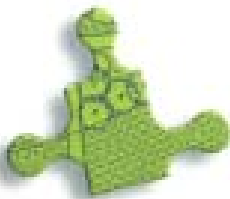
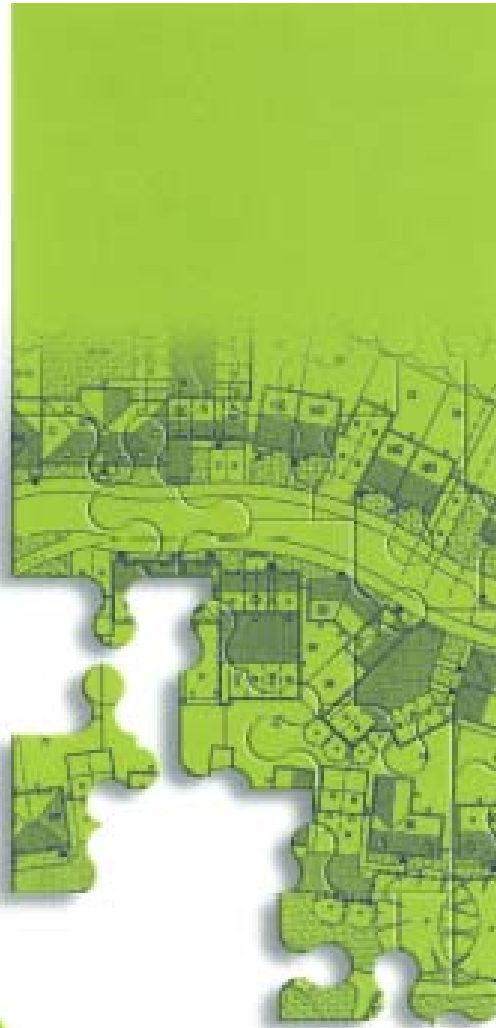


**Representations in
Respect of:**

**'The (Draft) Jersey
Island Plan'**

**September 2009
States of Jersey**



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Pioneer Property Services Ltd**

**Prepared on Behalf of:
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**Date:
17th March 2010**

will impact upon the availability of land. This is an approach that is advised within UK September 2009 Planning Inspectorate Local Development Framework guidance.

3.5 'Meeting Housing Needs' (page 248)

3.5.1 It is set out at paragraphs 6.82 and 6.83 of the draft JIP that development briefs will be produced for each of the zoned Category A sites, which will set out an appropriate mix, tenure, size and type of dwelling based on evidence of current need. However, it is not apparent that a robust assessment of housing need is currently available. Therefore, it will be essential that such an assessment is carried out prior to the production of these briefs, and that the assessment includes analysis at a sub-area / local level. Furthermore, it is not apparent, given that there is no testing of viability at a strategic level, that these briefs will include viable tenure and dwelling size requirements.

Required Modification 3.5i:

- **Paragraphs 6.82 and 6.83 and any Category A site Development Briefs should reflect the findings of a robust and credible assessment of affordable housing need. The HNS07 does not provide a robust or credible assessment of current or future housing need in terms of location, proportion, tenure split or dwelling mix. Until a robust housing requirements assessment is carried out the draft JIP is unable to justify an informed policy approach to housing delivery (Category A or B).**

3.5.2 The draft JIP sets out that all of the additional Category A housing that will be delivered through proposed Policy H1 'Category A Housing Sites' will be delivered as either 'Jersey Homebuy' or 'first time buyer' dwellings;²³ it is identified that this is based on the HNS07 conclusions (which these representations contend do not model housing requirements in a robust and thorough way). In any event, the Planning and Environment Minister does not appear to consider that it is necessary for any additional social rented dwellings to be delivered on these zoned sites. The draft JIP states, however, that the requirement for social rented housing will be monitored and that any alterations to tenure requirements can be addressed through the application of Policy H3 'Affordable Housing'.

