

6 Housing

6 Housing

H: Introduction

6.1 The home is central to life, providing the fundamental human need of shelter, in addition to meeting human desires for comfort, security, privacy, independence and personal identity. It is a fundamental role of the planning system and the Island Plan to provide an adequate supply of land to meet the housing requirements of the community over the Plan period.

6.2 Housing, and in particular the location of new housing development, is perhaps the most highly contentious subject area to be tackled in any new Island Plan. Residential development also represents a valuable tool and a significant opportunity to regenerate the physical and social fabric of Island communities and can play a positive role in improving the urban environment.

Policy context

6.3 The States [Strategic Plan 2009-2014](#) establishes a clear objective that all Island residents be adequately housed, but also identifies some of the challenges that need to be tackled in so doing;

- older people need to be housed in accommodation which support the principles of 'lifetime homes' and which can adapt over time to allow independence to be maintained;
- changing demographics and migration may put pressure on certain types of accommodation;
- if we want to meet the aspirations of Islanders to own their own homes, then homes must be made more affordable;
- the affordable housing should be targeted at only those who need the support.

6.4 To meet these particular challenges, the new Island Plan is specifically tasked by the Strategic Plan to:

- identify sufficient appropriate development sites for housing - without further rezoning of green areas - ensuring that the unit mix and tenure types meet prevailing demand;
- support the development of affordable housing.

6.5 In accord with strategic land-use planning policies Policy SP 1 'Spatial strategy'; Policy SP 2 'Efficient use of resources'; Policy SP 3 'Sequential approach to development'; Policy SP 4 'Protecting the natural and historic environment' and Policy SP 6 'Reducing dependence on the car', the Plan also needs to ensure that homes are provided in the right location to help achieve a more sustainable form and pattern of development in Jersey. It is also envisaged that the provision of new homes during the Plan period will provide the mechanism to lead urban regeneration, particularly in St Helier. For this to be achieved, new housing must

be of high quality and must be complemented by investment in the public realm and local infrastructure - either through planning gain or public intervention - to revive and create an attractive and desirable urban living environment.

6.6 The provision of housing in Jersey is linked to residential qualifications. Those without residential qualifications are able to live in lodgings, staff accommodation or registered lodging houses but cannot lease or purchase accommodation. Residential qualifications can currently be gained following ten years continuous residence or by application to the Minister for Housing⁽¹⁾. In accord with the Strategic Plan objective of providing adequate housing for all Island residents, the Plan seeks to address qualified and unqualified housing requirements.

H: Objectives and indicators

Objective H 1

Housing objectives

1. To ensure the provision of land and development opportunities to meet the Island's housing needs over the Plan period;
2. To lead the regeneration of the Island's urban areas, particularly St Helier, through new residential development;
3. To sustain the viability of rural parish communities, where there is a justifiable need to do so, through the provision of land and development opportunities for new residential development.

Indicators H 1

Housing indicators

1. Number of homes built relative to estimated demand by category, tenure, type, size and affordability;
2. Number of homes built in St Helier and the remainder of the Built-up Area relative to estimated yields;
3. Amount of new residential development in rural parish communities considered necessary to support viability and vitality.

H: Policies and proposals

Planning for homes

6.7 Planning for homes in Jersey requires an understanding of the requirements for homes and how homes will be supplied over the next ten years. The Island Plan needs to address the anticipated overall demand for new homes during the Plan period, as well as ensuring that needs and demands for different categories of housing, housing tenures, and housing types are met. This is not straightforward and is based on a series of estimations and assumptions. Providing adequate homes to meet all aspirations is a significant challenge but is one we must strive to continually meet if our population is to be adequately housed in the medium to long-term.

6.8 Over the period of the Plan, it is anticipated that the majority of new homes will continue to be provided by the private sector. This will be through conversions, redevelopment and infill development within the Built-up Area, the development of the St Helier Waterfront and the provision of new homes on brownfield land, in accord with Policy SP 1 'Spatial strategy'. Housing trusts and the parishes may also provide some housing over the Plan period and States-owned land will have a role in meeting the need for affordable homes.

6.9 The following sections set out the categories of housing on which the supply estimates and policies are based, summarises the housing requirements over the Plan period and the manner in which they have been derived, and then addresses the anticipated supply of homes from existing sources. The Plan considers housing requirements, both in terms of need and demand, and sets out how these requirements will be met, having regard to the existing supply of homes.

Demand for homes

Categories of housing

6.10 Housing in Jersey is an expensive commodity. The Strategic Plan seeks to ensure that homes in the Island are made more affordable and that affordable housing should be targeted at only those who need the support, whilst also seeking to ensure that the demand for other types of housing is met. The Island Plan distinguishes between the different types of 'need' and 'demand' housing which are termed 'Category A' and 'Category B' housing respectively.

6.11 The categories of homes used in the estimates of supply and matched to requirements in the Island Plan are:

- **Category A - need housing**
- States, Parish and Housing Trust rental housing (which can include sheltered housing)

- lifelong homes (for people over 55) on sites specifically zoned for this purpose;
- homes for first-time buyers
- a form of intermediate housing, be that “Jersey Homebuy”⁽²⁾ or another/alternative form of shared equity housing, which is a form of shared equity housing sold at a discounted price and allocated through the Affordable Housing Gateway based on a financial means test.

Category B - other housing

- private sector housing (owner-occupation, private rental and private lodgings);
- staff accommodation and registered lodging houses and
- accommodation for people with special requirements (sheltered housing, nursing and residential care).

6.12 The provision of Category A housing is predominantly to enable 'affordable' housing to be provided and to be accessible to those who need support. While social-rented and first-time buyer homes will be the main mechanism for the Island Plan to provide for affordable housing needs, other housing can provide a proportion of homes that are affordable to first-time buyers.

6.13 Research into the cost of homes provided in a range of developments has indicated that some homes provided by the private sector may be affordable. Moreover, provision of other demand housing has the function of releasing homes elsewhere in the housing market, thus ensuring movement and affecting the requirements for new provision of 'affordable' homes.

6.14 There is also a need for housing which addresses the need of those with incomes too great to be eligible for social-rented housing, but who are unable to afford to buy the cheapest first-time buyer home even with the assistance of a loan. In order to meet this need a housing scheme (a form of intermediate housing, be that “Jersey Homebuy” or another/alternative form of shared equity housing) has been introduced to enable first-time buyers who fall within this range to buy first-time buyer properties without paying the full first-time buyer price. The scheme includes arrangements for the repayment of the balance of the purchase price to a not-for-profit housing body over time.

Housing requirements

6.15 Requirements over the Plan period will arise from:

- existing households moving home within Jersey;
- new households forming who are currently sharing homes with other households,

2 The Jersey Homebuy scheme is the subject of review. Whatever the form of intermediate housing ultimately adopted following that review it must be soundly based, robust and have clear operating guidelines, which will be approved by the States.

- new households forming through demographic changes; and
- the net effect of people moving into or leaving Jersey.

6.16 Within each of these categories there will be those who cannot gain access to homes in the open market and thus need 'affordable' homes. There will also be special requirements for housing, such as for those with disabilities and sheltered housing for elderly people.

6.17 Planning to meet the number and type of homes required by anticipated changes in the Island's population and by the latent demand for homes within the population has, of necessity, to involve assumptions and estimations about change in a range of factors over the Plan period. The two key factors which have most influence over the requirements for homes over the Plan period are:

- the size and make-up of the Island's population,
- people's housing aspirations (and their ability to realise them).

Population

6.18 The size of the Island's population will crudely influence the number of homes that will need to be provided during the Plan period. Against a demographic background of falling birth rates and falling death rates - an ageing population - the challenge for Jersey is to maintain a working age population that allows the economy to function and for services to be sustained, without threatening the Island's environment, infrastructure and quality of life. The States has responded to this by providing a population policy with a clear maximum target for inward migration - the net movement of people into the Island - along with a robust method of managing long-term population levels.

6.19 In the short-term, the [States Strategic Plan 2009-2014](#) has established a maximum inward migration at a rolling five year average of no more than 150 heads of household per annum (which equates to an overall increase of approximately 325 people each year), to be reviewed every three years. ⁽³⁾

6.20 On the basis of this maximum target for the Island's population, and using Jersey-relevant data for fertility and mortality, the States of Jersey Statistics Unit has developed a [Jersey Population Model](#) which has been used to generate annual estimates of the Island's resident population at every year end for the period 2005-2065.

6.21 For the purposes of estimating demand for homes, the key statistic is not the number of individuals that make up the Island's population, but the number of households - defined as the number of people living together to form a household unit. The average size of a household has been falling in Jersey, as elsewhere, over time, which means that even a stable or declining population can experience household growth generating a demand for more housing units. The factors which,

3 [States Strategic Plan 2009-2014](#), Priority 5: limit population growth (pp16)

it is believed, have contributed to this phenomenon include a decline in the rate of marriage and an increase in levels of divorce, separation and co-habitation, improved living standards and higher housing aspirations, (which have manifested in an increase in people who can afford to set up their own home rather than remain with family or share with friends), and an increase in life expectancy. It is expected that people will continue to live longer and that more people will live on their own.

6.22 On the basis of these factors on population change, and allowing for a modest decline in the rate of falling household size, estimates of the increasing number of households can be made and related to population projections. Assumptions have been based on the premise that each additional household represents an increase in demand for one home.

6.23 A combination of population modelling and average household size modelling, has been used to estimate housing requirements for Jersey from 2005-2035. ⁽⁴⁾This base data has been used, by the States of Jersey Statistics Unit, to generate estimations of housing requirements for the Plan period of 1,500 homes for each of two five-year tranches, 2011 - 2015; 2016 - 2020, giving a total requirement, generated by population change of 3,000 homes during the Plan period.

6.24 Table 6.1 shows the sources of this increase in the number of households, broken down into two 5-year periods.

	Period 1 2011-2015	Period 2 2016-2020	Total change over 10 years
Reduced household size ⁽⁵⁾	800	800	1600
Net inward migration	750	750	1500
Households to comunals	-50	-50	-100
Total	1500	1500	3000

Table 6.1 Housing requirements estimated from population modelling

4 Future Requirement for Homes 2005-2035 (November 2007), Future Requirement for Homes 2005-2035: addendum 2 (March 2009) and [Interim Review Residential Land Availability](#) (February 2010);

5 The component of the increase shown as "reduced household size" in Table 6.1 primarily arises from the disaggregation of existing households, i.e. it constitutes a concealed or "latent" component of future demand.

Housing aspirations

6.25 In addition to the 'bare' statistical analysis and assumptions about population change and changes in household size, there is a need to consider other factors, such as people's housing aspirations and their ability to realise them, when considering housing requirements.

