STATES OF JERSEY



LA COLLETTE LOW RISE DEVELOPMENT: PROTECTION OF EXISTING AMENITY SPACE AND TREES – DIRECTION TO ANDIUM HOMES LTD. (P.22/2017) – COMMENTS

Presented to the States on 2nd June 2017 by the Council of Ministers

STATES GREFFE

2017 P.22 Com.

COMMENTS

Executive summary

The Council of Ministers strongly supports Andium Homes' scheme to redevelop La Collette low rise flats. The scheme has significant potential to further regenerate this vibrant area of St. Helier and to make a positive contribution to the character and appearance of Havre des Pas.

The redevelopment fully meets the requirements of the Island Plan and has the firm support of the La Collette residents, many of whom have now moved to alternative accommodation in anticipation of the redevelopment work commencing.

The scheme has been subject to a comprehensive assessment in accordance with agreed States' policies and procedures – through Planning Officer assessment, approval by the Planning Applications Committee, and on appeal to the Minister for the Environment following the independent review of a planning inspector – and has been supported at each stage of the planning process.

Any planning matter is complex and must balance all material considerations, but the conclusion of the process is clear: the case for redeveloping La Collette low rise flats is compelling, and there are strong grounds for reducing the amount of open space along Green Street in order to facilitate a more widely beneficial development.

At present, there are 850 households registered on the Housing Gateway waiting list seeking to access affordable housing – families, the elderly, and people with serious medical conditions and disabilities who require specially adapted homes. The Future Housing Needs 2016–2018 report also shows a clear shortfall in housing and the need to deliver homes across all categories of tenure.

The need for more homes is further demonstrated in the 2015 Environment, Housing and Technical Services Scrutiny Panel's 'Supply of Housing Review', which reported –

"The evidence that we have received throughout our review suggests that Jersey is still experiencing a severe shortage of housing in all categories. The number of individuals applying for the Affordable Housing Gateway waiting list is continuously rising and it has been predicted that an annual supply of 150 new affordable homes will be needed to maintain the list."

It is important that we deliver these much-needed homes in accordance with the policy decisions of the Assembly, including schemes such as the redevelopment of La Collette low rise flats, which will provide 147 new affordable homes for Islanders.

Andium Homes should, therefore, be able to proceed with the La Collette scheme as approved, and to deliver these new homes as it has been tasked to do by this Assembly. The Council of Ministers urges States Members to reject this Proposition and to note the very positive benefits that this scheme will deliver for residents and the local community.

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¹ Environment, Housing and Technical Services Scrutiny Panel: 'Supply of Housing Review' (S.R.5/2015 presented to the States on 8th September 2015), p.61

Open space and landscaping

The Connétable is seeking, in his Proposition, to maintain the existing amenity space and trees between La Collette low rise flats and Green Street. The Connétable argues that this space should be maintained in order to facilitate public amenity space and bring greenery to the streetscape.

Although the Island Plan designates the open space between La Collette low rise flats and Green Street as Protected Open Space (policy SCO4), it should be noted that the policy does permit the loss of open space where the merits of the scheme can be demonstrated. As such, the benefits of the La Collette low rise flats scheme – the delivery of new homes, the more efficient use of land, and the more usable open space for residents – are considered to outweigh the loss of the current open space.

The Planning Inspector appointed to assess the appeal on the scheme is very clear on this point, stating in his report that: "[the] reduction in area [should not be regarded] as a matter that should prove fatal to this proposal ... the loss of the area will not have any serious impact on the adequacy, quality and accessibility of open space in the area".²

The need for amenity and open space is well-recognised in the proposed scheme, and Andium Homes' proposals will lead to an enhancement of the amenity and open space available to residents. There will, for example, be an increase in the amount of open space available as part of the redevelopment.

The total existing amenity/open space is 5,048 m.², which will increase to 5,773 m.² in the new scheme – an increase of over 700 m.². Whilst the existing open space is being displaced, it is also being replaced, and the replacement area will be more usable than the existing open space, including more private outdoor space for residents.

The Planning Inspector notes in his assessment that the current open space along Green Street "lacks any coherent function or purpose" and this comment is supported by a survey carried out by Andium Homes, which found that 77% of residents did not use the space because of its position and its layout. The redevelopment would reverse this position and all residents would enjoy improved open space provision.

