

Enforcement Case No. ENF/2019/00007  
Compliance Case No. CMP/2019/00083

## 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 to the Chief Officer 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. The Chief Officer considers that it is expedient to issue this notice.
2. **This Notice relates to land to:** the west of, La Rive Cottage, Field No. MN115, La Vallée de Rozel, St. Martin, Jersey, shown by hatched black lines on the attached location plan.
3. **The Breach of a change of use of woodland to residential:** Without planning permission:
  - a) operational development comprising of the erection of three timber structures, of varying sizes, linked by raised decking walkways and verandas, forming an encampment within the wooded area of the site, shown in the approximate position marked with a cross on the attached location plan;
  - b) operational development comprising of the erection of timber panels on the roadside wall adjoining, La Vallée de Rozel shown in the approximate position marked with a cross on the attached location plan;
  - c) operational development comprising of the erection of mesh fencing along the northern boundary of the land which adjoins the access track, shown in the approximate position marked with a cross on the attached location plan;
  - d) the material change of use of the land by the deposit (and storage) of timber along the northern boundary of the land which adjoins the access track, shown in the approximate position marked with a cross .
  - e) the material change of use of the land by the (deposit and) storage of timber and workman tools on the land shown in the approximate position marked with a cross on the attached location plan;

- 4. The reason for serving this Notice:** It appears that the above breach of development controls has occurred within the last 8 years. The site is within the designated Coastal National Park where, with certain exceptions, there is a strong presumption against development. The primary purposes of the Coastal National Park are the conservation and enhancement of the natural beauty & wildlife. The unauthorised development is therefore contrary to Policy NE6 of the Island Plan.
- 5. You are hereby required to:**
- a) Remove the timber structures, decking walkways and verandas described in 3. a).
  - b) Remove from the land the timber panels on the roadside wall adjoining, La Vallée de Rozel described in 3. b).
  - c) Remove from the land the mesh fencing along the northern boundary of the land which adjoins the access track described in 3. c).
  - d) Remove from the land timber deposited along the northern boundary of the land which adjoins the access track described in 3. d)
  - e) Remove from the land the timber and workman tools described in 3. e).
  - f) Cease using any part of the land for storage or habitable use
- 6. Period of compliance:** Within two Calendar months from the issue date 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 28 days before the end date of the Notice period referenced in point 6. above.

SIGNED \_\_\_\_\_

On this Date: 24/05/2019

For and on behalf of the Chief Officer



**Location Plan**

SCALE 1:2,256.99



Date: 23/05/2019

