

Enforcement Notice Ref: ENF/2019/00001
Building Application No. B/2017/0463/

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 property stated below. Article 33(1) of the above Law states that a person who undertakes prescribed building work except with, and in accordance with, permission to do so granted in accordance with the Building Bye-laws shall be guilty of an offence and liable to a fine.

This Notice relates to the property: Les Arbres La Rue des Cateaux Trinity JE3 5HB, shown edged by a bold black line on the attached plan.

- 2. The Breach of Building Controls:** Building work recently undertaken at the above property has not been completed in accordance with the plans approved in connection with building permit number B/2017/0463. Specifically, a spiral stair has been installed in breach of Condition 1 of the building permit, and the installation does not satisfy the building bye-law requirements for the stair to be installed and equipped so as to enable people to move safely between levels of the building.
- 3. Reasons for serving this Notice:**
 - To secure compliance with the building bye-law requirements for stairs, ramps and protective barriers to be installed and equipped so as to enable people to move safely between levels of the building.
 - To ensure users of the spiral stair are adequately protected from falling.
 - To require the design of the spiral stair to be certified in accordance with Condition 1 of the building permit issued in respect of the work.
- 4. You are hereby required to:**
 - Provide a completed certificate of design in accordance with the Minister's approved structural engineer's registration scheme for the spiral staircase that provides access from the kitchen to the study & sun room.

Department of the Environment
Planning and Building Services

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- b. To install guarding to the edges of link bridge leading to the garden that satisfies the guidance given in Section 3.3 of the Minister's approved Technical Guidance Document Part 7, (Stairs, ramps and Protective Barriers)
 - c. To provide guarding to the spiral stair referred to in paragraph (a) above, which complies with the guidance given in paragraphs 1.28, 1.29 and 1.30 of Section 1 of the Minister's approved Technical Guidance Document Part 7, (Stairs, ramps and Protective Barriers)
 - d. Alter the treads of the spiral stair referred to in paragraph (a) above, to ensure that a 100mm sphere cannot pass through the open risers.
5. **Period of compliance:** 90 days 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 for undertaking building work without the benefit of building 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.

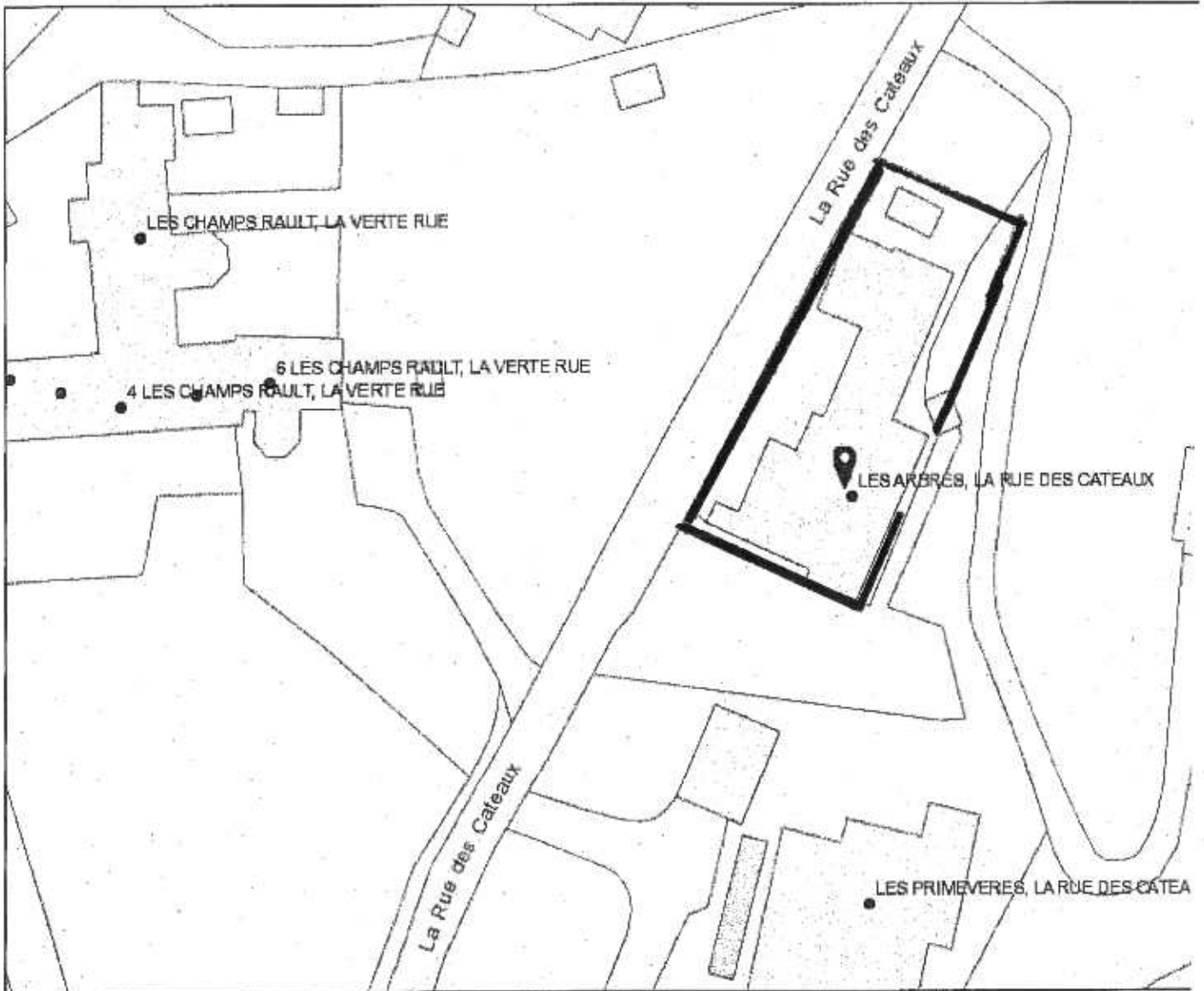
SIGNED: _____

On this Date: _____

8.2.19

For and on behalf of the Chief Officer

Address Locator



February 7, 2019