It is also important to emphasize that the proposed redevelopment of La Collette low rise will retain a reasonable amount of green space along its frontage, and existing trees will be retained. For example, Block B will be set back from the road to retain a portion of open space and some of the existing trees, and Block A will be set back to retain greenery along Green Street with landscaping, planters, seating and a bus shelter. Block A will also include an 83.7 m.² community centre for use by residents and the wider community at the junction between Mount Bingham and Green Street, and a pétanque court at its front. **Appendix 1** attached to these Comments shows the proposed landscaping for the scheme.

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² Planning Inspector 'Report to the Minister for Planning and Environment' (July 2016), paragraph 67.

³ Ibid, paragraph 75.

The Reserved Matters application (RM/2017/0396), which details the landscaping strategy for the scheme, has also recently been approved. The application shows that Andium Homes intends to retain all the high-value existing trees along Green Street (Ash, London Plane and Oak trees), in addition to widening the existing pavements for enhanced public safety.

As the Planning Inspector notes in his assessment, the siting of Blocks A and B alongside Green Street will "create a strong streetscape" which is both "well-balanced and proportionate and will soften the streetscape". The Inspector also observes that the proposed scheme will "improve and widen the vista and view along Green Street towards the sea"⁴.

The Council of Ministers believes that benefits arising from the proposed La Collette scheme – in respect of the delivery of affordable homes in a sustainable town location – significantly outweigh the case for retaining the current open space along Green Street.

The Council believes that the proposed landscaping of the site, including the retention of existing trees, will deliver high quality, functional and distinct communal spaces, and will make a positive contribution to the appearance of the area and the wider regeneration of St. Helier.

Direction to Andium Homes

Under Andium Homes' Articles of Association, the issuing of a direction must be a matter of "material public interest." The implication of a direction from the shareholder at the instigation of the Assembly on a planning matter is that decisions of the Planning Applications Committee do not reflect the public interest sufficiently. The Council of Ministers does not agree that this is the case, and believes that the Planning Applications Committee was correct in its decision-making in relation to the La Collette low rise scheme. The Committee is comprised of elected States Members and considers detailed evidence and the submissions in line with approved States policies.

The Connétable points to the Proposition lodged by Deputy R. Labey of St. Helier (P.78/2015 – La Collette Low Rise: protection of open space – petition) and suggests that planning permission was issued for the development despite the wishes of the Assembly, which voted at the time to uphold the Protected Open Space status of the green space along Green Street.

However, at the time of the States' debate in September 2015, Andium Homes had already submitted the application to redevelop La Collette low rise flats (the application was submitted in May 2015). **Appendix 2** attached to these Comments sets out the sequence of events for the La Collette low rise scheme.

It is essential that the planning application was allowed to follow the normal planning process as any other application would. P.78/2015 was taken into consideration as part of the determination of the application and, having balanced all other material considerations, the Planning Applications Committee determined that the merits of the

⁴ Planning Inspector 'Report to the Minister for Planning and Environment' (July 2016), paragraph 90.

scheme would counteract the loss of open space, which would be replaced through other aspects of the scheme.

This position is supported by the Planning Inspector who, at paragraph 98 of his report, states that he could "see no evidence of any failings" regarding the planning process. In terms of P.78/2015, the Inspector is clear that the vote of the States Assembly should be taken into account because it demonstrates the level of importance that some people attach to the current open space. Nevertheless, the open space was only one aspect of the redevelopment, and the Planning Applications Committee was required to examine all material considerations and reach a decision based on the planning balance.

This is the role that this Assembly appointed the Planning Applications Committee to carry out, and it is right that the Committee was permitted to assess this planning application in a fair and transparent way.

The Council of Ministers recognises the different opinions that have been expressed about the La Collette scheme. However, Ministers strongly believe that proper process must be followed in the determination of planning applications.

