

Compliance Case Ref: CMP/2022/00152
ENF/2022/00013

ENFORCEMENT NOTICE

Planning & Building (Jersey) Law 2002

THIS NOTICE TAKES IMMEDIATE EFFECT ON THE DATE IT IS ISSUED

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 to the East of Eastern Joinery Works, (UPRN 69142999) Cleveland,

La Rue de Samares, St. Clement, JE2 6LZ

Edged in RED on the attached '*Enforcement Notice Location Map*'.

3 The Matters which appear to constitute the Breach of Development Controls:

Without Planning Permission development has occurred at;

Land to the East of Eastern Joinery Works, (UPRN 69142999) Cleveland,

La Rue de Samares, St. Clement, JE2 6LZ

Edged in RED on the attached '*Enforcement Notice Location Map*'.

3.1 Within the land immediately to the east of the premises known as Eastern Joinery Works, La Rue de Samares, St. Clement, a Marquee measuring 261m² is located (*as indicated at '3.1' on the attached Enforcement Notice Location Plan*). The construction of the Marquee was carried out without prior planning consent. The construction of the Marquee amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General

Development) (Jersey) Order 2011 or the Planning and Buildings (Moveable Structures) (Jersey) Order 2006.

- 3.2 Within the land immediately to the east of the premises known as Eastern Joinery Works, La Rue de Samares, St. Clement, a Wooden Store measuring 27m² is located (*as indicated at '3.2' on the attached Enforcement Notice Location Plan*). The construction of the Wooden Store was carried out without prior planning consent. The construction of the Wooden Store amounts to development, as defined in Article 5 of the Planning and Building (Jersey) Law 2002 and is not granted permission by way of the provisions of the Planning and Building (General Development) (Jersey) Order 2011 or the Planning and Buildings (Moveable Structures) (Jersey) Order 2006.

4 Reasons for Issuing this Notice:

It appears that the Breaches of Development Controls have occurred within the last 8 years.

The land immediately to the east of the premises known as Eastern Joinery Works, La Rue de Samares, St. Clement lies within the Green Zone as defined on the zoning map of the 2022 Bridging Island Plan, which requires that development must protect or improve landscape and seascape character.

The unauthorised development is considered to be visually detrimental to the character and appearance of this rural location, contrary to Policy NE3 of the Island Plan.

5 Steps Required to Rectify the Breach:

- 5.1 **Step 1** - To remove the unauthorised Marquee from '*The land immediately to the east of the premises known as Eastern Joinery Works, La Rue de Samares, St. Clement*' as set out in 3.1 above and as indicated on the attached '*Enforcement Notice Location Map*' annotated as '*3.1 – Marquee*' and edged in blue.'
- 5.2 **Step 2** - To remove the unauthorised Wooden Store from '*The land immediately to the east of the premises known as Eastern Joinery Works, La Rue de Samares, St. Clement*' as set out in 3.2 above and as indicated on the

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY OR INTEREST

attached 'Enforcement Notice Location Map' annotated as '3.2 – Wooden Store' and edged in green.'

6 Periods for Compliance:

Steps 1 and 2 6 months from the date of the service of this notice.

Date of Issue:  **Date:** 22 June 2023


Signed: **Date:** 22nd June 2023

(Authorising Officer)

For and on behalf of the Chief Officer;

Mr Chris JONES

Senior Planner

Regulation Directorate

Infrastructure and Environment, Development Control,

28-30 The Parade, St Helier. JE49SS

Enclosures.

1. Enforcement Notice Location Map
2. Enforcement Notice Site Images – Dated 31.05.2023

Informative. Any other item or issue not specified in this enforcement notice may be subject of a separate enforcement notice.

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.

