

Agenda

Name of meeting	CABINET
Date	THURSDAY 18 APRIL 2024
Time	5.00 PM
Venue	CONFERENCE ROOM 5, FLOOR 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the Cabinet	Cllrs P Jordan (Chairman), D Andre, J Bacon, P Fuller, J Jones-Evans, K Lucioni, L Peacey-Wilcox and I Stephens
	Democratic Services Officer: Sarah MacDonald democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 12)

To confirm as a true record the Minutes of the meeting held on 14 March 2024.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.

3. **Public Question Time - Maximum 15 Minutes for Written Questions and 15 Minutes for Oral Questions**

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. The deadline for written questions will be Monday 15 April 2024.



Details of this Cabinet meeting and other Council meetings can be viewed on the Isle of Wight Council's [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. **Chairman's Announcements**

5. **Report of the Cabinet Member for Planning, Coastal Protection and Flooding**

(a) Draft Island Planning Strategy (Pages 13 - 74)

6. **Cabinet Member Announcements**

To invite Cabinet Members to provide a brief update on matters concerning their portfolio.

7. **Consideration of the Forward Plan** (Pages 75 - 86)

Cabinet Members to identify decisions which need to be amended, added or to be removed from the Forward Plan.

8. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 5pm on Tuesday 16 April 2024. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Wednesday, 10 April 2024

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

If you require further information please see the council guide to reporting on council meetings which can be found at <http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note>

All information that is recorded by the council is held in accordance with the Data Protection Act 2018. For further information please contact Democratic Services at democratic.services@iow.gov.uk

Arrangements for Submitting Oral Questions at Meetings of Council and Cabinet:

The front desk “opens” for public wishing to attend the meeting half an hour before the meeting.

In the circumstances that a member of the public wishes to ask an oral question, they should approach the front desk and notify them of their intention. They will be given a form to complete which details their name, town/village of residence, email address and the topic of the question (not the question in full, unless they wish to provide this).

These forms will be numbered in the order they are handed back.

The time for registering questions will be for a 20 minute period (up to 10 minutes prior to the start of the meeting). After that time expires the forms will be collected and given to the Chairman of the meeting.

If time allows after dealing with any written questions, the Chairman will then ask those who have submitted a form to put their question. These will be in the order they were received. As the subject matter is known, the Chairman should be able to indicate which member will reply. If time permits the Chairman may accept further questions.

The option to ask a supplementary question will be at the Chairman’s discretion.

Once the defined period of time allowed for questions has passed (and assuming the Chairman has not extended this) then all remaining oral questions are left unanswered.

No oral question will receive a guaranteed written response, unless the member responding indicates as such.



Minutes

Name of meeting	CABINET
Date and Time	THURSDAY 14 MARCH 2024 COMMENCING AT 5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs P Jordan (Chairman), D Andre, J Bacon, P Fuller, J Jones-Evans, K Lucioni and I Stephens
Also Present	Sharon Betts, Simon Bryant and Ashley Whittaker
Also Present (Virtual)	Wendy Perera, Christopher Potter and Colin Rowland

183. **Minutes**

RESOLVED:

THAT the minutes of the meetings held on 8 February 2024 and 15 February 2024 be approved.

184. **Declarations of Interest**

There were no Declarations of Interest

185. **Public Question Time - Maximum 15 Minutes for Written Questions and 15 Minutes for Oral Questions**

A written question was received from Mr S Cowley (PQ-05/24) regarding the sale of former Yarmouth Primary School. A written response was read out by the leader.

A verbal question was asked by Cameron Palin regarding the Cowes floating bridge. The Leader indicated that a response would be provided later in the meeting when the agenda item was discussed.

186. **Chairman's Announcements**

The Chairman announced that he had spent the day with government representatives in Ryde to discuss how £20 million could be spent through the Town Board over the next ten years.

187. Report of the Cabinet Member for Adult Social Care and Public Health

187a Director of Public Health Annual Report - Childhood Obesity - Call to Action

There was a statutory requirement to produce and publish an annual report. This year the subject chosen was healthy weight for Island children. The report would support of the campaign for free healthy school meals for all primary age children and would help towards the food poverty agenda. This was one of the most significant public health challenges. An action plan would be developed to tackle the issues.

RESOLVED:

To note the content of the report.

To endorse the ambition within the Annual Report which acknowledges the significant challenge we face in respect to rising levels of childhood overweight and obesity, the multi-faceted causes, the impacts and system wide collaboration required to halt the worsening trend.

187b A Smokefree Generation

£2,547,480 had been granted to procure a new prevention/cessation service, with support for those wishing to stop smoking, and discouraging vaping for those who do not already smoke. This would be funded for four years. It was report that ten per cent of the island's population were smokers and members noted the cost to the economy of £114.1 million.

RESOLVED:

Cabinet approves the spend of up to a maximum amount of £2,547,480 on procuring a new smoking cessation and prevention service over a period of seven years.

Cabinet approves for the Leader of the Council, Chief Executive, and Director of Public Health to sign the Local Government Declaration on Tobacco Control.

188. Report of the Cabinet Member for Children's Services, Education and Corporate Functions

188a Determine School Academic Year/Term Dates for 2025/2026

The current pattern of school term dates had been set in 2019/2020 with a two-week half term in October. A similar pattern had been set for the year 2025/26. In response to a query over whether the two-week October break affected educational standards, confirmation was given that a new education strategy was to be prepared and this matter would be featured in discussions. It was hoped that a draft would be made available by the end of the summer term.

RESOLVED:

That Cabinet approves the proposed calendar for term dates 2025/2026 'as outlined in Appendix 1 to the report.

189. Report of the Leader and Cabinet Member for Transport and Infrastructure, Highways PFI and Transport Strategy

189a Concessionary Travel Reimbursement 2024-25

During the COVID pandemic a system of reimbursement had been introduced by the DfT which was set at the level which had been in place for the preceding 12 months. The DfT now required local authorities to return to actual cost reimbursement, to be repaid at an agreed rate.

RESOLVED:

That approval be given to return to the English National Concessionary Travel Scheme (ENCTS) direct reimbursement principles that operators should be no better or worse off as a result of the Scheme and that reimbursements shall be determined by the number of concessionary travel journeys undertaken on the relevant operator's local bus services.

That approval be given to maintain the existing discretionary enhancements as detailed in this report for the next financial year 2024/2025.

And that delegated authority be given to the Strategic Director of Community Services, in consultation with the Cabinet Member for Transport and Infrastructure, Highways PFI and Transport Strategy and the Section 151 Officer, to prepare and implement the Concessionary Fares Scheme reimbursement arrangements for the 2024/25 financial year.

189b Cowes Medina Crossing

The matter of the floating bridge had been ongoing for several years and was coming to a conclusion. The report had been considered by Corporate Scrutiny and the recommendations from that meeting were noted. The Chairman brought a revised recommendation to the meeting which was read out. Due process would have to be followed in procuring a replacement vessel and discussions were already underway with officers and '3S'. It was noted that a decision at this time did not commit the council to any current additional financial burden.

RESOLVED:

Cabinet agrees and resolves to replace the current floating bridge. Cabinet agrees to accept the recommendations set out in the Cabinet report as an indicative process.

