



## Supplementary planning guidance

# Holiday lets



## About supplementary planning guidance

The Minister for the Environment may publish supplementary planning guidance in the form of guidelines and policies in respect of: development generally; any class of development; the development of any area of land; or the development of a specified site<sup>1</sup>. Supplementary planning guidance is designed to operate under the Island Plan and is complementary but subordinate to it.

Supplementary planning guidance may cover a range of issues, both thematic and site specific, and provides further detail about either policies and proposals in the Island Plan, or other issues relevant to the planning process.

Where relevant, supplementary planning guidance will be taken into account as a material consideration when making planning decisions.

The current supplementary planning guidance is listed and can be viewed [online](#).

Front cover image: Barge Aground ('Seagull' or 'La Mauve'), St Ouen (Jersey Heritage lets)

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<sup>1</sup> Article 6 of the Planning and Building (Jersey) Law

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## 1. Introduction

A global rise in the popularity of internet-based holiday letting platforms has led to a growing trend in Jersey for the use of dwellings for short-term holiday lets. Prior to an amendment to the Planning and Building (General Development) (Jersey) Order 2011 [the General development Order] coming into force in April 2024<sup>2</sup>, it was a legal requirement of the Planning and Building (Jersey) Law 2002 to obtain planning permission for any development involving the use of a dwelling, or part of the dwelling, for short-term holiday lets.

This supplementary planning guidance advice note has been issued in response to the enactment of the amendment to the General Development Order which now exempts certain forms of short-term holiday lets from requiring approval through the planning application process.

The guidance provides advice as to when planning permission is required, together with an interpretation of relevant planning policies contained within the [bridging Island Plan](#) which will be used to inform decisions on those proposals for holiday lets that still require planning permission.

It also provides additional advice and guidance for other forms of holiday lets, such as a new build development and the conversion of existing buildings for use as holiday accommodation.

This guidance is principally aimed at those who wish to let out existing properties for holiday lets or who wish to create holiday letting facilities through other means. It will also assist decision-makers in the determination of planning applications for this form of development.

The guidance is a material consideration in the determination of planning applications relating to the creation of holiday lets.

## 2. Context

Tourism represents one of Jersey's key economic sectors. It is a significant provider of employment and support for related local businesses, including shops, restaurants and bars; along with the island's heritage and cultural related businesses and facilities.

Bridging Island Plan Policy EV1 – Visitor accommodation offers support for proposed developments which will contribute to the quality and range of Jersey's visitor accommodation. The policy, therefore, supports proposals for extended or altered existing visitor accommodation throughout the island and for new visitor accommodation within the built-up area, particularly within the identified tourist destination areas.

One fundamental change in the island's tourism market, as elsewhere, is the recent rise in internet-based holiday letting 'platforms', such as airbnb, Vrbo, Hometogo and Freedom Holidays<sup>3</sup> that has led to a growing trend for the use of homes, or part of a home, for short-term holiday lets.

It is important that the bridging Island Plan helps to maintain and enhance the intrinsic value of Jersey's tourism offer; and also supports the provision of new visitor accommodation that meets the needs of the changing tourism market. Policy EV1 makes specific reference to self-catering

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<sup>2</sup> <https://www.jerseylaw.je/laws/enacted/Pages/RO-017-2024.aspx>

<sup>3</sup> This is a small selection of on-line businesses offering a booking service for short-term holiday lets in Jersey. Other on-line businesses also offer similar services.

accommodation which encompasses short-term and long-term holiday lets. The provision of holiday lets can help to support and sustain the rural economy and the bridging Island Plan supports the conversion and re-use of traditional farm buildings for this purpose, where they are no longer required for agriculture, in accord with Policy ERE3 – Conversion or re-use of traditional farm buildings. The re-use and conversion of some types of listed buildings may also offer similar potential for use as heritage holiday lets. in accordance with Policy HE1 - Protecting listed buildings and places, and their settings.

Although it can have benefits in term of supporting the rural economy, visitor accommodation is, potentially, impacting upon the supply of homes across the island at a time when there is an acknowledged shortage of homes. The Household & housing needs projections report<sup>4</sup>, published by Statistics Jersey in March 2024, makes clear that more housing will be required in the coming years, regardless of migration, due to changes in the characteristics of households (i.e, fewer persons per household, fragmented families etc) and population trends such as increasing life expectancy. It is, therefore, of importance that best use is made of the island’s existing housing stock by: reducing under-occupation in the owner-occupied and affordable housing sectors; reducing the number of homes being lost to other uses including visitor accommodation; and, reducing the number of long-term empty properties.

