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Minutes

Name of meeting POLICY AND SCRUTINY COMMITTEE FOR

NEIGHBOURHOODS AND REGENERATION

Date and Time TUESDAY 12 DECEMBER 2023 COMMENCING AT 5.00

PΜ

Venue COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE

OF WIGHT

Present Cllrs N Stuart (Chairman), J Lever (Vice-Chairman),

M Beston, C Quirk and I Ward

Other Cllrs Present Cllrs D Adams, C Jarman and P Spink

Officers Present Oliver Boulter, James Brewer, Natasha Dix, Dawn Lang,

Colin Rowland and Melanie White

23. Apologies and Changes in Membership (if any)

There were no apologies received.

24. Minutes

RESOLVED:

THAT the minutes of the meeting held on 5 October 2023 be approved.

25. Declarations of Interest

There were no declarations of interest.

26. Progress on outcomes and recommendations from previous meetings

The Committee were still waiting for a visit to the waste education centre, which it was hoped would be soon.

Members agreed to defer the discussion around changing the name of the Committee until a future governance vote had taken place at Full Council.

Members had received a response regarding the Acquisition Strategy.

27. Public Question Time - 15 Minutes Maximum

Written questions had been received from the following persons:

WWVRA – PQ-43/23
Patricia Redpath – PQ-44/23
Philip Redpath – PQ-45/23
James Cave – PQ-46/23
Philippa Fairweather – PQ-47/23
David Reed – PQ-48/23
Lindsay Becker – PQ-49/23
Dom Hicklin – PQ-50/23
Angus MacLeod – PQ-51/23
Bruce Huber – PQ-52/23

The Chairman advised written responses had been prepared and would be forwarded to the questioners as soon as possible after the meeting and published online alongside the Minutes.

In response to queries that the process had been undemocratic and/or rushed, the Chairman confirmed that the draft plan had been in circulation for a number of months with all members having had the opportunity to comment. The Committee were now scrutinising the draft plan prior to Cabinet and Full Council and were to debate and discuss the document. The Committee were satisfied with the process to date.

Mr Hicklin, who was present, read out his question (PQ50/23) and on hearing the response, asked a supplementary question regarding the inclusion of exceptional circumstances at a later date. Confirmation was given that should exceptional circumstances be considered the current draft strategy would stop and a new plan prepared if appropriate. The current plan could progress through the remainder stages but could be withdrawn at any stage if necessary.

28. Members' Question Time

Written questions were received from Cllr Adams (MQ-19/23) and Cllr Spink (MQ-20/23) and responses were given. Cllr Spink asked a supplementary question regarding evidence to show that the figure of 453 set to be deliverable (reduced from 486 in 2021) was realistic, based on past performance and given the cost-of-living crisis and increase in the cost of materials. In response, it was confirmed that the plan was for a 15-year period to allow for fluctuations, and that counsel acting on the council's behalf had agreed with the figure.

In response to a question from Cllr Spink regarding allocated sites, the procedure for allocating a site was explained. It was further explained that the purpose of the plan was to establish a principle, but that there were still other policies to consider when determining a planning application and that there could be circumstances where an allocated site may have planning permission refused.

Cllr Jarman raised a query over advice given to West Wight residents by the Island's MP concerning any revision of the plan once it had been submitted. Confirmation was given that the plan could be paused, stopped or withdrawn at any time up until adoption.

Cllr Jarman also asked what opportunity there would be during the life of the strategy to revise the target figures in line with demographics if they proved to be less than predicted. Confirmation was given that Section 10 of the strategy covered review and monitoring and that it could be reviewed if necessary.

Cllr Jarman asked what opportunity local residents' groups would have to consider revisions to the DIPS as many were not scheduled to meet until January/February 2024. It was confirmed that Cabinet would respond to any queries from Town, Parish or Community Councils. Agreement to the draft plan at Full Council did not mean that the plan was then adopted but would be subject to a further period of public consultation.

Cllr Ward asked on behalf of Morton Brook residents whether, in light of the recent flooding, the council could look more closely at where planning permission is granted on flood plains.