6.26 The [2007 Housing Needs Survey](#)⁽⁶⁾ is the latest in a series of surveys aimed at establishing potential housing requirements, based upon people's expressed aspirations. Whilst the impact of new economic circumstances in 2009 are acknowledged, it is considered that the findings of the 2007 Housing Needs Survey are still robust: it is not demand levels that will have changed significantly from 2007 but rather the ability to afford those aspirations in 2009 and beyond as a result of the changed economic circumstances.⁽⁷⁾

Affordability

6.27 Using the base information from the 2007 Housing Needs Survey and subsequent 2009 JASS, the Statistics Unit has identified a maximum of 1,000 additional households over the Plan period that need to be added to the housing demand derived from population modelling to account for other housing demand generated by people's realistic housing aspirations. In particular, 1,150 concealed households expressed a desire to be First-Time Buyers (FTBs). Approximately 90% of such potential FTB households, corresponding to a total of some 1,000, expressed a desire to purchase property at less than £350,000.

Impact of economic climate

6.28 The overall demand for dwelling units, driven by reduced average household size coupled to moderate levels of net inward migration, is expected to be relatively insensitive to the concurrent economic climate. This premise is reinforced by the results of the three rounds of the Housing Needs Survey (run in 2000, 2005 and 2007 at substantially different points in the Island's economic cycle), the higher level observed in the 2000 round being primarily due to an evident shortage of units, subsequently addressed by the 2002 Island Plan.

6.29 The tenure mix of demand, however, is likely to be more susceptible to the economic climate, particularly the first-time buyer (shared equity) and latent components. Hence, ongoing robust monitoring of demand within the various tenure categories, together with major periodic updates through housing needs surveys, will be crucial as the Island progresses through future economic cycles.

6 Jersey's Housing Assessment 2008-2012 (April 2008) Statistics Unit

7 This data will be updated through the 2011 [Jersey Annual Social Survey \(JASS\)](#), a new Housing Needs Survey to be undertaken in 2012 and information derived from the Housing Gateway, managed by the Housing Department.

6.30 Since 2007 the Jersey economy has been through a significant economic downturn as a result of the global recession. In terms of factors that impact on housing demand in the Island these have manifested as higher unemployment, a reduction in finance employment, reduced job security, weak earnings growth, reduced availability of credit and lower inward migration. All these factors would normally combine to lead to a general weakening in the housing market and also in particular in the demand from local residents for owner-occupation (the flipside being that demand for rented and social-rented housing would rise).

6.31 The magnitude of the overall potential affordable housing shortfall estimated by the 2007 Housing Needs Survey was confirmed by the Jersey Annual Social Survey (JASS) in 2009. The detailed results of the 2009 JASS survey, however, indicated that there had been a shift in the tenure profile of demand since 2007, away from owner occupied to rental; in 2007 rental accommodation accounted for 43% of total demand; by 2009 this proportion had increased to 48%.

6.32 This change corresponds to a potential shift in demand for affordable housing of about 500 households from owner-occupied to rental accommodation, meaning that, based upon current requirements, it is estimated that approximately 500 households are seeking rental and 500 seeking owner occupied affordable accommodation.

6.33 The total demand for housing over the plan period is presented in Table 6.2 'Total demand for housing over the period 2011-2020'. This shows a requirement for 4,000 homes over the 10 year period 2011 to 2020 (an average requirement of 400 dwellings per year), of which 1,000 is for affordable housing (an average requirement of 100 dwellings per year).

Demand Element	Dwellings Required	
	2011-2015	2016-2020
Estimated additional dwelling requirements from population modelling based upon net immigration of +150 heads of household per year	1500	1500
Affordable Housing Requirement based upon 2007 Housing Needs Survey and Jersey Annual Social Survey (JASS) in 2009 (additional latent demand not discounted by population modelling)	500	500
Total	2000	2000

Table 6.2 Total demand for housing over the period 2011-2020

Future updates

6.34 In 2012 two comprehensive new sources of information will become available which will enable further refinement and updating of the estimate of overall demand and its distribution by dwelling size and tenure.

- 2011 Census: it is anticipated that the data necessary for population modelling will be available in the first half of 2012;
- 2012 Housing Needs Survey: the Statistics Unit has provisionally scheduled a further round of this survey to run in 2012, aiming for results by year-end.

6.35 The development of the Housing Gateway by the Housing Department will monitor and assess applicants for social and affordable housing requirements and will also be crucial to understanding the latest housing needs.

6.36 All these information sources will be used in the monitoring and potential updating of the key housing policies so that this Plan remains flexible and responsive to demand and supply changes over the Plan period. Moreover, the tenure proportions that are to be delivered, whether it is to be social-rent, a form of intermediate housing, be that “Jersey Homebuy” or another/alternative form of shared equity housing, first-time buyer or lifelong homes (for people over 55), shall be determined by the Minister, based on this latest housing information base. ⁽⁸⁾

Supply of homes

6.37 In terms of the supply of homes, the current housing stock comprises an estimated 38,000 dwellings ⁽⁹⁾, the majority of which are owner occupied. The States is a major provider and manager of housing, owning some 4,490 dwellings for rental ⁽¹⁰⁾.

6.38 Over the nine years of the 2002 Island Plan, an average of 525 dwellings have been added to the housing stock each year, varying from 865 in 2002 to only 225 in 2008. Of the total new dwellings, 17% have been purpose-built first-time buyer homes, 17% social rented housing and 66%, private sector housing. Currently, there are outstanding planning permissions for 1243 dwellings (including 180 first-time buyer/social rent homes) and 900 dwellings (including 115 first-time buyer/social rent homes) are under construction ⁽¹¹⁾.

6.39 Over the period of the new Island Plan, it is anticipated that homes will continue to be supplied by the States, parishes, housing trusts and the private sector. This will be primarily through conversions, redevelopment and infill

8 The Minister for Planning and Environment will review these parameters on an annual basis and, where there is the need for change, will issue supplementary planning guidance to revise the threshold size of developments to which the policy will apply.

9 estimate prepared by Statistics Unit on basis of 2001 Census @ 32,704 dwellings

10 States of Jersey Housing Department stock as at July 2009

11 Planning and Building Services, Department of the Environment (March 2011)

development within the Built-up Area boundary, the development of St. Helier Waterfront and the development of brownfield land, in accord with Policy SP 1 'Spatial strategy'.

6.40 It is anticipated that the supply of required new homes in the 'qualified sector' over the next ten years will come from a range of sources, including:

- **Island Plan 2002 Category A sites (125 homes)**

6.41 Only one site⁽¹²⁾, from the 11 Category A housing sites designated under Policy H2 of the 2002 Island Plan, does not presently have planning permission. The remainder of these sites are now either developed or under construction and the total number of dwellings remaining to be realised from this source of supply is 200 homes. Those sites that remain to be developed are to continue to be zoned for the purposes of Category A housing (see Policy H 2 'Other Category A housing sites')

6.42 The 2002 Island Plan also identified sites to be safeguarded for future Category A housing under policies [H3 and H4](#)⁽¹³⁾ of the Plan. Some of these sites had not been the subject of detailed analysis at the time of their adoption by the States as they were added to the Plan as a result of amendments during the States debate on the 2002 Island Plan. Subsequent detailed analysis has shown that many of these sites are unsuitable for housing development and they are not, therefore, being taken forward as part of the new Island Plan and are not included in potential future supply figures.

- **Island Plan 2002 amendment: Lifelong and first-time buyer homes (350 homes)**

6.43 In July 2008 the States approved an amendment to the 2002 Island Plan⁽¹⁴⁾ to enable the provision of land for housing on eight new sites, involving an area of land of approximately 58.5 vergées.

6.44 Six of the sites approved will be developed for lifelong homes (for people over-55 for social-rent and purchase on the open market) and the remaining two sites will also provide homes for first-time buyers. The provision of new homes on these sites will be subject to the same proportional split of tenure as those sites already zoned for the provision of Category A homes in the 2002 Island Plan (under Island Plan 2002 Policy H2) i.e. that at least 45%

12 [Island Plan 2002 Policy H2](#) (10) Field 873, Bel Royal St Lawrence

13 Island Plan 2002 Policy H3: Sites for further consideration for Category A housing, and Policy H4: Sites safeguarded for future Category A housing needs

14 [P75/2008](#) Island Plan (2002) Amendment: provision of land for lifelong dwellings (for people over 55) and first-time buyers, 16 July 2008

should be for social-rented housing or a form of intermediate housing, be that “Jersey Homebuy” or another/alternative form of shared equity housing housing⁽¹⁵⁾ and up to 55% for sale to first-time buyers.

6.45 Desktop estimates of potential housing yield from these eight sites indicate that they have the potential to provide at least 337 homes, together with associated community and other facilities in some cases. One proposed site - Fields 516, 516A and 518 in St. Saviour - has the potential to provide half of this potential yield. In 2010, the States also endorsed the development of Field 633 in St Peter to provide 14 homes for the elderly. A rounded supply figure of 350 is used for the purposes of estimating the expected delivery of homes during the Plan period.

- **Town of St Helier (1,500 homes)**

6.46 St. Helier has traditionally been the principal source of supply for new homes accounting for around half of all developments between 2002-2010.

6.47 A study of the capacity of the town⁽¹⁶⁾ demonstrates that it has the maximum potential capacity to deliver between 2,000-3,600 additional housing units. The potential maximum yield of 3,600 homes has been discounted to what are believed to be realistic levels of yield providing a total capacity and potential supply of 1,500 homes⁽¹⁷⁾

6.48 From this supply, approximately 200 category A homes are expected to be developed through Policy H 3 'Affordable housing' over the period of the plan.

6.49 This supply is dependent upon opportunities emerging through the release of sites driven by private sector development proposals.

- **St Helier Waterfront (1,000 homes)**

6.50 At the St Helier Waterfront, the Castle Quays development has approval for nearly 400 (Category B) homes, with scope for a further 200 homes in the second phase which should be completed within the first five years of the

15 The intermediate housing scheme addresses the need of those with incomes too great to be eligible for social-rented housing, but who are unable to afford to buy the cheapest first-time buyer home even with the assistance of a loan. It enables first-time buyers who fall within this range to buy first-time buyer properties without paying the full first-time buyer price. The scheme includes arrangements for the repayment of the balance of the purchase price to a not-for-profit housing body over time. It is allocated through the Affordable Housing Gateway based on a financial means test

16 Town Capacity Study (October 2007) Planning and Building Services, Planning and Environment Department

17 A development yield of 40% of sites has been assumed at an appropriate density relative to each site, providing a total capacity and potential supply of 1,500 homes.

Plan period. In addition, it is expected that the Esplanade Quarter scheme will generate around 400 homes towards the latter end of the Plan period, with the potential to contribute towards the need for affordable homes.

