

To: Minister for the Environment

10 October 2023
Head of Place and Spatial Planning
Place and Spatial Planning, Cabinet Office

Supplementary planning guidance **RESIDENTIAL SPACE STANDARDS**

Purpose

1. To consider the outcome from consultation about draft residential space standards supplementary planning guidance with a view to publication of a response to it; and the amendment and adoption of revised guidance.

Timing

2. Draft guidance was issued for consultation between March and April 2023. Key themes arising from consultation were tabled for discussion in September.
3. The preparation and issue of other draft guidance for consultation (including Density standards; Housing development outside the built-up area; Residential parking standards; Short-term holiday lets; and Development briefs for affordable housing sites and the former St Saviour's Hospital) has reduced the capacity of the team to review the outcome from consultation on this guidance and revise the draft guidance. This has now been undertaken.
4. Revised guidance should be issued as soon as possible in order to replace existing out-dated guidance but also to inform the preparation of development briefs for rezoned affordable housing sites.

Recommendations

5. That you:
 - a. note the consultation feedback and endorse the analysis and proposed response to it, as set out at appendix 1;
 - b. note the key issues raised and endorse the proposed changes to draft guidance;
 - c. endorse the revised guidance for residential parking standards, as set out at appendix 2; and authorise its publication in order that it might become material to the planning process.

Background

6. Supplementary planning guidance was issued as a draft for consultation in accord with Proposal 20 of the Bridging Island Plan which states that the Minister for the Environment will review, and issue revised supplementary planning guidance setting out new design standards for the design and specification of new homes to ensure that new residential accommodation can provide islanders with good quality homes.

Consultation

7. Consultation was undertaken between 06 March and 17 April 2023 for six weeks, with the consultation extended informally for a further two weeks for receipt of late comments.
 - the draft guidance was published online.
 - direct approaches for comment was also made to a range of stakeholders, with the offer of a specific meeting, if requested.
 - a public webinar was held on 04 April. Attendance was free, and admission secured through Eventbrite.
 - an evening meeting was held with the Association of Jersey Architects.
 - a webinar was held for States Members covering the same material.
 - consultation feedback was invited via an online survey or in writing, by email or letter.

Consultation feedback: extent

8. 12 online surveys were completed. Of these, three have requested that comments are not published.
9. 17 written submissions were received.
10. There were no 'late' comments.
11. Consultation feedback was received from a range of stakeholders including:
 - the Minister for Health and Social Services
 - members of the Planning Committee
 - numerous architectural practices
 - interested members of the public

Consultation feedback: detail and analysis

12. All comments have been collated, reviewed and analysed against the 10 questions posed in the online survey.
13. Where written submissions have been made, they have been disaggregated and assigned to the relevant part of the survey response.
14. In some cases, survey responses have been re-allocated against other questions, where the answers have more relevance.
15. Three of the online survey participants have not given permission for their comments to be published. These are highlighted in grey: they will be removed before publication.

16. Appendix 1 provides the anonymised survey responses, together with a draft response to the issues raised.
17. The response includes an outline of the potential for changes to be made to the draft guidance, before adoption and publication. These are denoted as 'changes' in the response.
18. The key issues and themes, of which there are considered to be eleven, have been identified and summarised below together with a considered response to the issues raised and proposed changes to the draft guidance, as follows:

Issue/theme	Substance	Proposed changes
1. Need for review	There was overwhelming support for review, but scepticism about whether the standards are sufficient; and whether developers will 'get around' them, or not improve on them.	No change Revision of the guidance and its re-issue, together with the requirement to provide more easily accessible and clear information about space standards as an integral part of planning applications helps to enable a more consistent approach to the assessment of development proposals, at both a pre-application and planning application stage, and to ensure that standards are being applied and met.
2. Basis of approach, where standards are based on potential occupancy	The survey response engendered over 50% support for this approach. There was, however, scepticism that the increased standards are sufficiently improved; and concern that homes are not adequately designed for the people who might occupy them.	No change Application of this proportionate approach (of occupancy to size) has meant that space standards have generally been increased and exceed those adopted in London and nationally in the UK.
3. Gross internal area (GIA) standards	There was no clear view, from the survey results, about whether the revised standards are considered to be sufficient. Some commentary suggests that standards are not high enough, especially for one- and two-bed flats and relative to the increase in homeworking. Some commentary suggests that bigger is not always better but is always more expensive.	No change The revised standards set out increased GIA relative to existing standards. Minimum GIA standards in Jersey exceed minimum standards in London and across the UK.
4. Living, dining and kitchen (LDK) space standards	There was a general lack of agreement (67%) that the revised LDK standards were sufficient. Commentary suggested that furniture could not be	Change Any challenges of fitting furniture into current accommodation is reflective of existing standards (if they have been applied), not revised standards. Standards (incl. existing) are, however, based on the functional requirements of each room and,

