

STATES OF JERSEY



MINIMUM RESIDENTIAL SPACE STANDARDS

Lodged au Greffe on 25th October 2023
by Deputy T.A. Coles of St. Helier South
Earliest date for debate: 28th November 2023

STATES GREFFE

PROPOSITION

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

to request the Minister for the Environment to review the minimum standards for residential spaces and to consider –

- (a) making the minimum standard for a 1-bedroom 2-person apartment the minimum standard for all 1-bedroom apartments by removing the occupancy criteria;
- (b) removing the minimum standard for a 2-bedroom 3-person occupancy and making 2-bedroom 4-person occupancy the minimum for a 2-bedroom apartment; and
- (c) increasing the minimum standard for gross internal area of both 1-bedroom and 2-bedroom apartments by 10%.

DEPUTY T.A. COLES OF ST. HELIER SOUTH

REPORT

Following the development and drafting of supplementary planning guidance (“SPG”) setting out new design standards for the design and specification of new homes, the Minister for the Environment issued a draft for consultation in March 2023. These Jersey standards have not been comprehensively reviewed since 1994 although some minor changes were made in 2009. My submission to the [Draft supplementary planning guidance: residential space standards](#) consultation can be found in Appendix 1.

The Minister has published his report following the consultation and his consideration of all the submissions and he has made amendments to the draft SPG which has now been implemented. I am pleased to see that circulation space has been considered and that this cannot be included in the calculation of Living/Dining/Kitchen. However, I am disappointed that the new guidance still allows for the smallest category of 1 and 2-bedroom apartments to be developed.

The purpose of this proposition is to request the Minister to reconsider part of the new SPG and remove the smallest category of 1-bedroom and 2-bedroom apartments altogether i.e. the 1-bedroom 1 person occupancy (“1B1P”) and the 2 Bedroom 3 person occupancy (“2B3P”) apartments. The proposition further seeks to increase the minimum gross internal (“GIA”) area for 1-bedroom and 2-bedroom apartments by 10% with illustrative figures found in Appendix 2.

One of the challenges we face as an Island is limited space to build without the irreversible impact on our countryside. In order to minimise this, more apartments will need to be built within the development areas, all of which will have to comply with the minimum density standards as shown in Appendix 3. This, potentially, might lead to developers utilising the smaller category of 1- and 2-bedroom apartments to meet these requirements, given that this would be beneficial to developers albeit not to the people who will call these apartments “home”.

Jersey currently has no regulations to demonstrate, or indeed enforce, maximum occupancy for either rental or sale properties and, therefore, overcrowding of homes can and does easily occur. This can impact on many factors of people’s lives including their wellbeing, as well as impacting on the services, amenities and access of emergency vehicles within developments. For example, in respect of drainage, a development of 20 x 1B1P apartments may have a drainage system capable of handling the waste of 20 people but if this development is overcrowded by 50%, the drainage system would be required to handle the waste of 30 people. Our current sewage drainage system is currently overstretched and with incorrect data on potential usage, this will only exacerbate the issue.

Since Covid-19, there has been an increase in people working from home which has shown improvements to work/life balance and it is likely that hybrid working will become the norm. With this in mind, it is important that new homes are built with sufficient space to accommodate this change in working habits. I do not believe that the GIA, as proposed in the draft SPG, for 1B1P & 2B3P homes provides this flexibility which is the basis for proposal to increase the minimum GIA by 10%.

I urge members to support this proposition.

Financial and staff implications

The changes required if the proposition were adopted would result in minor drafting time for Officers. It is also appreciated that there may be resource implications arising from the implementation of the amended parameters – for instance review of existing applications and assistance to applicants to ensure that the requirements are met. Whilst the proposition changes parameters, it is considered that any financial implications could be met from the Department’s existing budget as the work required would fall into the business-as-usual category.

Appendix 1

Draft Supplementary Planning Guidance: Residential Space Standards Response.

Deputy Tom Coles – Planning Committee Member – 05/04/2023

There are many positive uplifts in requirements set out in this SPG, however I am concerned that there are still some gaps that will mean that some units of accommodation will still be too small to provide quality of life and an adaptable space.

My focus has been on the single storey dwelling. Below are my comments and recommendations on this area.

Fundamentally I have issues with 1 bedroom 1-person & 2 bedroom 3-person apartments still being allowed to be constructed. As Jersey has limited space and does not sit in a “commuter” area, the homes we are needing to be built need to be sustainable. 1b1p & 2b3p apartments will generally be stop gap apartments and not long term homes, we have also allowed a significant amount of these types of apartments to be built and I believe now is the time that these are stopped. With no advertising standards or requirements to present maximum occupancy in Jersey, we are seeing apartments being over occupied already. Continuing with these types of apartments will see overcrowding become the norm, leading to health and wellbeing issues to increase, and therefore should be stopped.

Recommendation 1 – Remove 1b1p & 2b3p from the standards and ensure all 1 bedroom apartments meet the 2 person standard and 2 bedroom apartments meet the 4 person standard.