Utilising previous work carried out in respect of the floating bridge over recent years, Cabinet agree that this information should be used to inform the next stage to ensure the necessary work is carried out as quickly and efficiently as possible.

This will include working with the consultants “3S”, who have supported the recent review and who have extensive knowledge of the process and background. 3S will positively support the stated aim and project to replace the floating bridge going forward.

The scope of their work is to be agreed between Cabinet, officers and 3S.

190. Report of the Cabinet Member for Planning, Coastal Protection and Flooding

191. Draft Island Planning Strategy

The matter of the Island Plan had been going on for seven years with a great deal of consultation during that time. The Corporate Scrutiny Committee had made comments relating to the timeliness of signing off Section 106 agreements and aspects relating to the use of council owned sites for socially affordable homes for rent.

The recommendations from Corporate Scrutiny would result in the following changes to the Draft IPS document attached at Appendix 1:

1. Addition of the following sentence within Appendix 3 of the Draft IPS (Site specific requirements) to all IOW Council owned allocations (HA002, HA031 (part), HA037, HA044, HA078, HA080 & HA084):

“As the site is owned by the Isle of Wight Council, the council should seek to bring forward the land through an appropriate council housing delivery vehicle that maximises the number of social homes affordable to island residents.”

2. Revision to paragraph 6.38 that supports policy G5 ‘Ensuring planning permissions are delivered’ to read:

“6.38 To help ensure that proposals for development are implemented in a timely manner, the council will consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. Any delays will take account of the preparation of S106 legal agreements. The local planning authority considers that where a planning obligation, such as a Section 106 agreement, is required it should be completed in a timely manner. Should Planning Committee resolve to approve a planning application and the obligation has not been completed within six months of the resolution, the decision may be referred back to Planning Committee for reconsideration.”

The Leader was aware of further advice received regarding the demographic information. It was noted that members were keen to move things forward and that following Full Council, if approved to move to regulation 19, there would be a four-week period during which further amendments could be made.

The Leader undertook to “request and hold an extraordinary Full Council meeting during that four-week period should that new demographic information indicate a different view on exceptional circumstances when it is received.”

Concern was expressed that Full Council would not be able to reconsider the decision within six months, however the Leader gave an undertaking that he would ensure enough members would call for the extra meeting.

Concern was also expressed regarding paragraph 6.15 in relation to allocated sites and whether it was the intention of the council to remove the right from the planning committee to grant planning permission in principle, and restrict the committee to the design, density and potential impact. It was suggested that this paragraph be made clearer and remove any ambiguity.

RESOLVED:

To agree some of the Full Council recommended changes, all of the recommended changes from the Policy and Scrutiny Committee for Neighbourhoods and Regeneration and all of the recommendations from the Corporate Scrutiny Committee* to the draft Island Planning Strategy as attached at Appendix 1; and then

To recommend to Full Council that the draft Island Planning Strategy be approved and published for the Regulation 19 period for public representation and then submitted to the Planning Inspectorate for examination; and

To recommend to Full Council to delegate any final editorial and presentational changes to the Island Planning Strategy prior to publication and submission, to the Director of Communities in consultation with the Cabinet Member for Planning, Coastal Protection and Flooding, so long as they do not materially alter the intention of the version agreed by Full Council.

192. **Cabinet Member Announcements**

The Cabinet Member for Planning, Coastal Protection and Flooding reported that there had been further ground movement at St Lawrence. The Cabinet member had attended a very lively public meeting at Bonchurch. So many residents had been impacted and the area was being closely monitored. The ground was still very wet so it was not over yet. The Leader sent well wishes to those badly affected. The Leader added that he hoped those residents asking for public money to be spent on reinstating Undercliff Drive at considerable cost would realise that this would be a foolish move with all the recent landslides in the area.

The Cabinet Member for Economy, Regeneration, Culture and Leisure reported that she had represented the Island at the Round Table for the Summer Reading Challenge with Lord Parkinson. It was noted that Rob Jones head of the Libraries Service who would be retiring from the library service at the end of the month after many years. Expressions of Interest were expected the following day for the Newport guildhall. The Cabinet member had been working with the Leader and

others from Southampton and Portsmouth on the ending of the Solent LEP. A draft cultural plan for the Solent area was to be produced.

The Cabinet Member for Regulatory Services, Community Protection and ICT reported that Community Action IW had provided some training with partners regarding the exploitation of children and vulnerable adults, and would circulate some information to the Cabinet. She had also attended the Fire Service conference in Bristol and would provide an update at Full Council.

The Cabinet Member for Adult Social Care and Public Health reported that much concern had been expressed on the closing of the WOW centre. The Cabinet member had attended a meeting with the principal of the Domestic Abuse service commissioned by the Council and was working with Cllrs S Redrup and K Lucioni and would be going to visit the facility. On 22 April the Gouldings reablement centre would be officially opened. It was already proving beneficial for residents and was helping them to remain independent for as long as possible.

The Cabinet Member for Children's Services, Education and Corporate Functions reported that the Youth Conference was coming up. The new Children's Services leadership team had now all been appointed, with the final postholder due to start the following week. All would be based on the Island. A long-term education strategy was being prepared, with 6 months of public engagement starting in April. No decisions regarding school place planning would be made until after that period.

The Cabinet Member for Housing and Finance reported that the Exceptional Hardship Fund had been reinstated after cross chamber agreement had been reached. It was planned to look at smaller developments for affordable housing.

193. Consideration of the Forward Plan

The contents of the Forward Plan were noted with no amendment.

194. Members' Question Time

A written question was received from Cllr M Lilley (MQ-11/24) regarding Ryde Arena. A response was read out by the Leader.

Cllr K Love asked whether the Leader would seek reassurance regarding the Red Funnel ferry service, as it had been reported that eight directors had resigned, and whether this would impact on the development in East Cowes. The Leader confirmed that he would be seeking such assurance, and that the CEO of Red Funnel had offered to meet with him as soon as possible.

195. Exclusion of Public and Press

The Committee determined not to go into private session to discuss the following two items, as they agreed that there would be no discussion regarding any of the detail in the confidential appendices to the reports.

196. Report of the Deputy Leader and Cabinet Member for Housing and Finance

196a Sale of the former Weston Academy, Weston Road, Totland, Isle of Wight

The site had been empty since 2014. Brownfield Land Release Funding had been made available for the site, and bids received had been evaluated in the confidential appendix. Assurance was given that the correct process had been followed.

RESOLVED:

To sell the former Weston Academy site to the preferred bidder based on the offer attached at exempt Appendix 2, to pay the preferred bidder the BLRF grant available for this site, and to delegate approval of the final terms of the sale to the Deputy Leader and Cabinet Member for Housing and Finance.

196b Disposal of the former Yarmouth Primary School, Yarmouth

The Corporate Scrutiny Committee had welcomed the style of the report which was the result of a lot of work by officers, resulting in a very good offer being made. It was noted that the final terms of sale were proposed to be delegated to the Cabinet Member for Housing and Finance.

RESOLVED:

To approve in principle the disposal of the former Yarmouth CE Primary School site to bidder D based on the proposal attached at exempt Appendix 2, subject to Department for Education Section 77 consent being granted and heads of terms being agreed, and to delegate approval of the final terms of the sale to the Deputy Leader and Cabinet Member for Housing and Finance.