Issue/theme	Substance	Proposed changes
	<p>accommodated into existing space provision.</p> <p>Some commentators suggest that the assessment of space for LDK is being eroded by circulation space.</p>	<p>therefore, have regard to the likely furniture to be required and the space for activity in each space.</p> <p>In general, the revised standards set out increased LDK floorspace relative to existing standards; and minimum LDK standards in Jersey match or exceed minimum standards in London and across the UK.</p> <p>It is, however, considered beneficial to amend the guidance to make clear that the basis of LDK area calculation should be made clear on the plans; and should exclude the space immediately inside the front door, or any circulation space needed to access other rooms.</p> <p>This will ensure that the minimum space for this function is of actual value and utility.</p>
<p>5. Storage standards</p>	<p>Nearly 50% of respondents agreed with the revised storage space standards; 34% did not.</p> <p>Commentary suggests that the inadequacy of dedicated storage is an issue in many new homes.</p> <p>Other commentary highlighted areas of the home that might contribute to meeting storage requirements.</p>	<p>Change</p> <p>The revised standards exceed those minimum standards across the UK; and also the minimum and best practice standards adopted in London.</p> <p>It is considered beneficial, however, to amend the guidance to clarify that loft space might contribute to storage but that at least 50% of dedicated storage should be located within circulation spaces; every home should have at least two built-in storage cupboards; with at least one on each floor.</p> <p>Reference should also be added to clarify that kitchens/ utility rooms should have space for waste management/recycling, and that this space is separate to storage requirements.</p>
<p>6. Private open space standards (flats)</p>	<p>There was a general lack of support for the revised private open space standards for flats, where 50% disagreed, including 41% strong disagreement. Only 34% agreed with them.</p>	<p>Change</p> <p>The standards for the provision of private open space, particularly for flats, has been revised to make the provision proportionate to the potential number of people who might occupy a home, relative to the number and size of bedspaces.</p> <p>These revised standards also reflect or exceed minimum standards for private open space in the London Plan Guidance: Housing Space Standards (July 2023).</p> <p>Application of existing open space standards was found to be the most deficient in terms of current practice. Revision of the guidance and its re-issue, together with the requirement to provide more easily accessible and clear information about space standards as an integral part of planning applications helps to enable a more consistent approach to the assessment of development proposals, at both a pre-application and planning application stage and to ensure that standards are being applied and met.</p> <p>It is considered appropriate, however, to clarify that the minimum area of private open space, especially</p>

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		<p>for flats, served by balconies, should be of reasonable utility – and thus is required to have four sides. Where it does not, a greater area of space will need to be provided to satisfy the minimum.</p> <p>It is also considered appropriate that the guidance is further amended to state that family homes are predominantly located on the lower floors of buildings, so that they provide safe, convenient access to, and overlooking of, outside play and amenity space for use by children.</p>															
7. Provision of more internal space instead of external space	Only 8% of survey respondents supported this provision. 67% has some level of disagreement; 50 strongly disagreeing.	<p>Change</p> <p>In light of the consultation response, it is considered that this provision should be removed from the revised guidance.</p>															
8. Private open space standards (houses)	Survey results indicated 36% in some agreement, with 46% expressing no view	No change															
9. Shared open space standards (flats)	<p>No clear response to the standards with equivalent agreement/disagreement.</p> <p>Some commentary suggests this is insufficient, relative to climate challenges and inadequacy of public realm; others consider it likely to make development of town sites unviable.</p>	<p>No change</p> <p>The revised guidance acknowledges that the provision of private open space should be afforded a high priority as this is considered to be more beneficial to residents than shared space.</p> <p>The Minister is revising and issuing guidance that deals with all key aspects of residential development, including density; residential space standards; and residential parking standards.</p> <p>The combined effect of all of this revised guidance should help to promote viability and deliver more and better residential accommodation on development sites.</p>															
10. Provision of single person accommodation (up to 5% in schemes of 20+ homes in ToSH and LQ)	<p>Approximately 36% of respondents strongly disagreed or strongly agreed with this proposed provision. In general, there was more disagreement overall (54%).</p> <p>Those in disagreement felt that the 1b1p standard will inevitably lead to overcrowding.</p> <p>The converse argument is that, given the challenge of affordability in Jersey's housing market, particularly for young people, smaller homes might help provide access to the housing market.</p>	<p>Change</p> <p>Overcrowding cannot be regulated by the planning system and can occur in any size of home. (Census data reveals that there is a decreasing trend of overcrowding in the island, however, this is not based on any assessment of the size of bedspaces (it is based on number of bedrooms)).</p> <p>Both national UK planning guidance and that for London set out a space standard for 1b1p homes: it is not believed that there is any policy constraint about where any such homes might be provided.</p> <table border="1" data-bbox="852 1789 1281 1951"> <thead> <tr> <th>1b1p (sqm)</th> <th>GIA</th> <th>LDK</th> <th>Bedroom</th> <th>Storage</th> </tr> </thead> <tbody> <tr> <td>UK</td> <td>39 (37)¹</td> <td></td> <td>7.5</td> <td>1.0</td> </tr> <tr> <td>London (min)</td> <td>39 (37)</td> <td>21</td> <td></td> <td>1.0</td> </tr> </tbody> </table>	1b1p (sqm)	GIA	LDK	Bedroom	Storage	UK	39 (37) ¹		7.5	1.0	London (min)	39 (37)	21		1.0
1b1p (sqm)	GIA	LDK	Bedroom	Storage													
UK	39 (37) ¹		7.5	1.0													
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¹ Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m²

