

**Jersey Draft Island Plan Examination in Public**

**Days 5 and 6 (am) – 27-28 September  
Housing**

***General notes for participants in all topic sessions***

*The Inspectors have been appointed to provide an independent review of the (Draft) Jersey Island Plan. After the EiP they will write a report to the Minister for Planning and Environment recommending, with reasons, which aspects of the Draft Plan should be retained and whether, and if so what, changes should be made. They will take into account all written submissions including the Minister's own proposed changes in response to consultations, published in a schedule dated 20 June (EiP library core document IP8). Participants should also look at the Minister's response to the Strategic Environmental Assessment dated 13 August which recommends changes to a number of policies throughout the Plan.*

*They have also selected key topics for debate. Participants for the debates have been selected to represent a range of views. The Inspectors are looking to them not simply to re-state their views (which they will have read) but to challenge or support the views of others. It will be helpful if there is a lively and constructive debate. The sessions will be held in an informal atmosphere, with no cross-examination. The Inspectors are conscious that some participants from organisations, or members of the public, may not have experience of these events; they are a relatively new phenomenon in Jersey. Those participants can be assured that they will not be put under pressure, but that the Inspectors are very keen to hear their views in order to get a rounded picture of the issues*

*However the Inspectors are also looking where possible for specific proposals as to recommendations they should make; in particular they would welcome debate on specific suggested changes to the policies in the draft plan. Some participants have already couched their representations in this way but others have not.*

*Generally the timetable for the EiP is tight. Participants should therefore seek to keep their comments succinct and not to repeat views already expressed (though they may wish to express support for the views of another participant).*

*Participants should if possible have read the representations from other participants in the session, and also the relevant written representations from other parties.*

*The Minister will be represented at all sessions by officers from his department who will normally be invited by the Inspectors to respond to the points raised. Other Ministers and officials will be participating in topics of particular interest to them (housing for example); however the Inspectors want to hear a wide range of views also from organisations and individual members of the public.*

## Specific comments for Day 5/6 participants

The Inspectors issued a list of questions on 29 July. They will work through them in the way described below. They expect that sessions 1 and 2 will take place on the morning of 27<sup>th</sup> (with relatively few comments having been received relating to session 2); that session 3 will take place on the afternoon of 27<sup>th</sup> with a possible spill-over into the next day. And that session 4 on housing in rural areas etc will take place on the morning of 28<sup>th</sup> either starting at 10.00 am or a little later if time is taken to conclude the session 3 debate. They have indicated that if necessary the afternoon of Thursday 30<sup>th</sup> Sept could be available for any necessary continuation of the session 3 debate though they do not think this should be necessary. Participants should be particularly careful in these sessions not to repeat what is in their statements, but to use the opportunity to comment on the statements of others and to move the debate forward. The following commentary may help to focus the debate.

As stated in the 29 July list: *Participants should note that a substantial part of the EiP in week 3 has been allocated for the discussion of individual sites. During the topic debate on housing therefore it is not appropriate to discuss the qualities of particular sites, and whether they should or should not be allocated for development.*

Participants should address the questions set out below, which pick out the main issues (though there may be other points which participants wish to address). Participants should also note that some of the issues raised in evidence go beyond the scope of the Island Plan and bear upon, for example, housing management. Though this may sometimes be relevant, participants should concentrate on the matters which the plan can reasonably address, and on changes they may want to see to the policies or supporting text.

It is anticipated that the bulk of the time in the morning session will be spent on questions 1-3, which deal with housing need/demand and supply. During this debate the Inspectors would like as far as possible to leave aside the question of affordable housing Policy H3 (which is to be dealt with in the afternoon session). They wish to examine the assumptions which have been made about need/demand as a whole and the provision (supply) which has been made to meet that need/demand.

As the Draft Plan says (6.7) estimating demand is not straightforward and is based on a series of estimations and assumptions. One fixed point is the assumption of an inward migration of 150 households per annum (6.19), forming the basis of analysis in “Future Requirements for Homes 2005-35 (2007) and its subsequent addendum 2 based on new population projections (2009) (EIP Library Refs CD/BT6 and BT6b). Many of the other assumptions have been challenged, some arguing that the provision proposed in table 6.1 is too high and others that it is too low. There is criticism of the relevance and accuracy of the 2007 Housing Needs survey (CD/BT5), though different conclusions are drawn from its alleged deficiencies; similarly different conclusions are drawn regarding the effects of the recession though the States position seems to be that since the Plan is for

the longer term this is not a decisive issue. Housing Department feel that the Category A figure should be raised. Participants are asked to indicate how they feel the Plan should be altered to take into account their various reservations about the adequacy and accuracy of the statistical base and assumptions regarding need/demand.