Bridging Island Plan Policy H3 – Provision of homes, working in conjunction with other plan policies, makes provision for the supply of up to 4,300 homes (up to the end 2025) although this figure may need to be revised in light of the 2024 Statistics Jersey report. Loss of any housing units impacts adversely on efforts to secure a level of housing supply that will meet identified need.

There is, accordingly, a need to ensure that any proposal involving the loss of the use of a dwellinghouse to the visitor accommodation sector is subject to a full and proper assessment against the policies of the island plan. However, the maintenance of an adequate housing supply to serve the island’s needs must be afforded priority over the provision of visitor accommodation.

### 3. Interpretation and application

To assist with the interpretation and application of the Planning and Building (Jersey) Law<sup>5</sup> and of Policy EV1 – Visitor accommodation (see appendix 2), it is helpful to provide some clarification about the terminology used, as follows:

#### 3.1 Built-up area

The built-up area is defined on the bridging Island Plan proposals map<sup>6</sup> for each of the island’s settlements. These are defined according to the settlement hierarchy, which includes the primary

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<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/Households%20and%20Housing%20Needs%20Projections%20Report%202023%20to%202040.pdf>

<sup>5</sup> <https://www.jerseylaw.je/laws/current/Pages/22.550.aspx>

<sup>6</sup>

<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/A0%20Island%20Proposal%20Map%20A%20Planning%202022.pdf>

centre of Town, a secondary centre at Les Quennevais, local centres and smaller settlements. Together they form the island's built-up area framework. The remainder of the island outside the built-up area is regarded as constituting the coast and countryside.

### 3.2 Dwellinghouse

A self-contained unit of accommodation, comprising bedroom(s), bathroom, kitchen facilities and usually sitting area, where all rooms in a household are behind a door, which the household controls. Outbuildings, such as garages, pool houses, barns and stables are not considered to form part of a dwellinghouse.

### 3.3 Incidental / ancillary domestic buildings

'Ancillary' can, generally, be taken to be anything you could be expected to do in connection with living in a conventional home; e.g. eat, sleep, sit comfortably, study, watch tv, shower etc. These are all uses associated with 'habitable accommodation'. Buildings ancillary to the use of a home may include a garden study or bedroom annex.

'Incidental' is, generally, everything associated with a principal use but which is not regarded as being 'ancillary' - as described above. Buildings incidental to the use of a home may include a garage, storage area, kennel, private swimming pool, home gym, art studio, or something else that can be classed as a hobby use.

A detached annex with facilities shared with the principal dwelling, would be regarded as an incidental building rather than an ancillary building.

### 3.4 Holiday let

There is no legal definition of 'holiday let' in Jersey legislation. However, for the purposes of the guidance, it is taken to refer to accommodation offered to a guest who has a main home elsewhere and who will be staying in the premises, partly or primarily, for purposes of recreation or leisure and will not be ordinarily resident or working in Jersey.

Holiday lets are generally operated for commercial gain and include self-catering units, serviced apartments and the letting of dwellinghouses, or parts thereof, to guests seeking holiday accommodation.

The term does not include use of premises for residential tenancies<sup>7</sup>, lodging houses<sup>8</sup> or the letting of premises to guests who are visiting solely for business or other non-recreational or leisure purposes, including staff accommodation.

### 3.5 Short-term

For the purposes of this advice note, 'short-term' is taken to refer to a single letting period of 12 weeks or less in any calendar year. Any single letting period of longer than 12 weeks will be considered to be a long-term let.

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<sup>7</sup> Residential tenancies are controlled under the [Residential Tenancy \(Jersey\) Law 2011](#)

<sup>8</sup> Lodging houses are defined and regulated under the [Lodging Houses \(Registration\) \(Jersey\) Law 1962](#) ([jerseylaw.je](http://jerseylaw.je))

### 3.6 Long-term

Long-term lets are taken to refer to a single letting period in excess of 12 weeks in any calendar year.

### 3.7 Meanwhile use

The temporary use of a building whilst it would otherwise be vacant and where the original use is expected to be reinstated. For the purposes of this guidance, 'meanwhile' is taken to be a period not exceeding 12 weeks in any calendar year.