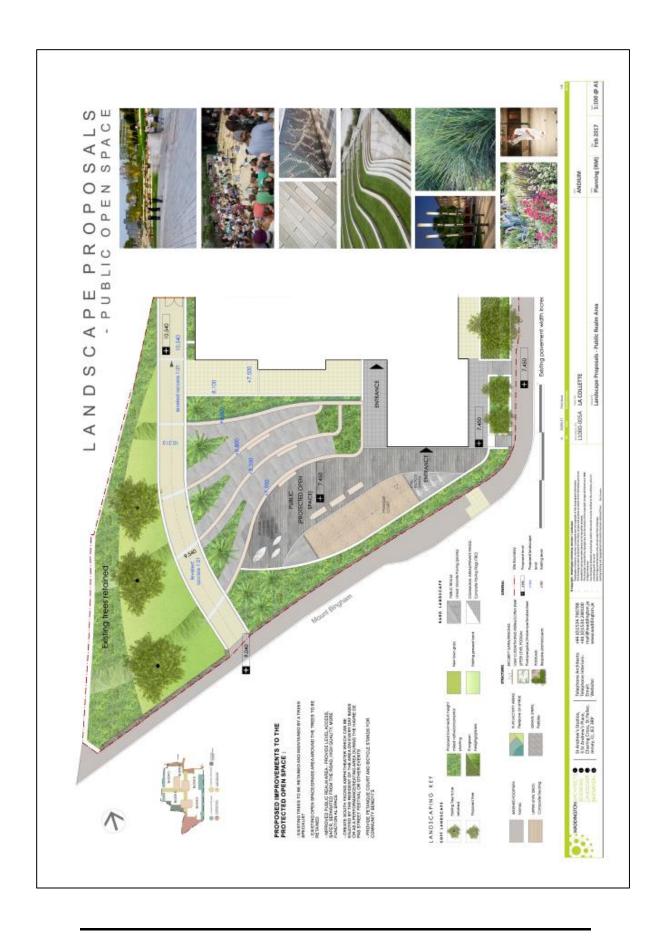
Accordingly, Planning Officers, the Planning Applications Committee and the Planning Inspector have assessed the proposed scheme and have made recommendations and decisions based on a full and comprehensive assessment of all material planning considerations. To this end, the proposed development should be allowed to proceed as approved.

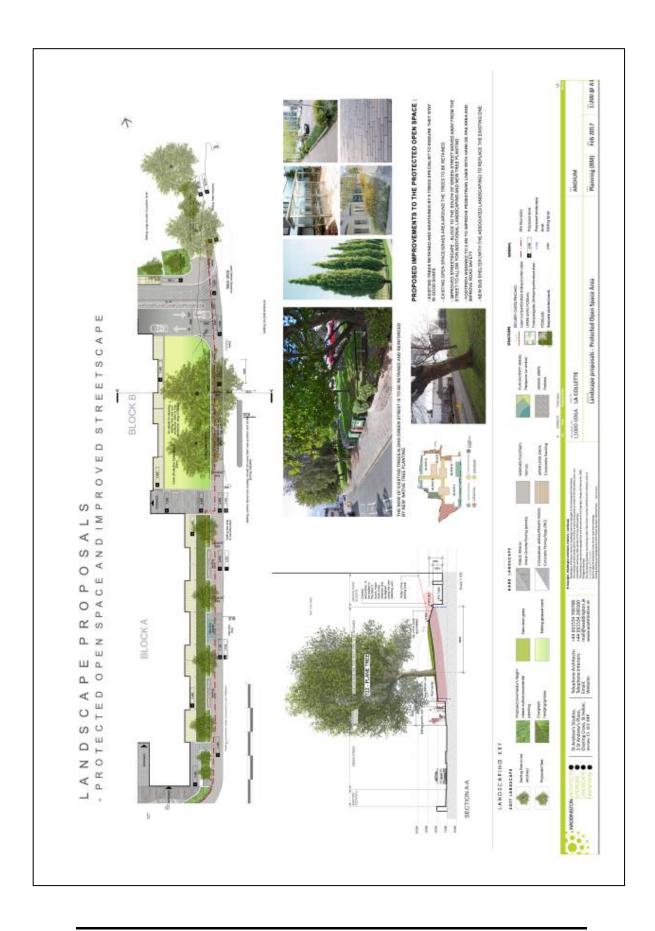
Resource implications

Should the Assembly approve this Proposition, the clear view of Andium Homes is that a significant reduction in the number of homes on the site would be necessary. Indeed, a reduction in the number of units of housing could make the scheme unviable. It is estimated that Andium Homes would incur abortive fees of £600,000 if it were to be directed to redesign the scheme.

APPENDIX 1









Minister for Housing Strategic Housing Unit



Andium Homes - La Collette low rise redevelopment briefing note to States members

1. Introduction

The Minister for Housing published a Housing Strategy in March 2016, which focuses on the delivery of new, affordable and good standard homes. The delivery of over 1,000 affordable homes on surplus States land, rezoned land and on existing social housing sites is one of the key focuses of the Strategy.