29. Pre-Decision Scrutiny - Draft Island Planning Strategy

On 11 January 2024 Cabinet would consider the Committee's recommendations and those from Full Council and would make their recommendation to Full Council. If the draft plan was approved at Full Council on 17 January 2024 there would then be a minimum period of six weeks for public consultation prior to being submitted to the Secretary of State and examination by the Planning Inspector.

Cllr Lilley had submitted comments to which the planning officer would respond directly. It was agreed all councillors would be supplied with a copy of the response provided.

Cllr Garratt also requested clarification in respect of the figure of 345 for the former Camphill site. Confirmation was given that the figure was 750 overall but 345 during the period of the plan. Other queries regarding the boundary with the forest and traffic management would be responded to and there were other points he would raise separately.

Cllr Jarman had other queries which he would add to Freshwater Parish Council's comments and submit to Cabinet. Concern was expressed over flooding and sewage discharge around the Colwell Common area and the proposal that another 252 dwellings were planned. He requested the Committee seek to revise the DIPS in relation to new houses and boundaries.

During consideration of the draft strategy several other queries were raised, including foul water and sewage discharge, flooding in areas of allocated sites, the making of hard boundaries and the retention of council owned land for social housing.

It was confirmed that the DIPS contained policies to mitigate flooding, which were not in the current core strategy, to seek to ensure resilience for the future.

Members of the Committee raised a number of queries over various aspects of the strategy, including how sustainable drainage principles (SUDS) could be incorporated, the inclusion of modular housing, the insertion of links to appropriate guidance documents, whether other place plans could be included as Ryde had been, the retention of the Military Road as an essential route, the inclusion of buffer zones of 50 metres for ancient woodland. Responses were provided by officers to each of the points raised.

RESOLVED:

That the following recommendations be considered by Cabinet:

- a) That Cabinet consider how the DIPS might be amended to address the issues starkly highlighted by the recent flooding.
- b) That Cabinet strengthen and update the links regarding references to policies and strategies such as IOW Strategic Flood Risk Assessment, SUDS Manual, IOW Planning Enforcement Strategy and for them to be included in section 1.15.
- c) That Cabinet consider weaving modular housing into the options and type of housing design and make additional reference within the DIPS.
- d) That Cabinet incorporates the completed Bay Plan, to mirror the approach taken in including the Ryde Plan in the draft strategy, and any additional local plans.
- e) That Cabinet review issues raised by town, parish, and community councils regarding sewage capacity and for the management of those to be included in the DIPS.
- f) That Cabinet ensure Military Road is treated as an essential transport link.
- g) That Cabinet consider amending the buffer zone for ancient woodland to 50m as agreed by the House of Lords.

30. Committee's Work Plan

This was deferred until the next meeting of the Committee on 4 January 2024.

CHAIRMAN

Public Question time

To view any public questions that were put to this committee, they will be listed as an additional PDF document below the public question time section within the online minutes, an example is displayed below:

32. Public Question Time PDF 87 KB

Questions must be delivered in writing later than 5pm on Friday, 15 January 20

Additional documents:

- PQ 11-21 PDF 85 KB
- PQ 12-21 № PDF 90 KB



Written question from Nikki Kownacki (on behalf of the West Wight Villagers Residents Association) to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

- 1. The Isle of Wight Council has stated that the DIPS will provide more protection for the countryside. Will the committee recommend, therefore, that a provision similar to SP1 of the 2012 Core Strategy is included in the DIPS?
- 2. Why is the house building yearly target not relevant to the needs of Islanders and not based on up to date data and not taking into account Island infrastructure?
- 3. Why are Shalfleet and Wellow designated in DIPS as being sustainable areas for development contrary to several recent decisions of planning Inspectors? These are rural areas not near shops, entertainment, or jobs.

Officer Response:

1. Policy SP1 of the Core Strategy supports the principle of development <u>within or immediately adjacent</u> to the settlement boundaries of Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres. Any development proposals outside, or not immediately adjacent need to identify a specific local need.