CHAIRMAN

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Cabinet Report

Purpose: For Decision

ISLE OF WIGHT COUNCIL

Date	18 APRIL 2024
Title	PUBLISHING THE ISLAND PLANNING STRATEGY FOR PUBLIC REPRESENTATION AND SUBMISSION TO THE PLANNING INSPECTORATE
Report of	CABINET MEMBER FOR PLANNING, COASTAL PROTECTION AND FLOODING

Executive Summary

1. A new local plan, the Island Planning Strategy, is being prepared to replace the Island Plan Core Strategy 2012. The current draft Island Planning Strategy has taken into account the significant level of public consultation undertaken to date. For the Island Planning Strategy to be adopted and be used in planning decisions it must go through formal stages as directed by statute.
2. The next stages for the draft Island Planning Strategy are:
 - (a) publish for the Regulation 19 period for representation
 - (b) receive the public representations
 - (c) submit the plan, the supporting evidence base and all the representations received to the Planning Inspectorate (PINS) for public examination
3. This report is seeking a decision from the Cabinet regarding the recommendations to it from Full Council and the views of the Policy and Scrutiny Committee for Neighbourhoods and Regeneration and then to agree to recommend to Full Council that the draft Island Planning Strategy is published for a period of public representation and subsequently to submit the plan to the Planning Inspectorate for an independent examination. Cabinet has a number of options in relation to the recommendations from Full Council and Policy and Scrutiny Committee and these are set out in detail in paragraph 50 of this report.
4. Once the draft plan has been through the formal stages and is adopted, the Council will have an up-to-date plan and therefore it will reset its five-year land supply and housing delivery test requirements. When the Council can demonstrate it has an up-to-date local plan, can meet its five-year land supply and meet the housing delivery test minimum requirements it will not have to have due regard to the National Planning Policy Framework's tilted balance of the policy presumption in favour of sustainable development.

5. An adopted plan will also give the officers and councillors of the local planning authority more tools to positively shape development, including the delivery of 'island affordable housing' and a greater ability to refuse applications that do not accord with the new policies. It will also provide the basis for supplementary planning documents (SPDs) to be created, which can give further detail on what the Council expects from policy compliant proposals.
6. Further independent external legal and demographic work commissioned by the Council (Appendices 4 and 5 to the Cabinet report of 18 March 2024 that can be viewed [here](#)) has concluded that there is no justifiable basis to pursue 'exceptional circumstances' for the island, despite the addition of footnote 25 to the NPPF in December 2023. The demographic report concludes that there is a high probability of the housing need figure for the island being higher than the standard method, not lower, if an alternative method is used (i.e. pursuing exceptional circumstances). Delaying the process of adopting the draft plan will place the island at greater risk of planning applications being submitted for sites that are considered unacceptable at a time when the local planning authority is in a weaker position due to it having to give regard to the tilted balance.

Recommendation

7. To agree some of the Full Council recommended changes, all of the recommended changes from the Policy and Scrutiny Committee for Neighbourhoods and Regeneration and all of the recommendations from Corporate Scrutiny Committee to the draft Island Planning Strategy, with the changes as attached at Appendices 1, 2 & 3; and then
8. To recommend to Full Council that the draft Island Planning Strategy be approved and published for the Regulation 19 period for public representation and then submitted to the Planning Inspectorate for examination; and
9. To recommend to Full Council to delegate any final editorial and presentational changes to the Island Planning Strategy prior to publication and submission, to the Director of Communities in consultation with the Cabinet Member for Planning, Coastal Protection and Flooding, so long as they do not materially alter the intention of the version agreed by Full Council.

Background







10. Section 19(1B)-(1E) of the [Planning and Compulsory Purchase Act 2004](#) sets out that each local planning authority must identify their strategic planning priorities and have planning policies to address these.
11. Through the [National Planning Policy Framework](#), the Government has set out that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
12. The Isle of Wight Council's current plan, the Island Plan Core Strategy, was adopted in 2012 (before the introduction of the National Planning Policy

Framework). The Council began the process of preparing a new local plan, the Island Planning Strategy (IPS) in 2017, to give it the policies it needs to deal with the challenges, such as the delivery of affordable housing and climate change, it now faces.

13. Since 2018 the Council, as local planning authority (LPA), has determined planning applications under the statutory test having regard to the tilted balance of the policy presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF). This is because the LPA has not been able to demonstrate a five-Year Land Supply (5YLS) and is below the Housing Delivery Test (HDT) threshold for delivery of new homes.
14. Adopting the IPS with a new, lower, housing number will reset the 5YLS and HDT calculations, and this is modelled to show that the Council will then be able to demonstrate a 5YLS and meet the minimum HDT threshold and therefore not have to have regard to the NPPF's tilted balance of the policy presumption in favour of sustainable development. Adopting a new plan will also allow the council to use the suite of new policies in planning decision making that cover multiple topics that align with corporate priorities.
15. 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.

	Draft IPS adopted	Draft IPS not progressed
Reset housing number for the island	✓	✗
Housing number 38% lower than the standard method	✓	✗
Demonstrate 5 year housing land supply (A)	✓	✗
Housing Delivery Test result over 75% (B)	✓	✗
Due to A & B above, no longer under the presumption in favour of sustainable development	✓	✗
Use IPS policies in decision making	✓	✗

Deeper discounting on affordable housing		
Align with LGA Peer Review recommendation		
Government requirement to update local plan by end of 2025		

The stages of local plan preparation

16. The Town and Country Planning (Local Planning) (England) Regulations prescribe the stages a local plan must go through. Because these stages are set out in regulations, each stage will often be referred to by the relevant regulation.

Regulation 18

Preparation of a local plan. Whilst the regulations do not prescribe it, the Council has undertaken public consultation at this stage, to ensure maximum public engagement in the preparation of the plan and has undertaken two rounds of public consultation.

Regulation 19

Publication of a local plan This report seeks authority to publish the draft plan for a period of public representation. The plan that is published for consultation at Regulation 19 stage should be the plan that the Council intends to submit to the Planning Inspectorate for examination.

Should it be agreed to proceed to this stage, the plan will be published for six weeks and the public will be invited to comment on the plan.

Regulation 22

Submission of documents and information to the Secretary of State The draft plan, evidence and representations received at the regulation 19 stage will be submitted to an independent Planning Inspector, on behalf of the Secretary of State. The Council must submit what it considers to be a sound plan.

Regulation 24

Independent examination This will be undertaken by an independent Planning Inspector, on behalf of the Secretary of State. There is the opportunity for public participation in the examination for those who submitted representation at the regulation 19 stage.

Regulation 25

Publication of the recommendations of the appointed person. This is the Council receiving the Planning Inspector's report.

Regulation 26

Adoption of a local plan The decision whether to adopt the local plan, based on the recommendations of the Planning Inspector is a decision for Full Council.

17. As set out above, at the regulation 19 stage the Council should publish what it believes is a sound plan. For a plan to be sound it must meet the tests of

'soundness' contained in paragraph 35 of the National Planning Policy Framework.

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed [housing] needs; and is informed by agreements with other authorities, so that unmet [housing] need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this [National Planning Policy] Framework and other statements of national planning policy, where relevant.
18. The draft IPS has also been subject to an Integrated Sustainability Appraisal (ISA) and a Habitats Regulation Assessment (HRA). Both of these environmental based assessments reviewed all of the policies within the draft IPS which led to wording changes to increase scores on the ISA scoring matrix, strengthening policies and removing ambiguity.

