

Agenda Item Introduction

Committee	POLICY AND SCRUTINY COMMITTEE FOR NEIGHBOURHOODS AND REGENERATION
Date	12 DECEMBER 2023
Topic	PRE-DECISION SCRUTINY – DRAFT ISLAND PLANNING STRATEGY

1. Background

- 1.1 The Island Planning Strategy has been drafted to replace the Island Plan Core Strategy. The draft Island Planning Strategy has been prepared, taking into account, the significant level of public consultation undertaken to date. For the Island Planning Strategy to be adopted and be used to determine planning applications it must go through formal stages as directed by statute.
- 1.2 Cabinet was instructed to reconsider the draft Island Planning Strategy by Full Council in November 2022 but was further delayed to allow for publication of the revised National Planning Policy Framework (NPPF) to take place.
- 1.3 At the Policy and Scrutiny Committee for Neighbourhoods and Regeneration meeting that took place on 5 October 2023 it was agreed that an additional meeting would be arranged in December 2023 for the committee to review the draft Island Planning Strategy ahead of it going to Cabinet in January 2024 and put forward any proposed recommendations.

2. Focus for Scrutiny

- 2.1 The role of the committee is not to act as a 'shadow Cabinet'. Its function is to ensure that the principles of decision making have been complied with:
 - i. taking into account all relevant considerations and ignoring those which are irrelevant
 - ii. compliance with finance, contract and all other procedure rules
 - iii. due consultation and proper advice is taken, and alternative options considered before decisions are reached
 - iv. impartiality and an absence of bias or pre-determination
 - v. any interests are properly declared
 - vi. decisions are properly recorded and published
 - vii. decisions are proportionate to the desired outcome
 - viii. respect for human rights and equality impacts

- ix. a presumption in favour of transparency and openness
- x. clarity of aims and desired outcomes
- xi. due consideration of all available options
- xii. reasons are given for decisions

3. Outcome(s)

- 3.1 Do councillors wish to support the proposed recommendations or report any comment to Cabinet.

4. Approach

- 4.1 To review the draft Island Planning Strategy.

5. Document(s) Attached

- 5.1 Appendix 1 – Schedule of main changes to the Draft IPS
5.2 Appendix 2 – Draft IPS December 2023 Reg 19 Clean version
5.3 Appendix 3 – Draft IPS December 2023 Reg 19 tracked changes version

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Scrutiny Report

ISLE OF WIGHT COUNCIL

Meeting	POLICY AND SCRUTINY COMMITTEE FOR NEIGHBOURHOODS AND REGENERATION
Date	12 DECEMBER 2023
Title	DRAFT ISLAND PLANNING STRATEGY
Report of	CABINET MEMBER FOR PLANNING, COASTAL PROTECTION AND FLOODING

1. Executive Summary

- 1.1 The report provides the committee with the latest version of the Draft Island Planning Strategy (IPS) that has been prepared by Officers, and highlights the changes made to the document since it was considered at the Full Council meeting in October 2022.
- 1.2 The recommendation is for the committee to review the document and report any findings to Cabinet.

2. Recommendation(s)

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| <ol style="list-style-type: none">2.1 The committee to review the Draft Island Planning Strategy (IPS) that has been prepared by Officers and consider and agree any recommendations they may wish to make on the Draft IPS and report these to Cabinet on 11 January 2024 for their consideration.2.2 Cabinet may then, in turn, make its own recommendation to Full Council seeking its agreement to publish the Draft IPS and then submit to the Secretary of State for public examination. |
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3. Background

- 3.1 At a previous Policy & Scrutiny Committee for Neighbourhoods and Regeneration on 5 October 2023, the committee received a short update relating to the draft Island Planning Strategy (IPS).