- **Windfall developments (1,700 homes)**

6.51 It is estimated that approximately 1,700 dwellings will come forward on 'windfall sites', which cannot be individually predicted at this stage. This windfall source includes dwellings on sites within the Built-up Areas, in addition to conversions and small developments in the countryside. The projections are based on past trends, discounted to account for a decline in the availability of infill plots within settlement boundaries. Between 1990 and 2010 such developments accounted for an average of 165 homes/annum. A reduced figure of 150 per annum is used to estimate future windfalls because it is considered the opportunities for re-development within the Built up Area will diminish over time.

6.52 From this supply, it is expected that approximately 250 category A homes will be developed through Policy H 3 'Affordable housing' over the period of the plan.

6.53 In addition to these known and established sources of new supplies of housing, the Island Plan seeks to make provision for further residential development, the justification and requirement for which is set out in 'Provision of homes'.

- **Rural Centre housing (100 homes)**

6.54 The spatial strategy in this Plan identifies the potential need to protect and support the viability and vitality of Jersey's smaller rural settlements, predominantly in the northern and central parishes of St Ouen, St Mary, St John, St Lawrence, Trinity and St Martin. To this end, the Plan acknowledges that there may be a justifiable need of some limited, small-scale residential development on greenfield land.

6.55 Policy H 5 'Housing in rural centres' provides the mechanism to achieve such development, which will need to be considered within the context of robust Village Plans (see Proposal 15 'Village Plans'). Where, however, Village Plans contain a specific proposal for the rezoning of land outside the existing defined Built-up Area boundary, any such proposal would require the approval of the States as a draft revision of the Island Plan⁽¹⁸⁾ It is envisaged that provision may be made for up to 100 new homes over the ten year Plan period in these rural centres.

- **States-owned land (up to 150 homes)**

18 Article 4 of the law states that the designation of land for particular development or use should be set out in the Island Plan and Article 3 of the law sets out exacting procedures for public engagement for an Island Plan or a revision of it.

6.56 The plan recognises that States owned sites can make a vital contribution to meeting identified requirements for affordable housing. The control which the States of Jersey has over major sites is a huge advantage. They can be brought forward for development in response to an immediate and pressing need, over the first five years of the Plan period. Clearly, any such land would need to be appropriate in planning terms and accord with the criteria used to assess housing sites.

6.57 Those sites with potential to contribute to this need that are presently part of the States property portfolio, or with the potential for disposal, include:

- Le Coin, Ann Street;
- former Jersey College for Girls site, Rouge Bouillon;
- South Hill States Offices;

6.58 Other suitable sites that may become surplus to requirements include;

- former D'Hautree School site, St Saviour's Hill; and
- Ambulance HQ, Rouge Bouillon.

6.59 All of these sites are located within the defined Built-up Area and, in planning terms, strongly accord with the spatial strategy of the Plan (set out at Policy SP1) and normal housing site selection criteria. The development of these sites for affordable homes (in whole or in part) would also serve as a potential catalyst for the residential regeneration of St Helier (as set out at Objectives BE1 and BE2).

6.60 Other States-owned sites and properties may also emerge during the Plan period: for example, within the Health and Social Services portfolio, the St Saviour's Hospital / Clinique Pinel sites, could be considered should they become surplus to Health and Social Services requirements. There is also the potential for the development of the Esplanade Quarter to contribute to the need for affordable homes (over and above that which would be required under the auspices of Policy H 3 'Affordable housing').

6.61 The supply from this source is estimated at up to 150 homes.

6.62 All supply sources, will be carefully monitored and any shortfall (or surpluses) will be published in the annual monitoring report, which may lead to a change in policy direction in order to maintain supply levels to meet the expected demand.

6.63 It is considered that provision for non-qualified dwellings (lodgings, staff accommodation or registered lodging homes) will be provided by development or redevelopment, predominantly within the Built-up Area (in accord with Policy H 6 'Housing development within the Built-up Area'; Policy H 8 'Registered lodging accommodation'; and Policy H 9 'Staff and key agricultural worker accommodation').

6.64 In addition to sources of housing supply, it is also likely that there will be activities undertaken during the Plan period which lead to a reduction in the housing stock and allowance is made for this, as follows.

- **Housing stock refurbishment (-300)**

6.65 It is estimated that during the Plan period there is likely to be a loss of the total number of housing units associated with the planned re-development and upgrading of old outworn housing estates: these are generally owned and managed by the States of Jersey Housing Department. It is estimated that this will result in a net reduction of 300 homes. In accord with the principles of making best use of scarce resources, the potential to reduce the net loss of affordable homes by redeveloping them at optimum densities will be required in accord with Policy GD 3 'Density of development'

6.66 On the basis of the above, the provision made in the Island Plan for the supply of new homes is set out in the following table.

Supply	Delivery Period				Total
	2011-2015		2016-2020		
	Category A	Category B	Category A	Category B	
2002 Island Plan Category A housing (H2 sites)	125	0	0	0	125
2002 Island Plan amendment: Lifelong and first-time buyer homes	350	0	0	0	350
St Helier Waterfront	0	600	0	400	1000
Town of St Helier	75 ⁽¹⁾	675	125 ⁽¹⁾	625	1500
Windfall	75 ⁽¹⁾	750	175 ⁽¹⁾	700	1700
Rural Centres (Policy H 5 'Housing in rural centres')	25	0	75	0	100
States-owned land	50	0	100	0	150
Less outworn sites	-300	0	0	0	-300
Total	400	2025	475	1725	4625

Table 6.3 Supply of Homes 2011-20

1. From Affordable Homes policy H3

Provision of homes

6.67 The aim of the Island Plan is to make provision for sufficient land and opportunities to meet, as far as possible, the anticipated requirements for homes over the Plan period.

6.68 On the basis of an assessment of estimated demand against anticipated and planned supply, it is considered possible to balance identified requirements for new homes over the Plan period with sufficient supply from existing sources (e.g. existing planning permissions, opportunities for development at the Waterfront and windfall developments in the Built-up Area) and from planned sources of supply,

including new Category A housing sites, within the Island Plan's overarching strategic policy framework and specifically its Spatial Strategy, which seeks to focus development largely on already-developed land.

6.69 There are, therefore, considered to be no grounds to identify other sources of supply to meet housing needs and demands, and it is on this basis that the Island Plan does not propose any significant release of green field land to meet the Island's housing needs.

6.70 The net housing supply over the Plan period is summarised in table Net Housing Supply 2011-20.

Totals	Period		Total
	2011-2015	2016-2020	
Total Estimated Demand	2,000	2,000	4,000
Total Potential Estimated Supply	2,425	2,200	4,625
Net Supply	+425	+200	+625

Table 6.4 Net Housing Supply 2011-20

6.71 Provision has been made for as many as 2,425 homes over the first five years of the Plan period. In overall terms, this would suggest that the strategy of the Plan, relative to housing land availability, is reasonably healthy, with a predicted surplus of 425 units over the first five years of the plan and a predicted surplus of 625 units over the full Plan period.

6.72 There are, however, a number of critical factors which need to be considered relative to the overall level of provision and the anticipated performance of the Plan in delivering new homes to meet the Island's housing needs and demands. It is considered that the level of anticipated provision over and above the level of estimated demand (at 425 units after five years and 625 after ten years) is prudent, reasonable and justifiable given the estimates and assumptions upon which the forecasts are made in addition to the challenges that remain to ensure delivery of the homes required, some of which are set out below.

Release of land and density of development

6.73 It needs to be acknowledged that the Island Plan's Spatial Strategy, which seeks to concentrate new development over the Plan period in the Island's Built-up Area, and particularly St Helier, is dependent upon the release of land and the realisation of development opportunities in the Island's urban areas. A number of assumptions, based on evidence and trends, have been made about the potential for land to be developed for housing, but the Plan can only encourage the release

of these sites through a policy framework which supports their use for the provision of new homes: the Plan cannot require sites to be released and the current economic circumstances may militate against the release of land for development.

6.74 It also relies upon the need to ensure that land is developed at more efficient and higher densities of development than have previously been achieved, in accord with Policy SP 2 'Efficient use of resources' and Policy GD 3 'Density of development'. Whilst the principle of providing a higher density of development is easily accepted, the reality of delivering higher-densities of development 'on the ground' can be more challenging, where there is a need to ensure that new development respects the existing character of the area. Perhaps more significantly, local residents and neighbours are often resistant to higher density development on the basis that this will lead to a greater quantum of development, with associated perceptions of a more significant impact of new development on local and private amenity; more and bigger buildings; and increased traffic generation, to the fore of issues raised against the approval of more efficient development schemes.

6.75 Whilst these are all issues that can be addressed through planning and design, the reality of realising higher densities of development needs to be acknowledged relative to estimations of housing yield.

6.76 Notwithstanding, the average build rates required to meet the demand for housing over the Plan period is 400 dwellings per annum which compares favourably with the average rate of residential development delivered over the period of the 2002 Island Plan (2002-2010) of 525 dwellings per annum.

Need for family homes

6.77 The Island Plan needs to address the anticipated overall demand for new homes during the Plan period, as well as ensuring that needs and demands for different categories of housing, housing tenures, and housing types are met. In this respect, it is relevant to note that a key finding of the 2007 Housing Needs Survey⁽¹⁹⁾ revealed notable potential shortfalls in the availability and provision of larger (2-, 3- and 4-bedroom owner-occupier) 'family' homes. The survey also identified the drivers for this need⁽²⁰⁾, some of which come from first-time buyers, which would need to be met through the provision of Category A homes for families.

6.78 It is important that the Island Plan can respond to the need for different types of homes and the Plan seeks to do this through policy requiring the provision of different housing types (Policy H 4 'Housing mix') as well as seeking to zone land specifically for the purposes of meeting the need for Category A dwellings, which would contribute towards this requirement. This also acknowledges that the delivery of family houses and larger flats in the Built-up Area has proved more difficult to

19 Jersey's Housing Assessment 2008-2012 (April 2008) Statistics Unit, pp. 2, 13-14 (Table 7)

20 *Op cit*, pp. 2

achieve and the zoning of land for the development of new homes on brownfield sites on the edge of the Built-up Area provides a realisable opportunity to meet some of the need for houses specifically designed for family accommodation.

Delivery of affordable homes

6.79 The States [Strategic Plan 2009-2014](#) sets out a clear objective of supporting the development of affordable housing and ensuring that affordable housing is targeted at those who need support. The States of Jersey has used various models over time to attempt to deliver housing which meets the needs of those in the community least able to gain access to it: from 2002-2010 specific provision was made through the rezoning of greenfield land to meet this objective and has delivered 1,365 Category A homes for social rent and first-time buyers.

