
PLANNING POLICY NOTE NO. 4

MODERN AGRICULTURAL BUILDINGS

A REPORT PREPARED BY THE PLANNING AND ENVIRONMENT COMMITTEE

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SUMMARY

A primary aim of the Planning and Environment Committee is to protect and enhance the natural beauty of the landscape and countryside of Jersey which has long been recognised as one of the Island's finest assets.

One of the few circumstances in which new development in the countryside may be justified is when it is required to support the agricultural industry which has traditionally played, and continues to play, an important role in fashioning and maintaining the character and quality of the countryside.

This report sets out policy guidance to be applied to proposals for the construction and re-use of modern agricultural buildings. The intention is to strike the right balance between support for the agricultural industry and protection of the Island's environment.

Those wishing to construct a new agricultural building will have to satisfy the Planning and Environment Committee on a number of criteria relating to:-

- agricultural need*
- environmental impact*
- compatibility with surrounding uses*
- disposal of foul and surface water drainage*
- service provision*
- access*
- other factors.*

The conversion of large modern agricultural sheds to other non-agricultural uses will not normally be permitted.

1.0 INTRODUCTION

- 1.1 This paper sets out the policy of the Planning and Environment Committee towards the development and future use of modern agricultural buildings as distinct from traditional farm buildings and the relatively small post war buildings of the 1940's, 50's and 60's. It is intended to supplement the broad strategic policies contained in the Island Plan and to assist and provide guidance for farmers, growers, building suppliers, builders and all those concerned with preparing and processing applications for new farm buildings.
- 1.2 The main impetus for the report has stemmed from increasing concerns about the emergence in recent years of large multi-span agricultural buildings which are equivalent in size and shape to industrial buildings. The Committee is anxious to ensure that such proposals are subject to the most rigorous examination.
- 1.3 This document is primarily concerned with matters of policy and procedure. However, the Planning and Environment Committee will also be publishing separate design guidance aimed at encouraging high standards in the appearance of modern agricultural buildings.
- 1.4 All proposals will continue to be assessed on their individual merits, having regard to normal Island Plan policies, the supplementary guidance contained in this report and the above mentioned design guide and any other material considerations. The final decision will always be that of the Planning and Environment Committee.

2.0 BACKGROUND

- 2.1 The Island Plan recognises the need to give positive support to agriculture in certain parts of the Island, because of its contribution to the local economy, its links with Jersey's social and cultural heritage and its importance in fashioning and maintaining much of the richness and quality of the Island's rural landscape.
- 2.2 The farming community, more than any other group in our society, has over the years helped to create this highly valued landscape, which is undoubtedly one of the Island's finest assets. Furthermore, the influence of today's farmers remains considerable as over 50% of the Island's area is currently in agricultural use.
- 2.3 It has long been the established aim of the Planning and Environment Committee and the former Island Development Committee to protect and enhance the character and appearance of the landscape, for the benefit of both residents and visitors. Furthermore, it is recognised in the Island Plan and in successive Strategic Policy Reports for the Island, that maintaining the attractiveness and appeal of Jersey's rural environment will to a large extent depend upon the retention of a healthy agricultural industry.
- 2.4 Unfortunately, there is generally less certainty now regarding the long-term future viability of farming because of various factors outside the industry's control, (other than weather and growing conditions) such as rapidly changing economic circumstances, increasingly discerning markets and enhanced competition from producers elsewhere.
- 2.5 The 'growing' industry in particular is suffering from an over dependence on the early potato crop and increasingly onerous demands from U.K. supermarkets, which are constantly seeking to improve the quality of produce. Current supermarket requirements for produce to be supplied via an unbroken 'cool chain' process following harvesting, presents the industry with very considerable difficulties.
- 2.6 To its credit, the Agriculture and Fisheries Committee has undertaken a comprehensive review of the industry and set out a strategy for maintaining a properly structured and viable horticultural and agricultural industry to meet the challenges of the future. This strategy has been accepted by both the industry and the States.¹

¹Agriculture and Fisheries Committee, 'Policy Report', 1993.