Draft policy G2 of the DIPS supports the principle of development <u>within but NOT immediately</u> <u>adjacent</u> to primary settlements, secondary settlements and rural service centres. Any development proposals outside, including immediately adjacent, will need to identify a specific local need, which is also clearly defined in the Draft IPS glossary.

The Draft IPS therefore includes a more restrictive locational policy for development than policy SP1 of the Core Strategy.

- 2. The housing requirement set out in draft policy H1 of the DIPS is calculated using historic delivery rates to best reflect the realistic rate of delivery that could be achieved on the island. Draft policies AFF1 and H5 seek to ensure that any affordable housing provided better meets the needs of island residents. Draft policies INF1, C12, C13 and C14 all cover the associated delivery of infrastructure alongside new development.
- 3. In draft policy G2 of the DIPS, Shalfleet and Wellow are listed as 'Sustainable Rural Settlements' along with 7 other island locations. These areas do not have settlement boundaries, and in line with the draft policy wording below, any development coming forward in those areas would be required to meet a specific local need that has been identified, in the same way that is currently set out in Core Strategy policy SP1.

'Outside the defined settlement boundaries, including at Sustainable Rural Settlements, proposals for housing development will only be supported if they meet a specific local need that has been identified and they accord with either H4 - Infill Opportunities outside Settlement Boundaries, H6 Housing in the Countryside, H7 Rural & First Home Exception Sites or H9 New Housing on Previously Developed Land.'



Written question from Patricia Redpath to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Policy G2 (p 84) deals with "Priority Locations for Housing Development ", listing the settlements of Seaview and Nettlestone as "sustainable rural settlements" with - by definition - no settlement boundary.

However, Policy H1 (p 92) contradicts this and adds Nettlestone and Seaview as a "designated neighbourhood area" changing the housing delivery numbers from 17 in the earlier DIPS to 78 plus 30 windfall with no indication of whether there is a defined settlement boundary.

What is the reason for this change and why was the parish not consulted about these numbers? What is the situation regarding settlement boundary?

Officer response:

Nettlestone and Seaview are listed as Sustainable Rural settlements in draft policy G2 and it is correct to say that neither has a settlement boundary. Therefore in line with policy wording of G2, any development proposals coming forward in these areas would be required to identify a specific local need.

In line with paragraph 66 of the <u>NPPF</u>, LPAs should also set out in strategic policies a housing requirement for any designated neighbourhood areas within the local plan area.

Designated neighbourhood areas are those areas where a neighbourhood plan is already in place, or one where a neighbourhood plan is being actively prepared.

On 16 June 2023 (following an application in March 2023 from Nettlestone & Seaview Parish Council and the carrying out of all relevant publication procedures) the IWC formally designated the Nettlestone & Seaview neighbourhood area, the boundary of which mirrors the parish boundary.

The housing numbers provided in the table in draft policy H1 set out that within the Nettlestone & Seaview designated neighbourhood area, there are currently 3 sites that already have planning permission for a combined total of 78 units that have yet to be built (the sites and planning permission references are listed in Appendix 1 of the Draft IPS) plus a windfall allowance across the plan period (15 years) of 30 units (which matches that within all of the other designated neighbourhood areas). There are no proposed site allocations within the designated neighbourhood area of Nettlestone & Seaview.

On 30th May 2023, Nettlestone & Seaview Parish Council were informed that the formal designation of a neighbourhood area would result in a housing requirement figure appearing in the next version of the Draft IPS and the basis of how that figure would be generated. On 2nd June 2023, N&SPC confirmed they were happy to proceed and for the IWC to formally designate the neighbourhood plan area.



Written question from Philip Redpath to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Policy EV11 (p46) relates to landscape. Paragraph 4.90 talks of West Wight and East Wight Landscape Character Assessments. East Wight is not part of the designated "former" AONB and as such is heavily targeted for development.

What are the characteristics of the East Wight Landscape Character Assessment and how are they impacted by the large-scale development allocations?

Response

Officer response:

The characteristics of the East Wight Landscape Character Assessment are set out within the document that can be viewed <u>here</u>. There are a total of 12 different landscape character categories highlighted across different parts of the island that falls under the scope of this document, with 46 separate character areas.