On the supply side, a range of points have been made. Perhaps the debate can be divided into two parts. Firstly there are questions about the assumptions regarding the number of houses which can be provided in St Helier, the likely number to come from the Waterfront development (which, participants should note, will have been debated on Day 3 of the EiP) and, particularly, the assumptions regarding windfall development. There are also reservations about the density assumptions, and questions about the assumption of a loss of 300 dwellings. Some argue, in various ways that more land needs to be identified, especially for market housing: is this so, and if it is, how much additional land might be required? Others argue that provision is more than adequate. The second issue concerns Policy H1, and in particular the proposal by the Minister to remove 3 sites from it. Without considering the detail of the sites themselves, is this a reasonable step? Given the proposed additions elsewhere (now set out in the States document entitled “Draft Housing Policies – Update Note” Sept 2010, EIP Library Ref BT/20), is it still possible to meet the need for Category A housing identified in the Plan? In either event, is there a need for more flexibility in the use of Category A sites and if so, in what way? (Housing Department for example suggest a greater amount of social rented housing, and this is supported in the joint housing/planning statement). And is the possible use of compulsory purchase powers mentioned in Policy H1 necessary or reasonable?

Question 4 may overlap with points made in the debate on questions 1-3, especially in relation to Category A sites. Are there any further changes which participants would like to see, and which are matters the Island Plan can reasonably address?

In respect of Question 5, few additional points have been made about the level of detail in the briefs in Appendix B and, while participants may wish to comment, the Inspectors believe that they can be dealt with on the basis of the written representations. Comments on individual sites are, again, not appropriate at this stage. On the wider question of distribution, and bearing in mind the debate which will have taken place on Day 1 of the EiP about policies SP 1-3 in particular, are there any further points participants wish to make about the distribution of housing proposed in the Plan?

## **Session 2**

The Inspectors anticipate a relatively brief discussion about the question of housing mix. There is a great deal of information on the topic in the background material, especially the 2007 survey. Two points arise in particular. The first is whether it is appropriate to have such a policy at all – there have been calls for its removal. The second is whether the policies in the Plan, assuming they remain, are likely to cause any particular problem in terms of housing mix. For example does the emphasis on sites in St Helier and windfall sites the built-up areas militate against the provision of needed family housing?

### Session 3

Clearly this draft policy has excited a great deal of controversy. But the issues are relatively simple ones (even if the answers are complex). Is there a problem of affordability? If so are the proposals in Policy H3 (with the proposed modifications) a sensible and practical way of dealing with the issue? If not are there other ways of tackling it.

On the first of these points, it seems to the Inspectors that there is indeed a significant problem of affordability. This is based on comments in the Whitehead report (eg p14/15); the MacDonald report (section 4.3), and various representations including, for example, that from Ms Firkins, that from Mr Stein (eg on Samares Nursery page 4), and others. Does any party dispute that affordability is a serious problem (even, as the Draft Plan at 6.90 describes it, a “crisis”)?

But it is also clear that the information base could be more robust and will need continuous review. This is accepted by the States, and mentioned by MacDonald and others; and it is heavily criticised in some of the representations. Is it reasonable to proceed on the basis of the information available and the assumptions made by the States?

On the second question, Draft Policy H3 was heavily criticised by many respondents (though there was also some support for it). In response the Minister has proposed revised thresholds and percentages (set out in CD/SP9). There have been other proposals in this regard – for example the Chamber suggested a figure of 10%, and Mr Waddington suggested a variable scale depending on site size and whether they are in urban or rural locations (appendix 8 of his representation); the problems relating to smaller urban sites have been the cause of most concern.

The States have recently issued Supplementary Planning Guidance (CD/SP9), including the methodology for viability assessment – this clearly being the key issue in relation to the workability of the policy, and the unintended consequences which respondents argued it would have in bringing development to a “complete stop”. The Inspectors invited brief reactions to this SPG before the EiP.

In the light of all this, is the general approach in Policy H3, as modified, now acceptable? The States indicate that this approach is intended to deal with issues of affordability in the second part of the plan period. Are any measures regarding timing necessary in order to deal with the uncertainty which some respondents identify in the present housing market caused by this draft policy?

On the third question – if it is accepted that there is a large problem (even if difficult to quantify) but argued that Policy H3 is unworkable – are there any other methods of tackling the issue? Some at least hint that the need is to provide for a very much larger number of market houses to be built – is this a view which participants would support and if so, how many additional allocations would be needed? Alternatively there have been various suggestions for some form of taxation – eg from WEB and from Mr Sarre. The

AJA have a suggestion (para 10.9) and Pioneer refer to the need for landowners to retain 80% of any uplift in land values (1.12b of 31 August statement). Would one of these mechanisms be practical, workable, and likely to command public and political support?

#### **Session 4**

Policy H5 on housing in rural centres, has led to some controversy. The JFU and RJAHS for example have reservations about it, fearing its effect on agricultural land; the National Trust also express caution, but it appears from the evidence (eg of Connetable Yates) that there is a lot of support for it from the Parishes. Mr Stein, au contraire, argues that it does not go far enough, and more land needs to be identified for development in the rural areas. In the light of these contrasting views, what conclusion should the Inspectors reach as to the value and effectiveness of the Policy? Is it right that any development should be limited to Category A housing?

The second question is a limited one, though it has excited comment. If village plans are to be produced as set out in Proposal 14 on page 161 of the Draft Plan (with the proposed addition of a footnote regarding the Minister's powers), is their approval and adoption by the Minister acceptable or should they be the subject of agreement by the States?

The third question concerns Policy H9, dealing with staff and agricultural workers' accommodation. Little extra evidence has been received on this topic, but there were differing views in the original representations – for example from the JFU and the National Trust. How should the Inspectors deal with these points?