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- 2.7 Like any other industry, farming has to respond to changing circumstances in order to remain efficient, economic and profitable. As a result, the industry has continued to modernise and rationalise its activities, and this in turn has led to:-
- (i) the introduction of new farming methods, which depend on more mechanisation and larger machinery;
 - (ii) changes in agricultural practice on individual farms;
 - (iii) the consolidation of smaller farms into fewer larger units;²
 - (iv) increased dependency on one crop - the Jersey Royal.
- 2.8 Clearly, sound buildings of suitable size and layout are an essential part of the agricultural holding. Sadly, however, many buildings of familiar traditional construction are often too awkward and inefficient to use for many of the purposes required of them by modern farming practices.
- 2.9 As market forces have led to the creation of larger and/or more highly mechanised farming units employing modern systems and techniques, so these units have created a demand for large scale farm buildings. In response, the industry has shown a willingness to invest in its future. (N.B. the industry invested over £10 million in its future, for buildings and equipment between 1983 and 1992.)
- 2.10 As a consequence of these trends, the Planning and Environment Committee and its predecessor, the Island Development Committee have repeatedly been faced with applications for new agricultural buildings in recent years. Indeed, between the end of 1987 and August 1995, the Committee granted development permission for 100 new agricultural buildings or new farm units, and a further 10 have been approved in principle. Of these, approximately 75 might properly be regarded as large modern agricultural buildings as described in Section 4 of this report.
- 2.11 There can be no doubt that the proliferation of these modern farm buildings is having an increasingly disruptive influence on the character and appearance of the Jersey countryside and poses serious problems for the Planning and Environment Committee, which is seeking to support the agricultural industry, whilst protecting and enhancing the natural beauty of the landscape.

²Whilst the land area devoted to agricultural use changed very little between 1983 and 1994, there was a 36% fall in the number of full-time holdings (i.e. from 758 to 483) during the same period and a significant increase in the average size of holdings (i.e. from 48.3 to 74.7 verges).

A further indication of the trend towards larger more complex businesses is the increase in the number of salaried managers. During the period 1983 to 1992 the number of managers more than doubled from 16 to 35.

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- 2.12 These problems are compounded because of the increase in the number of modern sheds which have ceased to be used for agricultural purposes and the resultant pressure to change the use of such buildings for commercial purposes.
- 2.13 This situation seems likely to continue over the next few years, particularly in connection with arable farming and it only serves to reinforce the need for a clear strategy on the development and future use of modern agricultural buildings.

3.0 PLANNING CONTEXT

- 3.1 Successive Strategic Policy documents have emphasised the need to actively support the agricultural industry, most recently in the context of the Agricultural and Fisheries Committee's Policy Report 1993. For the purposes of this Planning Policy Note, however, the Island Plan, which was adopted in the States in November 1987, forms the main planning context and policy background.
- 3.2 The presumption inherent in the policies contained in the Island Plan is generally against non-essential development in the countryside, although sympathetic consideration will be given to applications for farm buildings, where the need is established, subject to siting and design.
- 3.3 Development restrictions are greatest in the most important landscape areas, which are recognised as being particularly sensitive to the effects of new development. The more restrictive areas include the 'Green Zone' and the 'Sensitive Landscape Area of the Agricultural Priority Zone'.
- 3.4 The current Island Plan policies allow for the sensitive conversion of redundant farm buildings to other uses, but only where this is not at the expense of the existing or anticipated long-term requirements of farming and there is unlikely to be an agricultural need for such buildings in the future.
- 3.5 The relevant policies relating to the development and re-use of modern farm buildings in the countryside are set out in Appendix A. The policies contained in this document are in addition to and complement those policies, and are not intended to replace them.

4.0 MODERN FARM BUILDINGS

- 4.1 Modern farm buildings, in addition to reflecting modern farming methods and the trend towards larger farming operations, are also very much a product of the economic pressures which affect today's farms. The general lack of prosperity, combined with rapid changes and uncertainty in the industry, discourages long-term investment in attractive high quality, permanent buildings.
- 4.2 Today's farmers want to be able to store their new and expensive machinery, seed crops and stock in large, economically priced buildings. They want buildings which maximise accessibility and efficiency, which allow for specialised use and which also allow for flexibility to cater for a variety of indoor and outdoor activities according to season, market requirements and the possible introduction of new equipment and techniques. Consistent with these overall requirements, the farmer is in most instances looking to combine maximum coverage with minimum construction and maintenance costs.
- 4.3 Modern structural technology now enables very large buildings to be constructed relatively cheaply and these are widely regarded throughout the industry as providing the cheapest solution to meeting all the farmers' existing and foreseeable functional needs, often at a stroke. A range of steel framed buildings are available from the UK and Europe. Some can be supplied in kit form for erection by the farmer, contractors/local builders, or the suppliers.³
- 4.4 Consequently, modern production buildings, which are built to last decades rather than generations as in the case of their forerunners, are commonplace throughout the Island.
- 4.5 Clearly, today's farm buildings are completely different from the traditional buildings which preceded them, with the main emphasis on costs, the practicality of design, working practices and animal health. The outward appearance of such buildings and their effect on the surroundings is rarely a matter of primary concern to the farmer or manufacturer.
- 4.6 The buildings are normally constructed with an extensive clear span portal frame and are generally rectangular in form with low pitched roofs covering a large floor area at one level. These structures are much larger than traditional buildings and are built to a more or less standard pattern. They are commonly designed at 6m (20 feet) bay centres to allow any multiple length and standard spans range from 9m (30 feet) to 30m (100 feet), although to date they rarely exceed 18 m (60 feet) in the Island. The buildings are generally clad with a variety of modern materials and most notably plastic coated, corrugated steel sheeting.

