

Department of the Environment
Planning & Building Services
South Hill
St Helier
+44 (0) 1534 445508
pedcomplianceteam@gov.je

07/07/2017

Mr M P Wille
The Powder Magazine
Les Vieilles Charrieres
Trinity
JE3 5AG

Enforcement Notice No. ENF/2017/00005
Compliance Case No. CMP/2016/00054

Dear Mr Wille

IMPORTANT

This Communication Affects Your Property or Interest

Site Address: **The Powder Magazine and land to the north**
 Les Vieilles Charrieres
 Trinity
 JE3 5AG

Please find enclosed an **Enforcement Notice**. It is being served on you as the owner or occupier of the land or, because you have caused or are responsible for a breach of development controls.

You will note that that you have a right to appeal the Notice under Article 109 of the Planning and Building (Jersey) Law 2002: Revised: 1st January 2016. You can also apply for planning permission in retrospect which carries a double fee.

Please read the Notice carefully and be aware of the steps required to secure compliance with the Notice. Your rights of appeal are also stated within the Notice.

If you require further clarification on any element of the Notice please contact me on the contact details below.

Yours sincerely

For and on behalf of the Chief Officer

Encl.

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: Revised 1st January 2016 because 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.
 1. **This Notice relates to land at:**
 - i) **The Powder Magazine, Les Vieilles Charrieres, Trinity, JE3 5AG**, shown edged by a bold black line on the attached plan.
 - ii) The land from the northern junction of Les Vieilles Charrieres and Les Charrieres de Boulay to the granite stone piers, shown edged by a bold red line on the attached plan
 - iii) The land from the said granite stone piers to the edge of the domestic property of the Powder Magazine, Les Vieilles Charrieres, Trinity, JE3 5AG shown edged by a bold green line on the attached plan

2. **The Breach of Development Controls:** Without planning permission, development has taken place within the stated above areas, namely, and in direct relation and order as listed in (2), :-
 - i) The breeze block development abutting the Powder Magazine, a Listed Building (Grade 4), shown in Picture 'A.'
 - ii) The concrete, stone and any other aggregate development which has been laid from the road to the stone piers, as shown in Picture 'B.'
 - iii) The concrete, stone and any other aggregate development which has been laid from the piers to the edge of the domestic property of the Powder magazine, as shown in picture 'C.'

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The above mentioned works are considered to represent building, engineering or other operations and do not benefit from any exemption from requiring planning permission as may be conferred by the Planning and Building (General Development) (Jersey) Order 2011: Revised 1st January 2017.

- 3. 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 the Coastal National Park as defined in the Adopted Island Plan 2011: (Amended 2014) which is given the highest level of protection from development by Policy NE6, which also contains a general presumption against all forms of development. The unauthorised development within an open area, and that abutting a Grade 4 listed building, is considered to cause serious harm to the landscape character and setting of a Listed Building.
- 4. You are hereby required to:** Remove the unauthorised development described in the allegation above and return the land back to the condition that existed prior to the work being undertaken.
- 5. Period of compliance:** Six months after the issue of this Notice.
- 6. 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 : Revised 1st January 2016 for developing land without the benefit of planning permission as well as failing to comply with an Enforcement Notice.
- 7. 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: 07/07/2017

For and on behalf of the Chief Officer

ENC. One map and three pictures attached to Enforcement Notice No. ENF/2017/00005
For Compliance Case No. CMP/2016/00054

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