing parking area.

To be carried out at:

24-7 Self-Store, Unit 2, Peacock Farm, La Rue de la Piece Mauger, Trinity, JE3 5HW

Reason(s)

1. The site is located within the Green Zone wherein new development proposals should protect or improve landscape character. The application proposes a series of shipping containers which would be unsightly, and harmful to landscape character. For this reason, the application fails to satisfy the requirements of Policies PL5 and NE3 of the adopted 2022 Bridging Island Plan.
2. Shipping containers, by their nature and design, are likely to be create an unacceptable level of noise whilst being used, thereby causing unreasonable harm to the amenities of nearby residents. For this reason, the application fails to satisfy the requirements of Policy GD1 of the adopted 2022 Bridging Island Plan.
3. The proposed development has the potential to generate significant amounts of additional vehicle movements; however, the applicant has not provided a Transport Assessment and a Travel Plan. For this reason, the application fails to satisfy the requirements of Policy TT1 of the adopted 2022 Bridging Island Plan.

DECISION DATE: 10/11/2022

For your information, the following plans have been considered:

- E03 – Os Map
- E04 – Existing Block Plan
- E05 – Proposed Block Plan
- E06 – Proposed Container

Under Article 108 of the Planning and Building (Jersey) Law 2002, you may appeal a decision to refuse the grant of permission.

Before you make an appeal we recommend talking to us to see if you can make a change which could be supported in a future application. If this isn't possible then there are two appeal options available. To find out how to make an appeal visit www.gov.je/planning

REFUSED