

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 parts of Field No. L721 and Field No. 722 La Rue des Pres Sorsoleil, 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 (Article 86 of the above Law).
- (ii) It appears to the Chief Officer that for amenity reasons the grey and blue metal container currently being used as storage, its contents and all resultant debris, all wood and pallet boards, all road signs, plastic partitions, plastic tubs and plastic debris, all vehicle parts, vehicle tyres, the red and yellow vehicle scoop, the red metallic vehicle cabin and the yellow vehicle bearing registration DP095, all mounds, rubble, metal fencing, scrap metal, ladders, bins, building materials, discarded detritus such as refuse, timber, commercial and household waste, metal structures, shipping containers, gas cannisters, plastic and metal

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crates and furniture, plant equipment, including generators, should be moved or otherwise disposed of.

- (iii) The Land merits protection as it falls within a Green Zone and in a Water Pollution Safeguard Area, as defined in the Bridging Island Plan (2022 to 2025). Moreover, this notice issued pursuant to Article 86, is issued simultaneously with two further Land Condition Notices in respect of the Land, under ref. **ENF/2024/00014/002** and ref. **ENF/2024/00014/003**, pursuant to Article 87 and Article 89, respectively, and relating to a caravan and disused vehicles on the Land. The individual and cumulative harms attributable to the accumulating objects of various nature, size and materials left on the Land, is unacceptable as it exacerbates the adverse impacts on amenities (visual and otherwise) of the wider area. 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, therefore, considered contrary to the aims and objectives of the policies SP3, SP4, SP5, WER5 and NE3 of the Bridging Island Plan 2022 to 2025, which seek to protect or improve the landscape character of land falling within the Island's Green Zone, 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

1. Remove from the Land the grey and blue metal container currently being used as storage, its contents and all resultant debris.
2. Remove from the Land all wood and pallet boards.
3. Remove from the Land all road signs, plastic partitions, plastic tubs and other plastic debris.
4. Remove from the Land any vehicle parts, vehicle tyres, the red and yellow vehicle scoop, the red metallic vehicle cabin and the yellow vehicle bearing registration DP095.

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5. Remove from the Land all mounds, rubble, metal fencing, any scrap metal, ladders, bins, building materials, discarded detritus such as refuse, timber, commercial and household waste.
6. Remove from the Land the four metal structures coloured two white, one green and one blue, the traffic cone, ladder and general detritus located along the track and as shown on attached image 1.
7. Remove from the Land the road signs and as well as the blue plastic tub.
8. Remove from the Land the 6 intermodal shipping containers, the contents of them as well as items including but not limited to concrete blocks, timber, wood, plastic and metal objects on top of and around them.
9. Remove from the Land all gas cannisters.
10. Remove from the Land the plastic and metal crates and garden furniture including the glass table.
11. Remove from the land all plant equipment, including generators.
12. All items removed from the Land must be disposed of appropriately.

5 Time for Compliance:

Steps (1) to (12) 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

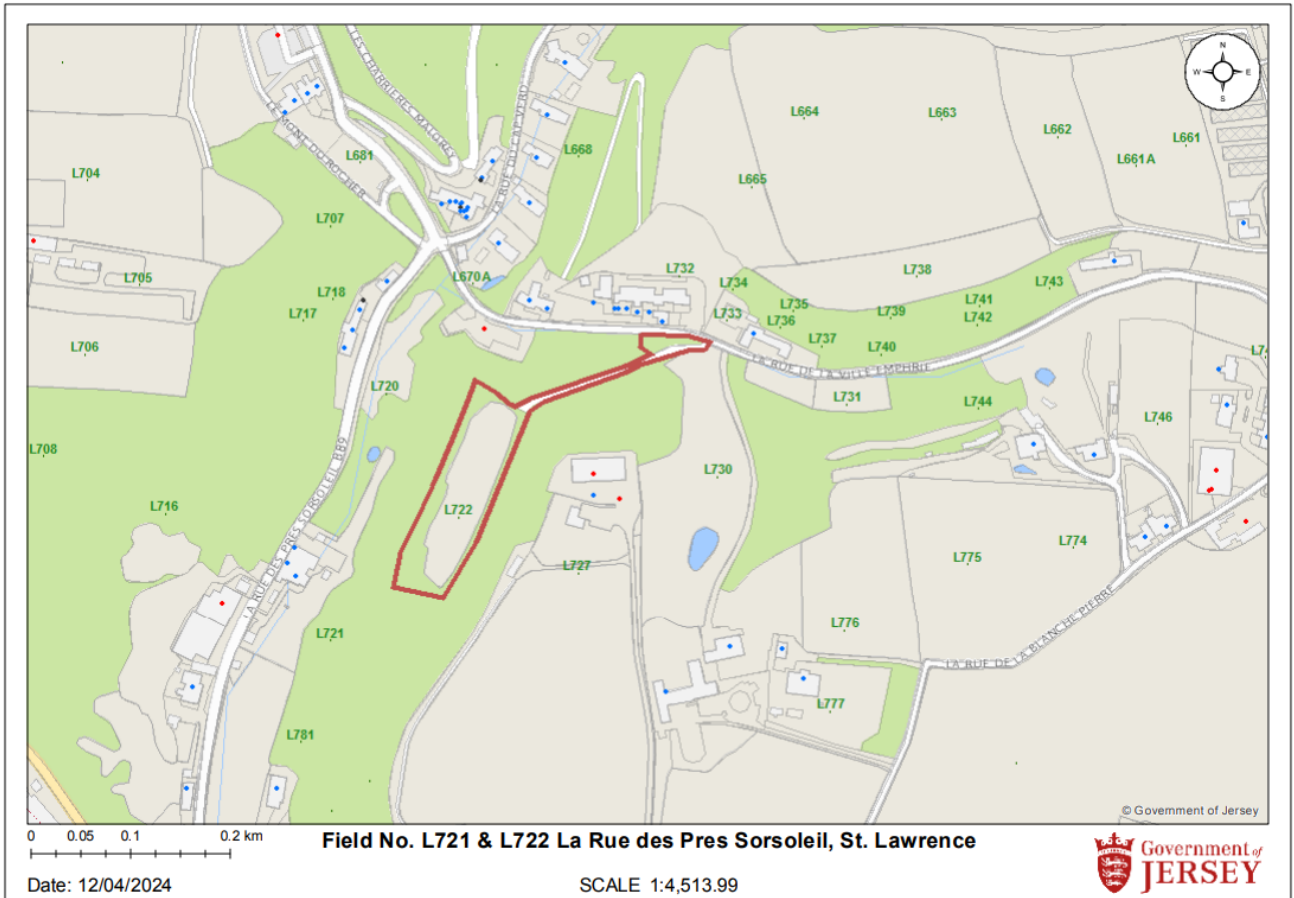


Image 1:



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.