Large scale development allocations coming forward within the area covered by the East Wight Landscape Character Assessment would be required to identify the landscape character types and areas they are within or adjacent to and then demonstrate the level of harm, or otherwise, that is caused to these landscape character types by the scale, design and location of the development.

At planning application stage, the LPA would then consider whether that harm, or otherwise, is sufficient to justify a reason for refusal or as a reason to support granting planning permission (this is a process that already happens as the character assessments are used in the decision making process on current planning applications).



Written question from James Cave of Freshwater to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Background: Population growth on the Island has in large been fuelled by the over 65-year age group, including mainland retirees. This demographic imbalance is predicted to become even more pronounced putting even more strain on our already creaking health and dental services.

Question: Does the committee consider that the DIPS adequately addresses this issue and that the building of hundreds of market value houses a year in the West Wight and across the Island will help to reduce, or increase this trend?

Officer response:

Policies in the DIPS cannot directly control or restrict in migration to the island of particular demographic profiles.

As set out in the table at paragraph 3.48 of the DIPS, over the 15 year plan period within the West Wight a total of 321 homes either already have planning permission (141) or have been allocated for development (180). This averages 21 per annum.

The delivery of market value houses also enables the delivery of affordable houses, as set out in policies AFF1 and H5. These policies require deeper discounts from market value for affordable properties than can currently be required.



Written question from Phillipa Fairweather of Freshwater to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Background: The Island Planning Strategy is immensely important as it will influence development on the Island for the next 15 years. The committee will be aware that a body of residents are concerned that the Draft Island Planning Strategy (DIPS) is not 'fit for purpose' and that proper and effective scrutiny is being compromised by the speed at which it is being pushed through. An example of this is service of the DIPS with no as late as 30th November. To expect residents to be able to assimilate the DIPS and submit written questions by 7th December is unreasonable.

Question: Please explain if this committee supports the DIPS being hurried through in this way and if not it will recommend to cabinet that the DIPS is paused to enable full scrutiny to take place by this committee, residents, and Town, and Parish Councils?

Officer response:

It should be noted that if the DIPS is agreed by Cabinet and then Full Council to move forward into the formal plan-making stages, the IWC are required by legislation to undertake a 6 week period of public representation. During this period, residents and town, parish and community councils will be able to submit any representations they may have about the content of the DIPS.

All of those comments would then be submitted, alongside the DIPS and supporting evidence base, to the Secretary of State for public examination. The SoS would then appoint an independent planning inspector to consider the comments made during the aforementioned 6 week period and whether any changes to the plan would be required as a result.



Written question from David Reed to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

With flood events becoming ever more frequent, 100 homes flooded in Ryde in October despite a £5m flood mitigation scheme in 2019, repeated statutory flood investigations without funding to deliver on their recommendations, thousands of hours of sewage discharges into to the sea from multiple locations, capacity issues at Southern Water treatment works: will Councillors finally accept that a "business as usual" IPS allocating thousands of new homes on virgin greenfield land is no longer acceptable and we need a radical rethink and redraft of the IPS to protect current and future generations from homes and livelihoods being destroyed?

Officer response:

The DIPS contains a number of policies (including INF1, EV13, EV14, EV15, C1) that seek to strengthen the policy requirements for new development around the issue of flooding – including requirement explicitly set out in policy (EV13 and EV14) to separate foul and surface water in new development so surface water doesn't connect to the sewer system to help alleviate flooding.



Written question from Lindsay Becker to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

The draft Island Plan was rejected at full council in December 2022. It was agreed that 10 questions would be asked and answered by the Cabinet Member for Planning. It was agreed that the update from the new NPPF would be taken into account plus the most recent census data.

Currently, none of the 10 questions have been answered, the census data has not been used and the NPPF data is not published to use in the plan. Please explain why the council is going against what it agreed and has decided to push on before all government policy is released and continues to use out of date census data to feed a plan for the Island for at least the next 10 years? I am aware that up to date data is used in other policies adopted by the council, so why not this, arguably the most important one?

