

16/06/2015

Enforcement Notice No: **ENF/2015/00006**

## **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: Field 818, L'Avenue de la Reine Elizabeth II, St. Peter** shown edged by a bold black line on the attached plan.
- 3. The Breach of Development Controls:** Without planning permission, development has taken place within Field 818, namely:
  - the erection of a loggia-type structure,
  - the siting of a pool and surround and,
  - the changing of ground levels and associated siting of garden sleepers.

The above mentioned works are considered to represent building and / or engineering 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.

- 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 the Green Zone as defined in the Jersey Island Plan 2001 (amended 2014) which is given the highest level of protection from development and a general presumption against all forms of development. The unauthorised development within an open agricultural field is considered to cause serious harm to the landscape character and is likely to result in the loss of the field from the agricultural sector.
- 5. You are hereby required to:** Remove all un-authorized development from the field and reinstate land levels to their original contour and re-seed the field with grass or agricultural crop.
- 6. Period of compliance:** 28 days after the issue of this Notice.

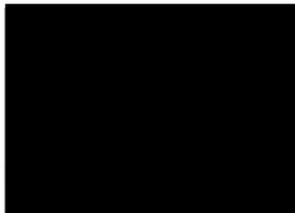
Department of the Environment  
**Planning and Building Services**

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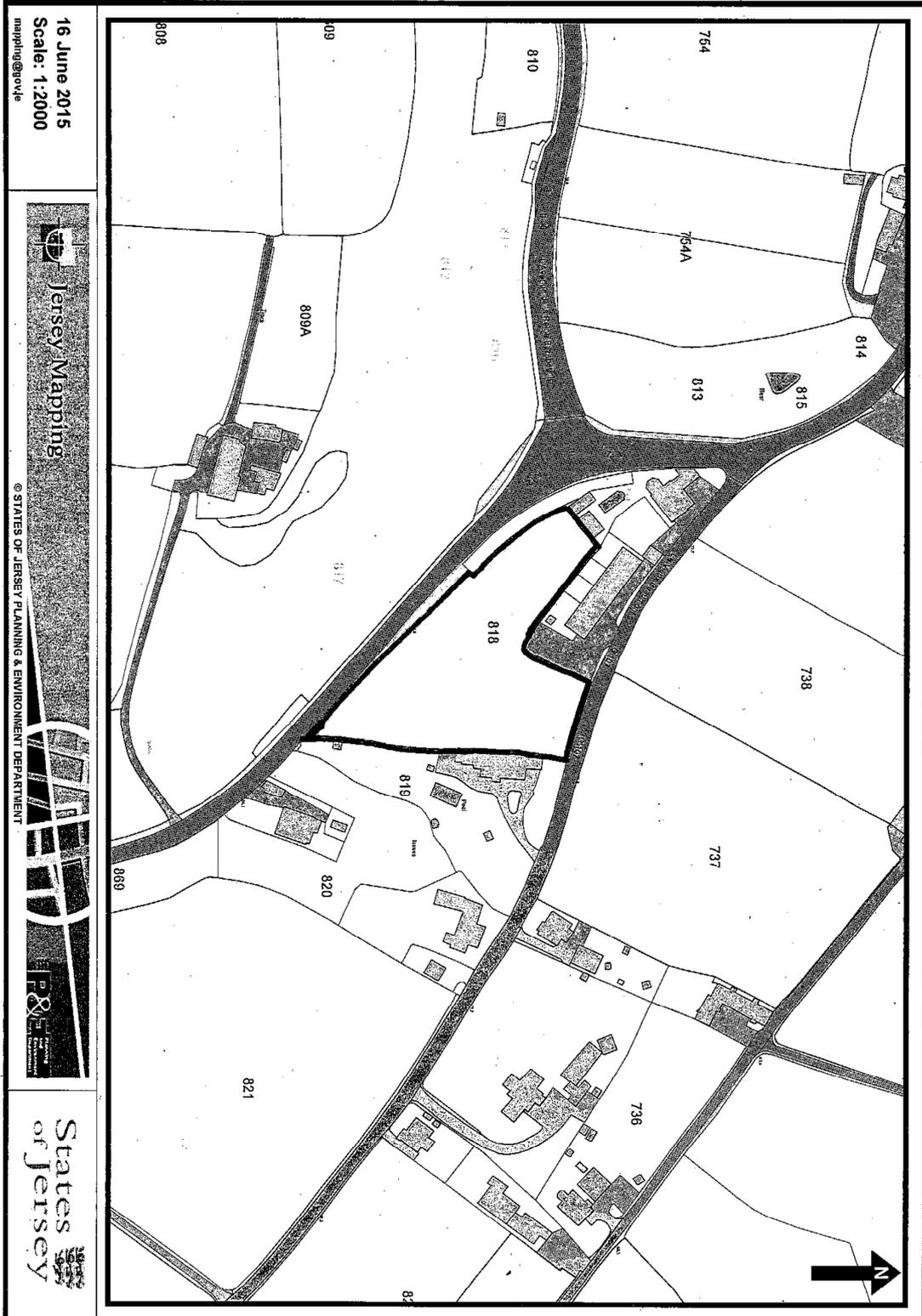
- 7. What will happen if this Notice is not complied with:** If you fail to comply with this Notice, you may be liable to prosecution under the appropriate Article of the Planning and Building (Jersey) Law 2002 for developing land without the benefit of planning permission as well as failing to comply 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: 16<sup>th</sup> June 2015

For and on behalf of the Chief Officer



ENF/2015/0006