6.80 The Strategic Plan 2009-2014 tasks the Island Plan with delivering sufficient land and development opportunities to meet housing demand without the further rezoning of greenfield land and so the new Island Plan is reliant on new ways to meet this objective.

6.81 To achieve this, it is still considered necessary to rezone some land for Category A housing to contribute towards the overall need for affordable Category A homes, as set out above, and the land identified for this purpose is identified in Policy H 1 'Category A housing sites'. States-owned land can also be used to help meet the need for affordable homes. This will only contribute towards part of the overall demand for affordable housing and the Island Plan, therefore, proposes the introduction of a new method of delivering Category A homes, as set out in Policy H 3 'Affordable housing', which requires a proportion of residential development above a certain threshold to be affordable accommodation. Whilst this policy mechanism has been adopted and used in the UK to meet and deliver affordable housing, it is a new approach for Jersey and will inevitably take some time to 'bed down' and to deliver the desired outcomes in terms of meeting the need for affordable housing.

6.82 On the basis of these considerations, the Minister for Planning and Environment considers it prudent to ensure that the level of anticipated housing supply is sufficient, even to the extent where a surplus of supply might be secured in the first half of the Plan period, in order to make provision for the potential slower or lesser yield of residential development than that anticipated.

Proposal 20

Provision of homes

The Minister for Planning and Environment will make provision for sufficient land and opportunities to meet the requirements for homes over the Plan period.

The Plan makes provision for 2,425 homes to be built over the first five years of the Plan period, comprising:

- 425 Category A homes;
- 2,025 Category B homes.

States-owned sites have been identified as having the potential to contribute - at least 150 homes - towards the requirement for Category A homes and family homes over the early part of the Plan period (Policy H 1 'Category A housing sites').

The Minister also proposes to make other provision for the supply of Category A homes: throughout the Plan period the Minister proposes to realise the provision of homes by encouraging the residential regeneration of the Built-up Area, particularly in St Helier, including the release and development of suitable States-owned land, in whole or in part, for affordable housing and by requiring the provision of affordable Category A homes as a proportion of new residential development, in accord with Policy H 3 'Affordable housing'.

The proportion of housing types and tenures for both Category A and Category B housing sites will be guided by the latest published evidence within supplementary planning guidance, in accordance with Policy H 4 'Housing mix'.

Longer term perspective

6.83 The requirements beyond the current Plan period (2009-2018), as identified in the [Imagine Jersey 2035](#) reports, indicate that additional dwellings will be required up to 2035. This will need to be carefully monitored in order to properly plan for the longer-term should the current sources of supply be insufficient, which might involve the further release of greenfield land or relocating St Helier's commercial port which would create further urban development opportunities.

6.84 It is also critically important to recognise that the underlying basis for medium and long term housing forecasts, and hence the role of the planning system in housing delivery over these time-scales, will not have been radically changed by the current economic circumstances as a result of the 'credit crunch'. It is considered that a fall in short-term housing demand does not justify a consequent reduction in the forward land supply for housing - delivered through zoning of land and windfall opportunities. The supply of land to meet underlying need suggests that the medium to long-term targets should not change.

Monitoring

6.85 It is vital that annual monitoring of the housing situation is developed and undertaken to assess the performance of the Plan relative to estimates, assumptions and stated objectives in order that the Plan might be able to respond flexibly in response to changing circumstances and new evidence, particularly with regard to the provision of housing.

6.86 The Minister for Planning and Environment will prepare and publish an Island Plan Annual Monitoring Report which will, amongst other things, assess whether the targets for housing completions from all sources are being met. Each Annual Monitoring Report will include an update of housing performance, setting out the number of homes actually completed and providing an estimate of the rate at which anticipated housing completions will come forward in the future.

6.87 The Annual Monitoring Report will inform future reviews of planning policy or strategy related to the demand for and supply of housing, based on the need to maintain a five-year supply of housing land.

Meeting housing needs

Category A housing

6.88 The States Strategic Plan sets out a clear objective of supporting the development of affordable housing and ensuring that affordable housing is targeted at those who need support without the further rezoning of green-field land.

6.89 To secure the delivery of this need housing, the Island Plan employs two key mechanisms: one, involving the specific designation of land for Category A housing purposes; another, requiring a proportion of all new residential development, above a certain threshold, to provide affordable accommodation. The detail of each of these policies is set out below:

Category A housing sites

6.90 The requirement to specifically zone land for Category A homes is addressed, within the context of overall housing land supply, in the preceding section 'Provision of homes'. It is essential for helping to ensure the provision of Category A homes to meet identified requirements in the first half of the Plan period and for meeting the specific needs for family homes.

6.91 The assessment of sites for this purpose has included all of those sites that have been submitted to the Department of the Environment, as potential development sites, during the course of Plan preparation. It has also included a review of all of those sites that have yet to be developed, identified and/or safeguarded in the 2002 Island Plan as having the potential to provide land for new

homes (i.e. the remaining H3 and H4 sites). These have all been systematically evaluated to determine those that could help appropriately meet the Island's identified housing need.

6.92 The identification of sites which could help meet this requirement has been carried out in accordance within the strategic policies of the Plan, particularly Policy SP 1 'Spatial strategy' and Policy SP 2 'Efficient use of resources', which support the delivery of a more sustainable pattern of development in Jersey. It has also involved an assessment of other factors, such as site constraints, site context and character, and existing land uses, to inform a planning assessment of each site.

6.93 The use of States-owned land to help meet the need for affordable homes is identified as a clear policy objective of the States of Jersey Development Company⁽²¹⁾. Five States-owned sites, within the Built-up Area, have been identified as having the potential to contribute - at least 150 homes - towards the clear and immediate need for affordable homes in the early part of the Plan period: other may emerge as States departments and Jersey Property Holdings review property portfolios. The extent to which all or some of these States-owned sites contribute to this need will be determined, through agreement, between the respective Ministers, and set out in supplementary planning guidance.

6.94 Some of these States-owned sites presently remain in active use and the timing of their release, and their potential to contribute towards the need for affordable homes, cannot be definitively known at this time. To ensure the deliverability of homes to meet the need for affordable homes that is evident now, the release of States-owned land for this purpose and the approval of development proposals for new homes, will be subject to specific targets and timescales which, if not realised, will trigger a review of the Island Plan. Any such review will include proposals to rezone alternative development sites that are capable of delivering affordable homes, that would otherwise have been provided on States-owned land, and which accord with the spatial strategy of the Island Plan: these include Samarès Nursery, La Grande Route de St. Clement; Longueville Nurseries, New York Lane, St Saviour; and Field 252A and Field 252B (Le Quesne Nursery), La Rue de Jambart, St Clement.

6.95 It is also considered that there is potential for the development of the Esplanade Quarter to contribute to the need for affordable homes (over and above that required under the auspices of Policy H 3 'Affordable housing')

21 See statements of the Minister for Treasury and Resources during debate on P.32/2011 (07 June 2011).

6.96 The actual number, tenure, size and type of homes on each site will be determined through the planning process, involving the preparation of a housing development brief for each site, to be approved by the Minister for Planning and Environment. The development briefs will guide the delivery of homes on these sites and will address the following issues:

- appropriate mix of types, tenures and sizes of homes
- the provision, as appropriate, of specially designed homes to suit specific requirements of the elderly
- design matters including density, form, landscape works, and materials
- relationship between the proposed development and neighbouring uses and the local character of the surrounding area
- access by car, cycle and pedestrians and links to bus routes within and in the vicinity of the site
- provision of car parking
- provision of service infrastructure
- requirements for amenity space and public open space; and
- the need for social, community, education and health facilities within the site and implications for off-site facilities.

6.97 Development briefs for the States-owned sites have yet to be prepared. The Minister for Planning and Environment will develop and consult on development briefs for these sites and adopt them as supplementary planning guidance to inform their development.

6.98 It is important to recognise that unless higher more land-efficient densities are generally realised on all development sites, in accord with Policy SP 2 'Efficient use of resources', it will not be possible to meet all the identified needs for housing without zoning additional housing sites. This would inevitably result in the further loss of greenfield land.

6.99 The States Strategic Plan sets out a clear objective of supporting the development of affordable housing and ensuring that affordable housing is targeted at those who need support, which includes those members of the community who wish to rent accommodation or purchase their own home . The 2002 Island Plan successfully established the principle of delivering first-time buyer and social-rented homes on Category A housing sites in the respective proportions of 45% and 55%, to help ensure that all identified needs for housing were met. This was later refined so that the 55% included conventional first-time buyer homes and/or lifelong homes for sale and the 45% included social-rental and/or a form of intermediate housing, be that "Jersey Homebuy" or another/alternative form of shared equity housing. ⁽²²⁾

22 The intermediate housing scheme addresses the need of those with incomes too great to be eligible for social-rented housing, but who are unable to afford to buy the cheapest first-time buyer home even with the assistance of a loan. It enables first-time buyers who fall within this range to buy first-time buyer properties without paying the full first-time buyer price.

The new Island Plan will seek to continue to deliver and meet housing need by adopting this approach of seeking to secure housing tenures which reflect housing needs on rezoned sites, although the proportionate split of housing tenures will change to reflect current evidence of need.

6.100 Current needs, as evidenced by the Housing Gateway, are published in the Affordable Housing supplementary planning guidance. This document will inform the development of Category A housing sites in so far as it relates to the different types of housing tenure to be delivered by this policy. The requirement for homes for all Category A tenure types will be kept under review during the Plan period and guidance amended to reflect changing needs.

6.101 It is envisaged that even on rezoned sites, Category A housing will continue to be delivered by the private or charitable sectors. In the event that zoned sites are not brought forward for development, for whatever reason, there may be a need to effect their acquisition by the States to realise the provision of homes to help meet demand. Where absolutely necessary, compulsory purchase powers may be invoked to achieve this.

Policy H 1

Category A housing sites

To assist with and contribute to the provision of affordable homes, especially over the first five years of the Plan period, States-owned sites will also be developed, in whole or in part, to provide, at least, 150 affordable homes. This includes the following sites, which are already identified for disposal:

- Le Coin, Ann Street
- former Jersey College for Girls site, Rouge Bouillon;
- South Hill States Offices;

But may also involve others, should they be deemed to be surplus to requirements during the Plan period, including:

- former D'Hautrée School site, St. Saviour's Hill; and
- Ambulance HQ, Rouge Bouillon

The specific proportion and type of affordable homes to be provided on all or some of these sites will be determined according to need, as set out in supplementary planning guidance to be published and adopted by the Minister

The scheme includes arrangements for the repayment of the balance of the purchase price to a not-for-profit housing body over time. It is allocated through the Affordable Housing Gateway based on a financial means test.

for Planning and Environment. This guidance will specify the definition of Category A housing and will be finalised only after the endorsement of the States Assembly.