Officer response:

The report to Policy & Scrutiny Committee references each of the 10 items listed in the Full Council motion from November 2022 and whether the DIPS has addressed them, and if not, why not.

From a data perspective, previous KC and economic consultant advice has been circulated to all councillors setting out why the currently available census data is not appropriate or sufficient to use within the calculation of housing need for local plan making purposes.



Written question from Dom Hicklin of Freshwater to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

With the Isle of Wight facing five of the ten worst sewage discharge rates in Southern England, how can the committee justify pushing forward the Island Development Plan, ignoring the certainty of increased sewage discharges due to added housing, and disregarding imminent legislative changes that could lower building targets. The plan's push for grey water separation in new developments is futile without a direct infrastructure link to Sandown, and this increased housing will undoubtedly lead to more sewage problems. Given the council's responsibility for public health and environmental protection, why not halt the plan's progression now, this pause would allow for integration of upcoming legislative changes and potentially shift to advisory rather than mandatory targets for the next 15 years. Isn't it prudent to avoid starting the planning process anew, ensuring the plan aligns with both environmental needs and future legislative requirements?

Officer response:

Please refer in part to answer to PQ48/23 - the DIPS contains a number of policies (including INF1, EV13, EV14, EV15, C1) that seek to strengthen the policy requirements for new development around the issue of flooding – including requirement explicitly set out in policy (EV13 and EV14) to separate foul and surface water in new development so surface water doesn't connect to the sewer system to help alleviate flooding.

Draft policies in the plan require grey water separation to ensure that surface water from new development does not connect into the combined sewer, or if it does, it provides a betterment to current run off rates from the type of site being developed.

At present, there have been no legislative changes in relation to the calculation of housing need and how this is addressed within local plans. It should be noted that housing figures calculated using the standard method are already not mandatory (as set out in the current NPPF) and the Draft IPS includes a housing requirement for the island that is 38% lower than the standard method figure.



Written question from Angus MacLeod to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

There has been no strategy since 2012. Attempting to force the DIPS through at this time is illogical and undemocratic. This critical strategy will fundamentally affect the Isle of Wight in many ways for many years to come. It is imperative that the strategy is soundly constructed, and evidence based. Interested stakeholders MUST be given time to read analyse and comment on the proposal. Why is the minority Alliance administration snubbing local democracy, ignoring the clearly and forcefully expressed views and concerns of Parish Councils and residents and attempting to force this vital document through Council without adequate time for scrutiny or comment, against a backdrop of unprecedented widescale flooding and pollution, exacerbated by green field developments, which has forced IWC to commission a Section 19 flood enquiry and when national legislation providing clarity on housebuilding targets and exceptional circumstances is on the cusp of publication?

Officer response:

It should be noted that if the DIPS is agreed by Cabinet and then Full Council to move forward into the formal plan-making stages, the IWC are required by legislation to undertake a 6 week period of public representation. During this period, residents and town, parish and community councils will be able to submit any representations they may have about the content of the DIPS. For example, if residents or Town & Parish Councils feel that their previous comments have not been taken into account, they will be able to clearly set out why and where they think the plan should be changed.

All of those comments would then be submitted, alongside the DIPS and supporting evidence base, to the Secretary of State for public examination. The SoS would then appoint an independent planning inspector to consider the comments made during the aforementioned 6 week period and whether any changes to the plan would be required as a result.

At present, there have been no legislative changes in relation to the calculation of housing need and how this is addressed within local plans or to how cases of 'exceptional circumstances' could come forward. It should be noted that housing figures calculated using the standard method are already not mandatory (as set out in the current NPPF) and the Draft IPS includes a housing requirement for the island that is 38% lower than the standard method figure.



Written question from Bruce Huber of Bembridge to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Why is the IW Council attempting to force the dIPS through at this time, as the approach is undemocratic – especially as this strategy will significantly impact the Island for years. Our community residents ask why the minority Alliance administration is ignoring the clearly expressed views of Parish Councils and residents and attempting to force this critically important document through a Council vote without adequate time for scrutiny or comment, against a backdrop of widescale flooding and pollution which has instigated a Section 19 flood enquiry and when national legislation providing clarity on housebuilding targets and exceptional circumstances is on the cusp of publication?

