

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT
BY DEPUTY J.H. PERCHARD OF ST. SAVIOUR
ANSWER TO BE TABLED ON MONDAY 2nd NOVEMBER 2020**

Question

Will the Minister advise whether it is current policy that –

- (a) residential properties should be proportionate in size to the number of occupants; and
- (b) new flats or apartment buildings should have a minimum size per room;

and if there is no such policy, is it his assessment that these provisions should be introduced; and, furthermore, will he state whether he will take action to place restrictions on large dwellings in order to prevent small numbers of people occupying disproportionately large amounts of land; and if not, will he advise why?

Answer

- (a) In terms of existing residential properties, the regulation of rented dwellings standards, which includes consideration of overcrowding, is determined by the minimum standards as detailed in the Public Health and Safety (Rented Dwellings – Minimum Standards and Prescribed Hazards) (Jersey) Order 2018. There is no policy regime for existing dwellings in other property tenures.

With regard to the development of new homes, Policy GD 3: Density of development of the current Island Plan seeks to ensure that the highest reasonable density is achieved for all developments in an attempt to secure the most efficient and effective use and development of land. Policy H4: Housing mix also seeks to ensure that the new residential development contributes towards the need for specific types and sizes of home.

The planning system regulates the development of new residential accommodation but does not extend to the regulation of occupancy levels once a home is built.

- (b) All residential development - including new buildings; conversions; refurbishment; extensions and alterations; and redevelopment - is required to provide an adequate standard of accommodation in relation to dwelling size, internal layout and room sizes in accord with supplementary planning guidance published by the Minister for Planning and Environment (see section 8; pages 10-15: <https://www.gov.je/PlanningBuilding/LawsRegs/SPG/PolicyNotes/Pages/HousingDevelopments.aspx>).

This guidance was first published in 1991; and reviewed, in part, in 2009. It is currently under further review and revised standards, which better reflect modern standards and expectations, whilst also seeking to enable higher density of development, are to be issued for consultation to complement the work being undertaken to review the Island Plan.

It is important for the planning system to provide a range of dwelling types in the island to ensure that the many and varied needs of the island's community are met which might include: making provision for the demographic shift within the community of a declining household size; and meeting the need for larger family homes. Similarly, the provision of choice and range of homes,

as part of the island's housing offer, is important if Jersey is to ensure that it can attract and retain a skilled workforce that supports economic activity and the provision of public services.

As stated above there is no *vires* within planning legislation to regulate the occupancy levels of dwellings. It is also important to recognise that household needs are likely to change over time as household composition changes.

Evidence from the last Census in 2011 would suggest that around a quarter (26%) of households were under-occupying their accommodation, rising to 42% of under-occupation in the owner-occupied households; compared with an average of 5% level of overcrowding across all tenures (see appendix).

There is clearly a need to address the issue of overcrowding which, it is suggested, may have worsened since 2011 given the relatively high levels of in-migration experienced since that time. This data would also suggest, however, that there is opportunity to make better use of the island's existing housing stock to ensure that people's housing accommodation best meets their housing needs. Work is underway to consider the development and introduction of measures which encourage and enable 'right-sizing'. Such measures are likely to emerge under the auspices of housing policy; or fiscal measures which would serve to impose a financial charge for 'under-occupation'.

As stated above, ensuring choice and a range of accommodation types is important in the local housing market. Planning policy can be used, however, to ensure that the development of large homes does not adversely affect the quality of the environment. As already stated, existing planning policy seeks to encourage making best use of already developed land by seeking to encourage its redevelopment at optimal densities.

Policies for development in the countryside already set a general presumption against the development of new homes. In the case of the redevelopment of existing homes, policies require the delivery of demonstrable environmental gains, contributing to the repair and restoration of landscape character or; most significantly, limiting them to not be larger in terms of any of gross floorspace, building footprint or visual impact than the building being replaced.

These policies are under review as part of the current Island Plan Review. The Minister for the Environment wishes to ensure that this policy is maintained and strengthened, as part of the review, and to explore the limitation of the scale of new development, particularly around the most sensitive parts of the island's coast and countryside.

Appendix: extract from 2011 Census

Overcrowding and under-occupation

One in twenty (5%) of all occupied dwellings could be classed as ‘overcrowded’, that is, they had fewer bedrooms than the number required by the ‘Bedroom Standard’¹ 5 (a measure of over-crowding). This measure of overcrowding rose to 15% in non-qualified accommodation, see Table 3.7.

Table 3.7: Overcrowding and under-occupation by tenure, percent

Tenure	Compared with Bedroom Standard				Total
	over-crowded ⁺	at standard	1 above standard	under-occupied*	
Owner-occupied	2	21	35	42	100
Qualified rent	5	56	28	10	100
States, housing trust or parish rent	4	78	17	2	100
Non-qualified accommodation	15	65	14	6	100
All households	5	41	29	26	100

+ One or more bedrooms below standard

* Two or more bedrooms above standard

Around one in two hundred (0.5%) Jersey households have at least two fewer bedrooms than they require by the Bedroom Standard. Around a quarter (26%) of households were under-occupying their accommodation, that is they had at least two bedrooms more than they needed as measured by the Bedroom Standard. The rate of under-occupation was highest for owner-occupied households (42%). Due to definitional changes, it is not possible to compare this measure of overcrowding with previous censuses.

¹ The ‘Bedroom Standard’ (UK Housing Overcrowding Bill, 2003) defines the number of bedrooms that would be required by the household, where a separate bedroom is allowed for each married or cohabiting couple, any adults aged 21 or over, pairs of adolescents aged 10-20 of the same sex and pairs of children under 10 years. Unpaired persons of 10-20 years are notionally paired with a child under 10 of the same sex.