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'DESIGN OF HOMES' SCRUTINY REVIEW

This submission has been prepared on behalf of 'Les Vaux Housing Trust', in response to the Scrutiny Panel's stated terms of reference, ie :-

"To review existing and emerging policies and advisory notes concerning the design and specification of residential accommodation and to consider any social, economic and environmental implications arising"

"To review the rules, procedures and specifications contained within the Building Bye-Laws (Jersey) 2004"

Comments on the above are as follows (***with summary and suggested actions in bold italics***) :-

1. AFFORDABLE HOUSING

AN OVERVIEW

Access to affordable accommodation of a decent standard is vital to a community's stability and sense of well-being. Making this available to all, regardless of income, should therefore be the aim of all caring communities.

For its part the construction industry is constantly seeking new ways to build which are more economical, and also meet the ever higher standards imposed by legislation and consumers' expectations.

However, whilst new methods of construction and increased efficiency can help to reduce the cost of building, this rarely leads to meaningful savings for the Jersey house buyer, because :-

- The cost of building is continually being increased by the introduction of newer, more stringent building regulation requirements.
- Basic material and labour costs remain high compared to the UK.
- Eventual selling costs are dictated by the prevailing housing market, and any marginal reductions achievable in construction cost generally benefit the landowner in the form of corresponding increases in site value.

Given that Jersey has a very limited amount of land available for new buildings it seems highly unlikely that the supply of new homes could ever be increased to a level at which it outstripped demand, particularly as the government's future economic strategy is based upon continued growth.

It therefore follows that, unless external forces were to cause a significant downturn in Jersey's economy, the market for new homes in Jersey will remain strong, and prices will remain high. Without some form of State intervention purchasing a home in Jersey will therefore remain beyond the reach of those on low incomes.

Past attempts by the States to address this situation have involved the imposition of artificial price controls upon the housing market, which proved an unrealistic and unsustainable policy, and more recently by controlling the types of housing built, and to whom they can be sold.

By requiring a proportion of homes built on new estates to be designated as 'starter homes', and by limiting the purchase and onward sale of these homes to first-time buyers only, the States have made some progress towards providing more affordable homes. However, the open market still dictates a price level for these properties that is well beyond the reach of many families.

'MICROFLATS'

The developers' response to this problem has been to build ever-smaller, high density 'microflats' which are more affordable for individuals and young couples on limited incomes.

However these are of such small dimensions that once a couple wish to start a family they become wholly inadequate. As the next rung of the property ladder can be too high for some to reach they then find themselves forced to remain in their 'microflat' and raise their families under difficult circumstances.

SHARED EQUITY

The concept of shared equity (ie: the cost of purchase being shared with the States in proportion to the purchaser's means) has been suggested as a possible solution.

However, by increasing the buying power of purchasers on low incomes, as well as the number of people able to buy, there is a very real danger that the market's response would be an increase in the cost of basic housing.

It is vital that the net effects of this idea are carefully evaluated to ensure that it will not prove to be inflationary and therefore counter-productive.

CONTROL OF LAND VALUES

The cash windfalls that owners of re-zoned land are currently enjoying is a matter of great concern. It seems scandalous that owners of marginal farming land, which would otherwise have little commercial value, are becoming overnight millionaires at the expense of more affordable housing for ordinary Jersey people.

There now appears to be a growing political will to confront this issue and it has been suggested that some form of control over the value of rezoned land could be imposed. However, if savings can be achieved, it is important that any resulting intervention in the market place is equitable.

For example if, by passing on the benefit of reduced plot prices, cheap houses are made available to a limited number of people on low-incomes, this would seem unfair on other families who have already invested in first-time buyer properties at higher open market prices, and who have had to contend with high mortgages at great personal cost to themselves.

SOCIAL-RENTED ACCOMMODATION & HOUSING TRUSTS

Without States intervention in the housing market, families on lower incomes wishing to buy have little choice but to purchase minimal, sub-standard accommodation. On the other hand, if the States do intervene by providing financial assistance, or housing at well below market rates, this may be inequitable to those who are not eligible for such assistance, and whose situation could even be made worse due to the effects of such policies upon the housing market.

Whilst home ownership will remain the ultimate goal of many families the States should recognise that it has limited powers, beyond what it is already doing, to reduce the high cost of housing in Jersey and any further efforts must be carefully judged to ensure that they are equitable to all.

In the Trust's view it would be preferable for the States to concentrate upon ensuring that young families on limited incomes have access to decent, affordable housing by supporting a significant increase in the island's stock of social-rental accommodation.

With strong political support the island's established Housing Trusts can respond effectively to this need due to their non profit-making basis and their ability to obtain funding for new developments from commercial sources. Trusts could also make good use of any reductions secured on land purchase costs by ploughing these savings back into further new developments.