Given the importance of new housing supply to the Housing Strategy, the Minister is circulating this briefing note to States Members ahead of debate on the Connétable of St. Helier's Proposition P.22/2017: 'La Collette Low Rise Development: protection of existing amenity space and trees – direction to Andium Homes Ltd.' to inform Members about the strategic context of this development and to provide site-specific comments.

2. Strategic context

The Strategic Plan 2015 – 2018 places health, education, economic growth and the regeneration of St. Helier at the centre of what the Council of Ministers aim to achieve in this period. Housing has an important role to play in supporting the Plan and in achieving a range of social, environmental and economic goals, including ensuring a proper supply of housing; promoting housing affordability; and improving housing standards.

In the support of the Strategic Plan, the Minister for Housing published a Housing Strategy in March 2016. The aim of the Housing Strategy is to ensure that all Islanders live in secure, high-quality homes that they can afford. The Strategy focuses on the delivery of new housing supply and making the most of existing housing stock; as well as improving standards in all categories of tenure, and enhancing the neighbourhoods in which people live.

The Strategy is based on all the available evidence, including the recent Housing Needs Survey, latest housing completion rates, and the Affordable Housing Gateway waiting list. It brings together existing work with new planned work into a single coherent programme, including a much stronger emphasis on delivering more affordable homes for rent and purchase – accelerating the development of housing on surplus Statesowned sites and intensifying joint working with social housing providers to deliver new homes.

At the same time, the Strategy focuses on the regeneration of St. Helier, ensuring the delivery of more and better housing, and good public amenities.

3. Housing need

The La Collette low rise flats are currently in a poor state of repair and are failing to meet the Decent Homes Standard⁵. In failing to meet the Decent Homes Standard, La Collette low rise flats fail to meet the minimum standards of repair for social housing accommodation. This means that:

- Homes contain one or more serious hazards as assessed under the Housing Health and Safety Rating System relating to disrepair, dampness, excess cold/ heat, hygiene, sanitation and water supply; lack of amenity space; and lack of space, overcrowding and poor lighting.
- One or more of the building components are old and, because of their condition, need to be replaced or need major repair.
- Homes lack reasonably modern facilities and services, such as a reasonably modern kitchen, a reasonably modern bathroom, and are not adequately insulated against external noise.

La Collette low rise flats were built in the 1960s and suffer from serious issues of damp and cold as a result of design faults, which create sub-standard living conditions and high running costs for tenants. The flats need replacing with modern, well-designed homes that meet the Decent Homes Standard.

The redevelopment of the site is being made possible by the £250 million housing Bond, which was agreed by the States in 2012 and is being used by Andium Homes to bring all of its housing stock up to achieve the Decent Homes Standard and to develop new homes. The La Collette low rise scheme is part of this programme of work.

The Island Plan is clear that the provision of additional affordable housing on sites, such as La Collette low rise flats, is as an important component of the Plan. 1,000 affordable housing units are due to be delivered over the lifetime of the Plan on surplus Statesowned sites, sites rezoned for the purpose of housing, and more efficient use of existing housing sites such as La Collette.

The need to redevelop La Collette low rise flats soon is underscored by the Housing Gateway waiting list figures. In total, there are 850 households on the waiting list, of which 593 are in the high priority bands 1 and 2 awaiting offers for one-, two- and three-bedroom homes.

	BAND 1	BAND 2
1 BEDROOM	107	140
2 BEDROOM	43	144
3 BEDROOM	16	93

In response, the La Collette low rise scheme would deliver 147 units of accommodation, including 69 one-bedroom units; 68 two-bedroom units; and 10 three-bedroom units. The redevelopment of La Collette would therefore make a sizeable contribution towards

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⁵ 'Decent Homes Standard' as defined in Decent Home: Definition and Guidance for Implementation published by the Department for Communities and Local Government, June 2006.

meeting housing needs identified on the Gateway. The redevelopment will deliver an additional 88 units on the existing site, which currently has 59 situated on it.

It should be noted that the revised 2011 Island Plan envisaged that a net gain of 100 units could have been delivered on the site.