Officer response:

It should be noted that if the DIPS is agreed by Cabinet and then Full Council to move forward into the formal plan-making stages, the IWC are required by legislation to undertake a 6 week period of public representation. During this period, residents and town, parish and community councils will be able to submit any representations they may have about the content of the DIPS. For example, if residents or Town & Parish Councils feel that their previous comments have not been taken into account, they will be able to clearly set out why and where they think the plan should be changed.

All of those comments would then be submitted, alongside the DIPS and supporting evidence base, to the Secretary of State for public examination. The SoS would then appoint an independent planning inspector to consider the comments made during the aforementioned 6 week period and whether any changes to the plan would be required as a result.

At present, there have been no legislative changes in relation to the calculation of housing need and how this is addressed within local plans or to how cases of 'exceptional circumstances' could come forward. It should be noted that housing figures calculated using the standard method are already not mandatory (as set out in the current NPPF) and the Draft IPS includes a housing requirement for the island that is 38% lower than the standard method figure.



Member Question time of the Leader

To view any Member questions that were put to the Leader, they will be listed as an additional PDF document below the Member question time of the Leader section within the online minutes, an example is displayed below:

29. Member Question Time of the Leader

• View the background to item 29.

A question must be submitted in writing on 17 November 2020.

Additional documents:



Written question from CIIr David Adams to the Policy and Scrutiny Committee for Neighbourhoods and Regeneration

Re: Policy H1 on pages 92 and 163 of the new DIPS.

- 1) Have the figures for those areas of Nettlestone been amended in this revision from the earlier numbers?
- 2) Do they relate to extant planning permission or provide an expectation of additional permissions?.

Response

Officer response:

1 & 2. The housing numbers provided in the table in draft policy H1 (page 92) set out that within the Nettlestone & Seaview designated neighbourhood area, there are currently 3 sites that already have planning permission for a combined total of 78 units that have yet to be built (the sites and planning permission references are listed in Appendix 1 of the Draft IPS – page 163) plus a windfall allowance across the plan period (15 years) of 30 units (which matches that within all of the other designated neighbourhood areas).

There are no proposed site allocations (i.e. sites that do not already have planning permission) within the designated neighbourhood area of Nettlestone & Seaview.

On 30th May 2023, Nettlestone & Seaview Parish Council were informed that the formal designation of a neighbourhood area would result in a housing requirement figure appearing in the next version of the Draft IPS and the basis of how that figure would be generated. On 2nd June 2023, N&SPC confirmed they were happy to proceed and for the IWC to formally designate the neighbourhood plan area.

Please also see answer to PQ44/23 for more detail on this issue.



Committee meeting – 12 December 2023

Written question from Cllr Spink to the Chairman

The DIPS seeks to facilitate the delivery of 453 houses per annum. What evidence is there to suggest that this figure is deliverable? Given that we are in a cost of living and housing crises why is there not a strategy in the Alliance led DIPS prioritising council owned land for social housing?

Response

Officer response:

The housing requirement within the DIPS (453 per annum) is calculated using historic delivery rates on the island over previous 15 year plan periods. It is accepted that in some years delivery may fall below this figure, and in other years it may exceed it. For example in 20/21 on the island there were 445 completions, in 21/22 there were 490 completions and in 22/23 there were 357 completions. Recent longer term averages are the 5 year average = 379dpa, 10 year average = 380dpa, 15 year average 410dpa and the 20 year average 460dpa. Using 15 year plan periods allows different economic cycles to be reflected.

The DIPS provides a suite of policies and requirements applicable to all development proposals, regardless of land ownership, that must represent viable delivery opportunities. The sites allocated within the DIPS that are owned by IWC could be prioritised for social housing, however that is a decision for the IWC as landowner, not the IWC as local planning authority in its role as decision maker determining planning applications against policy requirements.

