

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: Sea Wyndes, Noirmont Lane, St. Brelade, Jersey, JE3 8AS**, shown edged by a bold black line on the attached plan.
- 3. The Breach of Development Controls:** Without planning permission: An extension of a balcony on its western side. The original 1m wide balcony has been extended by a further 1.7m, taking it to the boundary of the site. The level has been built up from the flat roof of the garage/store so that the finished floor level is constant. A wall, 0.8m in height measured from the balcony floor level has been constructed on the western side with the new balustrade, matching that around the remainder of the balcony, positioned on top. The additional height of the wall and balustrade above the height of the original flat roof is around 2.5m, and this equates to 4m above the ground level of the neighbouring site, Clos du Cotil.
- 4. The reason for serving this Notice:** It appears that the above breach of development controls has occurred within the last 8 years. The extension of the balcony westwards towards Clos du Cotil and the construction of the boundary wall and balustrade above have together resulted in an unreasonable impact on the amenities of the neighbouring property by virtue of an overbearing impact and increased potential for overlooking, contrary to Policy GD1 of the Adopted Island Plan 2011 (Revised 2014).
- 5. You are hereby required to:** Remove the 1.7m extended section of balcony and balustrade and the 0.8m high section of boundary wall that was increased in height to support the balcony extension.
- 6. Period of compliance:** 2 months after the issue of this Notice.

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

A large black rectangular redaction box covering the signature of the Chief Officer.

On this Date: 13/02/2018

For and on behalf of the Chief Officer

