

Department of the Environment
Planning & Building Services

South Hill
St Helier, Jersey, JE2 4US
Telephone: 01534 445508
Facsimile: 01534 445528

08/10/2012

[REDACTED]
[REDACTED]
St John
[REDACTED]

Complaint Ref: CMP/2012/00148

Dear [REDACTED]

Re: Allegation of encroachment of domestic curtilage into Field No. 1007, La Grande Route de St. Jean, St. John, Jersey.

I refer to your recent allegations regarding [REDACTED] affecting a material change of use of the eastern part of Field 1007 to domestic curtilage.

I inspected the site on 5th October 2012 with my colleague, [REDACTED], and noted that the part of the site in question was laid to grass, relatively close-mown and with a line of shrubs planted alongside the hedge which forms the western boundary of the field. In terms of planning legislation, neither the mowing of grass nor the planting of a few shrubs constitutes 'development'. In a similar vein, nothing at all was apparent on my inspection to indicate that a 'material change of use' of the land had occurred. The field could revert to grazing land or crop production without any further works or clearance.

Although in a tidy and slightly manicured state, the field could not be said to be in everyday domestic useage. It could be said to have a 'nil-use'. [REDACTED] has every right, from a planning perspective at least, to walk on [REDACTED] land, to tend the land and to grow trees, shrubs and plants on the land.

I short, I am satisfied that there has not been any breach of planning control in respect of the alleged change of use of the field to domestic curtilage. The situation on the ground today is little different to the situation over a decade ago when the Department made similar observations.

The case is, hereby, dropped and the Enforcement Team will take no further action nor entertain further discussion on the matter of the alleged change of use of land on the eastern portion of Field 1007 unless there is a clear and material change in the facts.

In the interests of fairness and probity, I shall also be writing to [REDACTED] to explain my findings.

Yours sincerely

[REDACTED] Senior Planner

direct dial: +44 (0) 1534 448455

LTR
[REDACTED]