

Compliance Case No. ENF/2017/00003

ENFORCEMENT NOTICE

PLANNING AND BUILDING (JERSEY) LAW 2002

- 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: Ferncliff & Tomona, La Rue des Barraques, St. John, Jersey, JE3 4DU**, shown edged by a bold black line on the attached plan.
- 3. The Breach of Development Controls:** Without planning permission, excavation and ground works and the deposition of soil at Ferncliff and Tomona that extends into Field No. J842 to the North. An extension to the South East elevation of the existing pool house that extends into Field No. J845. A roadside wall exceeding 90cm in height to the South and West of Ferncliff and Tomona abutting La Rue des Barraques. The demolition of a chalet/summer house and various boundary enclosures immediately North of Tomona and abutting Field No. J842.
- 4. The reason for serving this Notice:** It appears that the above breach of development controls has occurred within the last 8 years. The site lies within both the Green Zone and Coastal National Park as defined in the Jersey island Plan 2011 (amended 2014) which is given the highest level of protection from development and a general presumption against all forms of development.
- 5. You are hereby required to:** Remove all newly deposited soil/spoil/earthworks from both Ferncliff and Tomona and Fields J845 and J842 and reinstate the land contours to their original levels. Reinstall the chalet/summerhouse and the various boundary enclosures immediately to the North of Tomona. Lower the roadside boundary wall to the permitted height of 90cm, where that wall is within 2 metres of the public road. Remove the newly constructed, unfinished extension from Field No. J845 and reinstate the land of that field to its original condition.
- 6. Period of compliance:** 3 months after the issue of this Notice.

Department of the Environment
Planning and Building Services

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- 7. What will happen if this Notice is not complied with:** If you fail to comply with this Notice, you may be liable to prosecution under the appropriate Article of the Planning and Building (Jersey) Law 2002 for developing land without the benefit of planning permission as well as failing to comply with an Enforcement Notice.

- 8. Your rights of appeal:** In accordance with Article 109 of the above Law, you may appeal against the Notice, in writing to the Greffier no later than the end of the period of 28 days beginning with the date of issue of the Notice. The date of the issue of the Notice shall be taken as the date stated below.

SIGNED: _____ On this Date: 05/04/2017

For and on behalf of the Chief Officer