4. Development specific comments

It is clear from the La Collette low rise proposal that, while the existing open space is being displaced, it is actually being increased in size, which can also be considered more usable than on the existing site. The total existing amenity/open space is 5,048 m.² and the proposed will be increased to 5,773 m.²; an increase of over 700 m.², whilst all new homes will feature private balconies.

A resident's survey undertaken by Andium Homes found that 77% did not use the green space in between La Collette and Green Street at all, mainly because of the position and layout of the existing space. The redevelopment would reverse this position and residents would enjoy improved open space provision.

The development will also address the current site inadequacies of the lack of access to private and secure residents' space. The new development proposes to provide all of the flats with private space in accordance with the latest standards, and this will be to the benefit of the residents.

The current 1960s design scheme is recognised in a States of Jersey Crime impact statement as enabling anti-social behaviour, with open stairwells and resident areas fully accessible by the Public. The proposed development is fully supported by the States of Jersey Police as it promotes safer secure tenant spaces with more appropriate visual surveillance from resident units. This will help create a strong community and neighbourhood, which is a key objective of the Housing Strategy.

The density levels are a matter for the Environment Department, but from a housing design and liveability perspective, the scheme is of a high standard, providing all residents with significant improvements in public and private open space, dwelling space standards and parking provision.

It should be noted that a number of other benefits would be realised from this development. For example, the Department for Infrastructure are supportive of the proposals as the development is in a location with excellent opportunities for access via sustainable transport modes. To maximise this potential, the following on-site and off-site measures are proposed –

- Bus shelters
- Cycle Parking
- Green travel initiative to be supported (inclusion of electric vehicle charging points)
- Relocation of pedestrian crossing.

The Department for Infrastructure has also confirmed that there is existing drainage capacity for the proposed increase in occupancy for La Collette.

5. Timeline

17th July 2014: Revised 2011 Island Plan

The States Assembly approved a revision to the 2011 Island Plan in recognition of the need for new affordable homes and insufficient supply in the original Plan. The revised Plan proposed the delivery of 1,000 new units on surplus States-owned land, rezoned sites, and intensification of use on existing social housing sites.

13th October 2014: Application for redevelopment of La Collette low rise flats submitted by Andium Homes

PP/2014/1872 – planning application proposing the demolition of the existing 59 units at La Collette low rise, with 147 new units of accommodation – 69 one-bedroom units; 68 two-bedroom units; and 10 three-bedroom units.

Outline Planning Permission refused by the Planning Applications Committee on 23rd April 2015. The proposed development was refused by the Committee on account of concerns relating to the height and massing of Block D located on the western boundary of the development alongside Rope Walk. Importantly, the previous application was not refused on the basis of any other issues, including the demolition of the existing buildings or the loss of the Protected Open Space.

30th April 2015: States' Strategic Plan approved by the States Assembly

States Assembly approves the Strategic Plan: 41 Members in favour; 4 against; 4 absent.

Strategic Plan includes goal to ensure a proper supply of housing of all types, promote affordability, improve housing standards, and build strong communities.

5th May 2015: Application for redevelopment of La Collette low rise flats submitted by Andium Homes

Andium Homes submit new application to demolish and rebuild new units at La Collette low rise flats (PP/2015/0747), making adjustments to the position, scale and massing of Block D to address and overcome the reasons for refusal identified in the previous planning application.

17th July 2015: Deputy R. Labey of St. Helier lodges Proposition: P.78/2015 – La Collette Low Rise: protection of open space – petition

Proposition calls for the Minister for Planning and Environment to ensure any redevelopment of La Collette low rise upholds and maintains the Protected Open Space status of the existing green space on the site between La Collette Low Rise and its border with Green Street.

18th August 2015: Minister for Planning and Environment presents Comments in respect of P.78/2015

<u>Minister for Planning and Environment's Comments</u> emphasize that the States Assembly is not the forum for considering planning applications. Comments make it clear that the Assembly elected the Planning Applications Committee to carry out this

function and the application should be considered fully by the Panel. Minister indicates that the petition would be a representation to the Committee on the planning application for it to consider as part of its evidence.

7th September 2015: Council of Ministers presents Comments in respect of P.78/2015

Council of Ministers' Comments (excluding the Minister for Planning and Environment) call on the Planning Applications Committee to be left to make a fully-informed decision on the application on the basis of the detailed evidence and submissions that have been made. Comments emphasize that the scheme has many merits – improved homes, increased usability of open space, better parking provision, improved design to avoid anti-social behaviour, and better amenities. Importantly, the proposed development is fully in accord with the Island Plan and has the support of the residents.

