

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT  
BY DEPUTY I. GARDINER OF ST. HELIER NORTH  
QUESTION SUBMITTED ON TUESDAY 27th MAY 2025  
ANSWER TO BE TABLED ON TUESDAY 3rd JUNE 2025**

### Question

“Will the Minister provide a comprehensive list of all property types that would be considered as ‘existing buildings’ for the purpose of the [Supplementary Planning Guidance for Housing outside the built up area](#)?”

### Answer

The [supplementary planning guidance: Housing outside the built-up area](#) provides an interpretation of those building types to which the provisions of the Bridging Island Plan Policy H9: Housing outside the built-up area, apply. It includes the following (emphasis added):

#### **3.2 Buildings**

*Both Policy SP2 – Spatial strategy; and Policy PL5 – Countryside, coast and marine environment state that residential development outside the built-up area will only be supported where it involves the conversion, extension and/or subdivision of existing buildings.*

*The pre-amble to both policies - together with Policy H9 – Housing outside the built-up area itself - make it clear that in the context of these policies, ‘buildings’ refers to **existing dwellings; traditional farm or listed buildings; and some employment buildings.***

The substance of any supplementary planning guidance has to be complementary to the provision of the Island Plan: it cannot change or undermine the policies of the Island Plan and has to be consistent with it. This is important because it is the States Assembly that approves the Island Plan.

The meaning of ‘existing buildings’, in the context of Policy H9: Housing outside the built-up area is, therefore, already defined by the approved bridging Island Plan, as amended.

As clearly set out in the bridging Island Plan (and also in the draft plan<sup>1</sup> that was lodged *au Greffe* (P.36/2021) for amendment and issued for consultation in April 2021) under the section entitled ‘How to use the Island Plan’ it states that ‘it is important to have regard to the plan as a whole and not to treat a policy or proposal in isolation.’

What this means is that when considering a proposal to develop new housing outside the built-up area, reliance cannot just be placed on, for example, the strategic policies of the plan (such as SP2 and PL5). Consideration needs to be given to the plan as a whole and must include all relevant policies. For the development of new homes outside the built-up area this must, therefore, include the detailed policy that specifically deals with housing outside the built-up area (i.e. Policy H9): the provisions of all of these policies (SP2, PL5 **and** H9) need to be considered together.

Thus, the BIP Strategic Policy SP2 – Spatial strategy; and Policy PL5 – Countryside, coast and marine environment state that residential development outside the built-up area will only be supported where it involves the conversion, extension and/or subdivision of existing buildings; and Policy H9 – Housing outside the built-up area, qualifies those forms of existing buildings that might be allowed to be developed for the provision of new homes.

Policy H9 states, on its face, as amended and approved (see appendix 1), that proposals for the development of new housing (leading to the creation of a separate household) will only be supported in respect of the following building types (subject to other specified tests):

- the sub-division or extension of an **existing dwelling** (Policy H9 (2));

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<sup>1</sup> [P Bridging Island Plan.pdf](#)

- the optimal use of a **traditional farm building** (Policy H9 (3));
- the optimal use of a **listed building** (Policy H9 (3)); and
- the conversion of an **existing redundant employment building** (Policy H9(4)).

No other building types are defined on the face of the policy.

The addition of the explicit reference in the strategic policies of the plan (at SP2 and PL5) to ‘*the conversion, extension and/or subdivision of existing buildings*’ outside of the built-up area was approved by the States Assembly as an amendment to the plan<sup>2</sup>.

This amendment also made minor amendment to Policy H9 (Policy H8 of the draft plan); as did the amendment of the Minister<sup>3</sup>. These amendments, as approved, were faithfully translated into the published plan.<sup>4</sup>

Neither of these amendments to Policy H9 (then H8) sought to change the types of existing buildings that might be converted, extended or sub-divided to create new homes over and above those building types already explicitly provided for on the face of the policy.

It is the definition of existing buildings set out in Policy H9, as approved by the States Assembly, that has thus been faithfully adopted in the Minister’s guidance.

## APPENDIX 1

(see over)

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<sup>2</sup> [States Assembly | P-36-2021\(Amd\)\(26\)\(Re-issue\)](#)

<sup>3</sup> [States Assembly | P-36-2021\(Amd\)\(92\)](#)

<sup>4</sup> See [R Bridging Island Plan pre-publication draft - Strategic policies.pdf](#) and [R Bridging Island Plan pre-publication draft - Housing.docx](#)

## **Policy H9 – 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 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
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.
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; and
  - b. 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 Protected Coastal Area will not be supported.