Corporate Priorities and Strategic Context

Provision of affordable housing for Island Residents

19. Once adopted the IPS will be a key document in helping the Council plan for and deliver affordable housing for Island residents. It will set the thresholds for the amount of affordable housing a development site will need to provide. It also recognises that a new home that is classified as affordable under the NPPF does not, in practical terms, equal an affordable home in the context of the Island.
20. The IPS therefore proposes policies that allow for deeper discounting of new homes to make them Isle of Wight affordable (which evidence shows ranges from 70 to 60 per cent of market value, depending on the type of property) and ensures that local connection criteria are applied to all affordable properties.
21. The IPS also proposes land allocations for new homes, and all the proposed allocations are of sufficient scale to require onsite delivery of affordable homes. The adoption of the IPS will provide a greater level of certainty to developers and affordable housing providers that sites are available and expected to deliver affordable housing.
22. It is recognised that there is a chronic shortage of affordable properties on the island, especially those for affordable rent. By allocating land for new homes there will be greater certainty for delivery. At this moment in time the most effective and likely delivery mechanism for new affordable homes is through developers providing them on larger sites and paying for them through market houses. Whilst some may consider this is not ideal, permitting larger scale development is the

only mechanism that has ensured delivery of affordable housing to the scale that is required on the island.

- 23. If no allocations are made in the plan, then in all likelihood the delivery of affordable housing will reduce even further with no real certainty about where future supply will come from or how it will be paid for.

Responding to climate change and enhancing the biosphere

- 24. These targets have been set out in strategic policy CC1 of the Draft IPS that also includes explicit reference to the Climate & Environment Strategy as one of the key corporate documents that will underpin planning decisions on the island. Draft Policy CC1 also notes that making planning decisions in support of the net zero targets will support and help maintain the UNESCO Biosphere designation of the island. It is worthwhile to note that the Biosphere designation was obtained with the policies of the Core Strategy being adopted, including a housing figure of 520 new homes per year across the plan period. The Draft IPS also includes Draft Policy C11 that would require all new homes to be net zero carbon.



Economic Recovery and Reducing Poverty

25. If adopted the IPS will have a positive effect in reducing the numbers of residents, and especially children, who are living in poverty (particularly those living in absolute poverty). The proposed policies of the IPS have been written to help secure the Council's aspirations as set out in a range of other plans and strategies. The land use policies of the IPS will directly and indirectly help deliver:
- the council's regeneration ambitions
 - sustainable economic growth
 - development of opportunities for investment
 - skills development

Impact on Young People and Future Generations

26. Publishing the IPS for the regulation 19 period of representation is a key step towards adopting the IPS. Once adopted the IPS will have a time horizon of 15 years and will play a significant role in shaping the Island over that period and beyond. The way in which we plan for and manage development and growth now will have impacts on young people and future generations, and these impacts will be interrelated across the various domains of young people's lives from housing, employment or training, health and the environment.

Corporate Aims

27. The Corporate Plan 2021 - 2025 sets out the council's key areas for action, aspirations and key activities. Once adopted the IPS and its planning policies will play a key role in helping the Council achieve in its three key areas for action:
- A. Provision of affordable housing for Island residents
 - B. Responding to climate change and enhancing the biosphere
 - C. Economic recovery
28. The specific aspirations and key activities relevant to the IPS are:
- Champion the adoption of a new Island Plan based on housing targets evidenced to meet Island needs and compliant with legislation for adoption by September 2023
 - (33) Accelerate the completion of the Island plan. The process to be followed will include meaningful engagement with residents and town, parish and community councils
 - Complete all Island consultation on draft Island plan by and seek adoption through the formal process by September 2023.
29. The LGA peer review was asked 'whether the draft local plan is aligned to deliver the objectives of both the corporate plan and the council regeneration strategy'. The response to this was:

Yes, the draft local plan is aligned to deliver the objectives of both the corporate plan and the council regeneration strategy. The draft local plan provides a means to deliver the priorities of the corporate plan. The council also needs to recognise the presumption in favour of sustainable development and the threat of government intervention if the local plan is not adopted. Without an up-to-date local plan there is a risk to delivering the corporate objectives.

30. There are also multiple aspirations that directly and indirectly link to the IPS and its policies, and these include:
- (16) Place the health and wellbeing of residents at the centre of all we do
 - (18) Promote the building of affordable supported social retirement housing to ensure residents maintain their independence for as long as possible
 - (22) Support Island wide digital connectivity to support Island businesses and residents
 - (23) Housing that is created must be housing fit for purpose. We will prioritise truly affordable housing for Island residents, meaning housing that is not just affordable to rent or buy but affordable to live in and maintain
 - (24) Wherever possible bring appropriate empty and derelict buildings back into use for affordable housing
 - (35) Complete key regeneration projects to drive employment, skills and inward investment
 - (38) Use available powers to deal with long term empty or derelict buildings that mar our seafront and town centre areas
 - (39) Focus on regeneration our High Street and visitor economy to assist post COVID-19 recovery and growth
 - (40) Promote people-oriented place planning for town centres
 - (41) Support and enhance our biosphere and AONB areas. Support the active management and development of biosphere status and secure dark sky status
 - (43) Commit to develop sustainable transport options with a focus on infrastructure to encourage active travel
 - (44) Promote the increased use of renewable energy in all sectors
 - (45) Embed both the biosphere and the climate change strategy into policy, including the Island plan.

Consultation and Engagement

31. The draft IPS has been through extensive public consultation, beyond that required by the regulations, and the next step is for the Cabinet to recommend to Full Council to agree the draft and agree to publish the draft plan for a period of public representation and to then submit the draft plan and representations received to the Planning Inspectorate.
32. It should be noted that there may be many people who feel that the comments they made, and changes suggested to the plan, during previous public consultations have been ignored. This is not case; all comments were considered but not all resulted in changes being made to the draft IPS. However, those people would be able to fully engage in the Regulation 19 period of public representation and make comments and suggest the changes to the draft IPS they think are necessary, including those who have sought alternative legal and demographic advice.

33. Any comments received during the Regulation 19 period are submitted, together with the draft plan and supporting evidence base, to the Secretary of State who will then appoint an independent Planning Inspector. The role of the Inspector will be to carry out an examination in public to review the submitted plan, evidence base and all comments made during the Regulation 19 period.

Scrutiny Committee

34. The [Policy and Scrutiny Committee for Neighbourhoods and Regeneration on 5 October 2023](#) received an update report on the Draft IPS.
35. A further [meeting of the Policy & Scrutiny Committee for Neighbourhoods and Regeneration on 12 December 2023](#) received a copy of the Draft IPS for review.
36. At the meeting on 12 December 2023, a number of recommendations were agreed by the Policy & Scrutiny Committee for Neighbourhoods and Regeneration. Appendix 3 to this report sets out the seven recommendations that were agreed at Policy & Scrutiny Committee for Neighbourhoods and Regeneration on 12 December 2023 and also identifies the changes that have been made to the draft IPS to address each of these recommendations.
37. Corporate Scrutiny Committee received a report on the draft IPS at its meeting on 12 March 2024. The Committee resolved that the Cabinet Member reconsidered two aspects of the plan relating to the timeliness of signing off Section 106 agreements and the use of council owned land for socially affordable homes for rent. Changes to address both of these aspects are proposed and set out in Appendix 1 to this report.

