

2024.10.01

3.15 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Minister for the Environment regarding public comments in relation to turning derelict glasshouses into housing sites (OQ.181/2024):

Further to his recently reported public comments in relation to turning derelict glasshouses into housing sites in which the Minister is quoted as saying: “In certain circumstances a proposal could be made to allow some development in exchange for major environmental gains for Islanders”, will the Minister define what those ‘certain circumstances’ would be?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I have published, as the Deputy knows, supplementary planning guidance in August of this year, which defines the circumstances where the exceptional development of derelict or redundant glasshouses might be permitted. Time does not permit me here to outline all the detail of this guidance, but I would refer the Deputy to it. I will just finish by saying the term ‘exceptional circumstances’ describes the situation in which there is a very special case for departing from a strong policy presumption. Exceptional circumstances are, by definition, unusual and often unique and, as such, it is not possible to list situations that may be regarded as being exceptional from a planning perspective.

3.15.1 Deputy K.L. Moore:

Would the Minister therefore consider that significant health and safety concerns would form part of those exceptional circumstances?

Deputy S.G. Luce:

I am sure that significant health and safety concerns would form part of it, but it would have to be one part of a number of other parts. I just remind the Assembly: redevelopment is only going to be supported if the site is significantly blighting to the local environment; if the benefits of removing glass and subsequent landscape restoration not only substantially outweigh the impact of any new development, but also significantly enhance the landscape; where the development will have satisfactory access to foul and surface water disposal; and most importantly, where the proposed development represents the absolute minimum form of development that will fund the clearance of the glass and secure appropriate landscape restoration.

[11:30]

3.15.2 Deputy P.F.C. Ozouf of St. Saviour:

The question about derelict glasshouses into housing sites has been effectively, I think, ducked and said that we do not want housing sites on them. May I ask the Minister, in the context of the question on derelict glass-housing sites and the context of major environmental gains, whether he considers that the cannabis farms that are now on former derelict glasshouse sites have improved the environmental situation of Jersey and the agricultural industry? In other words, are we getting more of them?

Deputy S.G. Luce:

I am pausing only to think of the 3 specific sites which I have in my mind where we have approved or we have had applications for cannabis production. One is still derelict and has not been developed; one was a continuation of existing use of a site that was not a derelict glasshouse; and one was a combination of the 2, where some areas had become disused but not derelict and has been revamped. Certainly, if a producer or anybody wants to come forward with a plan to grow cannabis in an existing glasshouse site, whether it is redundant, derelict or still in use, or just there waiting to be used, that would certainly be considered as the other application. The point of the question here is the use of redundant and what the ‘exceptional circumstances’ might be to take that glasshouse out of glasshouse production and turn it into something else.

3.15.3 Deputy P.F.C. Ozouf:

My understanding is that the cannabis industry is far from the Atlantis fantastic future growth scenario that it was, and that actually a number of, I understand it, that cannabis producers are ...

The Deputy Bailiff:

Deputy Ozouf, I do remind you that this question is about turning glasshouses into housing, not to other uses.

Deputy P.F.C. Ozouf:

Yes. Basically, there is an underlying point here. There is an application that is a current part-derelect site in St. Lawrence that cannot expand for cannabis because it seems to be in trouble. Is he going to allow it potentially for housing, and under what circumstances would he allow housing? Because I think that is the underlying question that the Deputy is asking is, can glasshouses ... under what circumstances will they allow housing? Because we have tried cannabis and that is not working; will he go back ... to think back to the housing requirement, which is more important?

Deputy S.G. Luce:

I am not going to give any reference to any specific site or any potential application that may or may not be in the department at the moment. But what I would remind the Deputy is that the Island Plan policy does allow, in exceptional circumstances, the redevelopment of derelect glasshouses for other uses including residential, and I have highlighted a few of those there. I am not going to repeat what I have already said, but what I would say to the Deputy is we have not very long ago had a Bridging Island Plan debate. Housing sites were proposed and glasshouse sites were proposed; some were accepted, some were rejected, but it is this Assembly which sets the housing sites which will be developed in the next Island Plan, being a draft Bridging Island Plan, whatever it may be. Housing sites which come forward outside of the Island Plan process have to meet very, very specific criteria which is listed in the supplementary planning guidance and policies within the Island Plan.

3.15.4 Deputy J. Renouf of St. Brelade:

Would the Minister accept that, in the slightly longer term, it might help move the debate forward if an audit were to be undertaken of all the glasshouse sites in the Island, to try and find out how they relate, for example, to existing services, how they relate to the transport network, what planning history they might have, what their suitability might be for alternative uses, and that this might mean that we could approach the debate in a slightly more finer-grained way?