³The manufacturers of these buildings are producing them principally for the larger farms which are found on the UK and European mainland and in a situation where planning controls are often less onerous on the farmer.

5.0 NEW BUILDINGS - STRIKING THE RIGHT BALANCE

- 5.1 In determining applications for new agricultural buildings, the Planning and Environment Committee is constantly faced with the unenviable task of having to strike the right balance between the economic and functional requirements of a farming operation and the need to ensure that any new building is aesthetically satisfying and fits unobtrusively into the context of the farmstead and the surrounding landscape.
- 5.2 A brief journey through Jersey's countryside provides confirmation that planning decisions in respect of new agricultural buildings have in the past often tended to be unevenly weighted in favour of the practical and economic requirements of the farmer, at the expense of aesthetic and environmental considerations. To some extent this has been justified because the buildings have relatively 'short lives' and often carry conditions requiring their removal in the event that they fall into disuse or disrepair (see paragraph 8.1 (iii)). In reality, however, these buildings are likely to remain for many years, and may even require replacement.
- 5.3 It is the obtrusiveness of many of these large scale buildings, with their ungainly proportions and generally formless and featureless appearance which has prompted the Planning and Environment Committee to examine the ways in which it deals with proposals for their development and re-use. The aim is to redress the balance between protecting the countryside, and meeting legitimate agricultural needs.
- 5.4 The Committee has no wish to unduly impede the willingness of farmers and landowners to invest in the long-term future of the agricultural industry, especially in view of today's difficult economic circumstances. However, it considers that farmers and designers should not be indifferent to the quality of their surroundings in respect of new buildings. They have a moral obligation to consider the rest of the community and give due consideration to ever increasing and equally legitimate environmental concerns.

6.0 GENERAL CRITERIA FOR NEW BUILDINGS

- 6.1 Proposals for new farm buildings will be assessed against the following general criteria:-

(i) Need

The Planning and Environment Committee will wish to be satisfied, in consultation with the Agriculture and Fisheries Committee, that there is a genuine requirement for the proposed development, in order to ensure the sound, economic and efficient running of a viable farming enterprise.

- 6.2 The Planning and Environment Committee will only give sympathetic consideration to applications for farm buildings which arise out of genuine agricultural need.
- 6.3 The onus will remain with the applicant to establish and demonstrate the agricultural need and in appraising this need the Planning and Environment Committee will always consult directly with the Agriculture and Fisheries Committee. It has also invited the Jersey Farmers' Union to comment directly on appropriate planning applications.
- 6.4 Applications will be assessed very carefully not only against immediate needs, but also in relation to longer-term needs. Furthermore, the Planning and Environment Committee will wish to be assured about the existing and longer term viability of the holding in question, and will have regard to factors such as the type and quality of land held and security of land tenure.
- 6.5 Clearly, the extent of any proposed new building should normally relate to the size of the agricultural unit in question. The Committee will always be mindful of the significance which the scale of the proposed buildings and operations within them might have for the visual quality and amenities of their surroundings. Proposals which are effectively intended as commercial packing stations to serve independent marketing groups and/or are intended to provide for the grading, packing, cooling and mechanical handling of produce from several growers will nevertheless be determined on their individual merits.
- 6.6 In order to assess properly the need for new buildings of the size and scale proposed, the Committee will expect to receive a breakdown of the actual purposes/functions for which the buildings are intended.
- 6.7 Finally, before considering any proposals for new buildings, the Committee will normally wish to be assured that there are no suitable existing buildings on the farm, or in the locality, which can reasonably and practically be utilised for

the required purpose/s. Farmers will always be encouraged to utilise existing buildings first, where this is a practical option.⁴⁵

(ii) Environmental Impact

Wherever possible, new buildings should be located, sited and designed, so that they are not visually obtrusive in the landscape, or detrimental to important areas of natural or man-made environment, including historic buildings.