Financial / Budget Implications

38. There are no direct financial / budget implications in agreeing to publish the IPS for the regulation 19 period of representation. The budget is already in place to cover the costs of the consultation and the examination process following submission. If a decision is made to not publish the Draft IPS for Regulation 19 and reconsider the content and form of a new local plan (option 7 in paragraph 48), there may be a level of abortive costs associated with the existing Draft IPS and evidence base. To date, since the preparation of the Draft IPS commenced in 2016, approximately £600,000 has been spent on the process.

Legal Implications

39. The process of preparing a local plan is set out in [Town and Country Planning \(Local Planning\) \(England\) Regulations](#). Regulation 19 sets out that prior to submitting a local plan to the Planning Inspectorate (on behalf of the Secretary of State) the local authority must undertake certain actions. The publication of the draft plan and accompanying documentation for a period of (public) representation is one of these actions.
40. It is the responsibility of the Cabinet to formulate the draft plan and make a recommendation to full council as to the final form of the plan. Full Council's role is to then either accept in full the Cabinet's recommendations in final form or refer

the matter back to the Cabinet for further consideration.

41. A Regulation 19 version of the draft IPS was considered at the [Extraordinary Full Council meeting on 5 October 2022](#), but the decision made at that time by Full Council was not to take the draft IPS forward to the next stage.
42. 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 the matter was referred back to Cabinet for further consideration.
43. At the [Full Council meeting on 18 January 2023](#) and in light of potential changes to national planning policy/legislation, a motion was agreed that revised the timescale within which Cabinet was required to report back to Full Council.
44. At the Full Council meeting on 20 March 2024, a motion was agreed that set out five items of objection to the draft IPS version in front of it, and the matter was referred back to Cabinet for further consideration.
45. Cabinet is now considering a recommendation to agree a revised version of the draft Island Planning Strategy to recommend on to Full Council that the draft IPS is published and submitted. Cabinet must inform Full Council of the reasons for any amendments to the draft IPS, any disagreement that Cabinet has with any of the Full Council objections within the motions of 16 November 2022 and 20 March 2024 together with the Cabinet's reasons for any such disagreement.

Equality and Diversity

46. The draft IPS has been subject to a draft equality impact assessment (Appendix 4) and the results can be summarised that no negative impacts on the protected characteristics are expected from the policies within the document. The Island has an ageing population and a high percentage of people with mobility problems and a greater likelihood for health problems, which in turn is placing increased demands on services. Through its policies the council wants to ensure that future development contributes to creating environments that are accessible to all generations (and associated health issues) and by doing so improve residents' health and wellbeing.
47. Negative impacts are also not expected to arise from the act of consulting on the draft IPS, and the consultation will provide the opportunity for any issues relating to equality to be raised and considered during the examination in public. Should the IPS be found sound and be considered for adoption by Full Council it will be subject to a final equality impact assessment at that stage.

Property Implications

48. Once adopted the IPS will contain planning policies that may be relevant to future plans for Isle of Wight Council owned property and land.
49. A number of the proposed allocations are owned by the Council. If they remain as allocations and the Island Planning Strategy is adopted there will be budgetary and place making implications on the Council. The inclusion of Council owned sites is seen to be a commitment by the local authority to its regeneration

aspirations and its place making agenda.

Options

50. It is considered that the following options are available to Cabinet, of which options 1, 3, 5 and 6 (as highlighted in bold) form the recommendations at the start of this report:

- (1) To accept some or all the items of objection from Full Council on November 2022 and 20 March 2024 and make changes to the draft IPS to address the objections accepted.**
- (2) To not accept some or all the items of objection from Full Council on November 2022 and 20 March 2024 and to give the reasons for not accepting the objections.
- (3) To accept some or all the recommendations from the Policy & Scrutiny Committee for Neighbourhoods and Regeneration and make changes to the draft IPS to reflect the recommendations accepted.**
- (4) To not accept some or all the recommendations from the Policy & Scrutiny Committee for Neighbourhoods and Regeneration and to give the reasons for not accepting the recommendations.

And then, subject to the choices made on the options above;

- (5) To agree the version of the draft IPS to recommend to Full Council is published for the Regulation 19 period for public representation and then submitted to the Planning Inspectorate for examination.**
- (6) To recommend to Full Council to delegate any final editorial and presentational changes to the Island Planning Strategy prior to publication and submission, to the Director of Regeneration in consultation with the Cabinet Member for Planning and Community Engagement, so long as they do not materially alter the intention of the version agreed by Full Council.**

Or

- (7) To not proceed with the current Island Planning Strategy approach and to review the approach towards a new local plan.

Risk Management

51. Publishing the draft IPS for the regulation 19 period for representation is the next step to an independent Planning Inspector finding the plan sound and the Council adopting it. To minimise the risk of the plan being found unsound by the Planning Inspectorate the Council has prepared a draft IPS which is considered by staff to be sound and therefore capable of being submitted to the Planning Inspectorate, following the regulation 19 period for representation.

Full Council and Scrutiny recommendations

52. Each of the ten items of objection within the Full Council motion of 16 November 2022 (see paragraph 41) have been carefully considered and staff have recommended changes to the draft IPS in response to three of them. Seven of the items have not resulted in changes being recommended by Officers to the draft IPS. These, and the staff reason(s) why for each, are as follows.

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.

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. **No change made to Draft IPS**

Item 2 – Affordable rented accommodation

For housing developments other than those receiving funding from Homes England (who have their own requirements for the balance of rented/shared ownership as a condition of loans or grants) the affordable housing delivered should be 80% affordable rented and 20% shared ownership.

Officer response to item 2: Affordable housing policy (H5) altered to reflect the need for more rental properties and setting out local connections. **Change made to Draft IPS**

Item 3 – Time limits on finalising legal agreements

To avoid developers delaying the signing off on legal agreements, a 6 month limit to be imposed on same. Failure to achieve sign-off within that period to result in planning permission being refused.

Officer response to item 3: 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 Levelling Up and Regeneration Act (LURA) on delivery of planning permissions. **Change made to Draft IPS**

Item 4 – SHLAA Process

IPS to specify that the process for determining the Strategic Housing Land Availability Assessment (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 Planning Protocols Working Group (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.

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. **No change made to 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.

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). **No change made to Draft IPS**

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.

Officer response to item 6: The Full Council decision in January 2023 removed the requirement to meet this timeframe. **No change made to Draft IPS**

Item 7 – Local Energy Security

IPS to recognise the need for local energy security and to provide for a future feasibility study into the generation on IOW of geothermal energy.

Officer response to item 7: Changes to policy wording (C10 and C11) to reference local energy security and resilience. **Change made to the Draft IPS**

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.

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. **No change made to Draft IPS**

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.

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. **No change made to Draft IPS**

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.