A counter-petition organised by the La Collette Low Rise Association collects 48 signatories from residents of the 59 low rise flats, expressing full support for the development.

8th September 2015: States Assembly votes on P.78/2015

States vote in favour of Deputy R. Labey of St. Helier's Proposition: 22 Members in favour; 19 against; 8 absent.

9th November 2015: Deputy R. Labey of St. Helier lodges Proposition P.139/2015 – 'La Collette Low Rise Development: direction to Andium Homes Ltd.

Proposition requests the Minister for Treasury and Resources, as representative of the States as sole guarantor member of Andium Homes Limited to give directions to Andium Homes Limited, under Article 16 of the company's Articles of Association, not to proceed with the current plans in relation to the redevelopment of La Collette Flats whether or not planning permission has been granted. The Proposition further directs that the company should resubmit revised plans, which include the retention of the existing green space (currently designated as Protected Open Space) on the site between La Collette Low Rise and the border with Green Street.

The Proposition was withdrawn on 12th April 2016.

10th December 2015: Planning Applications Committee hearing

Planning Applications Committee considers Andium Homes' application to demolish and rebuild new units at La Collette low rise flats.

The Committee unanimously approves the application, subject to certain conditions. The Committee Chairman stresses that, in submitting the application, Andium Homes was adhering to the planning process. It is recognised that some residents were concerned about the proposed development, but that a number of existing residents were extremely unhappy with the living conditions at La Collette flats.

<u>3rd February 2016: Planning appeal lodged in regard to La Collette low rise scheme</u>

Appeal against the decision to grant outline planning permission to Andium Homes lodged on behalf of the Havre Des Pas Improvement Group.

18th March 2016: Minister for Housing presents Housing Strategy

Housing Strategy published by the Minister for Housing. Strategy focuses on delivering new housing; making efficient use of existing housing stock; improving housing standards and creating strong communities. Strategy places emphasis on delivering more affordable home for rent and purchase, including sites such as La Collette low rise.

6th June 2016: Planning Inspector appeal hearing

The Planning Inspector held a hearing on the appeal and undertook an accompanied site inspection.

1st August 2016: Minister for the Environment dismisses appeal against application

The Minister for the Environment agrees with the recommendation of the Inspector, as detailed within the report dated 22nd July 2016, that the appeal should be dismissed. In making his recommendation to the Minister, the Inspector recognises that the application to redevelop La Collette low rise flats presents some "complex issues", including the protected status of the open space areas. However, the Inspector states that:

"[The] exceptional case for demolition of the buildings is compelling and the case for reducing the Green Street open space in order to facilitate a more widely beneficial development is well made. The scheme is well conceived in terms of scale, density, layout and general approach. It will not have unreasonable impacts on neighbours, the townscape, views and vistas, or the character of the area. Indeed, it has considerable potential to successfully regenerate this important site and to make a positive contribution to the character, appearance and general vibrancy of the area.".

29th April 2017: Reserved Matters application (external appearance) approved (RM/2017/0302)

The Reserved Matters application outlines the proposed design and external appearance of the new La Collette low rise buildings following the outline planning application (PP/2015/0747).

4th May 2017: Reserved Matters application (landscaping) approved (RM/2017/0396)

The Reserved Matters application outlines the landscaping for the development following the outline planning application (PP/2015/0747). The application details the existing trees to be maintained, the planting strategy, enhancements to the streetscape, ecological enhancements, and improvements to the public realm.

6. Conclusion

The La Collette low rise development is of a very high quality that will bring significant benefits to residents and the local community. Whilst it is acknowledged that there has been some local and political opposition, these concerns, principally around the changes to the open space provision, are mitigated by the provision of additional and more functional open space provided by the scheme.

The increase in affordable housing units does not present any problems in terms of over-development, with density levels at the lower end of the scale for this type of development. The improved usability of the open space, parking provision, betterment in anti-social behaviour and improved amenities for the local community are all clear benefits arising from this development, and the Minister for Housing fully endorses this proposed development.

The Minister for Housing strongly supports the La Collette low rise scheme because it will provide much-needed affordable housing supply and will bring significant benefits to residents and the community living nearby.