- 6.8 A poorly sited or designed modern agricultural building can seriously affect the quality of the local or wider landscape and in all cases the likely effect of new proposals on visual amenities will be a major consideration.
- 6.9 With this in mind the Committee will in particular attempt to safeguard recognised areas of high landscape quality which would be most sensitive to the effects of intrusive new development, including the 'Green Zone' and the 'Sensitive Landscape Area of the Agricultural Priority Zone'.
- 6.10 In addition to considerations of visual amenity, however, the Committee will aim to minimise encroachment into good agricultural land and will seek to ensure that new developments do not adversely affect sites of ecological, geological, archaeological and historical importance or pose a threat to the character or setting of designated 'Sites of Special Interest', or other buildings on the Committee's Register of Historic Buildings.
- 6.11 The location, siting and design of all new proposals will be assessed having regard to the nature and extent of the relevant land holding, the requirements of operational efficiency, the availability of practical alternative sites and the opportunities for alternative forms of development
- 6.12 As a general rule, new farm buildings should be erected in association with existing farm building groups, where they would be conveniently situated in relation to existing farm operations and where they can be more easily assimilated into the landscape.

⁴There are a number of existing large scale buildings throughout the Island, which were erected for agricultural purposes and which are now under-used, or redundant.

⁵There is often a tendency on the part of the farmers and growers to automatically regard traditional farm buildings as an encumbrance. However, for many farmers and growers, these solidly built, well insulated structures can still work well for potato storage, animal housing and storage of other crops and materials. Furthermore, with reasonable alterations, it may be possible to adapt some older buildings so that they can continue to earn their keep in today's agricultural industry.

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- 6.13 Of course, there will be instances where proposals are put forward for the construction of new agricultural buildings in detached, isolated locations. This might occur, for example, where there is no existing available farmstead, which might practically form the nucleus of a newly formed, or expanded farm holding. Similarly, there may be cases where the existing farmstead is so sensitively located, that any new development would have an unacceptable impact.
- 6.14 All such proposals will be considered on their individual merits, although any Committee decision would normally be based upon a detailed appraisal of all the potential alternative sites.
- 6.15 Future proposals for new agricultural buildings will be subject to strict control in respect of siting, layout and design, so as to minimise the visual impact and ensure that the existing characteristics of the surrounding area are safeguarded as far as possible.
- 6.16 The Committee intends to produce supplementary design guidance relating to form, scale, colour, material, elevational detailing and landscaping, in order to assist potential applicants. High quality design will always be insisted upon, consistent with the locational context.

(iii) Potential Nuisance

The nature and scale of a proposed farming operation in association with proposals for new agricultural buildings must be compatible with the surrounding area and must not result in undue nuisance to the to neighbouring properties or recreational areas by reason of noise, smell, overshadowing or comings and goings.

- 6.17 Good neighbourliness and fairness are among the yard sticks against which development proposals should be measured. In assessing the likely effects of a proposed development, the Committee will be particularly aware of the need to protect the amenities of nearby residential properties and other permanent buildings such as schools, hospitals, old persons homes, recreational areas and offices that are normally occupied by people.
- 6.18 Likely noise emissions for instance in association with pump and cooler equipment and the potential for noise insulation, will be assessed in consultation with the Department of Agriculture and Fisheries and the Environmental Health Department.

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- 6.19 Potential risk of nuisance from smell emissions is most likely to occur, where it is proposed to develop a large scale intensive livestock operation in close proximity to, or down wind of existing housing developments. The recent events at Maufant Village provide ample evidence of the sort of problems which might arise.
- 6.20 All such applications will be referred to the Department of Agriculture and Fisheries Advisory Service, for a detailed technical appraisal of the slurry handling, silage making and farm management systems to be employed and an assessment of the likely impact on neighbouring properties⁶;

(iv) Foul Drainage

Proper provision must be made for the collection and disposal of human sewage and farm effluent.

- 6.21 Water resources both above and below ground are vulnerable to pollution by private sewage treatment plants and from farm effluent, including slurry and silage effluent.
- 6.22 Such pollution may pose a serious threat to wildlife and the water quality in private boreholes and could be especially problematic if it were to occur in the 'Water Pollution Safeguard Area', which effectively represents the catchment area of the public water supply.
- 6.23 In assessing proposed foul drainage systems the Planning and Environment Committee will consult with engineers from the Jersey New Waterworks Company and the Public Services Department.
- 6.24 Proposals for large scale dairy livestock farms therefore are of particular concern, especially where they include facilities for making silage.
- 6.25 Animal waste and silage effluent cannot be accepted into the foul sewer system and all such proposals must therefore include an adequate and well designed disposal system for farm effluent. This should include water-tight slurry collection tanks, silage clamps and manure pits and associated channels/drain, in order to cope with the likely levels of effluent and avoid discharges onto open land or into adjoining watercourses. The Committee will need to be assured that effluent run-off is contained within the site at all times, and it will expect full details of animal waste disposal and the method of feeding to be contained with any application for 'planning' permission.