²³ paragraph 6.84, and Policy H1, draft JIP

3.5.3 It would be inappropriate to use Policy H3 (which introduces a policy to acquire additional affordable housing from residential and mixed use developments via a planning obligation, and which leaves the tenure of provision to be determined by the Minister for Planning and Environment on a site by site basis based on 'current housing need'²⁴) to address the inflexibility in Policy H1, which sets out rigid affordable tenure requirements and which appears to be incapable of alteration (by virtue of the policy wording) to match any updated assessments of housing need. Policy H2 'Other Category A Housing Sites', whilst including an opportunity to delivery a proportion or social rented homes (although these can equally be provided as Jersey Homebuy dwellings instead), also fails to include wording to enable it to respond to current assessments of housing need.

Required Modification 3.5ii:

- **It would be appropriate to reconsider the wording of policies H1 and H2, to introduce flexibility in terms of Category A tenure provision to reflect robustly assessed housing need and viability, and / or to include trigger mechanisms whereby revised housing need evidence which suggests a need for different tenure proportions brings into play a review of the plan housing policies. It would be inappropriate and unjustified to seek to resolve the inflexibility of the H1 and H2 wording with regards Category A housing tenure split, through the imposition of the additional Policy H3 'Affordable Housing'; the negative implications of which are far reaching in terms of affordability and overall housing delivery. Policy H3 'Affordable Housing' should be deleted from the draft JIP, and the inflexibility of policies H1 and H2, and the lack of a robust housing requirements / viability evidence base, should be addressed.**

3.5.4 It is likely that the application of Policy H3 'Affordable Housing' would result in the provision of a level of affordable housing over the plan period that exceeds the overall delivery target for 'Category A housing' ('Category A housing' appears to remain synonymous with the Policy H3 definition of affordable housing²⁵), and will, inevitably, reduce the number of Category B dwellings that can be delivered, thus endangering the overall Category B open market housing target.

3.5.5 For example, in the housing supply table at paragraph 6.51 of the draft JIP, it is identified that the housing supply relies on 1,700 dwellings from windfall sites – this is almost 37% of

²⁴ paragraph 6.112, JIP

²⁵ as set out in supporting text at paragraph 6.114, draft JIP

the overall net supply (4,625) for the plan period. Of these, 1,400 are identified as Category B dwellings.²⁶ The draft JIP suggests that based on recent trends approximately 50% of residential developments comprise of 6 dwellings or more (this is set as the threshold at which Policy H3 'Affordable Housing' would require on-site affordable housing provision).²⁷ Therefore, if it is assumed that 50% of the windfall 1,700 housing provision is from sites of 6 dwellings or more, 340 of these dwellings could, in theory, be appropriated for Category A housing (i.e. $1,700 \times 50\% = 850$, 40% of which is 340).

3.5.6 This 340 dwelling subtraction reduces the number of Category B dwellings that could be delivered by windfall sites by 20%, which, along with any other shortfall in Category B housing provision from re-zoned sites for the reasons set out at 'i' to 'iiv' above, will result in a significant restriction in the Category B housing supply. Add to this the fact that many of the windfall sites are unlikely to be released for housing development while Policy H3 'Affordable Housing' is in operation, it is apparent that the housing delivery situation on the Island could become extremely precarious. This would seem to be an unnecessary and unjustifiable risk when it is considered that with the appropriate zoning of sites through the existing Island Plan mechanism (as set out within the PBL Article 4(4)) it would be possible over the life of the plan to deliver this additional number (340) of Category A dwellings, where it is evidenced as being necessary to meet need.

Required Modification 3.5iii:

- **The introduction of Policy H3 will result in a reduced provision of Category B housing from windfall sites, both as a result of a proportion of the dwellings being appropriated to provide Category A / affordable housing, and as a result of the probability that land will not be brought forward for residential development. Policy H3 'Affordable Housing' should be deleted from the draft JIP.**

²⁶ It is unclear whether the 300 Category A dwellings are derived from windfall sites that are anticipated to come forward solely for Category A dwelling development, or through the application of the proposed policy H3 - these are matters that need to be presented transparently within the draft JIP if an engaged and rigorous consultation process is to be entered into.

²⁷ footnote 29, page 257