## 4. The need for planning permission

Amendment of the General Development Order<sup>9</sup> has had the effect of exempting the change of use of dwellings to use as short-term holiday lets from the requirement to obtain planning permission where the combined duration of stays is 12 weeks or less in any calendar year.

This means that planning permission is not required for the use of a dwelling, including houses, flats and apartments for use as a short-term holiday let for a period of up to 12 weeks in any calendar year. This exemption also applies to the use of part of a dwelling for short-term holiday lets such as a room or rooms within a dwelling.

It should be noted, however, that planning permission is still required for: the use of any detached incidental or ancillary domestic buildings for short-term holiday lets; for the creation of holiday lets through new build; and, for the conversion of existing buildings that are not in current authorised use for tourism-related accommodation<sup>10</sup>.

In instances where planning permission is required for the use of a building for holiday lets, the method of submitting a planning application, and the information that you will need to submit with the application, is explained on the Government of Jersey's planning and building web pages here: [Information you need for your planning application \(gov.je\)](https://www.gov.je/PlanningBuilding/MakingApplication/Planning/InformationYouNeedForYourPlanningApplication)<sup>11</sup>.

Planning permission is not generally required for the use of a dwelling for long-term lets where the primary use of the property remains in the same form of residential use as it is currently. This may include long-term holiday lets where the property will be occupied by the same person(s) for a period of 12 weeks or more.

This guidance only covers matters that are administered by the Planning function of the Infrastructure and Environment (Regulation) team, as required by the Planning and Building (Jersey) Law 2002. Hence, the guidance is restricted to issues of the need for planning permission and to

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<sup>9</sup> <https://www.jerseylaw.je/laws/enacted/Pages/RO-017-2024.aspx>

<sup>10</sup> Tourism accommodation includes use as a guest house, hotel, bed and breakfast establishment or self-catering unit(s) – see Class F – Tourism accommodation of the [Use Classes Schedule](#)

<sup>11</sup>

<https://www.gov.je/PlanningBuilding/MakingApplication/Planning/InformationYouNeedForYourPlanningApplication.aspx>

how planning applications for proposed new holiday lets will be assessed, in principle, against the policies of the Island Plan.

However, the use of a property for holiday lets, whether short-term or long-term, may require compliance with other regulations that fall outside the planning system. Information on some of these requirements can be found in appendix 3 of this document.

Officers in the Regulation section of the department of Infrastructure and Environment will advise of the need for planning permission on a case-by-case basis.

## 5. Policy interpretation

Appendix 1 of the guidance gives several 'working examples' as to how various scenarios would be regarded in the context of the Law and island plan policy.

### 5.1 Change of use of the whole or part of an existing dwelling

Planning permission is only required if the combined period of short-term holiday lets in any calendar year would exceed 12 weeks. If this letting-period is exceeded, then planning permission will be required for the change of use of the whole or part of an existing dwelling for short-term holiday lets.

While Policy EV1 – Visitor accommodation supports proposals for new visitor accommodation within the built-up area, this support is not given at the expense of permanently losing dwellings from the island's housing stock. Hence, any proposal involving the loss of the use of a dwellinghouse to the visitor accommodation sector will be subject to a full and proper assessment against the policies of the island plan including, although not limited to:

Policy H3 – Provision of homes which seeks to ensure that an adequate supply of housing is maintained over the period of the island plan and that the loss of any housing unit will not impact adversely on efforts to secure a level of housing supply that will meet identified need. Proposals that would result in the loss of a dwelling to visitor accommodation will only be supported where such loss can be justified. An example of when a proposal may find support would be where the existing dwelling does not meet the adopted minimum residential space standards for permanent residential use<sup>12</sup>.

Policy GD1 - Managing the health and wellbeing impact of new development which seeks to ensure that new development does not adversely affect people's health and wellbeing or have wider amenity effects that erode community wellbeing. Proposals will be assessed to ensure that issues such as loss of privacy, noise and general disturbance will not impact unreasonably upon neighbour's amenities.

Policy GD6 – Design quality- the change of use of a dwelling, or part of, to holiday let use would not, normally, require any significant physical alterations. However, where any physical

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<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/Revised%20residential%20space%20standards.pdf>



alterations are proposed (for example: new windows, external doors or staircases) then these will be assessed as part of the application and revisions may be requested by the planning case officer in order to secure an acceptable quality of design. In instances where physical alterations are proposed and the building is listed, then the principles of Policy HE1 – Protecting listed buildings and places, and their settings will apply. Policy HE1 supports the re-use of listed buildings with compatible uses where the long-term protection of their special interest will be secured.