⁶Problems with smell emissions from slurry normally occur when the slurry is moved (i.e. when it is pumped into the main slurry tank, mixed in the tank, or transferred to a manure spreader for spreading on the fields). It is now possible to install Anaerobic Digesters which work on a similar basis to a conventional sewage treatment plant and assist the natural breakdown of organic wastes whilst reducing obnoxious smells.

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- 6.26 It is recognised that the avoidance of pollution will also depend on good management over the whole life of the farm enterprise, which will become especially critical as systems age. The Committee would not, however, generally wish to see the establishment of large new dairy /livestock units in the 'Water Pollution Safeguard Area', in order to avoid the water catchment being put at risk of pollution⁷.
- 6.27 Where new proposals include provision for accommodation, the Committee will strive to ensure that the buildings are connected to public foul sewers where opportunities exist, in accordance with approved Island Plan Policy. However, it is accepted that there are many isolated farmsteads/holdings where it will not be practical to connect to mains drains.
- 6.28 In such cases, the Committee will expect existing private drainage facilities for foul waste to meet current standards, as set out in the Building Bye-Laws. In some instances, where for example ground conditions militate against the use of septic tanks and soakaways, the installation of tight tanks may be the only solution and the need for on-going emptying must therefore be recognised.
- 6.29 In view of the risk to quality of surface or ground water, the Committee will normally seek to resist proposals involving the disposal of human waste, which rely on new septic tanks or private sewage treatment plants in the 'Water Pollution Safeguard Area'.

(v) Surface Water Drainage

Proper provision must be made for the collection and disposal of surface water run-off.

- 6.30 It will be necessary to ensure that rain water run-off from the roofs of new agricultural buildings is kept entirely separate from farm effluent, such as slurry, bedding and dairy effluent.
- 6.31 The Planning and Environment Committee and the Public Services Department would normally prefer surface water to be directed to and disposed of via soakaways where this is a practical proposition and ground conditions allow.

⁷This would not generally apply to proposals for new developments which would effectively expand and intensify the operations at existing farmsteads. Each individual application will be decided on its planning merits and it might well be that no other location options are available to the applicant, or that special measures are proposed which would effectively avoid pollution of water courses from effluent run-off.

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- 6.32 This approach has a number of advantages in that:-
- (i) the surface water is returned to the ground and will help to re-charge the underground water resource;
 - (ii) the surface water is dealt with on the site, avoiding the expense of on-site and off-site surface water sewers;
 - (iii) the potential over-loading of down stream surface water sewers or water courses is avoided, together with the possible problems or expense involved in up-grading them.
- 6.33 In many cases properly designed and constructed soakaways will offer the simplest, cheapest and least problematic system of surface water disposal.
- 6.34 Where the available soakaway potential is limited, soakaways could be provided which have overflows to the nearest available watercourse or surface water sewer. This would be of particular advantage where the receiving water course or sewer is of limited capacity. Of course, this does not obviate the need to keep soakaways in good repair and free from blockage.
- 6.35 Problems could occur where it is proposed to construct large buildings in areas where ground conditions are not conducive to the effective operation of soakaways. In such cases, it may be necessary to consider an alternative means of rainwater disposal. In any event, however, surface water disposal should always be directed away from roads.
- 6.36 Applicants should be aware that the attenuation of surface water in tanks does not lend itself to storage for water irrigation, because to be effective the tanks must be empty when a storm occurs. Where storage of rain water run off for irrigation is required, it should be provided as a separate volume from that required for attenuation.
- 6.37 In all cases before making any commitment to a development, the proposer will be expected to demonstrate the potential for soakaways and explore likely difficulties and costs involved in surface water disposal.
- 6.38 In assessing proposals for surface water disposal, the Planning and Environment Committee will seek advice from the engineers of the Public Services Department and the Jersey New Waterworks Company as appropriate.

(vi) **Other Main Services**

Other necessary services, including power and water supply should be capable of ready provision by the applicant, with minimal impact on the appearance of the countryside.

- 6.39 It is particularly important to ensure that new proposals do not overload or disrupt existing services. Even small scale development provision can impose loads on existing water and electricity systems, which cannot be borne and may create a need for additional services.

(vii) Access

Adequate access must be available from suitable existing roads and where appropriate nearby fields, for the movement of stock, produce and machines.

- 6.40 In appropriate circumstances, the Committee will require information in respect of the type and frequency of traffic which is likely to be generated in association with proposed development.
- 6.41 An essential pre-requisite of any proposed development is that there is direct and safe access to suitable roads.
- 6.42 The Committee will in particular be anxious to ensure that the traffic generated by new proposals will not give rise to undue damage to roadside banks, walls and hedges, or present a risk to the safety of other road users.
- 6.43 Proposals which rely on access from narrow minor roads may not receive favourable consideration, where they would result in the introduction or intensification of large vehicle movements (e.g. in association with transporting pre-cooled produce), or a considerable increase in traffic volumes. However, each application will be treated on its own merits.

