



Purpose: For Decision

Cabinet report

Date **13 JANUARY 2022**

Title **NEWPORT HARBOUR MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION**

Report of **CABINET MEMBER FOR PLANNING AND COMMUNITY ENGAGEMENT; AND CABINET MEMBER FOR REGENERATION, BUSINESS DEVELOPMENT AND TOURISM**

EXECUTIVE SUMMARY

1. The Council has a long-held aspiration to redevelop land under its ownership in the Newport Harbour area, which includes previously developed land. To help achieve this the Council has, following significant public engagement and consultation, prepared an indicative masterplan for the area to establish the development principles it will apply to the site. This in turn will provide greater clarity to residents over the expectations of the future land uses and to provide greater certainty to any potential investors and developers.
2. The masterplan has previously been consulted upon and, following input from the Environment Agency, is now underpinned by a detailed stage 2 flood risk assessment. An iteration of the masterplan, which removed the potential development area called Seaclose Gate, was endorsed by Cabinet in November 2020. The increased need for affordable housing requires further consideration of this site within the masterplan proposed as a Supplementary Planning Document (SPD). The revised document proposes that options for this site which will be informed by further community consultation should specific proposals come forward.
3. The development of Newport Harbour gives the Council, as landowner, a real and positive opportunity to shape the future of the town and underline its commitment to public engagement and net zero aspirations, whilst contributing to the regeneration of Newport and the provision of affordable housing.
4. Having the masterplan as an SPD will give it greater weight in shaping any future detailed proposals and planning applications. The adoption of an SPD is a formal process governed by statute, which requires a public consultation. Subject to the outcome of the public consultation, a further report will be brought to the Cabinet to seek the adoption of the SPD.

RECOMMENDATION

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| 5. Cabinet agrees to the publication of the draft Newport Harbour Masterplan Supplementary Planning Document for public consultation. |
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BACKGROUND

6. The Council's Regeneration Directorate have been working on a masterplan for Newport Harbour since 2017. The masterplan is intended to provide a clear steer on what is possible and what the Council expects to happen. Should development be proposed for the site then a planning application(s) will still be required so any impacts of the detailed proposal(s) can be considered, assessed and consulted upon.
7. Since 2017 significant public consultation has been undertaken to inform the proposals (please see the Consultee section of this report). A version of the masterplan has previously been published for consultation as part of the SPD adoption process. However, due to the comments received further work was undertaken and revisions made, resulting in the current version of the masterplan proposed for consultation (see Appendix 1).
8. More recently a harbour revision order (HRO) was laid before Parliament and came into force on 10 March 2021. Whilst this is a separate process, the HRO removes the historic limitations placed on the lengths of lease (maximum three years) within the harbour estate. It therefore removes a significant barrier to realising the aspirations of the masterplan.
9. Whilst the local planning authority (LPA) are responsible for managing the SPD adoption process and the consideration of any subsequent application, the masterplan itself has been prepared by the Regeneration team. The Regeneration team, acting as the landowner remains committed to working with local councillors and residents, particularly in terms of co-designing detailed proposals and considering issues such as massing and scale of any detailed proposals. It is also considered that the site provides an exciting opportunity for the Council as the landowner to bring forward innovative schemes that reflect net zero ambitions.

SPD adoption process

10. The national planning policy framework (NPPF) sets out that a supplementary planning document (SPD) is a 'document which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan'.
11. SPDs are subject to statutory preparation procedures under regulations 11 to 14 of the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).
12. For an SPD to come into force it must be agreed and formally adopted by the council (at the appropriate decision-making level, which under the Council's Constitution is the Cabinet). Once adopted the SPD will then be a material consideration, where relevant, in the determination of planning applications.

STRATEGIC CONTEXT

13. Adopting the masterplan for Newport Harbour as an SPD will contribute to achieving Corporate Plan 2021-2025 outcomes, particularly the three cross cutting activities of provision of affordable homes for Island residents, responding to climate change and enhancing the Biosphere and economic recovery. It also contributes to a green and thriving economy by helping achieve the completion of a key regeneration project to drive employment, skills and inward investment.
14. The intention to create a masterplan for Newport Harbour is also set out in the Council's [Regeneration Strategy](#). Redevelopment of Newport Harbour is also included in the emerging [Island Planning Strategy](#).

