

## **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 field MY770 on the Jersey Digital Map and having the UPRN 69214254.  
*(edged in RED on the attached 'Enforcement Notice Location Map')*

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

- 3.1 Without planning permission, the construction of a walled compound containing climate control and air filtration/chilling plant machinery used in conjunction with the eastern glass house of field MY770 (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 Breach of Development Controls has 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 unauthorised development, due to its design and location, harms the visual amenity of the Green Zone, contrary to Policies SP5, PL5 and NE3 of the Bridging Island Plan 2022.
- 4.3 The operation of the unauthorised development results in unacceptable levels of noise, causing harm to the amenity of the location and nearby residential properties, contrary to Policy GD1 of the Bridging Island Plan 2022.
- 4.4 In the absence of reports or information the Planning Authority is unable to confirm that the unauthorised development does not cause harm to protected wildlife, contrary to Policy NE1 of the Bridging Island Plan 2022 and the obligations which exist under the Wildlife (Jersey) Law 2019

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

- 5.1 Demolish the block work walls.
- 5.2 Remove all resulting debris and materials from the land.
- 5.3 Deconstruct the plant machinery.
- 5.4 Remove all resulting debris and materials from the land.

### **6 Time for Compliance:**

Two (2) calendar months from the date this Notice takes effect.

**Date of Issue:** 09.01.2024

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

**Date:** 09.01.2024

For and on behalf of the Chief Officer;  
Andrew Marx  
Head of Development and Land  
Infrastructure and Environment  
28-30 The Parade, St Helier. JE49SS

### **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:**

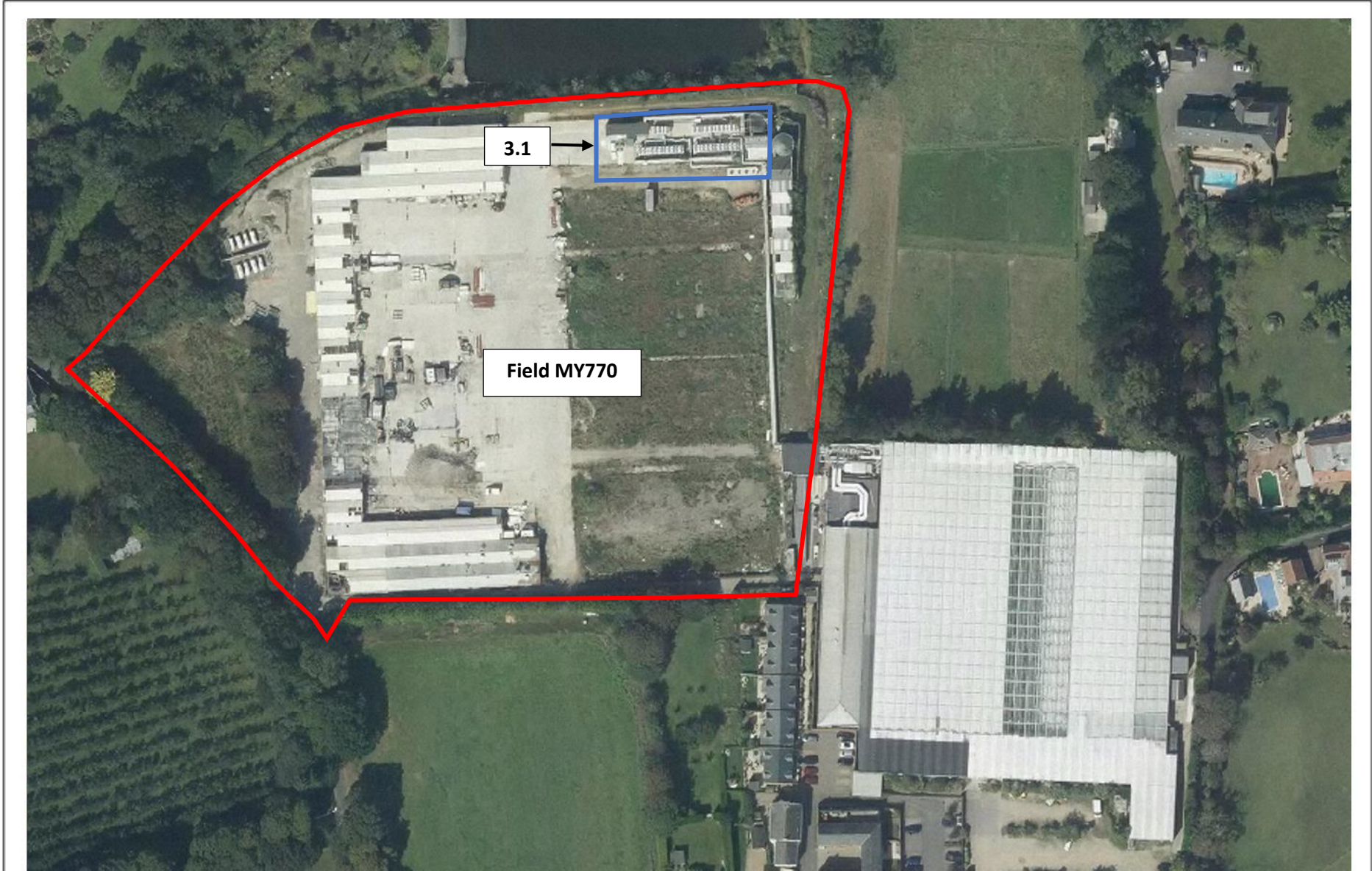
In accordance with Article 109 of the above Law, you may appeal against this Notice to the Judicial Greffier by writing to the Planning Tribunal, First Floor, International House, 41 The Parade, St Helier JE2 3QQ no later than 28 days from the date this Notice is issued, enclosing the required fee.

**Planning Tribunal:**

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

**Appeal Information:**

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



0 0.035 0.07 0.14 km

**Enforcement Notice - Location Plan**

Date: 20/12/2023

SCALE 1:2,200

