

**FIELD 1114, LA GRANDE ROUTE DE ST. JEAN, ST. HELIER: SALE OF ORGANICALLY GROWN FOOD
(P.192/2000) - REPORT**

**Presented to the States on 24th April 2001
by the Planning and Environment Committee**



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This application raised difficult issues for the Committee. On the one hand, the general thrust of the policies of the 1987 Island Plan are supportive of agriculture, whilst on the other there is an in-built protection of the countryside from development. This proposal falls between these policies because whilst it is related to agriculture, it is not for an agricultural purpose itself; essentially it is a retail use and like any other shop the Island Plan indicates that it should be located within the town or other settlement areas.

The Island Plan is largely silent on the issue of farm shops, although paragraph 5.20 does mention the issue. It accepts that home grown produce can be sold as a “minor part of the main agricultural use of the farm” (full text in the attached Appendix). It even suggests that, depending upon the particular circumstances, planning permission for this activity will not be required. The difficulty in this case is that Mr. Adair has no “farm”; he works one field with four poly tunnels. This new shop building would be the sole means of selling his produce. This goes beyond the situation envisaged by the Island Plan, where a small proportion of the goods may be sold from within a farm, or from a small roadside stall or honesty box. There is a clear planning difference between utilising existing buildings within a farm complex and constructing a new building, a vehicular access and hardstanding for vehicles for what amounts to a new retail use. The impact on the landscape is much greater in the latter case.

Mr. Adair's proposal must also be considered in terms of a new retail outlet. Senator Le Claire's report is not as complete in this respect as it should be. In this context, the Committee has had to consider the damaging effect on the business of the

covered markets, village shops and other existing businesses if this type of proposal is to be approved.

A further point to consider in this matter is the precedent which could be set by the granting of permission for such a development. Mr. Adair happens to be an organic farmer and whilst this fits in well with the States' general environmental stance, it is not a valid planning argument to overcome established policy. Indeed, it could be argued that the establishment of a new shop in an isolated location, accessible only by car and an infrequent bus service, is less sustainable than locating it within the town, where most retail activity takes place. If the Committee were to approve this application, it could hardly then reasonably refuse future applications from other farmers or, indeed, any other person. There is no discernible planning difference between those farmers who grow produce involving the use of chemicals and those who do not. The cumulative effect of new shops springing up over the countryside could seriously harm the Island's rural character. The Committee must also consider the possibility that Mr. Adair may wish to expand in the future and whether this could be permitted on such an open, prominent site.

Although there are merits to this case, regrettably they are heavily outweighed by the planning concerns and that is why the Committee has consistently refused to grant permission to Mr. Adair. The States is respectfully requested to oppose the proposition.

Paragraph 5.20 of the 1987 Island Plan -

“Farm shops give some cause for concern. While it is accepted that it is legitimate for a grower to sell his produce directly ‘from the farm gate’, there is a tendency for other goods to be bought in and resold. In some cases these include non-food items; such sales can affect the viability of established ‘village’ shops. The sale of home-grown produce will normally be accepted as a minor part of the main agricultural use of the farm and no development permission will be required. When growers set up farms shops of this type they should ensure that the shopping points are not sited in such a position as to create a traffic hazard. If possible, a space for cars to pull off the road should be provided. Where it is intended that goods other than the produce of the farm are to be sold, an application to the Committee should be made. Permissions granted will include conditions limiting the range of produce that can be sold - normally, Island-grown fresh produce. Proposals that involve the construction of a building or shelter also require the Committee’s permission. Applications which involve the sale of goods other than local fresh produce will be considered in the usual way and with reference to policies on shopping.”