CONSULTATION

15. Extensive public consultation has been undertaken since 2017 to shape and finalise the masterplan for Newport Harbour. A series of stakeholder events were held in 2017, and a [Visual Minutes and Debriefing](#) document from the workshop held on 14 November 2017 was published. A [Consultation Statement](#) setting out the public engagement undertaken between December 2018 and January 2020 has been prepared. Both documents are available online, and further information can be found at <https://iwightinvest.com/newport-harbour-masterplan/>.
16. A formal consultation, as required to adopt the masterplan as an SPD was undertaken from Friday 6 March until Monday 20 April. 29 responses were received, including a detail response from the Environment Agency expressing concern that they did not consider that flood risk had been adequately considered and taken into account in the masterplan.
17. As a result, the SPD adoption process was paused whilst further work was undertaken by specialist consultants, in partnership with the Environment Agency, to ensure that flood risk issues were properly identified and adequately considered. A stage 2 flood risk assessment (see Appendix 2) was carried out. This information sits alongside the masterplan, which is now proposed to be published for public consultation.
18. Public engagement has also resulted in a change of approach towards certain aspects of the masterplan, particularly the provision of new homes at the entrance to Seaclose Park (referred to as Seaclose Gate).
19. The HRO process, overseen by the national Marine and Maritime Organisation, was also subject to public consultation.

SCRUTINY COMMITTEE

20. The outcomes arising from the previous SPD consultation on the Newport Harbour Masterplan were reported to Policy and Scrutiny Committee for Neighbourhoods and Regeneration on 2 July 2020. At that meeting the local member raised concerns on behalf of local residents about the proposed housing on the Seaclose Gate site identified in the masterplan. Since that meeting consideration has been given to seeking delivery of housing in other parts of the masterplan area and the masterplan has been amended to reflect this to propose different options for Seaclose Gate.

FINANCIAL / BUDGET IMPLICATIONS

21. The costs of undertaking the formal public consultation are covered within the existing budget for Planning Services. As such there are no financial implications to publishing the draft masterplan for public consultation.

CLIMATE, ENVIRONMENT & UNESCO BIOSPHERE IMPACT

22. Consulting on the masterplan confirms the Council's desire to see development take place in a sustainable location, on previously developed land within the County town. Given the likely timescales associated with the delivery of this site, any detailed planning application has the potential to be considered against the policies of an adopted Island Planning Strategy and its policies relating to climate, environment and the Biosphere.
23. As the Council is the landowner it may consider implementing measures relating to achieving net zero beyond those that can be achieved through the planning process.
24. A draft Environmental Screening Statement has been prepared to inform and accompany the draft masterplan (see Appendix 3).

FUTURE GENERATIONS AND YOUNG PEOPLE

25. There are no direct adverse implications on future generations and young people arising from consulting on the draft masterplan with a view to adopting it as an SPD.

LEGAL IMPLICATIONS

26. It is considered that there are no direct legal implications arising from consulting on the draft masterplan with a view to adopting it as an SPD, unless the statutory process is not followed. In such a scenario it would be unlikely that the Council could lawfully adopt the draft masterplan as an SPD.

EQUALITY AND DIVERSITY

27. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
28. A stage 1 equality impact assessment (EqIA) has been undertaken in connection with the draft SPD.
29. It is considered that the SPD itself will not have a negative impact on any of the protected characteristics. This is because the status of the document in such that higher-level policy and legislation is also required to be considered as part of the determination of any subsequent planning application, which would take account of the Council's duties under equality legislation.

30. A copy of the draft EqIA can be viewed as part of the background papers to this report. The EqIA may need to be revised, should the draft SPD also change following the public consultation.

PROPERTY IMPLICATIONS

31. Whilst there are no direct property implications for publishing the draft masterplan for consultation, ultimately if the masterplan is adopted as an SPD it will provide a clear steer on the Council's future use of its land. As such it will guide and discussions with the community and any negotiations with developers or investors.
32. The proposals in the masterplan have been prepared by the Regeneration Team, with input from Property Services.

SECTION 17 CRIME AND DISORDER ACT 1998

33. There are not considered to be any impact on crime and disorder by publishing the draft masterplan for public consultation. Should any detailed planning applications be submitted they will need to show how the proposals 'design out crime' and the Police will be consulted.

OPTIONS

34. The options available are considered to be:

Option A To publish the draft Newport Harbour Masterplan Supplementary Planning Document for public consultation.

Option B To not publish the draft Newport Harbour Supplementary Planning Document for public consultation.

RISK MANAGEMENT

35. The act of publishing the draft masterplan for consultation does not tie the Council to adopting it as an SPD. The decision to adopt or not will be subject to a separate decision by the Cabinet, taking into account any responses received as part of the consultation.
36. Undertaking this consultation, and ultimately potentially adopting the SPD, helps the community, potential development partners and investors understand the Council's aspirations for this land. Without such a formal document there may not be sufficient certainty to attract investment.

EVALUATION

37. It is considered that publishing the draft masterplan for further public consultation is the best option to help the Council achieve its aspirations for the land and by doing so contribute to achieving the Corporate priorities and outcomes identified earlier in this report.

APPENDICES ATTACHED

38. Appendix 1 – Draft Newport Harbour Masterplan proposed for public consultation.
Appendix 2 – Newport Harbour Flood Risk Assessment (FRA)
Appendix 3 – Draft Environmental Screening Statement

BACKGROUND PAPERS

39. The draft masterplan, as a standalone document and with the potential development area known as Seaclose Gate removed, was endorsed by [Cabinet](#) in November 2020.

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