Where a dwelling is to be let out for a long-term holiday, where a single letting would exceed 12 weeks in a calendar year, planning permission would not be required as the use would be regarded as being residential. However, other regulatory requirements may still need to be satisfied as highlighted in appendix 3.

## 5.2 Conversion of detached ancillary and incidental domestic structures

Policy EV1- Visitor accommodation supports proposals for new visitor accommodation within the built-up area.

Proposals involving the conversion of existing detached domestic buildings to holiday lets will be assessed on their individual merits with careful consideration being given to the need to comply with the requirements of Policy GD1 - Managing the health and wellbeing impact of new development which seeks to ensure that new development does not adversely affect people's health and wellbeing or have wider amenity effects that erode community wellbeing. Proposals will also need to exhibit a high quality of design, in accordance with Policy GD6 – Design quality and proposals may have to be amended in order to secure an acceptable design, although this can ordinarily be achieved through a simple revision of plans. Where relevant, proposals should also serve to protect the special interest of any listed building or setting in accordance with Policy HE1 – Protecting listed buildings and places, and their settings.

Within the built-up area such proposals are likely to be acceptable in principle, where the provisions of Policy GD1 can be satisfactorily met. Outside the built-up area, there will be an additional requirement to prove that the development would serve to protect or improve the character and distinctiveness of the countryside and coast (see also Policy NE3 – Landscape and seascape character). This requirement will apply to not only the proposed conversion, but also to any associated development and infrastructure such as parking areas, garden boundaries and lighting, outside storage facilities for bicycles, barbecues, garden furniture and other elements that may be provided to ensure that the visitors can enjoy their holiday accommodation.

In the event that use of the structure as a holiday let ceases, then it will be expected that the structure will revert to its last, approved use. Conditions may be attached to any planning permission to secure this reversion owing to the presumption against the creation of new homes in the countryside.

## 5.3 New build

In accord with Policy EV1 – Visitor accommodation, proposals for the development of new build visitor accommodation, including for use as holiday lets, will be supported in principle within the

built-up area and especially within identified tourist destination areas<sup>13</sup>. This support is subject to satisfactory compliance with all other relevant policies, including, but not restricted to policies GD1 - Managing the health and wellbeing impact of new development and GD6 - Design quality.

Proposals should also respect the importance of heritage assets and their settings, in accord with Policy HE1 - Protecting listed buildings and places, and their settings and, where the site is within a conservation area, should serve to protect or improve the character or appearance of the area and its setting in accordance with Policy HE3 - Protection or improvement of conservation areas.

As the character of the coast and countryside is sensitive and has limited capacity to accept new development and change, proposals for new build visitor accommodation, including for use as holiday lets, outside the built-up area will be limited, in accord with policies PL5 - Countryside, coast and marine environment and Policy EV1 – Visitor accommodation.

Proposals for the erection of new buildings outside the built-up area for use as holiday lets will only be supported where the location of development is justified and appropriate, and where the development would serve to protect or improve the character and distinctiveness of the countryside and coast (see also Policy NE3 – Landscape and seascape character).

Proposals for holiday lets outside of the built-up area which relate to the redevelopment of a building(s), involving demolition and replacement and which are supported in principle under policies GD5 - Demolition and replacement of buildings, PL5- Countryside, coast and marine environment and EV1 – Visitor accommodation must deliver an environmental improvement to the site and the surrounding area, in terms of a reduction in visual scale, mass volume, design and materials and finishes.

In all instances, proposals for new holiday let buildings in the countryside must be accompanied by sufficiently robust evidence to prove that the site location is justified and appropriate and must also be accompanied by a professional landscape and visual impact assessment with specific consideration given to the likely impact of the proposals on the local landscape character type (as identified in the Jersey Integrated Landscape and Seascape Character Assessment<sup>14</sup>) to determine their sensitivity and capacity to accommodate new development.

All development proposals around the coast and in the countryside will need to demonstrate that particular care has been taken to ensure that they can be sympathetically integrated into the locality and that they do not harm landscape character or biodiversity. The impact of a proposal on the island's seascape will be a relevant consideration for developments in coastal locations.

