

LAND CONDITION NOTICE

Planning & Building (Jersey) Law 2002

THIS NOTICE TAKES IMMEDIATE EFFECT ON THE DATE IT IS ISSUED

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.

2 This Notice relates to land at:

The area of land known as Field L720, La Rue de la Ville Emphrie, St. Lawrence, 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.
- (ii) It appears to the Chief Officer that for amenity reasons, the commercial vehicles, including those belonging to and bearing the advertisement ‘Sutton Transport Services LTD’, wood, metal and plastic debris, the blue and red lorry cabin situated in the western corner of the site, the yellow cement mixer, concrete blocks including the two concrete fence posts and circular concrete structure, piles of rubble and mounds of gravel, a grey shipping container situated on top of trailer PRO712 as well as the concrete blocks that it sits on top of, an orange crane, road traffic cones and the red and white plastic road dividers, metal Heras fencing and associated detritus, the vehicle bearing the registration number J6692, the metal and wood situated on top of trailer JS7-5,

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the wooden pallet boards, ladder and red piping on the trailer J6640 and the red piping from on top of vehicle ST14 should be moved or otherwise disposed of.

- (iii) The Land falls within a Green Zone, Water Pollution Safeguard Area and in an area susceptible to inland flooding, as defined in the Bridging Island Plan (2022 to 2025). The activities and the increasingly untidy and poor condition of the Land as a result of the accumulating objects of various nature, size and materials left on the Land, is unacceptable. The condition and use of the Land gives rise to 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 and the living conditions of the nearby residential properties. Allowing the condition of the Land to deteriorate further is considered to conflict with the aims and objectives of policies SP3, SP4, SP5, WER2, WER5, NE3 and PL5, of the Bridging Island Plan (2022 to 2025), which require development to reflect and enhance the unique character and function of the place where it is located, seek to safeguard land within a Water Pollution Safeguard Area against unacceptable impacts on the aquatic environment, including surface water and groundwater quality and quantity, seek to protect or improve the landscape character of land falling within the Island's Green Zone, and 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

1. Remove from the Land any commercial vehicle belonging to and bearing the advertisement 'Sutton Transport Services LTD'.
2. Remove from the Land all wood, metal and plastic debris.
3. Remove from the Land the blue and red lorry cabin situated in the western corner of the site.
4. Remove from the Land the yellow cement mixer.
5. Remove from the Land any concrete blocks including the two concrete fence posts and circular concrete structure.

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6. Remove from this Land any piles of rubble and mounds of gravel.
7. Demolish and remove from the Land the grey shipping container situated on top of trailer PRO712 as well as the concrete blocks that it is sitting on top of.
8. Remove from the Land the orange crane situated behind vehicle PRO712.
9. Remove from the Land road traffic cones and the red and white plastic road dividers, metalling Heras fencing and associated detritus.
10. Remove from the Land the vehicle bearing the registration number J6692.
11. Remove from the Land the metal and wood situated on top of trailer JS7-5.
12. Remove from the Land wooden pallet boards, the ladder and red piping from trailer J6640.
13. Remove from the Land the red piping from on top of vehicle ST14.
14. All items removed from the Land must be disposed of appropriately.

5 Time for Compliance:

Steps (1) to (14) above to be complied with in full within six (6) calendar months from the date on which this Notice takes effect.

6. When this Notice takes effect

This Notice shall take effect on the date it is issued unless an appeal is made no later than the end of the period of 28 days beginning 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: 15 May 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>

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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.