Planning permission for the development of these sites for other purposes will not be approved unless it can be demonstrated, to the satisfaction of the Minister for Planning and Environment, that their development, in whole or in part, is not required for the purposes of meeting the need for affordable homes.

The provision of affordable homes on the States owned sites above will be monitored. In the event of either of the following not being met:

- a. planning applications for 150 affordable homes on States owned land being made within 12 months of the adoption of this Plan;
- b. planning permission for 150 affordable homes being granted and the sites released within 24 months of the adoption of this Plan;

the Plan will immediately be reviewed to provide for the development of a minimum of 150 affordable homes on some or all of the following sites: Samarès Nursery, La Grande Route de St. Clement; Longueville Nurseries, New York Lane, St Saviour; and Field 252A and Field 252B (Le Quesne Nursery), La Rue de Jambart, St Clement.

It is also considered that there is potential for the development of the Esplanade Quarter to contribute to the need for affordable homes (over and above that required under the auspices of Policy H3 'Affordable housing').

Previously zoned Category A housing sites

6.102 The adopted 2002 Island Plan designated 11 sites for the purposes of meeting the need for Category A housing (under policy [H2, Sites to be Zoned for Category A Housing](#)) and all but two of these sites⁽²³⁾ have been developed. It is expected that the remaining two sites will come forward to completion in the near future, with one site having been granted full planning and building permission (Field 190,191 & 192, St. Brelade), and planning permission being sought for the development of the other (Field 873, St. Lawrence).

6.103 Whilst originally subject to the same proportions of split tenure as those sites already developed under the auspices of the original 2002 Island Plan⁽²⁴⁾, the States have subsequently amended the policy regime applicable to these remaining sites to meet changing housing needs. The amended 2002 Island Plan Policy H1, as

23 Field 873, Bel Royal, St Lawrence (0.9 acres/ 2.0 vergées); and Fields 190, 191 and 192, La Rue de la Sergente, St Brelade (1.9 acres/ 4.3 vergées)

24 2002 Island Plan Policy H1 required sites zoned for Category A homes to be developed on the basis of a tenure split of 55%:45%, first-time buyer: social rent

approved by the States in relation to P74/2008, now requires these sites to be developed to provide first-time buyer homes or lifelong homes (for people over 55) to buy, and social-rented homes and/or Jersey Homebuy housing, in the respective proportions of 55% and 45% of the total number of dwellings provided on each site.

6.104 Further amendment to the 2002 Island Plan was made by the States in response to the identified need for more homes for elderly people as a result of the demographic trends of an ageing society. This resulted in a Lifelong Homes proposition being approved by the States in July 2008 (P75/2008) in which a further eight sites were zoned for the provision of lifelong homes in addition to the provision of some first time buyers and Jersey Homebuy homes. This was to effectively increase the provision and number of lifelong dwellings to enable a greater number of older people to remain living independently in the community, in their own homes for as long as possible.

6.105 To date, none of these sites have been developed but they remain important in meeting the Island's housing needs. They, therefore, need to be identified and safeguarded in the new Island Plan to ensure their use and development for the purposes for which they were previously zoned by the States.

Policy H 2

Other Category A housing sites

The following sites⁽²⁵⁾ are to remain zoned for Category A housing, as shown on the [Proposals Map](#):

1. Field 873, Bel Royal, St Lawrence (0.9 acres/ 2.0 vergées);
2. Fields 190, 191 and 192, La Rue de la Sergente, St Brelade (1.9 acres/ 4.3 vergées).

These sites are zoned specifically for the development of Category A housing in the respective proportions of 55%, first-time buyer homes or lifelong homes (for people over 55) to buy: and 45%, social rented homes and/or Jersey Homebuy, of the total number of dwellings provided on each site. Planning permission for other forms of development will not be approved.

In order to contribute to meeting the Island's housing needs, and specifically the need and demand for dwellings for older people (over 55), the following sites approved for Category A housing in the States report and proposition P75/2008⁽²⁶⁾, as shown on the [Proposals Map](#), are to remain zoned for the purpose for which they were originally designated. Planning permission for other forms of development will not be approved.

25 approved in the [2002 Island Plan](#)

26 States Assembly

1. Fields 516, 516A, 517 and 518, St. Saviour (12 acres/ 27.25 vergées)
2. Field 274, St. Clement (2.5 acres/5.5 vergées);
3. Field 605, St. John (1 acre/2.5 vergées);
4. Field 561 and 562, St. Mary (2.5 acres/5.5 vergées);
5. Land north of Maison St. Brelade, St. Brelade (1.25 acres/ 2.75 vergées);
6. Field 148, Rue des Maltières, Grouville (1.75 acres/ 4 vergées);
7. Field 818 and part of Field 873, Trinity (0.75 acres/ 1.75 vergées);
8. Field 578, Trinity (4 acres/9.25 vergées);

Similarly, for the following site, also approved by the States (P.52/2010).

9. Field 633, St Peter (0.4 acres/ 1 vergée).

Affordable housing

6.106 Access to suitable housing has become increasingly difficult in the Island for people on low to modest incomes, as there is a significant gap between average incomes and house prices⁽²⁷⁾. The evidence suggests that, whichever way the affordability of housing is assessed in Jersey, no properties are affordable for those on the average income in the Island and that, if 50% is taken as the maximum proportion of net income that should go on housing, then the taxed household on an average income in Jersey cannot afford the average price for a one-bed flat and for all other housing types: it is on this basis that the situation is described as one of crisis. The planning system has a key role in making affordable housing available in Jersey to address this situation.

6.107 As identified in the Macdonald report,⁽²⁸⁾ information on the numbers of households who are in need of affordable housing is not clear. What is clear, as set out in the same report⁽²⁹⁾, and also evidenced from the Housing Needs Survey, is that the affordability of housing in Jersey is a serious issue and that assessment, from a variety of perspectives, reveals the significant gulf between the cost of homes and what many Islanders can afford. It is acknowledged that there is a clear need for more, regular, in-depth information on housing need in Jersey and that further housing needs surveys and the establishment of a comprehensive Housing Gateway mechanism will help provide this.

27 see section 4.3 Identifying the overall need for affordable housing in *Achieving Affordable Housing as a Proportion of Private Housing Development* (June 2009) Kelvin Macdonald MCIH, FRTPI, FRSA

28 para. 4.3.33, p.42, *Achieving Affordable Housing as a Proportion of Private Housing Development* (June 2009) Kelvin Macdonald MCIH, FRTPI, FRSA

29 see section 4.3.6 to 4.3.28 *op cit*

6.108 The Macdonald report suggests that it is, however, possible to use a working hypothesis, based on the mid-point between the numbers on the first time buyer list and the latent demand demonstrated in the 2007 Housing Needs Survey and taking into account anticipated sources of supply of other Category A homes, to arrive at an interim indicator of need for affordable homes, of 600 units of accommodation over a five year period. This represents 30% of the overall housing requirements (@ 2,000 homes) of the first five years of the Plan.

6.109 The States Strategic Plan specifically tasks the Island Plan with supporting the development of affordable housing and in meeting the Island's housing needs without the further rezoning of greenfield land. Accordingly, there has been a need to review options for the provision of affordable homes and to develop a new mechanism for its procurement.

6.110 In 2008, the Minister for Planning and Environment commissioned Kelvin MacDonald Associates to research the potential for the procurement of affordable homes by requiring their provision as a proportion of private housing developments, or through commuted payments in lieu, and to propose a policy framework to bring this about. The development of a new mechanism and policy framework is the result of this ⁽³⁰⁾ and has been incorporated into the new Island Plan as set out below.

6.111 One of the conclusions of the Macdonald report was that the nature of the problem of affordability in Jersey was such that every method of providing affordable housing must be employed and that the provisions of planning legislation and guidance must be implemented. Accordingly, the new policy mechanism requires affordable housing to be provided as a proportion of private housing development.

Viability

6.112 The viability of any policy for affordable housing is a vital consideration with the requirement for affordable housing needing to be based on the best available evidence and set at a level that both provides a worthwhile amount of affordable housing and which does not deter land owners from putting sites on the market or developers from developing market housing.

6.113 The States of Jersey is extremely concerned to support the delivery of housing across all tenures in Jersey at all times, but particularly in the current economic downturn. The Minister for Planning and Environment does not seek to threaten the viability of housing and mixed use schemes through the uninformed application of this policy and, it is for this reason, that every application to which this policy shall apply, shall be accompanied by a standard viability assessment prepared by the applicant. This shall be submitted using the viability assessment

30 *Achieving Affordable Housing as a Proportion of Private Housing Development* (June 2009)
Kelvin Macdonald MCIH, FRTPI, FRSA

model, being developed by the Minister ⁽³¹⁾ in consultation with the development industry operating in Jersey. This will include an assessment of factors such as land and build price, budgeted sale price, any liability for taxation or other demands on viability from planning obligations⁽³²⁾ and will include the return on investment as a given before viability is assessed.

6.114 The viability assessment shall contain an assessment of the development providing the maximum proportion of the affordable housing as required by the Minister. If the model demonstrates, to the satisfaction of all involved parties, that such a percentage is not viable, then the model shall undergo further iterations until a viable proportion of affordable housing is established. If the nature of the site or the development means that on-site provision is not viable, then the model will be used to establish the amount of any commuted sum.

6.115 The viability assessment model will be adopted and issued as supplementary planning guidance.

6.116 It is proposed to adopt a varied approach to the form of affordable housing contribution, in acknowledgement of the differences in developing sites of varying sizes and capacity (as set out below at 'Thresholds and proportions'). It is envisaged that, for sites with a certain specified capacity, affordable housing will be provided on the site that is the subject of the planning application. In certain circumstances, the Minister may consider that a site is not appropriate for affordable housing and may accept the provision of an equivalent amount of affordable housing on an alternative site other than on the development site itself. Where suitable alternative land is not available for development a commuted sum will need to be paid to fund the purchase of market housing for affordable housing purposes.

6.117 It is envisaged that, in the case of sites with a limited capacity, where the provision of onsite affordable housing will be more challenging, the affordable housing contribution sought will be in the form of a commuted sum. Alternatively, developers may choose to provide the affordable housing contribution onsite.

6.118 The use and content of any viability assessment will need to be considered within the context of the Planning and Building Law, which states that:

- *If, when making an application for planning permission, a person knowingly or recklessly makes a false or misleading statement or representation, or a statement or representation with a material omission, the person shall be*

31 Homes and Communities Agency's Economic Assessment Tool or the Greater London Assembly's Affordable Housing Development Control Toolkit is to be modified for this purpose. The consultation draft will also seek to incorporate worked examples of how the viability assessment might operate.