#### 5.4 Conversion of traditional buildings

Retaining historic buildings in a viable use is key to their retention and maintenance. Such buildings include structures that are listed for their special architectural and/or historical interest; or 'traditional' (pre-1960) farm buildings. Traditional vernacular farm buildings / outbuildings and listed buildings, such as churches, mills, forts and towers, add character to the countryside and their conversion and re-use for visitor accommodation use can provide them with a viable future. Proposals to re-use and adapt these types of buildings will be encouraged where, in the case of

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<sup>13</sup> Tourist destination areas are highlighted on the bridging Island Plan Proposals Map and include; St Helier, Havre des Pas, St Brelade's Bay, St Aubin, and, Gorey Harbour.

<sup>14</sup> <https://www.gov.je/government/pages/statesreports.aspx?reportid=5271>

traditional agricultural buildings, their redundancy to agriculture is proven; and in all cases, where the character of the building and its landscape setting can be protected and enhanced.

In the case of listed buildings, proposals for visitor accommodation development which are compatible with the conservation of the fabric of the building, and which protect its special interest and its setting will generally be supported in accord with Policy ERE3 – Conversion or re-use of traditional farm buildings. Any changes that would cause harm to the special interest of the listed building or place should be limited to what is necessary to sustain its ongoing use, with impacts mitigated where possible, as set out under Policy HE1 – Protecting listed buildings and places, and their settings.

Older farm buildings that were constructed prior to 1960 are increasingly unable to meet the needs of modern farming. Their development for the provision of alternative uses, including residential or holiday lets, can help to re-use these buildings and help to retain the farmstead vernacular where they are clearly proven to be no longer of value to the agricultural industry.

It is important that proposals for the re-use and conversion of traditional farm buildings can demonstrate an understanding of local character, and the potential for, and sensitivity to, change. The Minister will issue further guidance to assist with the management of change in Jersey farmsteads to ensure that their character and value is understood and safeguarded. In the interim, useful information and advice can be found in the published guidance: Historic farmsteads and landscapes in Jersey<sup>15</sup>.

In all cases, proposals for the re-use of traditional farm buildings in the countryside will need to be supported by an appropriate level of additional information setting out details about the history and nature of the building related to its construction (in a heritage impact statement) and use; together with detailed information about its structural capacity for adaptation and reuse as a holiday let. Further information on the role of structural engineers' reports in the planning application process can be found by accessing the link at the bottom of this page<sup>16</sup>.

Information will also need to be provided about the basis of its redundancy to the farm holding and the wider agricultural industry.

In accord with Policy EV1 – Visitor accommodation, it is expected that holiday lets created through the conversion of traditional buildings will remain in tourism accommodation use only and not used for the creation of primary residences. However, it is accepted that, depending upon the individual characteristics of a property, a case may be made for allowing the temporary use of the property for longer term off-season lets. This will be secured through the use of planning conditions or obligation agreements.

## 5.5 Conversion of non-traditional buildings

Conversion of other buildings in the countryside, such as hotels, evening economy uses, shops, offices and (non-listed) religious structures to holiday let use will only be supported, by exception, where the redundancy of other employment use is proven; and, where its re-use and adaptation

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<sup>15</sup> <https://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=551>

<sup>16</sup> Link to information on structural engineers' reports in the planning process:

<https://www.gov.je/PlanningBuilding/MakingApplication/Planning/PlanningApplicationProcess/pages/structuralengineerreports.aspx>

delivers demonstrable environmental benefits through reduced intensity of use and visual improvement to the building and its setting.

The conversion of agricultural buildings (post 1960) and glasshouses to use as holiday lets will not be supported.

#### 5.6 Use of planning conditions / obligation agreements

Where holiday lets are permitted through the erection of new buildings or through the conversion and re-use of existing buildings, planning conditions or obligation agreements will be used to ensure that the facilities remain as units of holiday accommodation and are not occupied as conventional residences (either as primary residences or as second homes). In the case of the use of domestic ancillary and incidental buildings for holiday lets, conditions may require the reversion to their former use upon cessation of holiday accommodation use.

Planning conditions and / or obligation agreements may also be used on a case-by-case basis to secure other necessary objectives of the plan.

## Appendix 1 – Working examples

The following scenarios are intended to illustrate how the change to the General Development Order and the application of Island Plan policy will apply in practice. The examples are not exhaustive and only cover the planning aspects of the scenario. In each instance, there may be other regulatory requirements that have to be met before the property can be used for holiday lets (see appendix 3).