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. **No change made to Draft IPS**

53. On 20 March 2024, Full Council resolved the following: *‘That the DIPS is returned to Cabinet with a request that cabinet considers the matters set out below and return the DIPS not later than the end of April to Full Council with the said matters included in a revised DIPS or alternatively Cabinet shall inform Full Council of the reasons why the said matters are in its opinion unsuitable to be included in a revised version of the DIPS.’* Each of the five matters have been reviewed and Appendix 1 to this report provides a detailed response to each. Further advice was sought from counsel on the five items and relevant extracts from this advice are included in the table in Appendix 1, with the full advice note included as Annex A to that appendix. Three of the five items have resulted in proposed changes to the wording of the draft plan, with a fourth having already seen a change made following a previous request .
54. The draft IPS has also quite rightly been considered by both the Policy & Scrutiny Committee for Neighbourhoods and Regeneration and Corporate Scrutiny Committee, who have recommended a number of changes to be made. In the professional view of officers it is possible to incorporate changes to address all of these recommendations without increasing the risk of the plan being found unsound.
55. There is clearly also a risk of the Cabinet and/or Full Council not being able to agree a version of the plan to publish for representation and then submit. This would extend the period where the Council must have regard to the tilted balance of the policy presumption in favour of sustainable development under paragraph 11(d) of the National Planning Policy Framework (NPPF).
56. The Council’s annual monitoring reports and the Housing Delivery Test undertaken by the Department for Levelling Up and Housing and Communities (DLUHC) demonstrate that delivery over the last three years has been 66% and therefore, whilst the Council can demonstrate the required land supply position the presumption in favour of sustainable development remains applicable.
57. Under the current NPPF, to remove the presumption in favour of sustainable development, the Council must deliver a greater level of housing (above 75% of the required housing number using the Government Standard method which would equate to 525 homes per annum) and/ or adopt an up-to-date development plan and still deliver 75% or above of any new yearly target within that adopted plan. The proposed housing requirement in the Draft IPS is 453 homes per annum – 75% of this is 340 homes. The council has exceeded this figure in 8 of the last 10 years.

58. It would also mean that the certainty a local plan can give to developers, affordable housing providers and communities would also be delayed.
59. Should the draft plan go through all the formal stages and be adopted, it will crucially mean the Council has an up-to-date plan and that it will lower its five-year land supply figure and consequently its housing delivery test figure. An up-to-date plan along with being able to demonstrate a five-year land supply and meeting the requirements of the housing delivery test will mean that the Council will no longer have to have regard to the tilted balance and the presumption in favour of sustainable development in its planning decisions.

Exceptional circumstances

60. By taking the approach of accepting the standard method housing number, but then assembling a robust evidence base that demonstrates why such a figure is not deliverable on the Island, (and in the case of the draft IPS including a housing requirement that is 38% less than the standard method) this helps to mitigate against the plan being found unsound. It is the view of officers, which is supported by KC advice, that this approach has a greater likelihood of success over not accepting the standard method and instead arguing 'exceptional circumstances'.
61. In late 2022 the government launched a consultation on changes to both the NPPF and the plan making system. In October 2023, the Levelling Up and Regeneration Act was passed as legislation. On 20 December 2023, the government published a new National Planning Policy Framework. The revised NPPF included a new footnote (25), which is reproduced below:
- 'Such particular demographic characteristics could, for example, include areas that are islands with no land bridge that have a significant proportion of elderly residents.'*
62. This footnote is linked to paragraph 61 of the NPPF relating to whether the characteristics of an area may represent 'exceptional circumstances' which could justify using a different approach to calculating housing need than the standard method the government expect local planning authorities to use.
63. The NPPF remains unchanged (paragraph 61) in that any different approach to calculating housing need should also reflect current and future demographic trends, market signals and, as set out in Planning Practice Guidance, take account of historic under delivery.
64. It is recognised that the addition of footnote 25 could impact on the approaches set out in the IPS, including that to the calculation of housing need. As a result, further legal and demographic work was commissioned to provide independent external views on the implications of this new footnote on the Draft IPS.
65. The conclusion of both the legal and demographic work (see paragraph 6) is unequivocal that the addition of footnote 25 to the NPPF does not justify a change of approach in relation to housing need and 'exceptional circumstances'. The demographic work concludes that should the exceptional circumstances route be pursued, there is a high probability that the housing need number generated would be in excess of the standard method, not below it. The Draft IPS currently includes a housing requirement that is 38% below the standard method. Copies of both pieces of work have been shared with Group Leaders together with separate

Group Leader briefings on each topic (legal and demographic).

66. It is noted that alternative legal and demographic work has been commissioned by a third party. At the time of writing this report, only the legal work has been shared with the council. It is Officers view that this legal work does not clearly demonstrate that an alternative approach to calculating housing need for the island should definitely be taken, and nor does it demonstrate that such an alternative approach would be robust and defensible at examination. As the alternative demographic work has not been shared, no comment can be provided on this. It is noted that different demographic studies may suggest different outcomes when considering housing need, however a difference alone does not mean that such alternatives are robust and defensible at examination. Any third party who have commissioned work that they believe supports an alternative route for the draft local plan, or indeed alternative content, are able to make such representations at the Regulation 19 stage of the plan-making process.

Future national policy changes

67. Should the national policy landscape continue to evolve and change the Cabinet and/or the Council may decide it does not wish to proceed with the IPS as currently written and withdraw it from the formal process to prepare an alternative local plan. This withdrawal could happen at any of the formal stages listed in paragraph 14 from Regulation 19 up to and including Regulation 25. It may also consider adopting the IPS, if it is found sound, to effectively preserve its position and begin a review of the plan (or component parts of it) to take into account new national policy. However if the decision is made not to move forward with the Draft IPS to Regulation 19 and submission, then the ability to proceed with a local plan under the current plan-making system (which allows a lower housing requirement to be put forward) may be lost altogether.

Use of policy in decision making

68. Without an adopted IPS the Planning Committee and Planning Officers of the local planning authority will also have to continue to use the policies of the current Core Strategy (where they are not considered out-of-date), which was adopted in 2012, to determine planning applications. This means not being able to use the new policies of the IPS, which have been specifically designed to address key issues now being faced on the island such as affordability of new homes, tackling climate change and ensuring community engagement in the development process at the earliest opportunity.
69. Recent Planning Committee meetings have seen a sense of frustration over the inability to apply some of the Draft IPS policies, particularly that around deeper discounts for affordable housing. For example a recent application for 57 homes in Bembridge saw a 25% discount from market value secured, however draft policy AFF1 in the IPS sees discounts of up to 40% from market value. Once the Draft IPS is published under Regulation 19 the LPA (including Planning Committee) can start to apply limited weight to the draft policies within it when making decisions.
70. Whilst not proceeding with the IPS and reviewing the approach to a new local plan is certainly an option available (paragraph 48 option 7), it has the potential to combine all the risks identified above and to introduce further new risks such as significant and currently unbudgeted costs associated with compiling a new

evidence base (see paragraph 37). It could also impact on the Planning Policy Team delivering other (either programmed or required by law) documents such as the Waste and Minerals Plan Development Plan Document, the Local Nature Recovery Strategy and a number of documents related to the flood management strategy for the island.

71. Further delay to the progression of the Draft IPS also means that the evidence base supporting the plan will have to continue to be refreshed and updated, adding further unbudgeted cost to the project. Since a Regulation 19 version of the Draft IPS was first scheduled to be brought to Full Council in April 2022, approximately £75,000 has been spent on ensuring the draft document and evidence base are kept up to date (this figure is included in the total referenced in paragraph 38).
72. Ultimately, however, it is for the Cabinet to make its recommendation to Full Council and it will be the Planning Inspector who determines whether the plan is sound.