Issue/theme	Substance	Proposed changes							
		London (best)	43 (41)			1.5			
Jersey (existing)	34.5	13.0 ²	12.5 ³	2.0	Jersey (proposed)	40	21	10.5	2.0
<p>The provision of single-person homes is considered to be a legitimate form of accommodation, to meet specific demands of the island's changing demography; and to assist with access (in terms of affordability) to the island's housing market; and that it ought not to be restricted to either a proportion of yield; or a location in the island.</p> <p>The guidance should be revised to recognise this as a standard form of housing accommodation to be referenced throughout the guidance (rather than as a discrete section).</p> <p>It is considered, however, the standard should be revised, specifically in relation to</p> <ul style="list-style-type: none"> the bedroom standard, to make it equivalent to the minimum standard of a secondary twin/double room (i.e. 11.5 sqm) (this is equivalent to the minimum standard for a double bedroom under UK guidance) and that the standard be clarified that this involves the provision of a shower room: provision of a bathroom would require a further 2 sqm. this would bring the Jersey standards for a 1b1p GIA to that of the 'best practice' GIA for 1b1p flat in London guidance. 									
1b1p (sqm)	GIA	LDK	Bedroom	Storage					
Jersey (proposed revised)	41/43	21	11.5	2.0					
11. Guidance for other forms of accommodation	Several commentators stated that Jersey needed to introduce a new category of development that included forms of smaller, shared homes e.g. student/young persons-type accommodation, to address the issues of affordability.	<p>No change</p> <p>The other forms of accommodation referred to are specialist forms of housing such as shared living, temporary accommodation and student accommodation.</p> <p>These revised Jersey standards do not provide guidance for this form of living accommodation and will deal with proposals for them, where applications for this type of development are made, on their merits. They will be assessed in a similar manner to that proposed for accommodation designed for short-term occupancy, where any departure from adopted standards will need to be appropriately justified.</p>							

² Just relates to kitchen/diner

³ Current guidance states that this is the size for the main or first double bedroom. This standard is often misconstrued and the standard for a single bedroom (at 6.5 sqm) applied to 1b1p home instead.

19. These proposed changes have been made to the consultation draft of the guidance and an amended version of the guidance is provided at appendix 2.

Relevant considerations

24. The Minister for the Environment is empowered to publish guidelines and policies under the auspices of Article 6 of the Planning and Building (Jersey) Law, where it accords with the island plan. The proposed guidance for revised residential space standards accords with proposal 20 of the BIP.

25. The adoption and publication of guidance will ensure that it becomes material to the planning process. This is not considered to have any adverse resource implications and will provide applicants, developers, planners and decision-makers with revised tools to deliver development that better accords with policy objectives of the island plan.

Communications

26. The adoption and publication of new supplementary planning guidance might be the subject of a news release.

27. Publication of the revised guidance, and the response to consultation, should be notified to those taking part in the consultation. Adoption of the revised guidance should be communicated directly to the development industry using established channels.

28. Internally, liaison is required with I&E (Regulation) to ensure that the requirements of the revised guidance are embedded within practice and procedures.

Appendices

1. Anonymised feedback and draft response
2. Revised guidance for residential space standards

Copy list

1. Assistant Minister for the Environment
2. Tom Walker
3. Tim Pryor (Head of communications)
4. Mark Richardson (Private secretary)
5. Kelly Whitehead (Group director: Regulation)
6. Andrew Marx (Head of development and land)
7. Chris Jones (Principal planner: Development control)
8. Natasha Day (Head of housing and regeneration)