

LAND CONDITION NOTICE

Planning & Building (Jersey) Law 2002

1 The Notice:

This Notice is served by the Government of Jersey pursuant to the powers conferred under the Articles in Part 6, Chapter 6 – Control of land condition of the above Law, notably:

Article 86: Notice requiring proper maintenance of land, etc.

Article 89: Notice requiring action in respect of disused vehicles

2 This Notice relates to land at:

The area of land known as Field No. MN714, La Rue de la Mare des Reines, St. Martin, and shown edged in RED on the attached plan (“the Land”).

3 Reasons for Issuing this Notice:

- (i) It appears to the Chief Officer that the amenities (visual or otherwise) of a part of Jersey are being adversely affected by their condition or use of the Land (Article 86 of the above Law).
- (ii) It appears to the Chief Officer that for amenity reasons disused vehicles, including trailers, horse boxes, garden tractor and ride on mower should be moved or otherwise disposed of (Article 89 of the above Law).
- (iii) The increasingly unkempt nature of the plot, the accumulating items of various nature, size and materials left unmaintained and allowed to rot and disintegrate, including plastic disintegration into the soil, are unacceptable. The condition of the land gives rise to serious cause for concern including pollution of soil and nearby water sources as well as cause an adverse impact on the visual amenities of the area. Allowing the condition of the plot to deteriorate further is,

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR LAND OR INTEREST

therefore, considered contrary to the aims and objectives of the policies ERE1, WER5, NE3 of the Bridging Island Plan 2022 to 2025, which seek to protect agricultural land uses, to safeguard land within a Water Pollution Safeguard Area against unacceptable impacts on the aquatic environment, including surface water and groundwater quality and quantity, and which seeks the protection against adverse impacts upon landscape and seascape character.

- (iv) The Chief Officer considers it is expedient to serve the notice and that there are no steps short of those required by the Chief Officer, which can be taken to remedy the injury to amenity.

4 What you are required to do

- (i) Remove from the land to an authorised place of disposal, all building materials, household goods, and domestic and commercial paraphernalia and waste. Items and materials to be removed will include, but are not limited to, glass bottles, concrete blocks, paving slabs, boat, furniture, gardening equipment, iron gates, wire fencing, barbed wire, metal and plastic fixtures and fittings, netting, growbags, plant pots, crates, bins, pipes, wooden planks, pallets, bamboo, windows and doors, domestic timber shed, all site offices, and kiosk structure.
- (ii) Remove from the land to an authorised place of disposal, all trailers, horse boxes, garden tractor and ride on mower.

5 Time for Compliance:

Steps (i) and (ii) above to be complied with in full within **two months** of the date on which this Notice takes effect.

6. When this Notice takes effect

This Notice shall take effect on 11/03/2024 unless an appeal is made no later than the end of the period of 28 days from the date of issue of this notice.

Authorised by:

Andrew Marx – Head of Development and Land

For and on behalf of the Chief Officer

Issued on: 11/03/2024

Plan



ADVISORY NOTES

What will happen if this Notice is not complied with: If you fail to comply with the requirements of this Notice, you may be liable to prosecution under the appropriate Article of the Planning and Building (Jersey) Law 2002.

Your Rights of Appeal: In accordance with Article 109 of the above Law, you may appeal against this Notice to the Judicial Greffier by writing to the Planning Tribunal, First Floor, International House, 41 The Parade, St Helier JE2 3QQ no later than 28 days from the date this Notice is issued, enclosing the required fee.

Planning Tribunal:

planningtribunal@courts.je

Appeal Information:

<https://www.gov.je/planningbuilding/appealscomplaints/pages/appealplanningbuildingdecision.aspx>

Informative: It is the landowner's duty to ensure that in complying with this Notice, he or she does so without breaching any other legislation, including, but not limited to, the Wildlife (Jersey) Law 2021. Any other item or issue not specified in this notice may be the subject of a separate notice.