

2015.04.14

3.1 Connétable J.E. Le Maistre of Grouville of the Minister for Planning and Environment regarding redundant glasshouses:

Would the Minister undertake to investigate what can be done to clear the large areas of redundant, unsightly glasshouses that spoil the Island's landscape and make recommendations as to how this could be achieved?

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

I agree there are a number of glasshouse sites across the Island that appear redundant and are an eyesore, and I am keen that action is taken and that these areas are improved. Invariably achieving improvements is not always straightforward, although a number of options do exist. The States-approved 2011 Island Plan presumes against the development of redundant and derelict glasshouses for non-agricultural activity. However in exceptional circumstances Policy ERE7 of the Island Plan does allow for non-agricultural development to be considered provided that environmental improvement for the site can be demonstrated. Each situation must be assessed on its individual merits and any such development would need to accord with the policies of the general development considerations. In some situations a disuse and disrepair condition may have been attached to the original grant of planning permission. Where such a condition exists the landowner is required to comply with the condition and remove the glasshouse from the site when it is no longer required. In addition, there are articles in the Planning and Building (Jersey) Law 2002 that could, depending on the circumstances of the case, allow the Minister for Planning and Environment to serve a land condition notice in respect of dangerous, ruinous or dilapidated buildings, or where the amenities of a part of Jersey are being adversely affected by the condition or use of any land. Any notice must set out the work to be undertaken within a specified period to rectify the situation ...

The Deputy Bailiff:

Minister, the normal rule is that answers should be in delivered 90 seconds, 1 minute 30 seconds.

The Deputy of St. Martin:

If I might conclude at this stage then, and just say I would like to meet with the Constable to discuss this matter further and review the specific sites that he may be referring to.

3.1.1 Deputy A.D. Lewis of St. Helier:

In the absence of our former Minister for Drains, the Constable of St. John, these sites are in the countryside and many of them will not be anywhere near mains drains. Will it be a planning stipulation that such development should be connected to mains drains should they be permitted to develop these sites for housing purposes?

The Deputy of St. Martin:

There are some quite stringent policies now in the Island Plan that refer to the connection to main drains and the new buildings, the necessity for them to be connected to mains services. I am sure that the availability of drains close to any site would be a big consideration but I also would say to the House that I am also undertaking to look at wayleaves through land. I do not think it is correct that people are asked to pay large amounts of money to pass across other people's fields for mains services that should be available to all. There are benefits to everybody in connecting to the main drains and mains water and I further undertake to look at that in the near future as well.

3.1.2 Deputy M. Tadier of St. Brelade:

Does the Minister acknowledge that this is a legacy of political failure by his predecessors and that what needs to be taken is either the law needs to be enforced, where there is law, to make the owners of glasshouses either do them up or if they cannot afford to, to sell the land; failing that the

States should compulsorily purchase the land and keep it for agricultural purposes? Does the Minister agree that all this talk about development on the site is exactly what is playing into developer's hands, exactly what they would want and at a time when both agricultural land and residential land in our Island is at a premium, urgent action must be taken by the Minister in this regard?

The Deputy of St. Martin:

I do agree with the Deputy in some circumstances inasmuch as it has been over the years a means of acquiring housing sites and it is true to say - in my view certainly - that some owners of glasshouse sites have hung on and have not repaired in the hope that they may well get development permissions in the future. I would say to the Deputy that there are 2 articles that I would quote back to him. One is from the Planning and Building Law, Article 84, which says if it appears to the Minister that a building is in a ruinous or dilapidated condition I may serve a notice. But the other thing I would say to the Deputy is I am a Minister that wants to work with other people and it may be that Policy ERE7 in the Island Plan is more relevant and that says: "In exceptional circumstances [and it has to be exceptional] the development of redundant and derelict glasshouses may be considered for non-agriculture purposes [and this is the important bit] provided that the amount of development permitted will be the minimum required to ensure demonstrable environmental improvement of the site." I think that is the secret to maybe the resolution of the dilapidated and derelict greenhouses. If we give permission to an owner of a glasshouse to demolish and rebuild a small number of plots or even a single plot, just enough to allow him to afford to take down the dilapidated glass, I think this is a way that we could work with the industry and owners of glasshouses to move forward to a better Island in the future.

3.1.3 Deputy M. Tadier:

Supplementary. Why is there even a presumption of development on this site? This is a greenfield site. It is a glasshouse site. It is agricultural. The Minister has said that under Article 84 he has the power to issue a notice for buildings or in this case glasshouses which are dilapidated or ruinous. How long do these buildings have to be dilapidated and ruinous before his department - him as Minister - will take action under Article 84 rather than seeking a way for a backdoor development in this property?

The Deputy of St. Martin:

I hear what the Deputy is saying, but I would say to him that there is a potential cost to the public purse. If a land condition notice has not been implemented by the landowner the pressure then falls on myself as the Minister to implement the notice and undertake that work out of the public purse. So that is a consideration. Having said that, I do hear what the Deputy is saying. There are some circumstances, and I referred to them in my earlier answer, where permission has been granted but a disuse and disrepair order or condition has been placed on that site and under those circumstances the owner would have to remove the glass if it is no longer required but much older. We have got a lot of old wooden and old metal glasshouse sites on the Island. Those conditions do not necessarily apply.

3.1.4 Deputy J.M. Maçon of St. Saviour:

Can the Minister outline his position on glasshouse sites that were publicly funded through agricultural grant schemes of the past and whether that individual profit, should these sites be developed, be retained for individuals or whether that money should be clawed-back to the public?

The Deputy of St. Martin:

There have been agricultural schemes that have operated through the Ministers and Presidents of committees in former years and farmers took advantage of those subsidies and grants to take part in the horticultural activity of their choice. That is in the past and I appreciate that public money has funded some of these schemes. I think it is more important to consider the fact that in some

situations certainly good agricultural land that might have been used for growing of crops or the grazing of cattle was taken and turned into glasshouses, and it seems only fair to me that if those glasshouses have fallen into disrepair or are now uneconomical to use that there must be a consideration that those glasshouses be returned to the former use so that other farmers can make best use of them.

3.1.5 The Connétable of Grouville:

Would the Minister agree with me that in an Island where land for agriculture, amenity space and indeed sites for housing is in short supply, that it is a shame that we may have as much as 200 or 300 vergées of land in the form of derelict glasshouses that are left unused, unkempt and that we should strive to make better use of this land?

The Deputy of St. Martin:

Absolutely. Land is in ... we are not making it anymore and we must make best use of everything we do have. There are 70-odd sites of glasshouses on the Island, according to my records, of which 17 at least are derelict. The ones that are used, they are used for a variety of crops and vegetables, as well as garden centres, so there are some in good use. But I certainly agree with the Constable, we have got to make better use of these derelict sites and I will certainly endeavour to work with him and others to see if we cannot resolve the situation in the very near future.