The relevant increase in minimum requirements for Living, Dining and Kitchen (LDK) space is welcome, I feel that the 1 bedroom 2-person (1b2p) apartments are losing out by comparison in the current SPG. The current SPG did not specify a minimum LDK, however once you removed the minimum provision of the bedroom, bathroom and storage from the 51m² Gross internal area (GIA), the applicant would be left with 32.1m² of internal area to meet minimum standard. It is therefore safe to assume that the applicant would easily reach the 24.6m² currently set out for LDK, therefore meaning a 1b2p apartment could potentially lose 0.6m² in liveable space in the new SPG when compared to the current.

Recommendation 2 – Increase the minimum size for 1b2p LDK to 25m² thereby providing an increase in liveable space.

1b2p apartments do not improve in terms of liveable space with the gain in GIA, only the minimum increase in storage from 2m² to 3m² increases GIA. This could lead to applicants using the spare 8.1m² as corridors or transitional spaces, as well as internal walls, to make up to the required GIA rather than providing an adaptable increase in living space.

Current SPG states, in Section 7 paragraph 1, “It is important to emphasise that these are the absolute minimum standards and in most instances the Planning and Environment Department would expect to see more generous provision”. Most developers will aim for the minimum, rather than provide generously. I believe that this new SPG should be more direct and set out a requirement for a minimum liveable space within a minimum GIA.

A liveable space should be defined as an area that the occupant can use freely and for their own choice. This area should not include transitional pathway or corridors, to access other rooms, or unusable spaces, i.e. door swings.

By requiring the addition of 10% to the total area of bedroom(s) and LDK, the applicant can decide where they wish to add this extra space however it will always be to the benefit of the occupant.

Examples. The image below on the left, highlighted in yellow, shows areas that would have to be left clear in order to access other rooms and areas of the dwelling, therefore these areas are not free to use. The image below on the right, highlighted in red, shows areas that must remain clear in order for doors to swing, therefore these areas are not free to use. I believe that these areas should not be allowed to count towards the minimum space required for the rooms that they sit.



The below table gives an indication of my thoughts around the better use of liveable space, while highlighting the available remaining space that can be utilised to form corridors and door swings, compared with GIA.

Table 1	4B6P	3B5P	2B4P	2B3P	1B2P	1B1P
Current Total MLS*	79.5	65	54	47.5	36.5	33.53
MLS increased by 10%	87.45	71.50	59.40	52.25	40.15	36.88
Internal Storage - Proposed	6	5	4	3	3	2
Bathroom	4.4	4.4	4.4	4.4	4.4	4.4
GIA	102	88	77	63	52	40
Spare GIA for Corridors	4.15	7.10	9.20	3.35	4.45	-3.28

*MLS = Minimum Liveable Space is total area of bedroom(s) and LDK

Recommendation 3 – Take the sum of all the minimum habitable rooms and add 10% to create a minimum liveable space requirement as well as a minimum GIA.

Recommendation 4 – Define corridors and passageways, in accordance with [Part 8](#) of Policy, guidance, laws and regulations (planning and building), and note that these areas cannot be utilised with the minimum liveable space.

Recommendation 5 – Corridors and passageways should be clearly indicated on drawing and plans.

There is an appreciation that some units may not meet the minimum standard, in terms of GIA or liveable space because of efforts to meet minimum density, however these must be in the extreme minority, clearly presented to the department on application and justified. I would add to this SPG a requirement to present drawings that clearly show the measurements used to calculate areas.

Recommendation 6 – Clear guidance on how liveable space is to be measured and these measurements should be clear on drawings.

Recommendation 7 – Units not meeting the minimum requirements should be required to be clearly indicated and presented with justification.

Appendix 2

Below is a table of the requirements of the Gross Internal Area (GIA) for all new build apartments, all measurements are in m².

New SPG				
Bedroom/Occupancy	2B4P	2B3P	1B2P	1B1P
Gross Internal Area	77	63	52	40
Living, Dining and Kitchen	30	27	24	21
Primary Bedroom	12.5	12.5	12.5	12.5
Bedroom 2	11.5	8		
Internal Storage	4	3	3	2
Bathroom	4.4	4.4	4.4	4.4
Minimum Liveable Space	54	47.5	36.5	33.5
Spare GIA	14.6	8.1	8.1	0.1

Below is a table of what the requirements of Gross Internal Area (GIA) would be if the requirements for 1-bedroom and 2-bedroom apartments if increased by 10%.

New SPG Plus 10%				
Bedroom/Occupancy	2B4P	2B3P	1B2P	1B1P
Gross Internal Area	84.7	69.3	57.2	44
Living, Dining and Kitchen	30	27	24	21
Primary Bedroom	12.5	12.5	12.5	12.5
Bedroom 2	11.5	8		
Internal Storage	4	3	3	2
Bathroom	4.4	4.4	4.4	4.4
Minimum Liveable Space	54	47.5	36.5	33.5
Spare GIA	22.3	14.4	13.3	4.1