Evaluation

73. As a result of (a) the Full Council motions in November 2022 and March 2024, (b) the recommendations of Policy & Scrutiny Committee for Neighbourhoods and Regeneration in December 2023 and Corporate Scrutiny Committee in March 2024, (c) taking into account previous public and stakeholder consultation in 2019 and 2021 and (d) ongoing evidence base updates, the draft IPS has been amended with Appendices 1, 2 and 3 to this report setting out the changes made to address the items listed above. Some of the headline changes are:
 - 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**).
74. At the Policy & Scrutiny Committee for Neighbourhoods & Regeneration on 12 December 2023, and in subsequent follow up correspondence, there was discussion around the proposed allocation of sites in the draft IPS and the implications of this on future Planning Committee decisions. A view was raised that paragraph 6.15 of the Draft IPS removes the right of the Planning Committee to make a decision on whether an allocated site is suitable for development. This issue also appears as item (i) on the Full Council resolution of 20 March 2024.
 75. Policy G2 of the Draft IPS sets out the spatial strategy for the island and where the priority locations for housing development and growth are. Paragraph 6.15 is part of the supporting text for that policy and as originally drafted, is reproduced below:

'6.15 The location of a potential development site within a settlement boundary is the first test in establishing the suitability of a site, in principle, for development. Once this principle is established more detailed issues covered by other policies in the Island Planning Strategy such as design, density and potential impact on the surrounding area and the environment are considered. If, on the planning balance, the development proposal is unacceptable in relation to these detailed issues it will be refused.'
 76. Policy H2 and Appendix 2 of the Draft IPS set out which sites would be allocated, and the expectations that any applications coming forward on those sites would have to meet a wide range of site specific and other policy requirements.
 77. All of the proposed allocations in the Draft IPS (set out in policy H2 and Appendix 2) align with the spatial strategy set out in Policy G2. As such, the basic locational principle of development on these allocated sites would be considered policy compliant post adoption of the plan. Planning Committee would still be entitled to come to a different view, however a reason for refusal based on the location of a site may be considered unreasonable if that location aligns with the spatial strategy set out in adopted policy.
 78. It should be noted that the allocation of sites can only be confirmed through the adoption of the local plan once it has passed through public examination. The evidence base supporting the IPS, including the SHLAA, Integrated Sustainability Appraisal and Housing Evidence Papers that all help set out the spatial strategy and allocations process, will all form part of that examination in public. From the first regulation 18 consultation in 2018 to the version of the draft IPS attached as Appendix 1 to this report, the emerging IPS has always included proposed allocations that align with the spatial strategy set out within draft policy.
 79. The eventual adoption of the plan would allow the local planning authority to use the full weight of new planning policies in its decision-making, to give greater influence over those issues of Island-wide significance such as housing delivery, the affordability of new homes, greater protections to our environment and agricultural land and to greater standards of design.
 80. In overall summary, Officers are of the opinion that the [version of the draft IPS](#) presented to Cabinet on 14 March 2024, also incorporating the further changes attached as Appendix 1 to this report, gives the greatest likelihood of success of

the plan being found sound at examination.

Appendices Attached

81. The report is supported by the following Appendices:
82. Appendix 1: Schedule of changes to the draft Island Planning Strategy made in response to the Corporate Scrutiny recommendations of 12 March 2024 and the Full Council resolution of 20 March 2024 (including further counsel advice as Annex A);
83. Appendix 2: Schedule of main changes to the draft Island Planning Strategy including those addressing three items from the Full Council motion of 16 November 2022
84. Appendix 3: Schedule of changes to the draft Island Planning Strategy made in response to the seven recommendations of the Policy & Scrutiny Committee for Neighbourhoods & Regeneration
85. Appendix 4: Draft Equalities Impact Assessment

Background Papers

86. [Extraordinary Full Council meeting on 5 October 2022](#)
87. [Full Council meeting on 16 November 2022](#)
88. [Full Council meeting on 18 January 2023](#)
89. [Full Council meeting on 7 May 2023](#)
90. [Policy & Scrutiny Committee for Neighbourhoods and Regeneration on 5 October 2023](#)
91. [Policy & Scrutiny Committee for Neighbourhoods and Regeneration on 12 December 2023](#)
92. [Cabinet meeting on 14 March 2024](#)
93. [Full Council meeting on 20 March 2024](#)
94. [Emerging Island Planning Strategy](#)

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*Cabinet Member for Planning, Coastal
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A: Changes to the Draft Island Planning Strategy as a result of Corporate Scrutiny Committee recommendations of 12 March 2024

On 12 March 2024, Corporate Scrutiny Committee resolved the following:

'That the Cabinet Member for Planning, Coastal Protection and Flooding reconsiders the timeliness of signing off Section 106 agreements and aspects relating to the use of council owned sites for socially affordable homes for rent.'

The following changes are proposed to address these two points:

1. Addition of the following sentence within Appendix 3 of the Draft IPS (Site specific requirements) to all IOW Council owned allocations (HA002, HA031 (part), HA037, HA044, HA080 & HA084):

'As the site is owned by the Isle of Wight Council, the council should seek to bring forward the land through an appropriate council housing delivery vehicle that maximises the number of social homes affordable to island residents.'

2. Revision to paragraph 6.38 that supports policy G5 'Ensuring planning permissions are delivered' to read:

6.38 To help ensure that proposals for development are implemented in a timely manner, the council will consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. Any delays will take account of the preparation of S106 legal agreements. The local planning authority considers that where a planning obligation, such as a Section 106 agreement, is required it should be completed in a timely manner. Should Planning Committee resolve to approve a planning application and the obligation has not been completed within six months of the resolution, the decision may be referred back to Planning Committee for reconsideration.

B: Changes to the Draft Island Planning Strategy as a result of Full Council 20 March 2024

On 20 March 2024, Full Council resolved the following:

'That the DIPS is returned to cabinet with a request that cabinet considers the matters set out below and returns the DIPS not later than the end of April to Full Council with the said matters included in a revised DIPS or alternatively cabinet shall inform Full Council of the reasons why the said matters are in its opinion unsuitable to be included in a revised version of the DIPS.'

The table below sets out (a) the five matters agreed in the Full Council motion, (b) comments/requests for clarification sent to Cllr Spink on , (c) further clarifications provided by Cllr Spink on 2 April 2024, (d) commentary from Michael Bedford KC (further advice was sought following the Full Council motion, a copy of which is attached as Annex A to this Appendix) and (e) any proposed changes to the Draft IPS.

