

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – NINETY-SECOND AMENDMENT POLICY H8: HOUSING OUTSIDE THE BUILT-UP AREA

**Lodged au Greffe on 11th February 2022
by the Minister for the Environment**

STATES GREFFE

PAGE 2 –

After the words “the draft Island Plan 2022-25” insert the words “except that –

- (a) In Policy H8 – Housing outside the built-up area, section 2, together with sub-sections a. and b., should be substituted with the following -

- “2. in the case of an extension or where it involves the sub-division of part of an existing dwelling that would lead to the creation of separate households:
- a. the accommodation is required to provide independent accommodation for someone who requires a high degree of care and/or support for their personal wellbeing and health; or
 - b. the accommodation is capable of allowing the creation of additional households, where they meet minimum internal and external space standards and specifications for homes, within the existing or extended dwelling; and
 - c. it does not facilitate a significant increase in potential occupancy; and
 - d. where the accommodation is capable of re-integration into the main dwelling.”

- (b) after Policy H8 there should be inserted a new proposal, as follows -

“Proposal – Housing outside the built-up area

The Minister for the Environment will develop supplementary planning guidance to assist with the interpretation and application of Policy H8 - Housing outside the built-up area.”

THE MINISTER FOR THE ENVIRONMENT

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, **except that –**

(a) In Policy H8 – Housing outside the built-up area, section 2, together with sub-sections a. and b., should be substituted with the following –

“2. in the case of an extension or where it involves the sub-division of part of an existing dwelling that would lead to the creation of separate households:

a. the accommodation is required to provide independent accommodation for someone who requires a high degree of care and/or support for their personal wellbeing and health; or

b. the accommodation is capable of allowing the creation of additional households, where they meet minimum internal and external space standards and specifications for homes, within the existing or extended dwelling; and

c. it does not facilitate a significant increase in potential occupancy; and

d. where the accommodation is capable of re-integration into the main dwelling.”

(b) after Policy H8 there should be inserted a new proposal, as follows –

“Proposal – Housing outside the built-up area

The Minister for the Environment will develop supplementary planning guidance to assist with the interpretation and application of Policy H8 - Housing outside the built-up area.”

REPORT

The draft plan already recognises that there are circumstances where it may be appropriate to support the provision of new homes outside the built-up area, by exception, and Policy H8 - Housing outside the built-up area sets these out in some detail. This includes explicit provision, supported by other policy, to enable:

- the conversion of traditional farm buildings (at Policy ERE3);
- the re-use of listed buildings (at Policy HE1); and
- the creation of a separate household, through extension or sub-division, to provide accommodation for a dependent in need of care (Policy H8).

The Minister for the Environment is, however, willing to give consideration to the introduction of further flexibility to this policy to enable the provision of additional households within existing, or extended dwellings in the countryside, where this can help to ensure that optimal use is made of existing housing stock.

In this respect, therefore, the Minister is minded to amend the policy to allow the creation of additional households within existing or extended dwellings in the countryside where:

- the provision of residential accommodation, to create additional households, satisfies minimum internal and external space standards;
- properties have sufficient services, space and infrastructure to accommodate additional household(s);
- where this does not lead to significant increases in overall potential occupancy (relative to the number of habitable bedrooms), to ensure that this does not lead to an unsustainable distribution of people living in the countryside; and
- where this can be achieved without creeping urbanisation and adverse impacts on the character of the countryside.

This approach would make best use of already developed land and buildings and would have the potential to offer further support to, for example, multi-generational living, without creating undue strain upon the services and facilities in the countryside.

The Minister's approach, which is set out in detail in his statement response (Statement response 40 of his [post-consultation report](#) pp.138-144) has been endorsed by the planning inspectors, who have examined this issue as part of their [independent review](#) (see pages 17-18, and 48-49, and recommendation 26).

They consider, however, that the Minister's test about 'a significant increase in occupancy' to be potentially confusing, and do not support its inclusion in a revised policy. The Minister is not minded to accept this part of the inspectors' recommendations. He is concerned to ensure that any relaxation of policy which allows the creation of more homes throughout the countryside needs to be closely regulated, and that change here needs to be managed and proportionate. The Minister considers it helpful to retain this test in order to achieve these objectives.

In light of the inspectors' comments, however, the Minister is minded to prepare and issue additional supplementary planning guidance to help ensure that this policy can be interpreted and applied in practice.

The inspectors do not support the proposed amendment of Senator Moore ([P.36/2021\(Amd. 26\)](#)), whose amendment – to Policy SP2 Spatial strategy; PL5 – Coast, countryside and marine environment; as well as Policy H8 – Housing outside the built-up area - seeks to enable the creation of new households in the countryside through the conversion, extension and/or sub-division of existing buildings (as opposed to just

dwellings). The inspectors are concerned that this will undermine the plan's spatial strategy, and the sustainability of the plan.

The Minister shares this view and seeks to present a plan that delivers the most sustainable pattern of development in the island, by focusing most development activity in the built-up area, whilst making more efficient use of existing homes in the countryside, but only where it is appropriate to do so. The Minister's amendment gives effect to this.

As a result of part (x)-(y) Policy H8 – Housing outside the built-up area, will read as follows:

Policy H8 – Housing outside the built-up area

Proposals for new residential development outside the built-up area will not be supported except where:

1. → in the case of an extension to an existing dwelling:
 - a. → it remains, individually and cumulatively, having regard to the planning history of the site, subservient to the existing dwelling and does not disproportionately increase the size of the dwelling in terms of gross floorspace, building footprint or visual impact; and
 - b. → it does not facilitate a significant increase in occupancy.
2. → in the case of an extension or where it involves the sub-division of part of an existing dwelling that would lead to the creation of a separate household:
 - a. → the accommodation is required to provide independent accommodation for someone who requires a high degree of care and/or support for their personal wellbeing and health; or and
 - b. → the accommodation is capable of allowing the creation of additional households, where they meet minimum internal and external space standards and specifications for homes within the existing or extended dwelling; and
 - c. → it does not facilitate a significant increase in potential occupancy; and
 - b.d where the accommodation is capable of re-integration into the main dwelling.
3. → the development would represent the optimal viable use of a traditional farm building, where no alternative employment use is appropriate; or, a listed building.
4. → in the case of the conversion of other existing employment buildings, where the redundancy of employment use is proven and the principle of change of use to residential development is acceptable having regard to other policy considerations; where its re-use and adaptation delivers demonstrable environmental benefits through reduced intensity of use and visual improvement to the building and its setting.
5. → in the case of the redevelopment of existing dwellings, involving demolition and replacement, the replacement dwelling:
 - a. → is not larger than that being replaced in terms of gross floorspace, building footprint and visual impact, except where any increase can be justified having regard to functional needs or necessary improvements to the standard of accommodation;
 - b. → does not facilitate a significant increase in occupancy; and
 - c. → gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.
6. → in the case of redevelopment of existing buildings in employment use, involving demolition and replacement, where redundancy is proven and the principle of change of use to residential development is acceptable having regard to other policy considerations, significant environmental gains can be delivered through improved design and appearance of the land and building(s); the repair and restoration of landscape character; and reduced intensity of occupation and use.

Proposals to extend the boundaries of new or existing residential development into agricultural or open undeveloped land in the green zone or Coastal National Park will not be supported.

Financial and manpower implications

The amendment, if approved, is not expected to result in any additional burden upon the Government's financial or manpower resources.

Child Rights Impact Assessment implications

This amendment has been assessed in relation to the [Bridging Island Plan CRIA](#). It may enable and support the provision of multi-generational homes which may be of benefit to some children.