

Compliance Case No. ENF/2018/00010

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:**
Land to the East of Field No. B351, La Route du Petit Port, St. Brelade, Jersey shown edged by a bold black line on the attached plan.
- 3. The Breach of Development Controls:**
 - (i) Without planning permission a storage (ferryspeed) container and a second open fronted structure have been sited adjacent to the western boundary with Field no. B351. The latter open fronted structure providing a machinery store and 5no workstations.
 - (ii) Without planning permission the use of the land for the working of stone, including the use of a generator, mechanical tools and cutting equipment.
- 4. The reason for serving this Notice:**

It appears that the above breaches of development control have occurred within the last 8 years. The introduction of workstations, on this scale, and the support which they provide for the more intensive stone working and processing operation is directly at odds with the limitations of the permitted storage use of the site, as set out in planning permission 5268/D – Change of use from quarry to granite storage (retrospective). The workstations support a distinctly different, more intensive and more harmful activity; they are not listed as one of the permissible exceptions under Green Zone Policy; and, are considered to cause unreasonable harm to the amenities of neighbouring land users. Furthermore, the basic, utilitarian form of the container and that of the scaffold profile, corrugated roofing and plastic sheeting to the machinery store and workstations, are such that they are not considered to deliver the required standard of design. The development is therefore contrary to Policies NE7, GD1 and GD7 of the Adopted Island Plan 2011 (Revised 2014).
- 5. You are hereby required to:**

Cease using the land for the unauthorised stone working and processing operations and to remove the unauthorised storage (ferryspeed) container and the open fronted machinery store and workstations.

Department of the Environment
Planning and Building Services

South Hill
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6. Period of compliance:

All unauthorised stone working and processing to cease and unauthorised structures removed within 3 months from the date of 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: _____ On this Date: 06/06/2018

For and on behalf of the Chief Officer



Location Plan

Scale: 1:1250
Date: 06:06:18