(viii) Accommodation

Any proposed living quarters for farm workers and staff must meet reasonable minimum accommodation standards.

- 6.44 The Planning and Environment Committee will seek to ensure that all proposals which include provision of staff accommodation are properly designed and comply with the minimum standards contained in the Health and Social Service Committee's Code of Practice for 'Housing Standards Relating to Lodging Houses, Hostels and Seasonal Workers' Accommodation'.⁸

(ix) Other Overriding Considerations

The Committee will take into account any other material considerations, when determining applications for permission to erect new farm buildings.

⁸Planning Policy Note. No.8 provides separate advice regarding temporary accommodation on farms.

7.0 RECOMMENDED PROCEDURE FOR THOSE WISHING TO CONSTRUCT NEW BUILDINGS

- 7.1 Discussions have taken place between officers of the Planning and Agriculture Departments in an attempt to find ways of smoothing the passage of applications through the planning process (see figure 1).
- 7.2 As a result of those discussions it was generally concluded that where a farmer is thinking of constructing a new building/s:-
- (i) the Department of Agriculture and Fisheries should be approached in the first instance and that an officer of that Department should act as a co-ordinator in the early development stages;
 - (ii) the need for such a building/s should be properly assessed and determined at the outset;
 - (iii) there should be a professional involvement at the earliest opportunity to marry operational requirements with general planning criteria set out earlier;
 - (iv) it would make sense to harness the professional expertise of the 'Agricultural Development and Advisory Service' (A.D.A.S).⁹ or a suitably experienced local agent for initial feasibility work, early in the process.
 - (v) the Planning and Building Services Department and in certain circumstances, the Planning and Environment Committee, should become involved once the initial feasibility work has been undertaken and prior to the formulation of more detailed plans and the submission of any formal applications;
 - (vi) the farmer will require professional assistance to prepare adequate drawings for the submission of formal applications. **The overall aim must be to concentrate on producing the best option operationally, practically and environmentally.**

⁹The Department of Agriculture and Fisheries will try to make available an A.D.A.S. service to farmers in the initial feasibility stages on request. This service can offer relatively impartial advice and a wide range of expertise relating to farming practices, building requirements, siting and design.

Figure 1: Summary of the Preferred Procedure for farmer wishing to construct a new building

Stage 1: Conception

The farmer discusses the matter with officers of the Department of Agriculture and Fisheries.

Stage 2: Establishing Need

Officers of the Department of Agriculture will compile information on the farming operations, with a view to establishing whether the new building can be justified on the basis of need. The potential of existing buildings in the vicinity should be carefully assessed.

Stage 3: Feasibility

A consultant from A.D.A.S. or a suitably experienced local agent should be appointed to carry out an initial site survey and produce a scheme in consultation with the farmer or grower, which best meets the planning criteria set out in this document, having regard to the requirements of operational efficiency.

He or she should then prepare an initial feasibility report on the proposal, including basic preliminary sketch plans. The report should cover details of the holding, operational requirements and minimum building requirements for the proposed functions. It should also give a broad indication of the size, location, siting and form of the proposed building/s, the likely impact of the building on its surroundings and other supporting information as appropriate. Particular consideration should be given to potential means of drainage at this stage.

Stage 4: Approach to Planning Officer

Discussions should take place on the site between the Area Planning Officer, the co-ordinator from the Department of Agriculture and Fisheries, the A.D.A.S. consultant or local agent, the farmer/grower and others, as appropriate, to discuss the proposals and assess whether they appear acceptable in principle.

Where there are locational alternatives, the Planning Officer will aim to give guidance on the suitability of each site.

Depending on the sensitivity of the proposals, it may be necessary at this stage to obtain an in principle view from the Planning and Environment Committee.

Stage 5: Preparation of Plans

The farmer or grower's architect prepares design drawings based on the response to the feasibility study and any brief offered by the Planning Officer.

Stage 6: Submission of Formal Application

An application should be made in the normal manner and be supported by a report from the Agriculture and Fisheries Committee.

