

General Information	
Ministerial Decision Type	Deciding of: an Appeal/Case/Application/Public Inquiry
Report Title	Appeal Decision: ENF/2021/00008 (Field No. G506A, Les Sablons Nurseries, La Rue de Fauvic, Grouville)
Minister	Environment
Signatory	Minister
Lead Department	Strategic Policy, Planning and Performance (SP3)
Lead Directorate	Strategy and Innovation (SP3)
Ministerial Decision Summary: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Date decision made if different to date 'Ministerial Decision Summary' signed.	Select date.
Report and Supplemental Report Details	
Report Author	Private Secretary
Date of Report	22/06/2022
Supplementary Report Title <i>(If applicable)</i>	Inspector's Report: ENF/2021/00008 (Field No. G506A, Les Sablons Nurseries, La Rue de Fauvic, Grouville)
Supplementary Report Author <i>(If applicable)</i>	D A Hainsworth LL.B (Hons) FRSA Solicitor
Date of Supplementary Report <i>(If applicable)</i>	12/05/2022
Ministerial Decision Report: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal/case/application)</i>	Insert Relevant Case/Application.
Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i>	Insert P. number.
Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i>	Insert S.R. number.
Associated Law(s) and/or Subordinate Legislation	Insert the law(s), regulations, order(s) either enabling or related to the decision.
Action required if recommendation agreed	Department to take necessary action.

Resource Implications	There are no new financial and/or manpower implications.
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Introduction

Following an appeal by Les Sablons Properties Ltd against enforcement notice ENF/2021/00008, Mr D. A. Hainsworth was appointed as the planning inspector to prepare a report for the Minister's consideration.

Detail

In line with the recommendation of the inspector, the Minister decided to:

- 1) Allow the appeal on ground (f) insofar as it relates to the siting of a storage container between polytunnels 1 and 2 and that the enforcement notice ENF/2021/00008 issued on 24 September 2021 is varied by replacing paragraph 5.6 by: -

“5.6 Either remove the storage container that is located between polytunnels 1 and 2 from the site altogether or relocate the storage container within an area designated for storage on the Plan B approved by planning permission P/2007/1194.”

- 2) Allow the appeal on ground (h) insofar as it relates to the hardstanding laid within polytunnels 1 and 2, that the enforcement notice ENF/2021/00008 issued on 24 September 2021 is varied by the deletion of paragraph 5.4 and that planning permission is granted in accordance with the application P/2021/1890 dated 17 November 2021 and the plans submitted therewith for the installation of concrete flooring in polytunnels 1 and 2 at Field No. G506A, Les Sablons Nurseries, La Rue de Fauvic, Grouville, subject to the following condition: -

1. The concrete flooring shall be used only in connection with a hard and soft landscaping business, in accordance with planning permission P/2007/1194 and the conditions imposed thereon, and only for the purposes designated on Plan B of that permission, and for no other purpose.

Reason: To protect neighbours' amenities.

- 3) Allow the appeal on ground (g) to the extent that the enforcement notice ENF/2021/00008 issued on 24 September 2021 is varied by replacing paragraph 6 (Time for Compliance) by: -

“6. **Time for Compliance:** You are required to have complied with the requirements of this notice by the end of 3 calendar months commencing from the date of the determination of the appeal against this notice.”

- 4) Dismiss the appeal in all other respects and that the enforcement notice ENF/2021/00008 issued on 24 September 2021 is upheld as varied.