32 made under Article 25 Planning Obligations Planning and Building (Jersey) Law 2002

guilty of an offence and liable to imprisonment for a term of 2 years and a fine.⁽³³⁾

6.119 This has the effect of requiring all parties to an assessment of viability not to withhold any information or to provide partial or false information that would lead to an unrealistic assessment of viability.

6.120 In cases where there is a dispute between the Minister and the applicant as to viability, the assessment shall be evaluated by States of Jersey Property Holdings, or by an independent assessor.

Thresholds and proportions

6.121 Key to the operation of this new policy will be the size or scale of development to which it will be applied; and the proportion of affordable housing to be sought on those sites where it is applicable. These parameters will be determined by the Minister for Planning and Environment on the basis of local housing needs, taking into account the findings of the most up-to-date housing needs survey, the success in achieving affordable against predicted needs and any other relevant evidence: the parameters and application of the policy will need to reflect and respond to the depth and nature of the housing affordability need in Jersey. As stated above, there is a clear need for better information about the numbers of affordable homes required and the establishment of a comprehensive Housing Gateway will help provide this. The Minister will review the parameters applicable to this policy as new data becomes available.

6.122 The Island Plan adopts, as a key element of strategy, a reliance on private sector 'windfall' development, both within St Helier and in other parts of the Built-up Area, in accord with the Spatial Strategy, to meet the Island's housing need: many houses will be developed on sites not specifically identified or zoned for housing in the Island Plan. It is considered that there is no reason why, apart from developments of one housing unit, these developments should not make a contribution towards the provision of affordable housing.

6.123 Accordingly, the policy will ultimately apply to all developments providing two or more homes. The threshold for the application of the policy will initially relate to sites of six or more homes in the first year of its operation, incrementally reducing over time with the threshold decreasing to sites with a capacity of two or more units after year five.

6.124 It is, however, recognised that as sites become smaller, the challenge of achieving onsite provision of affordable housing becomes greater. On this basis, it is proposed that for developments with a limited capacity the affordable housing contribution may be made in the form of a commuted sum payment to enable the delivery of affordable homes off-site, elsewhere. This will, however, be applied

33 Article 10 False information, etc. in application for planning permission. Planning and Building (Jersey) Law 2002 (as revised as at 01 January 2008)

flexibly, and where they choose to do so, developers may provide their affordable housing onsite. The threshold for this element of the policy will be similarly incrementally reduced over time, starting at 6-10 units in the initial year of operation, reducing to 2-8 units after five years.

6.125 The proportion of residential yield of affordable housing provision will be incrementally increased over time, starting at 12.5% in the initial year of operation, rising to 20% after five years.

6.126 To avoid the likelihood of developers sitting on unimplemented permissions, conditions will be used to limit the validity of consents for residential development, the extent of which will be set in supplementary planning guidance, but which will be initially set at three years, and reviewed thereafter over the Plan period. Furthermore, to discourage landowners from holding onto land in the hope of a better return in the future, it is also important to note that this policy mechanism, for the delivery of affordable housing, is intended to be permanent. The intention is that it will become operational in January 2012.

6.127 It is recognised that this type of policy is widely used in the UK, but that it works best in relation to the development of undeveloped land, where the existing land value is usually agricultural. The strategic policies of this Plan seek to meet housing requirements within the designated Built-up Areas and from 'previously-developed' land which, in many cases, will have an existing value significantly in excess of agricultural land. Accordingly, it will be necessary to agree a realistic proportion within the target percentage having regard to the overall viability of individual sites. Applicants seeking to justify a lower proportion of affordable housing will, however, be required to demonstrate, on an open book basis, why it is not economically viable to make the minimum level of provision.

6.128 In order to meet the Island's housing needs, the tenure of that proportion of development yield that is to be provided as affordable housing i.e. whether it is to be social-rent, a form of intermediate housing, be that "Jersey Homebuy" or another/alternative form of shared equity housing, first-time buyer or lifelong homes (for people over 55), shall be determined by the Minister, based on current housing need. The Minister for Planning and Environment will review these parameters on an annual basis and, where there is the need for change, will issue supplementary planning guidance to revise the threshold size of developments to which the policy will apply; the proportion of affordability to be derived from those developments to which the policy applies, including the level of commuted sum tariff; and the tenure of the affordable housing development yield.

Proposal 21

Affordable Housing

The Minister for Planning and Environment will carry out consultation, adopt and publish supplementary planning guidance on the operation of Policy (H3): affordable housing. This will provide detail on the calculation of on-site and commuted sum values for any given housing development, together with practical information on the application of the policy, the use of planning obligation agreements, and policy procedure.

Policy H3 will not be applied until such a time that this guidance has been approved and published by the Minister for Planning and Environment, following consultation with relevant stakeholders and the endorsement of the States.

Definition

6.129 For the purposes of this policy, and for all planning decisions emanating from it, affordable housing is defined as "housing that is affordable to specified eligible households who are not served by the workings of the housing market in Jersey":

- The affordability of housing for eligible households shall be measured by the price of that housing in relation to the upper household income level of those deemed eligible, or by the proportion of household income that an eligible household spends on securing access to that housing;
- The eligibility of households shall be determined by whether or not they are accepted onto the integrated waiting list embodied in the housing allocation gateway;
- The housing units provided as a result of this policy shall be maintained as affordable in perpetuity, either for the properties provided or through recycling any receipts from the sale of such housing to enable a similar number of other properties to be made affordable: this is achieved by the transfer of the freehold of land on which affordable housing is located to a not-for-profit body set up and regulated by the States of Jersey.
- The affordability of housing provided under this policy shall be achieved without compromising the high standards of design and sustainability set out elsewhere in the Plan;
- The clear relationship between affordable housing and the housing allocation gateway, means that housing that is developed for sale on the open market is excluded from the definition of affordable housing whatever price it is sold at.
- The definition of affordable housing includes social-rented, a form of intermediate housing, be that "Jersey Homebuy" or another/alternative form of shared equity housing, designated first-time buyer, and housing developed

specifically at reduced costs and available through the gateway, such as self-build.

6.130 For the purposes of this policy, a housing unit is a unit of accommodation designed to be occupied by one household whether it is a flat or a house and whether it is to be sold as a freehold, a flying freehold or through share transfer.

6.131 The affordable housing requirement shall not apply to those developments, or parts of developments, which comprise housing to meet special requirements, including sheltered housing, residential care and nursing homes (see Policy H 7 'Housing to meet special requirements'); registered lodging accommodation (see Policy H 8 'Registered lodging accommodation'); or staff accommodation (see Policy H 9 'Staff and key agricultural worker accommodation'). It will also not be applicable to that housing to be provided under the auspices of Policy H 1 'Category A housing sites' and Policy H 5 'Housing in rural centres' which will, in any event, be for the purposes of Category A housing only.

Policy H 3

Affordable housing

Permission will not be granted for any residential development to which this policy applies, whether or not this forms part of a mixed-use scheme, unless and until the Minister for Planning and Environment is satisfied that the development has maximised the opportunity for the provision of affordable housing, in accord with the parameters of this policy.

The Minister will require a proportion of affordable housing to be provided on those sites to which this policy applies in accordance with the proportions and thresholds set out in supplementary planning guidance issued by the Minister.

To ensure the timely development and provision of affordable homes, the Minister will limit the validity of planning permission for sites to which this policy applies by condition, the extent of which will be set in supplementary planning guidance, which, amongst other matters, will provide that the validity of such permissions will normally be limited to 3 years, with any extension being conditional upon the full ground works being completed during the 3 year period.

On sites with a limited capacity, the Minister may require a proportion of affordable housing to be provided through a commuted payment, to support the delivery and/or procurement of affordable housing elsewhere. Alternatively, the affordable housing provision may be made on the site for which permission is sought.

The application of this policy, which will commence on 01 January 2012, will be phased incrementally, subject to monitoring and review, such that:

1. the threshold levels for the scale of the development to which it applies will be incrementally reduced over time. It shall initially apply to schemes with a capacity of six or more homes and is intended to apply to schemes with a capacity of two or more homes after five years;
2. the proportion of affordable housing to be provided will be increased over time. It shall initially be at a rate of 12.5%, rising incrementally to 20% after five years. The percentage of affordable housing shall be rounded up if the figures arrived at contain a proportion of one unit.

In order to meet the Island's housing needs, the tenure of that proportion of development yield that is to be provided as affordable housing i.e. whether it is to be social-rent, a form of intermediate housing, be that "Jersey Homebuy" or another/alternative form of shared equity housing, first-time buyer or lifelong homes (for people over 55), shall be determined by the Minister, based on current housing need. The Minister for Planning and Environment will review these parameters on an annual basis and, where there is the need for change, will issue supplementary planning guidance to revise the threshold size of developments to which the policy will apply; the proportion of affordability to be derived from those developments to which the policy applies, including the level of commuted sum tariff; and the tenure of the affordable housing development yield.

Schemes that are just below the threshold levels, will have to satisfy the Minister that the proposals do not represent an under-occupation of the site, nor that a large site is being brought forward in phases in order to avoid the threshold at each stage.

Affordable housing shall be provided on the site for which permission is sought unless one or more of the following circumstances apply:

1. that the provision of affordable housing on the site would make that development unviable;
2. that the site is of such a size or nature that the contribution to affordable housing would be maximised by allowing high-quality market housing to occupy that site and for the contribution to affordable housing to be in the form of a commuted payment, to support the delivery and/or procurement of affordable housing elsewhere;
3. affordable housing is best provided through the mechanism of a site-swap using sites within the ownership and control of the applicant;
4. the housing units provided in a mixed-use scheme are directly related to and necessary for the operation of that development.

All development to which this policy applies will need to be the subject of a standard economic viability assessment, to be provided and funded by the developer, as an integral element of a planning application, in accordance with supplementary planning guidance to be issued by the Minister.

It is intended that this policy mechanism for the delivery of affordable homes will be permanent and will be extended beyond the Plan period.

Housing mix

6.132 If the Island's housing needs are to be met, it is vital that new housing development provides the type and size of homes that are needed. The 2007 Housing Needs Survey and follow up 2008 and 2009 Jersey Annual Social surveys, provide estimates of anticipated surpluses and shortfalls in houses and flats by size and tenure over a five year period.