8.0 CONDITIONAL PERMISSION FOR NEW BUILDINGS

- 8.1 The Planning and Environment Committee may, in appropriate circumstances, attach special conditions to permissions for new agricultural buildings principally in the interests of ensuring orderly development, protecting the natural beauty of the countryside, and preserving the amenities of adjoining properties. Conditions may require, for example, that:-
- (i) they be retained as part of the 'corpus fundi' of a specified farmstead, field or holding and may not be sold separately;
 - (ii) they be used for agricultural purposes in connection with the associated holding and not as a commercial packing station or for any other purpose;
 - (iii) they be removed from their sites and the land be restored to agricultural use, in the event that they fall into disuse, or disrepair;¹⁰
 - (iv) amendments are made to the proposed type and colour of materials to be used externally;
 - (v) existing ground levels or the building height lowered where this is desirable and practicable;
 - (vi) appropriate measures are taken and adhered to for the disposal of surface water, as well as liquids and solid animal wastes and associated contaminated waters;
 - (vii) a landscaping/tree planting scheme be submitted, which should include details of measures to be used for the protection of existing trees and details of future maintenance arrangements;
 - (viii) approved landscaping/tree planting schemes are implemented within a reasonable specified period;
 - (ix) trees which are approved in accordance with submitted landscaping schemes are replaced, should they fail to survive within 5 years of planting.
- 8.2 It will clearly be preferable and in some instances necessary to deal with items (iv) to (vii) as fundamental parts of the design process itself, rather than them being treated as matters for reserved judgement at a later date.

¹⁰ Such conditions will only be attached in exceptional circumstances where there are legitimate planning reasons. The emphasis of the Planning & Environment Committee will be on ensuring that permitted buildings are well sited and designed and fit unobtrusively into their surroundings.

9.0 POLICY FOR PROPOSALS TO REUSE MODERN FARM BUILDINGS

9.1 Proposals for the conversion of modern farm buildings will be assessed against the following policy:-

When large modern agricultural sheds fall into disuse, they will not generally be regarded as redundant to the existing and anticipated long-term requirements of the agricultural industry and conversion to alternative uses will not normally be permitted.

- 9.2 From time to time large modern agricultural buildings will become wholly or partly surplus to the needs of farmers, as enterprises are either run down or cease to operate and land is sold or let to other farmers.
- 9.3 The propensity of such buildings once erected, to become redundant and the resultant pressure to allow change of use to other purposes are areas of considerable concern to the Planning and Environment Committee. Indeed, the Committee considers that it would be entirely inappropriate to presume in favour of such changes of use, whilst continuing to permit the erection of new large modern agricultural buildings, given its overall aims to protect and enhance the natural beauty of the landscape.
- 9.4 It should always be borne in mind that permission for modern agricultural buildings is only granted as an exception to the normal restrictive countryside policies of the Island Plan on the basis of genuine agricultural need and would not generally be approved for any other purpose. Furthermore, even though such a building may become superfluous to the needs of a particular grower, it is still likely to remain capable of use for present day farming methods.
- 9.5 As a consequence, the Committee considers that these buildings should either be removed where possible, or otherwise remain available for the use of the farming community. It is also strongly of the opinion that to permit the widespread change of use of such buildings for other purposes, even on a temporary basis, would only serve to encourage:-
- (i) growers to regard the buildings as potential sources of income, which could be used to capitalise on the high returns available from non-agricultural activities such as light industry and commercial storage;
 - (ii) the unnecessary building of new sheds when existing surplus space would otherwise be available;
 - (iii) commercial activities moving out into countryside areas.

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- 9.6 Although the Committee is determined to take a strong line on proposals to change the use of modern farm buildings, it is mindful that there could be individual circumstances which might allow for exceptions to the normal policy. The Committee is not therefore, seeking to simply impose a 'blanket ban' on change of use.
- 9.7 In assessing whether there are any exceptional circumstances which warrant the re-use of modern agricultural buildings for non-agricultural purposes the Committee will seek to apply a series of 'tests', which it would normally apply to older post war agricultural buildings of the 1940's, 50's and 60's. (See Appendix B).
- 9.8 However, although it will continue to consider every application on its individual merits, the Committee cannot envisage at this time any circumstances where it would be prepared to relax the normal presumption against the change of use of large modern agricultural buildings.

APPENDICES

APPENDIX A: Main Relevant Island Plan Policies

POLICY C02

Notwithstanding the general presumption against new development in the Green Zone, special consideration will be given to cases of proven agricultural need for a new building where the farmer owns land only in the 'Green Zone'. These cases will be the subject of consultation between the Planning and Environment Committee and the Agriculture and Fisheries Committee. In the exceptional cases where the Planning and Environment Committee would be prepared to grant permission in the Green Zone, the matter will be referred to the States before permission is granted under Article 6 of the Island Planning Law.