However, there still appears to be some mistrust of Housing Trusts amongst the public, some of whom perceive them as slightly 'shadowy' organisations whose members are benefiting from their position.

Politicians should be much more vigorous in dispelling this view and in acknowledging and supporting the vital role that Trusts can play in providing good quality, affordable housing in Jersey.

2. SPACE STANDARDS

As noted above, a market-led approach to space standards within the private buyer's sector is resulting in a gradual reduction in size, in line with what consumer's are able to afford.

These units are clearly fulfilling a need, and it can be argued that buyers are fully aware of a flat's size when they see it and it should be up to them to decide whether it suits their needs. However, there is a danger that the excessively small size of some 'starter' flats now being offered to private buyers could be cited as justification for a corresponding reduction in the size of flats generally.

It should be recognised that living in a 'microflat' within a high density development is not conducive to happy family life and there is a need to re-establish some basic minimum space standards for new dwellings within the social-rental sector based upon an appraisal of the existing housing stock and a survey of tenants' first-hand experiences.

Planning Policy Note No.6 ('A Minimum Specification for New Housing Developments') was once a useful document for setting out general requirements relating to the design of new homes, but this now requires urgent updating in most areas. In particular, the space standards contained in this document fall below what we believe should be considered acceptable, and an increase of at least 10% in the case of flats would be a more realistic starting point.

Developers should also be required to indicate furniture layouts on all planning application plans to demonstrate that a workable arrangement of regular-size furniture is possible within all new dwellings.

3. CONSERVATION OF FUEL & POWER

The current building regulations focus, quite rightly, upon achieving ever higher standards of insulation and air-tightness in new construction. However, this approach is now reaching a point of diminishing returns and, in view of the accepted need to reduce global energy use, it is time for all other areas of energy conservation and generation to be addressed.

This presents a major challenge as there is unlikely to be a 'one-size-fits-all' solution that can be prescribed in law to suit all situations.

At present there are a number of approaches available which can reduce energy usage. However, the appropriateness and cost-effectiveness of these approaches is currently difficult to assess as there are few reliable sources of data. Designers and developers can often only make judgements based upon sales literature, which can be misleading or contain inflated energy-efficiency claims.

The onus for investing in renewable energy sources is also currently left to the individual's conscience and, as these technologies often have very long pay-back periods, there is little financial incentive to take any action.

In view of the seriousness of the problem, and the inevitability of high energy costs in the future, it is time for the government to take a firm lead on this matter by :-

- ***Offering financial incentives to save energy in the form of either tax breaks or direct cash grants towards the capital costs of installing recognised types of systems (Eg: cavity wall and loft insulation, solar heating, ground-source heat pumps etc)***
- ***Collating reliable research on renewable energy products and presenting householders with clear, informed advice as to their use, appropriateness, efficiency and cost-effectiveness in a form that is easy for a lay-person to understand.***

Whilst much emphasis is currently placed upon the energy efficiency of new homes this represents only a small proportion of the island's total housing stock. Many older properties are grossly inefficient and rely upon relatively cheap energy to maintain comfortable living conditions. So far the government has turned a blind eye to this situation but it is surely time to address this issue as a high proportion of domestic energy is consumed by old properties.

This will certainly raise a number of difficulties. To date there has been a reluctance to enact any legislation which acts retrospectively and places a direct financial burden upon householders to carry out improvements. There is also a conflict between the desire to conserve of our building heritage and the intrusiveness of some energy-saving measures (Eg: Solar roof panels, external insulation of solid walls etc.).

It is imperative that this issue is now examined in detail and that firm policies are put in place to deal with a problem that is only going to get worse in the future.

4. PROVISIONS FOR DISABLED PERSONS

It has recently been suggested that all new homes should be designed to be wheelchair friendly and incorporate features to suit disabled persons, so as to provide 'Homes for Life'.

Whilst this is a laudable aim and will no doubt receive much popular support the consequences of such a policy must be closely examined and clearly understood in relation to all other States policies and aims.

The main issue is one of cost. It has been stated by one Minister that this policy can be achieved with little financial consequence. This is certainly not true for the following reasons :-

- All living spaces and WCs within homes would need to be significantly larger to accommodate the needs of wheelchair movement. Circulation areas in particular would need to be much more generous to allow for wheelchair turning circles etc.
- Larger, more expensive, non-standards doorways are required and the requirements for level access are harder and more expensive to achieve.
- External spaces need to be designed to allow circulation from parking areas to front doors. This requires larger parking spaces and ramps with very shallow gradients. This is expensive, takes up much space and is likely to result in a reduction in the number of housing units that a site could accommodate leading to higher unit costs.
- Due to the difficulties involved in providing disabled access some sloping urban sites, which would otherwise be considered viable for redevelopment, would become uneconomic to develop, putting further pressure on green-field sites.

