

# STATES OF JERSEY



## **LA RÉCOLTE DES FRUITS, ST. MARTIN: REMOVAL OF AGRICULTURAL OCCUPANCY RESTRICTION (P.191/2005) – COMMENTS**

---

**Presented to the States on 26th September 2005  
by the Environment and Public Services Committee**

---

**STATES GREFFE**

## COMMENTS

In August 1996, the then Planning and Environment Committee granted approval to “Construct single storey self-contained staff accommodation comprising four units” on Field 322A, La Rue de la Fosse a Gres, St. Martin.

At that time, the 1987 Island Plan was in force and the site lay in the Sensitive Landscape Area of the Agricultural Priority Zone. Policy CO7 of the 1987 Plan stated that permission would only be given for agricultural development where there was ‘a convincing demonstration that the proposed development is essential for the economic running of the farm holding’. This being the case, the application was approved. Three conditions were added to the permission, one of which stated that:

“The occupation of the dwelling is limited to persons solely or mainly employed in agriculture, as defined in Article 1 of the Island Planning (Jersey) Law, 1964, and any dependants of such a person.”

Once approved, a permanent building such as this will remain in the landscape for many years. The Environment and Public Services Committee has recognised this and indeed has granted many changes of use to redundant agricultural buildings in the past. But in judging such matters, the key question is whether the building is truly redundant, not just from the farm, but from agriculture as a whole.

The Committee still receives applications from farmers for new staff accommodation in the countryside. It has always considered that, before judging such applications, the Committee should take stock of any existing accommodation which might serve that purpose, without the need for a new building. It follows that, when considering whether to allow an agricultural building to come out of the industry, the Committee should take into account whether there is a demand for that building from another farmer.

In the case that Senator Shenton has brought, the redundancy of these staff units has not been proven. That is why the Committee has not released the agricultural occupancy condition. The adopted procedure for proving redundancy is to advertise the accommodation over a period of 3 months. Clearly, in order to reflect its status, the accommodation must be advertised at a realistic agricultural rental and not at the open market value. The Committee does not exercise rent control, but simply wishes to know if there is a demand for the accommodation within the farming industry.

Once the results of this exercise are known, the Committee will consider whether the occupancy restriction should remain.