POLICY C06

Agricultural land and all other land outside the 'Green zone', the defined 'Built-Up Area', the 'Green Backdrop Zone' and the 'Villages' is designated as an 'Agricultural Priority Zone', where:

- (a) There will be a presumption against any new non-agricultural development;
- (b) Applications for new agricultural buildings and other forms of development for which the Committee accepts a need, will generally be approved subject to considerations of siting and design.
- (c) Applications for new dwellings which arise from agricultural need will be considered sympathetically. The Committee will wish to be convinced of the need and will consult the Committee of Agriculture and Fisheries. Special conditions or agreements will be used to ensure that such dwellings are occupied by bona fide members of the agricultural community and remain within the corpus fundi of the farm holding.

POLICY C07

Permission for essential agricultural development within the 'Sensitive Landscape Area' of the 'Agricultural Priority Zone' will only be given if:

- (a) The applicant has no suitable alternative site outside the 'Sensitive Landscape Area' which can be used to accommodate necessary buildings.
- (b) There are no existing buildings which can be satisfactorily modified or converted to meet the requirement.

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- (c) There is a convincing demonstration, supported by the Committee of Agriculture and Fisheries, that the proposed development is essential for the economic running of the farm holding.

POLICY C08

Every application for agricultural development in the 'Sensitive Landscape Area' of the 'Agricultural Priority zone' will be very carefully considered in relation to its effects on the landscape, with particular consideration being given to siting and design. Wherever possible new buildings should be sited near to existing ones or within an existing group of buildings.

POLICY C0 30

The conversion of redundant farm buildings to other uses should not occur at the expense of the existing or anticipated long-term requirements of farming. Permission for an alternative use will not be given, therefore, where it can be shown that there is likely to be an agricultural need for such buildings in the future.

APPENDIX B : Tests Governing the Re-Use of Post War Agricultural Buildings

In assessing proposals for the re-use of Post War agricultural buildings, the Committee will seek to apply the following series of 'tests':-

Test 1

That the building is no longer required to meet the existing and anticipated long-term needs of the agricultural industry.

In this respect the applicant will normally be expected to demonstrate that he or she has advertised the building (under a box number) for sale or rent, at a value related to the agricultural industry's ability to pay for at least 5 years.

If there are no takers after 5 years the Agriculture and Fisheries Committee will review the position in consultation with other farming organisations and advise whether the building could then or in the future be used for agricultural purposes.

A lack of interest from other farmers over the 5 year period will not necessarily mean there will always be no interest and only where the building is proven to have no potential use for agriculture will it be deemed to be fully redundant for the purpose.¹¹

It is envisaged the many older, relatively small post-war buildings of the 1940's, 50's and 60's will continue to fall into disuse and be deemed to be redundant. However, the nature and size of disused modern agricultural buildings will normally render them perfectly capable of use for modern agricultural purposes.

Test 2

Either

(i) That the building by virtue of its scale, siting, design and appearance does not have a materially adverse effect on the immediate surroundings or the character of the wider landscape in terms of visual amenity

or

(ii) That it is proposed to secure satisfactory visual improvements to the external appearance of the building to a point where it would no longer have any materially adverse effect on the character of the landscape in terms of visual amenity.

¹¹As the trend develops for fewer and larger holdings, the land in the holdings will become more dispersed and it will become less essential for all buildings to be centralised at the principle farmstead.

The design, scale and appearance of many of the older Post War buildings of the 1940's, 50's and 60's, will often not be regarded as wholly out of keeping with the character of their surroundings.

In contrast, many of the larger modern agricultural sheds throughout the Island do have an adverse effect on the character of the countryside, because of their scale, design and general appearance.

Whilst it is always possible to improve the outward appearance of any buildings, it is difficult to envisage many instances, where such improvements might be sufficient to overcome the generally obtrusive nature of some of these modern agricultural buildings.

In any event, however, it would generally be inappropriate to apply this particular test to most large modern buildings, which have been constructed with the benefit of development permission. The material conditions to which regard must be had in granting a permission, including the effect of the development on the amenity of the area, should be the same, whether or not the Committee of the day believes that the use of the building for agricultural purposes will last indefinitely. In all but exceptional cases, a permission, once granted, should allow the building to remain permanently.

Test 3

That the nature and extent of the proposed new use for the building is acceptable in planning terms.

In judging the suitability of any proposed new use, the Committee will have regard to the relevant policies in the Island Plan and any other material considerations, and will seek to ensure that future uses are not environmentally obtrusive.

It is likely that the Committee will continue to permit the re-use of modestly sized, unobtrusive and outdated post-war agricultural buildings, for dead storage and other suitable low-key activities.¹²

However, the Committee will continue to oppose the introduction of large scale commercial uses, or multiple commercial activities in the countryside, through the conversion of large agricultural buildings.

¹²In exceptional cases the Committee may grant temporary consent for the re-use of such buildings, even where there remains a possible (albeit limited) potential for future agricultural use, where neither the building, nor the proposed use is regarded as unduly harmful in planning terms.