

General Information	
Ministerial Decision Type	Deciding of: an Appeal/Case/Application/Public Inquiry
Report Title	Appeal decision: ENF/2024/00005 (Fields No. L545, Le Chemin des Montagnes, St Lawrence) and ENF/2023/00003/001 (Fields No. L583, Le Chemin des Montagnes, St Lawrence)
Minister	Environment
Signatory	Minister
Lead Department	Cabinet Office
Lead Directorate	Housing, Environment and Placemaking
Ministerial Decision Summary: Public or Absolutely/Qualified Exempt	Public
Date decision made if different to date 'Ministerial Decision Summary' signed.	Select date.
Report and Supplemental Report Details	
Report Author	Advisor: Planning appeals
Date of Report	03/03/2025
Supplementary Report Title <i>(If applicable)</i>	Inspector's report – ENF/2024/00005 (Fields No. L545, Le Chemin des Montagnes, St Lawrence) and ENF/2023/00003/001 (Fields No. L583, Le Chemin des Montagnes, St Lawrence)
Supplementary Report Author <i>(If applicable)</i>	D A Hainsworth LL.B(Hons) FRSA Solicitor
Date of Supplementary Report <i>(If applicable)</i>	19/02/2025
Ministerial Decision Report: Public or Absolutely/Qualified Exempt	Public
Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal/case/application)</i>	ENF/2024/00005 and ENF/2023/00003/001
Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i>	n/a
Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i>	n/a

Associated Law(s) and/or Subordinate Legislation	Article 116 of the Planning and Building (Jersey) Law 2002
Action required if recommendation agreed	Department to take necessary action.
Resource Implications	There are no new financial and/or manpower implications.

Detail

Following appeals against the service of two enforcement notices, associated with the use of two sections of contiguous track at Fields No. L545 and L583, Le Chemin des Montagnes, St Lawrence (ENF/2024/00005 and ENF/2023/00003/001), D A Hainsworth was appointed as the independent planning inspector to consider the appeal, including all plans and documentation associated with it.

The inspector visited the site and surroundings before holding a hearing and, subsequently, preparing and submitting a report for the Minister's consideration.

The Minister has given full consideration to the inspector's report and to the material factors referred to in it.

Decision

The Minister decided to dismiss the appeals, and that both enforcement notices are upheld on the basis of variations to them, as set out below, in accord with the inspector's recommendation.

Notice A: ENF/2024/00005 (Fields No. L545, Le Chemin des Montagnes, St Lawrence)

The enforcement notice is varied:

- i. by deleting paragraphs 3.1 and 5.2,
- ii. by replacing "Two (2) calendar months" in paragraph 6 by "Four months" and
- iii. by replacing paragraph 5.1 by
"5.1 Cease the use of the land for vehicular access related to commercial use."

Notice B: ENF/2023/00003/001 (Fields No. L583, Le Chemin des Montagnes, St Lawrence)

The enforcement notice is varied

- i. by deleting paragraphs 3.1 and 5.3,
- ii. by replacing "Two (2) calendar months" in paragraph 6 by "Four months" and
- iii. by replacing paragraphs 5.1 and 5.2 by:
"5.1 Cease the use of the land for the parking of vehicles not related to agricultural use."
"5.2 Cease the use of the land for vehicular access related to commercial use."

Reason for decision

Having considered all aspects of the appeal the Minister decided to give effect to the inspector's recommendation and was satisfied that there were no reasons not to do so.

END