

## Infrastructure Housing and Environment Regulation

PO Box 228,  
Jersey.  
JE4 9SS

Tel: +44 (0)1534 441600



Enforcement No. ENF/2020/00009

### **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. 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 No. MY770 Prairie, St Mary, Jersey, shown edged red on the attached plan.
- 3. The Breach of Development Controls:** Without planning permission; a material change of use of agricultural land to the storage and siting of a miscellany of non-agricultural vehicles included but not limited to; cars, vans, lorries, boats, plant and machinery, as well as the storage of cabling, doors, battery charger, skips, containers/tanks, unserviceable discarded machinery, pallets, building material, rubble and waste that do not appear to be employed in, or reasonably necessary for, the purposes of agriculture.
- 4. The Reasons for Issuing 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 wherein there is a presumption against development. Planning permission has not been granted to use the land for the matters which appear to constitute the breach of development controls, none of which appear to be either employed in, or are reasonably necessary for, the purposes of agriculture and all of which has an unacceptable incongruous appearance within the locality and is detrimental to the landscape character of both the immediate area and the Green Zone in general and fails to satisfy policies GD1, NE7 and SP4 of the 2011 Island Plan (Revised 2104)

No proposal has been submitted that would mitigate the harm caused as a result of this use of the land which is contrary to policies GD1, SP4 and NE7 of the 2011 Island Plan (Revised) 2014.

The department consider planning permission should not be approved because a planning condition could not overcome these objections.

- 5. What you are required to do:** Restore Field MY770 to a condition comparable to that prior to undertaking the unauthorised works by;

Permanently ceasing all non-agricultural use of the land including the siting and storage of non-agricultural vehicles included but not limited to; cars, vans, lorries, boats, plant and machinery, as well as the storage of cabling, doors, battery charger, skips, containers/tanks, unserviceable

discarded machinery, pallets, building material, rubble and waste that do not appear to be employed in, or reasonably necessary for, the purposes of agriculture and permanently remove those items from the land.

**6. Period of compliance:**

You are required to have complied with the requirements of this notice by the end of 90 days commencing with the date of issue of this notice.

**7. Date of Issue: 23.10.2020**

SIGNED:  Date: 23/10/2020

For and on behalf of the Chief Officer  
**Andy Townsend – Principal Planner**  
Regulation Department

**Informative:**

**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.

**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.

**Policies** GD1 SP4 and NE7 of the Island Plan (Revised) 2014;

<https://consult.gov.je/portal/policy/pd/ip2011>



0 0.075 0.15 0.3 km

Date: 22/10/2020

# Location Plan

SCALE 1:4,513.99