Deputy S.G. Luce:

I think I am correct in saying that when I was Minister previously, I did exactly that. I can certainly recommend a document where a number of glasshouse sites were looked into and the work that the Deputy has suggested was done. I can see no reason why that work would not be updated again before the next Island Plan debate, which will hopefully be in the next 3, 4 years' time. I can only share the frustration of many other Islanders, and I am sure Members in the Assembly, that building on a greenfield site seems an interesting proposition where we have redundant, derelect, dangerous glasshouse sites around the Island which are serving no useful purpose. But there are policies within the Island Plan to deal with these sites, and unless those policies are changed ... there is a process for turning these sites into housing and that process has to be very carefully followed.

3.15.5 Deputy I. Gardiner of St. Helier North:

Following a previous question, how many derelect, dangerous glasshouse sites do we have across the Island currently that do not have future plans, and what square footage do they cover?

Deputy S.G. Luce:

I cannot give the Deputy an answer to that, but I can say that some are very, very large sites. If you go out to the market to test for derelect, dangerous glasshouse sites, you will come back with some sites which are no bigger than this Assembly. It is a very big range of sizes, but I will attempt to find out some information, if it is available, and get back to the Deputy on that point.

3.15.6 Deputy I. Gardiner:

Thank you, it would be helpful. Another question, the Minister mentioned the next Island Plan; I know the Bridging Island Plan will finish in 2025 next year. Can the Minister update on when we will debate this next Island Plan?

Deputy S.G. Luce:

I cannot give a date to the Deputy, but what I can say is there are a number of things which need to be done before we can have our next Island Plan debate. It is an extensive list; some have been completed, some are in completion, some are yet to start. There are a number of things which the draft Bridging Island Plan debate said that, before we have the next Island Plan debate, we will need to do this work. Water strategy, for one, is one that I am concentrating on, but there are a number of others. I do not envisage the next Island Plan debate ... certainly it is due in 2026, but I would think it would be at least 2 years, maybe even longer. The reason I - just if I might have the time, Sir, to say - normally Island Plan debates are driven by housing demand and it is clear that the housing sites that were passed in the draft Bridging Island Plan will fulfil our requirements further than 2026, which at the time we felt that would be the date we would need another Island Plan debate.

3.15.7 Deputy M. Tadier of St. Brelade:

The Bridging Island Plan has not changed, but the Minister has changed and so has the message. Whereas the emphasis used to be: 'There is a strong presumption against change of use', it sounds like the current message is: 'We might make an exception.' Is this not simply encouragement of bad behaviour and reinforcing the message that if you leave your glasshouse sites derelict for long enough, you might be able to cash in with a change of use application?

Deputy S.G. Luce:

Absolutely not is the answer to that question. Regardless of who the Minister might be, the policies in the Island Plan do not change. There may be a slight difference in the way that the terminology and Ministers speak, but the presumption is in the green zone there will be a presumption against an approval of an application in the green zone. That is the policy. It does not matter which Minister it is. I cannot say more than that, other than to emphasise there will have to be exceptional, exceptional circumstances for a greenhouse site - derelict or dangerous or both - to be approved for housing. If it was approved for housing, it would not be approved for the whole of the site because the policy is very clear: just enough development to cover the cost of the rest to be returned to the environment, to be turned to green and for the benefit of the Island.

3.15.8 Deputy M. Tadier:

Can I ask then, why is the conversation always about turning glasshouse sites into housing, when actually what the Minister could and should be doing, I would argue - I would ask if he agrees - is actually saying: "These are agricultural and horticultural sites. Please restore them to glasshouse use, otherwise we will enforce planning on these sites to make sure that they are put into use, and if not, possibly even compulsorily purchase them off you."

Deputy S.G. Luce:

Compulsory purchase is something that I certainly would not be in favour of; that would lead the States Assembly into all sorts of difficult decisions, but I take the Deputy's point on board. How far does the States want to go down the way of enforcing people to use their greenhouses, enforcing people to use their gardens or their fields or their buildings or their shops? Force people to keep shops open when they have decided to close them? There is a reason why we have so many greenhouse and glasshouse sites on the Island that are not being used anymore; it is because the business of greenhouse growing is not profitable anymore. Maybe that is something that myself and the Minister for Sustainable Economic Development might discuss, to come to the Assembly for another millions and millions of pounds with subsidies to maybe get greenhouse growing back on its feet. But the cost of production, the cost of the competition is just not viable. I think I will leave it there.

3.15.9 Deputy K.L. Moore:

Following a consultation, there were a small number of amendments to the supplementary planning guidance when one makes a comparison against the draft supplementary planning guidance that was published by the previous Minister. Could the Minister commit, for transparency's sake, to publishing the findings of the consultation process?

Deputy S.G. Luce:

I will, but I am a little bit surprised that they are not in the public domain at the moment. I think they probably would be, but I will look and see. I have to bear in mind, of course, that in publishing anything one would need to have the privacy of those people who responded ... have to think about that and there will certainly, I would think, be some redactions that may be necessary, but I will look into that and see what we can do.

The Deputy Bailiff:

If Members are content, Deputy Doublet now wishes to ask question 10 of the Minister for Social Security.