6.133 Detailed analysis from the 2007 Housing Needs Survey indicates that the potential shortfalls are predominantly for owner-occupier accommodation, amounting to more than 700 flats and some 1,800 houses and that the requirement is mainly for 2 bed flats (565 units), 2 bed houses (755 units) and 3 bed houses (745 units). As the property size increases it becomes apparent that the demand for houses supersedes flats, with for example 90% of the potential shortfall for 3 bedroom units being for houses: the survey also showed that 64% of new-forming households are looking to buy 3-bed homes. The private rental sector shows large potential surpluses in 1 and 2 bedroom flats (1,260 units) and in 2 and 3 bedroom houses (555 units) ⁽³⁴⁾. In summary, the report shows that there is a shortfall in 3-4 bed properties and a significant demand for 3-bed family houses with an overall surplus of 1 and 2-bed properties. These figures are corroborated and endorsed by the follow up 2008 and 2009 Jersey Annual Social surveys.

6.134 A review of recent planning permissions for residential development ⁽³⁵⁾ reveals that 70% of new residential development was for 1 and 2 bedroom flats, whilst only 30% was for 3 and 4+ bedroom houses. Whilst these statistics include one or two larger flatted developments ⁽³⁶⁾ there is an evidence-based gap between the needs of the market and the supply of housing by the private sector.

6.135 On the basis of this, it is considered legitimate for intervention in the type and size of property to be provided by the private sector through the introduction of a planning policy related to the mix of housing to be secured in all

34 if tenure were not an issue, these surpluses could potentially satisfy some of the demand in the owner-occupier sector

35 taken for all developments in 2008

36 e.g. Castle Quays development of 360 x 1 and 2 bed flats was granted planning permission in 2008

residential developments. Accordingly, the housing mix policy seeks to promote a balanced mix of dwelling types and sizes to meet the identified requirements, based on the latest available evidence, on all residential development sites.

6.136 The Minister for Planning and Environment will continue to assess the housing needs of the Island by the monitoring and publication of housing statistics and, where needs have changed, will review and revise the parameters of the housing mix policy through supplementary planning guidance.

Policy H 4

Housing mix

Proposals for all new residential development are required to contribute towards the need for specific types and sizes of home, relative to the latest published evidence of need, as set out in supplementary planning guidance. The extent to which a planning application meets the published guidance with respect to housing mix will be an important material consideration in the grant or otherwise of planning permission.

In assessing the contribution of residential development proposals to meeting the Island's need for homes of a specific size and type, the Minister will have regard to the nature and location of the site, its context and the character of the area.

The provision of housing to meet special requirements and staff accommodation shall be exempt from the requirements of this policy.

Housing in rural centres

6.137 There is recognition that there is a need to protect the viability and vitality of Jersey's smaller main rural settlements, predominantly in the northern and central parishes (i.e. St. Ouen, St. Mary, St. John, St. Lawrence, Trinity and St. Martin). Here, it is acknowledged that limited, small-scale new affordable housing development could be important in maintaining parish life. This may be considered necessary in supporting and enhancing the critical mass of, and diversity in, the local parish population, to sustain schools, shops, pubs, public transport and other facets of parish life that are unique and important to Jersey.

6.138 It is not envisaged that the scale of development or provision of homes to be generated from the operation of this policy would be large and it is envisaged that the total number of homes delivered through this policy would amount to no more than 100 units over the Plan period ⁽³⁷⁾.

6.139 Proposed sites should be within the settlement boundaries, within close proximity to public transport routes, and have easy access to other facilities. Any proposed development for affordable housing in rural locations located where there is no access to facilities or a choice of modes of transport, is unlikely to be favourably considered.

6.140 Local housing need should be demonstrated and an up-to-date needs survey should be carried out with the Housing Department and the relevant parish (or evidenced from the proposed 'Gateway' operated by the Housing Department).

6.141 Proposals for new housing in rural centres may form part of a Village Plan. Any such Village Plans would be required to be developed by the parochial authority but be subject to a full and comprehensive assessment and engagement with the local community and relevant stakeholders, including the relevant regulatory departments of the States of Jersey.

6.142 Where Village Plans are to attain formal status as part of the planning framework for the protection and development of one of the Island's rural centres they will require the formal review, approval and adoption by the Minister for Planning and Environment as supplementary planning guidance. In such circumstances, any development proposals in the Village Plan must be consistent with the Island Plan and must relate to and be within the defined Built-up Area boundary for the settlement, as defined on the Island Plan Proposals Map.

6.143 Where, however, Village Plans contain a specific proposal for the rezoning of land outside the existing defined Built-up Area boundary, any such proposal would require the approval of the States as a draft revision of the Island Plan ⁽³⁸⁾.

Policy H 5

Housing in rural centres

The Minister will support the provision of small-scale affordable housing to support the viability and vitality of Jersey's smaller main rural settlements, predominantly in the northern and central parishes (i.e. St. Ouen, St. Mary,

37 this is in addition to the development of sites already designated for Category A housing (first-time Buyer and homes for the over-55s) in 2008

38 Article 4 of the law states that the designation of land for particular development or use should be set out in the Island Plan and Article 3 of the law sets out exacting procedures for public engagement for an Island Plan or a revision of it.

St. John, St Lawrence, Trinity and St. Martin). Any such housing shall be Category A housing or for homes to meet the specific needs of the elderly and those with disabilities, including sheltered accommodation.

Housing development proposals to support the viability and vitality of Jersey's smaller rural settlements will be permitted, provided that the development:

1. is appropriate in scale and density to the existing character of the village;
2. is within the existing Built-up Area and well-related local facilities, services and infrastructure and where provision for education, leisure, recreation, local shopping, and other community facilities is adequate or can be provided, where required, to meet the needs arising from the proposals;
3. meets an identified local need (evidenced through the Housing Gateway) for such homes;
4. has been the subject of full and comprehensive assessment and engagement with the local community and key stakeholders, including relevant States departments.
5. is designed and constructed or can be adapted to accommodate the specific requirements of the intended residents.

Meeting other housing demand

6.144 Policies H1 to H5 address need housing and the requirements for Category A homes during the Plan period. The majority of the housing supply over the Plan period will, however, come forward as 'windfall' development, on sites which are not specifically identified in the Plan for the purpose of providing residential accommodation. The following suite of policies seek to set out the policy framework within which applications for demand housing will be considered.

Housing development within the Built-up Area

6.145 The Island Plan Spatial Strategy designates a hierarchy of settlements which together form the Built-up Area, as defined on the Island [Proposals Map](#). This includes the town of St Helier; eight urban settlements; eleven key rural settlements; and twenty-one small Built-up Areas and small rural settlements.

6.146 The intention of designating a Built-up Area boundary is to contain future development within existing limits and thus prevent encroachment into the countryside. It is often said, however, that there are many small corners of land in the countryside, which could take 'infill' developments. On its own, an individual development might not appear intrusive but the cumulative impact would be severe for the Island's countryside and also have implications for travel patterns and the cost of providing community and utility services.

6.147 It is, therefore, proposed that the majority of the Island's housing supply over the Plan period will come from development within the Built-up Area on sites which are not specifically identified for housing in the Island Plan. It is important that this new residential development - including new buildings; conversions; refurbishment; extensions and alterations; and redevelopment - is supported, where it accords with the Spatial Strategy, as it will contribute towards meeting a demand for homes; it will provide greater housing choice; and will also help to sustain and regenerate our urban centres, particularly St Helier.

6.148 Whilst the principle of new residential development in the Built-up Area, in accord with the Spatial Strategy, is supported, proposals for new residential development will need to be assessed relative to their impact on the local environment and neighbouring uses (against Policy GD 1 'General development considerations') and in terms of their quality of design and architecture (against Policy GD 7 'Design quality')

6.149 All new housing developments will also be expected to provide an adequate standard of accommodation in particular, in relation to dwelling size, internal layout and room sizes. This will be assessed, along with other considerations relating to site density; privacy, daylight and noise; energy efficiency; car parking space; private and public open space; children's play areas; designing out crime; and landscaping, as appropriate, relative to supplementary planning guidance to be published by the Minister for Planning and Environment. Such supplementary planning guidance will also include consideration as to whether there should be any further increase in internal space standards and any further improvements in standards for internal noise and sound insulation of and between units of accommodation.

Policy H 6

Housing development within the Built-up Area

Proposals for new dwellings, extensions or alterations to existing dwellings, or changes of use to residential, will be permitted within the boundary of the Built-up Area, as defined on the Island Proposals Map, provided that the proposal is in accordance with the required standards for housing as established and adopted by the Minister for Planning and Environment through supplementary planning guidance.

Such supplementary planning guidance will also include consideration as to whether there should be any further increase in internal space standards and any further improvements in standards for internal noise and sound insulation of and between units of accommodation.

Housing to meet special requirements

6.150 The Minister for Planning and Environment wishes to ensure that new housing will, as far as possible, contribute to the needs of people with disabilities and of those who require care - including the elderly, people with disabilities and other vulnerable people.

6.151 The forecast change in population by broad age groups for the period 2009-2018 (under the +150 heads of households per annum migration scenario) predicts that almost all of the estimated growth will be in the over 60 age group. The proportion of people aged 75+ years will rise by 32% and those aged 85+ years will grow by 36%: this is a dramatic increase in potentially vulnerable elderly couple and elderly single person households. The Housing Requirements Study in 2000 identified that some 16% of households in Jersey contained somebody with a disability and of these, 6% contained someone who was a wheelchair user (approximately 1% of all households)⁽³⁹⁾.

6.152 These statistics have the potential to pose a considerable challenge in terms of an increased demand and requirement for housing to meet special needs: special needs housing is defined to include nursing and residential care homes, and sheltered housing, where the residential accommodation meets the needs of various groups of people through the provision of varying degrees of support, for rehabilitation and out-of-hospital care.

6.153 Where new facilities are proposed, these should be located within the Built-up Areas of the Town or Key Urban or Rural Settlements as defined in the Spatial Strategy⁽⁴⁰⁾. This should enable non-car access to basic facilities, and help raise the quality of life for residents. It will also be important to consider the adequacy of and access to local health care facilities such as doctors' surgeries.

Policy H 7

Housing to meet special requirements

Proposals for housing to meet special requirements, including the specific needs of the elderly and those with disabilities, including sheltered accommodation, residential care and nursing homes, will be permitted provided that the development;

1. meets an identified need;

39 Although 4% of dwellings have been adapted for a disabled person, there is a large mismatch between adapted dwellings and those with disabilities, with only 4% of people with disabilities living in an adapted home. States and parish rental housing and owner-occupied dwellings have the greatest percentage of adapted dwellings, at 8-9%, reflecting the higher proportion of elderly persons within these sectors.

40 see 'Sustainable development'

2. is within the Built-up Area boundary;
3. is not on land zoned for Category A housing purposes, unless specifically provided for in a development brief.

Registered lodging accommodation

6.154 Lodging houses are privately owned properties offering accommodation for occupation by persons who do not possess residential qualifications and who occupy the accommodation as lodgers, not as tenants.⁽⁴¹⁾ The [Lodging Houses \(Registration\) \(Jersey\) Law, 1962](#), as amended, administered by the Minister for Housing, regulates the amenities of this type of accommodation and licences it for maximum occupation.