- 3.2 This followed an update in May 2023 to Full Council of the Cabinet's decision to await the expected publication of new legislation, policy and guidance by the Government in the 'spring' of 2023 before progressing the draft IPS.
- 3.3 The [Levelling Up and Regeneration Act](#) (LURA) was enacted on 26 October 2023 and covers a wide range of subject matters with Parts 3-7 and 9 & 10 being the main sections relating to planning. Most of the sections directly related to development management and plan-making do not have appointed commencement dates and will require secondary legislation and guidance.
- 3.4 The publication by the Government of the revised national planning policy framework (NPPF) that incorporates changes set out in the 2022 consultation has been delayed – this revised NPPF was originally promised in Spring 2023, however DLUHC provided the following update on 29 November 2023:

*'The government's proposed changes to the National Planning Policy Framework (NPPF) were subject to a full public consultation that ran from December 2022 to March 2023. We are continuing to consider the responses to that consultation and intend to respond later in 2023.'*¹

- 3.5 In light of this it is considered that further public consultation will possibly take place on any proposed revisions to the NPPF and accompanying planning practice guidance that may incorporate the secondary legislative provisions for the planning system set out in the LURA.
- 3.6 The Local Government Association (LGA) undertook a peer review into Planning Services in 2022. One of the six recommendations from the review was:

R4 Urgently finalise and adopt the Island Plan. The local plan provides a degree of certainty for communities, businesses and investors, and a framework for guiding decisions on individual planning applications. Without one it is possible for the submission and acceptance of developments that are deemed not in the public interest and outside of the needs and priorities of local people, as outlined in a local plan.

- 3.7 Prior to the draft IPS being reported to Cabinet and Full Council in January 2024, where approval will be sought to publish and then submit to the Secretary of State for public examination (and enter the formal plan making stages), the version of the draft IPS prepared by Officers is being presented to this Policy and Scrutiny Committee to allow members of the committee to review the document and to consider any recommendations the committee may wish to make to Cabinet regarding the content of the draft IPS.

4. Appendices Attached

- 4.1 This report is supported by the following documentation:

Appendix 1: Schedule of main changes to the draft Island Planning Strategy

¹ [Reforms to national planning policy report: government response - GOV.UK \(www.gov.uk\)](#)

Appendix 2: Draft Island Planning Strategy Regulation 19 'clean' version

Appendix 3: Draft Island Planning Strategy Regulation 19 'track change' version

- 4.2 A Regulation 19 version of the draft IPS was considered at the [Extraordinary Full Council meeting on 5 October 2022](#), where the motion seeking approval to publish and submit to the Secretary of State fell.
- 4.3 At the [Full Council meeting on 16 November 2022](#) a motion was agreed that set out ten items of objection to the draft IPS version in front of it, and Cabinet were then informed of those objections.
- 4.4 As a result of the aforementioned motion, and taking into account previous public and stakeholder consultation in 2019 and 2021 and ongoing evidence base updates, the draft IPS has been further revised, with some of the headline changes summarised below:
- Following a further years' monitoring data, a reduction in the housing number to **453 dwellings per annum**, which is a 38 per cent reduction on the housing figure calculated by the Government's standard method of 730 dwellings per annum.
 - Affordable housing policy (H5) altered to reflect the need for more rental properties and setting out local connections (**addressing item 2 of the November 2022 Full Council motion**).
 - Additions to policy G5 (which sets out the approach to taking into account an applicant's previous performance on delivering planning permissions) following confirmation of new powers from the LURA on delivery of planning permissions (**addressing item 3 of the November 2022 Full Council motion**).
 - Collection of financial contributions towards primary healthcare facilities (such as new or extended doctors' surgeries) in areas where the existing healthcare facilities do not have the capacity to accommodate the impact of new residential development added to policy (G3) following partnership working with the Hampshire and Isle of Wight Integrated Care Board.
 - 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.
 - Changes to policy wording (C10 and C11) to reference local energy security and resilience (**addressing item 7 of the November 2022 Full Council motion**).
- 4.5 The changes to the draft IPS (as set out in Appendix 1) includes reference to which Full Council item of objection the change is seeking to address. A number of the objections included in the Full Council motion have not resulted in changes to the attached draft IPS. These, and the Officers' reason(s) why, are as follows.