In view of the above, and bearing in mind the already high cost of houses in Jersey and the desire to make these more affordable, one has to question whether a policy of disabled access to all homes is sensible or viable in relation to the small number of people who would benefit from such a policy.

Perhaps a more reasonable approach would be to require a proportion of all new homes to be wheelchair friendly to ensure that wheelchair users have access to an adequate stock of suitable homes.

5. CAR PARKING

Planning Policy Note No.3 "Parking Guidelines" is now well out of date and needs to be urgently reviewed and updated. The planning department appears to routinely relax the parking standards recommended in this document for some types of development whilst rigidly insisting upon them for others.

Parking provision is a factor that is crucial to the viability and profitability of a development. It is therefore important that car parking requirements and policies are clearly stated and adhered to by the planners, so that all parties have the benefit of a level playing field.

This review should also include consideration and firm policies relating to 'car-sharing' schemes.

6. DEMOLITION OF EXISTING BUILDINGS

Policy G16 within the 2002 Island Plan clearly states that there is a presumption against demolition of any existing building, unless it can be demonstrated that the building is 'inappropriate' to repair.

This policy is linked to the concept of sustainability in which it is recognised that existing buildings contain 'embodied energy' which should not be squandered. However, in many cases demolition is often the most sensible option because :-

- It can allow the release of valuable 'brown-field' sites for redevelopment, thereby relieving pressure on green-field sites.
- Retention of existing structures can significantly reduce a site's development potential by compromising the efficient layout and orientation of new buildings on a site, thereby reducing the site's housing yield and the ability to take full advantage of passive solar energy principles.
- Replacement buildings, built to modern standards, are more energy efficient than refurbished old buildings and therefore more sustainable in the long term.

Indeed Policy G1, which outlines the general principle of sustainable development, recognises that 're-using already developed land' is desirable and therefore seems to directly conflict with Policy G16.

In practice it would appear that the planning department are now routinely permitting demolition of existing buildings to allow some sites to be redeveloped, whilst in other cases Policy G16 is more rigorously applied to prevent or compromise other development proposals.

Further guidance and clarification of Policies G1 & G16 is required to ensure that all developers are treated equally.

7. WASTE MANAGEMENT

If demolition is allowed then Policy WM2 requires applicants to submit a Waste Management Plan to identify 'the means by which any waste material shall be re-used, recycled or disposed of either within or off the site'. It also states that '...where such plans are not acceptable permission will not

normally be granted'.

This policy relates to concerns about the quantity of building waste that arises from building activity and the speed with which this waste is now filling up the La Collette reclamation site.

Whilst this policy reflects an issue of genuine concern it fails to spell out what solutions are considered acceptable to the planning department. At present this policy appears to be applied quite strictly to certain types of developments, as a means of preventing or restricting development, whilst in other cases, particularly on tight urban sites which produce a great deal of waste material which cannot be disposed of on-site, the requirements appear to be more relaxed.

Further clarification of Policy WM2 is required in order to establish a level playing field for all developers.

8. MAINTENANCE & COST-IN-USE

Les Vaux Housing Trust manage a large stock of ageing properties and the issues of maintenance and cost-in-use are therefore of particular concern to the Trust, and are also relevant to their new developments.

The cost benefits of specifying materials with much-reduced maintenance requirements, compared to more conventional building finishes, can be clearly demonstrated at the design stage of a project. However, when the funding of new projects is considered these benefits can be easily overlooked in favour of lower cost alternatives in order to reduce the initial capital cost of a project.

When the longer term problems of maintenance arise, the costs can be so high that maintenance work is neglected. As a result these buildings soon look run-down and residents quickly lose pride in their surroundings and become dissatisfied. This acts as a catalyst for social problems and complete redevelopment is then seen to be the only solution. This scenario applies particularly to some States developments of the past.

Premature replacement of buildings is extremely wasteful and also unnecessary if good quality materials are used in the first place.

Despite this the Trust has had problems in securing adequate funding for new projects and it is often the specification of low-maintenance materials which are 'cost engineered' out of the project by the States at the funding stage.

Where the States are involved in providing funds for new developments proper consideration must be given to the total 'cost-in-use' of new developments and adequate funds should be allowed for low-maintenance solutions where these can be shown to be cost effective.

NB: In this context 'low-maintenance' finishes (ie: finishes that are robust, long-lasting, require little maintenance, weather well over time and are relatively easy to maintain when it is required) should not be confused with so-called 'maintenance-free' products, such as UPVC, which might perhaps be more accurately described as 'non-maintainable'.

Whilst these products offer short-term benefits, which can superficially appear desirable, in the longer term, once their finishes have faded or discoloured, complete replacement is generally necessary.

This is both expensive and ecologically unsound and consideration should be given to banning the use of these products, as is the case in several European countries.

In conclusion, Les Vaux Housing Trust will continue to work closely with all States departments to review and comment upon developing States policies as they emerge, and requests that it is included in all future consultations.

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