6.155 In order to be registered, a lodging house must meet certain minimum standards laid down by the Minister for Housing⁽⁴²⁾. Generally, the lodging house standards adopted by the Minister for Housing are below those that would be required for other residential accommodation established by the Minister for Planning and Environment, under the auspices of supplementary planning guidance. This is clearly inequitable, a fact recognised by the States Strategic Plan 2009-2014, which sets out⁽⁴³⁾ to '*improve the equity, tenure rights and living standards for accommodation accessible to migrants*'. This has also begun to pose a particular challenge for the planning system as the nature of lodgings has changed from 'serviced' bedrooms to self-contained units of accommodation.

6.156 Accordingly, the Minister for Planning and Environment will seek to secure an enhancement in the quality of lodging accommodation wherever possible in the conversion of buildings into lodging house accommodation. For new lodging accommodation, applying the same standards as general housing will help to improve the quality of the housing stock in the lodging house sector. It also provides greater flexibility to respond to changes in the aspirations of the immigrant workforce, allowing accommodation to be readily adapted to general-demand housing. The policy regime for new housing development will be applicable to development for the provision of registered lodging accommodation.

41 Lodgers do not have the same legal status as tenants in a number of respects, particularly in relation to security of tenure. Properties offering accommodation for more than a number of lodgers specified by the Minister for Housing (currently five), inclusive of children of any age, are required to be registered with the Minister and are subject to annual re-registration.

42 see [Lodging Houses \(Registration\) \(Jersey\) Law, 1962](#) for details of current standards

43 see [States Strategic Plan 2009-2014](#) pp.29-30, section 14. Adequately house the population

Policy H 8

Registered lodging accommodation

Proposals for new and conversion of buildings for registered lodging accommodation will be permitted within the boundary of the Built-up Area, as defined on the Island Proposals Map, provided that the proposal:

1. meets a proven need for lodging accommodation;
2. meets, or in the case of conversions of existing buildings, meets as closely as possible, the required standards for housing as established and adopted by the Minister for Planning and Environment through supplementary planning guidance.

Staff and key agricultural worker accommodation

6.157 The provision of accommodation to house staff and key workers is particularly important to the Island's agriculture and tourism industries, where they are more reliant on migrant seasonal workers, but is also an issue for other parts of the Island's economy.

6.158 As a general principle, which accords with the strategic policies of the Plan and which reflects the objectives of the States Strategic Plan 2009-2014 to improve the equity, tenure rights and living standards for accommodation accessible to migrants, staff and key agricultural worker accommodation should be of an appropriate standard and be within the Built-up Area.

6.159 The labour intensive, often seasonal nature of agriculture and tourism, the locations for which are often in sensitive coastal and/or countryside environments, however, pose particular challenges. Average earnings for workers in these industries are consistently in the lowest of all economic sectors and access to the local housing market is, therefore, difficult, in addition to which, both industries tend to operate on the basis of long and unsociable hours. In such circumstances, employers in these industries have traditionally sought to provide some of their own staff accommodation in association with existing hotel sites and on farms.

6.160 The general principle must, however, remain that staff and key worker accommodation should be of an appropriate standard and located within the Built-up Area: it is, however, recognised that because of the reasons set out above and because of the desire to support and sustain the Island's agriculture and tourism industries in particular, exceptions may be made to permit staff accommodation outside the Built-up Area on the basis of a proven economic need and evidenced business case.

6.161 Where exceptions are made, every effort should be made to ensure that the impact of the provision of staff accommodation on the character of the coast or the countryside is minimised. Accordingly, use should be made, where possible, of any existing buildings on or off the site to provide staff accommodation. Where this cannot be secured, provision should be made through the change of use, rearrangement, subdivision or extension of an existing building on the site or lastly through the provision of temporary accommodation. To reduce and minimise their environmental impact, proposals for new temporary buildings should be within or adjacent to the existing farmstead or hotel, or other related buildings on the site, and should be of a size and scale proportionate to the functional need.

6.162 The provision of temporary buildings will also be time-limited to ensure their removal when they are no longer required.

6.163 Staff accommodation should be of an appropriate standard and, where permanent, should meet, as far as possible, that required for new residential development, as set out in the supplementary planning guidance issued by the Minister for Planning and Environment. It is, however, acknowledged that this is unlikely to be viable for temporary buildings which should, as a minimum, meet the standards set for lodging houses⁽⁴⁴⁾.

6.164 In accordance with the strategic policies of the Plan, there is a presumption against the provision of new dwellings outside of the Built-up Area as this would contribute towards an unsustainable pattern of development in the Island and erode the character of the countryside. There may, however, be exceptional circumstances where it can be demonstrated that a new dwelling in the countryside is justified, in particular, for the essential functioning of a farm holding. Such circumstances may arise in respect of accommodation that is required for a key agricultural worker, such as a *bona fide* agriculturalist⁽⁴⁵⁾ who may be a new entrant to the industry, or for a member of farm staff who, for the proper functioning of the farm, needs to be on site.

6.165 Owing to the exceptional basis upon which permission may be granted for staff accommodation or key agricultural worker housing outwith the Built-up Area in support of specific sectors of the economy, the Minister for Planning and Environment will seek to ensure that the occupancy of any such accommodation is strictly limited to those employed in the relevant industry and will not be released whilst there remains a need for such accommodation within that industry.

44 see [Lodging Houses \(Registration\) \(Jersey\) Law, 1962](#) for details of current standards

45 A *bona fide* agriculturalist is someone employed in land dependent primary production, obtaining income from agriculture or horticulture which meets a target level of economic activity as defined by the [Rural Economic Strategy](#) (see section 3.2)

Policy H 9

Staff and key agricultural worker accommodation

Staff and key agricultural worker accommodation should be provided in the Built-up Area and be of a standard that is in accordance with the Minister for Planning and Environment's published guidance for housing.

Planning permission for staff accommodation outside the Built-up Area will not be permitted unless it is demonstrated, to the satisfaction of the Minister for Planning and Environment, that the proposal:

1. is essential to the proper function of the business,
2. cannot be provided on a site within the boundary of the Built-up Area and still meet the functional need,
3. cannot be provided by an existing building, either on or off the site, and still meet the functional need,
4. cannot be provided by rearranging, subdividing or extending an existing building on the site,
5. where possible is located within or adjacent to the existing business premises, or other buildings on the site; and
6. is of a size appropriate to its functional need.

Proposals for staff accommodation through the conversion, rearrangement, subdivision or extension of an existing building, or through the provision of temporary buildings should meet, as closely as possible, the required standards for housing as set out in the supplementary planning guidance issued by the Minister for Planning and Environment. The provision of such accommodation which does not meet those standards established for lodging houses will not be permitted.

Permission for new housing in the countryside to house key agricultural workers will not be permitted unless, in exceptional cases, it is demonstrated, to the satisfaction of the Minister for Planning and Environment, that the proposal meets all of the criteria identified above and is solely for occupation by a *bona fide* agriculturalist.

New permanent housing for key agricultural workers will not be permitted unless it meets the required standards for housing as set out in the supplementary planning guidance issued by the Minister for Planning and Environment.

Where permission is granted for staff accommodation and/or new dwellings to house key agricultural workers in the countryside, their occupation will be restricted, by condition, to those employed in the relevant industry. In the case of new dwellings for key agricultural workers, this will be related to

persons employed or last employed in agriculture as *bone fide* agriculturalists. For as long as there is a need within the relevant industry, the Minister will not relinquish such occupancy conditions.

Other residential development

6.166 The previous sections have dealt with needs and demand housing requirements and supply. The following section contains policies relating to other aspects of housing development.

Conversion to flats

6.167 The conversion of larger residential properties into smaller units of accommodation can make a valuable contribution to meeting the Island's housing need and can provide a source of affordable accommodation that is often conveniently located. This will require consideration and assessment within the context of the Island's housing needs and Policy H 4 'Housing mix'.

6.168 For such development to be acceptable, however, the implications of intensifying the use of such a property and it being used by several households requires particular consideration. Importantly, the quality and size of accommodation to be provided is a material consideration, including an assessment of the provision of internal living space and external amenity space. The extent of parking provision required will be dependent upon the site's location.

6.169 Assessment of all of these matters will need to be undertaken relative to supplementary planning guidance adopted and issued by the Minister for Planning and Environment. Other considerations, related to the impact on neighbouring uses, are set out in Policy GD 1 'General development considerations'.

Policy H 10

Conversion to flats

The conversion of larger dwellings into smaller self-contained housing units will be permitted if the development is in accordance with the required standards for housing as set by the Minister for Planning and Environment and meets the Island's housing needs, in accord with Policy H 4 'Housing mix'.

Loss of housing units

6.170 Housing in Jersey is an expensive commodity and there is evidence of a pent-up demand for housing. Against this backdrop, it is important that the extent of, and access to, the housing stock is maintained and that development proposals which result in the loss of residential accommodation are resisted. There will, however, be exceptions to a general presumption against the loss of housing units.

6.171 The States [Strategic Plan 2009-2014](#) makes clear the objective of ensuring that all Island residents are adequately housed. Where new development is to replace and/or improve existing sub-standard accommodation there may be an overall reduction in the number of residential units which would be acceptable on the basis of ensuring accommodation of an improved and appropriate standard⁽⁴⁶⁾. This may also serve to better meet Jersey's housing needs and any such proposal will require consideration under Policy H 4 'Housing mix'.

6.172 The [St Helier Urban Character Appraisal](#)⁽⁴⁷⁾ proposed the promotion of increased owner-occupation in the Town as a means of better ensuring the maintenance and upkeep of the historic fabric and townscape of St. Helier: this proposal was based on the premise that owner-occupiers tend to take better care of premises than do absentee landlords. There are significant parts of the town, in particular, where there is a high concentration of houses in multiple occupation for rent and where proposals to convert town houses back into single household dwellings may have positive environmental benefits, of value to the town's architectural heritage, where these properties are Listed or in a Conservation Area.

Policy H 11

Loss of housing units

Proposals that would lead to the loss of housing units will not be permitted except where it can be demonstrated, to the satisfaction of the Minister for Planning and Environment, that such loss is justified on the basis of:

1. the replacement of sub-standard accommodation; or
2. better meeting the Island's housing needs, in accord with Policy H 4 'Housing mix'; or
3. the maintenance and enhancement of the historic environment; or where
4. the value of the development to the Island outweighs the loss or reduction in the Island's housing stock.

46 see Policy H 8 'Registered lodging accommodation' and Policy H 9 'Staff and key agricultural worker accommodation'

47 see p. 202 [St Helier Urban Character Appraisal](#)