Full Council motion Item 1 – Housing Company and Council Owned Housing Sites

IPS to provide clear commitment to use IOW Council owned land, that is designated as suitable for housing, to being allocated to the IOW Council's Housing Company (who can work with Housing Associations or others as partners if they wish) to provide social homes affordable to Islanders.

- 4.6 Officer response to item 1: The Isle of Wight Council as a landowner has the ability to deliver this commitment immediately outside of the local plan preparation process. As such this is not considered necessary and could be unduly restrictive on the Council.

Item 4 – SHLAA Process

IPS to specify that the process for determining the SHLAA shall be transparent and open with the portfolio holder or their deputy attending all meetings with external parties and minutes to be taken. The respective Ward Member to be invited to attend all related internal meetings and external meetings with third parties. The PPWG to define, for incorporation in the IPS, how recommendations by officers shall be progressed including member committee scrutiny and member committee scrutiny sign off.

- 4.7 Officer response to item 4: A local plan policy does not need to set the process for undertaking a piece of evidence, where national planning practice guidance already exists, and which sets out the process to be followed. The desire to review the IWC SHLAA methodology is recognised, and this can and will be done outside of the process of agreeing the draft IPS.

Item 5 – Priority allocation of housing reductions

IPS to give special consideration to capitalising on reduced housing targets in order to relieve pressure on green field sites by retaining some existing development boundaries.

- 4.8 Officer response to item 5: consideration has been given to this, and it was concluded that such an approach was unlikely to withstand scrutiny at a public examination (please also see the officer response to item 8).

Item 6 – IPS timescales

Revised IPS to be brought back to Full Council no later than April 2023 and in doing so to clarify the regulatory process forward and the legal implications should that revision not be progressed.

- 4.9 Officer response to item 6: The Full Council decision in January 2023 removed the requirement to meet this timeframe.

Item 8 – Contemporary and accurate data.

IPS to include contemporary and accurate data regarding housing needs, population growth, age profile demographics and related trends including ONS and other sources such as DWP and Health sector analysis. These key data points to inform the IPS calculations and in conjunction with recognising the exceptional

circumstances of the IOW, to define a clear case for further reduced housing targets aligning with the IOW population growth and resident needs.

- 4.10 Officer response to item 8: KC and professional advice has been sought on this issue when considered against existing national planning policy and was circulated to all members in October 2022. At present, the position remains that there is not sufficient data or evidence to work up such a position that would stand up to scrutiny at examination.

Item 9 – Affordability

IPS to define the definition of Affordable Rented Housing based on not more than 1/3 of the net average local earnings.

- 4.11 Officer response to item 9: Policy AFF1 uses the Local Housing Allowance (or a series of % discounts from market value, whichever is lower) as the definition for affordable housing on the island. Local Housing Allowance (LHA) rates are used to calculate Housing Benefit for tenants renting from private landlords.

Item 10 – Zero Carbon

IPS to clarify a consistent and comparable basis to be used for calculation of the carbon impact of delivery, lifetime and site restoration of developments.

- 4.12 Officer response to item 10: It is recommended that local plan policy should not fix a particular piece of software or methodology to be used as many will be available, all providing the same output, and to be specific now may prevent better approaches in the future.
- 4.13 The track changed version attached as Appendix 3 shows the changes made to the document from the version considered by Full Council at the 5 October Extraordinary Full Council meeting.

5. Background Papers

5.1 [Extraordinary Full Council meeting on 5 October 2022](#)

5.2 [Full Council meeting on 16 November 2022](#)

5.3 [Full Council meeting on 18 January 2023](#)

5.4 [Full Council meeting on 7 May 2023](#)

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