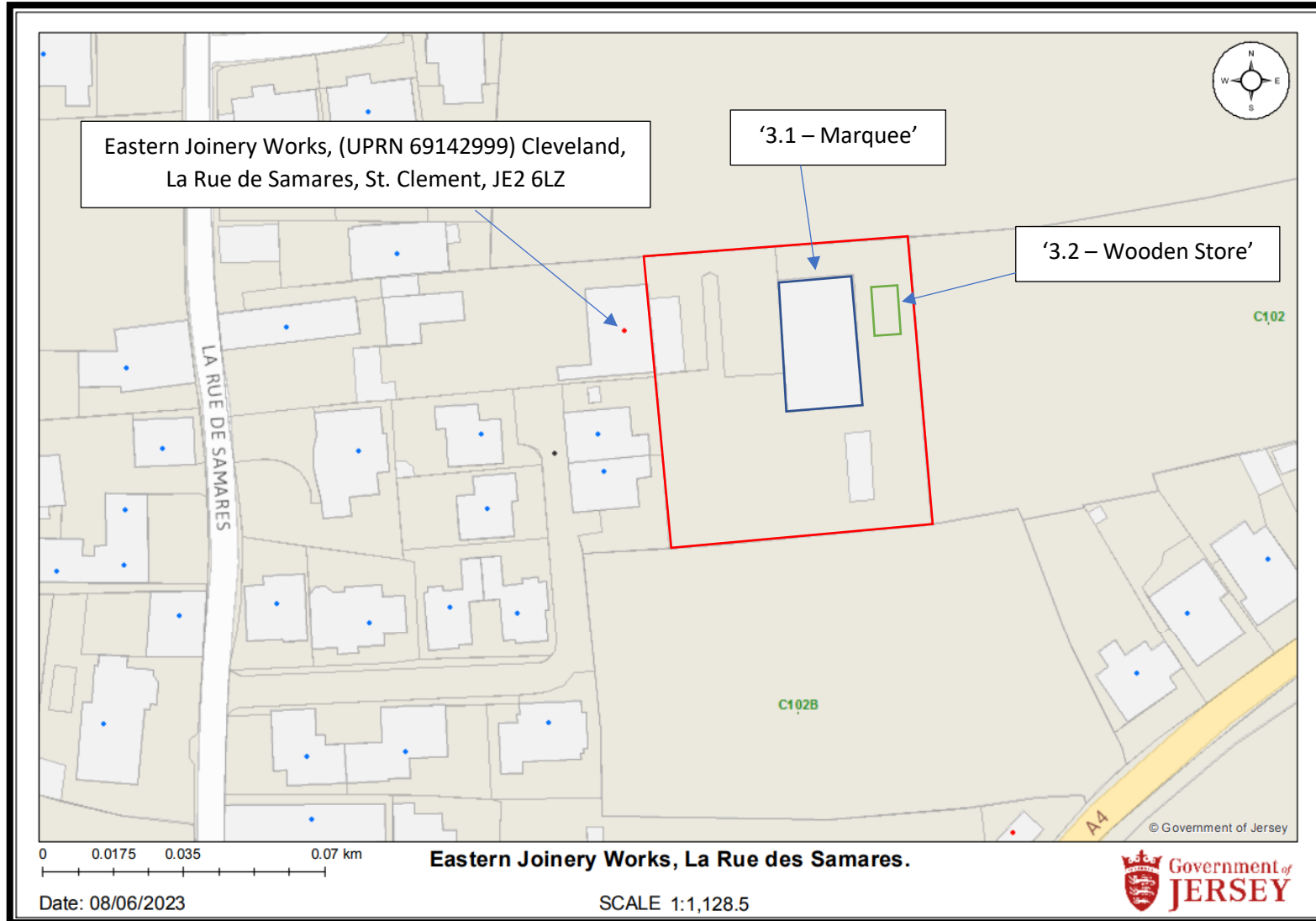
Planning Tribunal:

planningtribunal@courts.je

Appeal Information:

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

ENFORCEMENT NOTICE LOCATION MAP



ENFORCEMENT NOTICE SITE IMAGES – Dated 31.05.2023



**Marquee located upon the land to the East of Eastern Joinery Works, (UPRN 69142999) Cleveland,
La Rue de Samares, St. Clement, JE2 6LZ**

ENFORCEMENT NOTICE SITE IMAGES – Dated 31.05.2023



**Wooden Store located upon the land to the East of Eastern Joinery Works, (UPRN 69142999) Cleveland,
La Rue de Samares, St. Clement, JE2 6LZ**