It is, therefore, wise to seek advice from the government's Customer and Local Services team and from the Regulation (planning) team of the department of Infrastructure and Environment prior to letting out your property for holiday lets.

1. Mr and Mrs P wish to let out a wing of their large house in the countryside through an internet-based holiday let company. They wish to let the wing on a weekly basis with a maximum of 12 weeks letting in any one year.

If successful, Mr and Mrs P might subsequently consider moving into the wing and to let out the main house on the same basis.

They do not intend carrying out any physical alterations to the property.

Comment: Neither scenario will require planning permission, subject to the lets being for genuine holiday makers. Any physical alterations they may wish to undertake may still require planning permission and / or approval under the building bye-laws. Mr and Mrs P should also be aware that if they wish to extend lettings to over 12 weeks in any year, planning permission will be required.

2. Mr H wishes to let out his flat in the built-up area for short-term holiday lets but would like to aim for a total of 26 weeks occupancy each year while he works off-island for two years.

Comment: As this would exceed the permitted maximum of 12 weeks letting in any calendar year, Mr H would need to obtain planning permission. However, if the planning case officer or Planning Committee was satisfied that this would only be for a temporary two-year period, then consideration may be given to supporting the application and any subsequent planning permission would be likely to be subject to conditions or planning obligation agreement to ensure that the holiday use did not become permanent, and that the property would revert to a 'normal' residence.

3. Ms I owns an old farmhouse and would like to convert one of the traditional barns for use for short-term holiday lets but has not yet decided on the period of lets that may work best for her. The barn is a listed building and would need minimal works to convert it.

Comment: Planning permission would be required as the barn does not form part of a dwellinghouse. Any proposal for conversion would be assessed primarily against policies EV1 – Visitor accommodation, HE1 - Protecting listed buildings and places, and their settings, Policy ERE3 - Conversion or re-use of traditional farm buildings, Policy GD1 - Managing the health and wellbeing impact of new development. Other policies of the Island Plan may also be relevant,

depending on the location and individual characteristics of the building, the site and its surroundings. However, the proposal is likely to be supported in principle.

4. Miss M has a substantial, purpose-built detached pool-house that is no longer used in the garden of her house which is not listed. She would like to convert the pool house into a self-contained unit of visitor accommodation.

Comment: Planning permission will be required, as there are no 'permitted development' rights for the conversion of domestic outbuildings into visitor, or any other form of, accommodation. Ms M's proposal would be assessed on its individual merits, with the following in mind:

Within the built-up area the conversion may be acceptable in principle, where the provisions of Policy GD1 - Managing the health and wellbeing impact of new development can be satisfactorily met.

Outside the built-up area, there will be an additional requirement to prove that the development would serve to protect or improve the character and distinctiveness of the countryside and coast (see also Policy NE3 – Landscape and seascape character). This requirement will apply to not only the proposed conversion, but also to any associated development and infrastructure such as parking areas, garden boundaries and lighting, outside storage facilities for bicycles, barbecues, garden furniture and other elements that may be provided to ensure that the visitors can enjoy their holiday accommodation.

5. Mr and Mrs C have inherited a two-bedroomed cottage on the coast and have approached a holiday-letting agency with a view to renting it out for short-term holiday-lets throughout the whole of the year. The cottage meets all minimum space standards published by the Minister.

Comment: As this would exceed the permitted maximum of 12 weeks letting in any calendar year, Mr and Mrs C would need to obtain planning permission. However, as their proposal would result in the permanent loss of a dwelling from the island's stock of housing, the proposal would not be likely to be supported, as it would run counter to the aims of Policy H3 – Provision of homes which seeks to ensure that the island maintains an adequate supply of housing.

## Appendix 2 – Policy EV1 – Visitor accommodation

### **Policy EV1 – Visitor accommodation**

Proposals which contribute to the quality and range of Jersey's visitor accommodation offer will be encouraged.

Proposals for extended or altered existing visitor accommodation throughout the island, and particularly in the identified tourist destination areas, will be supported.

Proposals for new visitor accommodation will be supported in the built-up area, and particularly in the identified tourist destination areas.

Outside of the built-up area, proposals for the development of new self-catering visitor accommodation will be supported where it involves the re-use and conversion of traditional farm buildings or where it can provide a viable use for listed buildings. In both cases, such accommodation must remain in tourism accommodation use only; this will be secured through the use of planning conditions or obligation agreements.

The development of camp sites or the use of land for touring units will only be supported where it does not harm landscape or seascape character; or the surrounding area by virtue of visual impact, noise, disturbance and traffic generation relative to the capacity of the local area to accommodate the development; and does not detract from the enjoyment of the area by others. The requirement for any ancillary buildings associated with these uses outside of the built-up area, will only be supported where it involves the re-use of existing buildings.

Where proposals outside of the built-up area comply with this policy and relate to the redevelopment of a building(s), involving demolition and replacement they must deliver an environmental improvement to the site and the surrounding area, in terms of a reduction in visual scale, mass volume, design and materials and finishes.

Proposals for the temporary use of visitor accommodation for other uses will be considered on a case-by-case basis. Planning conditions will be attached to time-limit permissions as appropriate.

## Appendix 3

### The need to satisfy other regulatory requirements.

It is one of the functions of the regulation (planning) section of the department of Infrastructure and Environment (I&E) to control new development, including the material change of use of land and buildings, through the planning process. This function is distinct from other regulatory regimes that the Government of Jersey administers, monitors and enforces, which have purposes other than the regulation of development.

Proposals for holiday letting may also need to satisfy other regulatory requirements including:

- Registration on the Self-Catering Accommodation Register if the occupancy of the premises is for six persons or more at any one time under the provisions of the Tourism (Jersey) Law 1948<sup>17</sup> and Tourism (General Provisions) (Jersey) Order 1990<sup>18</sup>. Details of how to register or renew a licence for tourist accommodation can be found here: [Registration of holiday accommodation \(gov.je\)](https://www.gov.je/Industry/RetailHospitality/HolidayAccommodation/pages/registrationholidayaccommodation.aspx)<sup>19</sup>.
- Proprietors of holiday let accommodation have responsibilities under the Tourism (Liability of Proprietors of Registered Premises) (Jersey) Law 1964<sup>20</sup>
- Proprietors of holiday let accommodation must keep a record of the date of arrival of each guest and of their full name and address. This record shall be open to inspection by any police officer or immigration officer or by any other person authorized by the Minister for Justice and Home Affairs. Source: Immigration (Hotel Records) (Jersey) Order 1999<sup>21</sup>.
- There is a requirement under the [Fire Precautions \(Designated Premises\) \(Jersey\) Regulations 2012](#) for tourist accommodation premises, including holiday lets, to be covered by an up-to-date Fire Certificate where the premises contain, or are used, or are capable of being used, as sleeping accommodation for more than five persons, and some or all of that sleeping accommodation is above the first floor or below the ground floor level; or where the premises contain sleeping accommodation for more than 40 persons.

Any request for advice on the need for a fire certificate, or how to apply for one, can be made by email to [firesafety@gov.je](mailto:firesafety@gov.je) or by telephoning 01534 445910.

- Residential tenancy agreements, as defined in the [Residential Tenancy \(Jersey\) Law 2011](#), are not generally required where the premises are ordinarily used for holiday purposes. Further information can be obtained from the Regulation (Environmental Health) team of the

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<sup>17</sup> <https://www.jerseylaw.je/laws/current/Pages/05.850.aspx>

<sup>18</sup> <https://www.jerseylaw.je/laws/current/Pages/05.850.50.aspx>

<sup>19</sup>

<https://www.gov.je/Industry/RetailHospitality/HolidayAccommodation/pages/registrationholidayaccommodation.aspx>

<sup>20</sup> <https://www.jerseylaw.je/laws/current/Pages/05.875.aspx>

<sup>21</sup> <https://www.jerseylaw.je/laws/current/Pages/21.700.50.aspx>



department of Infrastructure and Environment by email at [environmentalhealth@gov.je](mailto:environmentalhealth@gov.je) or by telephoning 01534 445808.

It should also be noted that the government's Customer and Local Services (Population Office) regulates migration within the island in terms of who has access to work and housing in Jersey according to the Control of Housing and Work (Jersey) Law, 2012. Visitors staying in holiday lets for the sole purpose of leisure or recreation would be unlikely to be considered as ordinarily resident in Jersey, and, therefore, would not be required to register as a Jersey resident or obtain a registration card. However, those staying for any other purpose may be required to register as a Jersey resident. Advice should always be sought from the Population Office to establish the requirement for a registration card to access work and housing.