(a) Matters to be discussed	(b) Comment / clarification request to Cllr Spink	(c) Further clarification from Cllr Spink (2.4.24)	(d) Commentary from Michael Bedford advice (2.4.24)	(e) Agreed change or reason why unsuitable
<p>i). Paragraph 6.15 is amended as in red below, The location of a potential development site within a settlement boundary is the first test in establishing the suitability of a site, in principle, for development.</p> <p>Once this principle is established more detailed issues covered by other policies in the Island Planning Strategy such as design, density and potential impact on the surrounding area and the environment are considered.</p> <p>If, on the planning balance, the development proposal is unacceptable in relation to these detailed issues it will be refused.</p> <p>Therefore, in this respect, both a sites allocation in this Plan together with due consideration by the Planning Committee of other relevant policies (within this Plan and the NPPF) shall be</p>	<p>For the avoidance of doubt the whole draft is not accepted in current form and will be considered.</p> <p>We will revert via cabinet process with comment or drafting options.</p>	<p>Overview:</p> <p>The proposed amendments represent the democratic will of Full Council, including the Executive Leader and the Cabinet Member for Planning, both of whom accepted the amendment to their motion and voted in support. In the circumstances cabinet should accept the amendments. The comments below are made in light of the above.</p> <p>Para 6.15 DIPS</p> <p>If para 6.15 is not amended the principle of development re allocated sites will be determined by the allocation process and the adoption of the DIPS. At the last meeting of Cabinet, the Leader, in the presence of the Cabinet Member for Planning, said that it was not the intention of the council to restrict planning committee in this</p>	<p><i>Extract paragraph 23: ‘...the first element is saying that the decision maker (i.e. the Planning Committee) dealing with a proposal on an allocated site will also need to give “due consideration” to other relevant policies, both in the IPS and in the NPPF, before granting permission.</i></p> <p><i>This is an unnecessary change in relation to the policies of the IPS because Policy H2(d) already requires that, for allocated housing sites, proposals must show how the development will be delivered in accordance with “all other relevant policy requirements set out in this plan”.</i></p> <p><i>Extract paragraph 26: ‘The suggested wording is also inappropriate in so far as it suggests that the fact that a site is allocated “shall not alone constitute a material consideration”.</i></p>	<p>Proposed change (additional text in red):</p> <p>Paragraph 6.15: ‘The location of a potential development site within a settlement boundary is the first test in establishing the suitability of a site, in principle, for development.</p> <p>Once this principle is established more detailed issues covered by other policies in the Island Planning Strategy such as design, density and potential impact on the surrounding area and the environment are considered.</p> <p><u>A site allocation in this plan should be considered alongside other relevant policies (within this plan and the NPPF) in order for planning permission to be granted.</u></p> <p>If, on the planning balance, the development proposal is unacceptable in relation to</p>

<p>required in order for planning permission to be given</p> <p>i.e. a sites allocation in this plan shall not alone constitute a material consideration in the decision of whether to give planning permission.</p>		<p>way. He further stated that that planning committee should be the decision maker.</p>	<p><i>Clearly, the allocation has to be a material consideration, because that is the very purpose of a site allocation policy.'</i></p>	<p>these detailed issues it will be refused.'</p>
<p>ii). Windfall sites should only be 'allowed' in wider rural area if they qualify with policy re rural exception, infill, first home exception, self and custom build, or new homes sites.</p> <p>Page 35</p>	<p>The statement provided is not considered contentious. It is believed this is sufficiently covered within the draft IPS</p> <p>P1.10 and 1.11 already confirms that all planning applications will be determined in accordance with the development plan unless material considerations state otherwise, as per section 38 (6) of the planning and compulsory purchase act</p> <p><i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i></p>	<p>The DIPS treats windfall sites in a category of their own. Development in the wider rural area should be limited to the categories specified in the proposed amendment.</p>	<p><i>Paragraph 31: 'Policy G2 does not refer to self-build and custom-build dwellings outside of settlement boundaries but Policy H10 does make provision for such development "if they meet a specific local need that has been identified." Irrespective of responding to Full Council's concerns, it would be sensible to address this apparent inconsistency of approach, presumably by adding a reference to Policy H10 as one of the exceptions listed in Policy G2.'</i></p> <p><i>Extract paragraph 32: '...it is not easy to see what further restriction Full Council wishes to see because any windfall site in the wider rural area (i.e. outside of the settlement boundaries) will already have to satisfy the local need requirement and the criteria set out in the listed exceptions policies.'</i></p>	<p>Proposed change (additional text <u>in red</u>):</p> <p>Policy G2 proposed wording addition in red to link to 'windfall sites'. Further revision for consistency to include reference to policy H10.</p> <p><i>Outside the defined settlement boundaries, including at Sustainable Rural Settlements, proposals for housing development, <u>which includes windfall sites</u>, 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, H9 New Housing on Previously Developed Land <u>or H10 Self and Custom Build.</u></i></p>
<p>iii). Para 7.78 DIPS should be deleted as inconsistent</p>	<p>Could you clarify what you consider the inconsistency with the definition of rural</p>	<p>The NPPF glossary describes rural exception sites as: "Small sites (my</p>	<p><i>Paragraph 40:</i></p>	<p>No proposed deletion. Minor word addition <u>in red</u> to 7.78 for clarity.</p>

<p>with definition of rural exception sites.</p>	<p>exception sites with the paragraph IPS 7.78 is?</p> <p>What is the outcome that you are seeking with the deletion of the supporting paragraph please?</p>	<p>emphasis) used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding".</p> <p>Paragraph 7.78 DIPS allows for large developments to be treated as rural exception sites. This would, for example, allow more developments of similar size to Burt Close, Shalfleet, (70 houses i.e. 7x definition of a major development). This is contrary to the DIPS, para 82 NPPF, and the wishes of the Parish Council and residents.</p> <p>The outcome that I am seeking is for rural exception sites on the Island to comply with the DIPS, para 82 NPPF, and the wishes of the Parish Council and residents.</p>	<p><i>I note that the NPPF definition of a rural exception site has chosen not to specify a quantitative limit for what will be a "small site", whether by site area or by dwelling capacity. The IPS glossary (understandably) takes the same approach. This would suggest it is a matter for judgment, depending on the particular local context.</i></p> <p><i>Paragraph 43: In addition, para 7.78 of the reasoned justification does not override the policy requirement that a rural exception site needs to be proportionate to the scale of the settlement or rural area in question. It also refers to sites of "up to 20 dwellings in total" rather than using that figure as a minimum threshold below which any and every site would be a "small site". I would accept that a scheme for 20 or so dwellings might be disproportionate to some of the smaller settlements within Policy G2, such as Wellow or Newchurch.</i></p> <p><i>To reflect this, and to avoid it being suggested that para 7.78 is seeking to oust or supplant the test in Policy H7, it would be open to the Council to add the word</i></p>	<p>Paragraph 7.78: 'For the purposes of this policy the council considers small sites to be <i>generally</i> sites with a net gain of up to 20 dwellings in total (including market housing). In circumstances where there is a significant specific local need that has been identified and lack of supply of affordable housing, this figure could be increased if the proposal was proportionate to the scale of the settlement or rural area it was serving. Where this is proposed the council strongly advocates the use of its pre-application advice service, to ensure that all parties are clear about the issues at the earliest possible point in the process.'</p>
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			<p><i>“generally” to the first sentence, so that it reads “...the council considers small sites to be generally sites with a net gain of...”. However, such an addition could be seen as strictly unnecessary, given the existing reference to “up to 20 dwellings”.</i></p>	
<p>iv). Allocated sites that are not policy compliant, or are contrary to a neighbourhood plan, or inconsistent with NPPF e.g. ‘best and most versatile’ agricultural land, should be removed from the DIPS.</p>	<p>Which proposed allocated sites in the IPS do you consider are contrary to neighbourhood plan, or inconsistent with NPPF?</p> <p>For each identified, how do you consider them contrary to the neighbourhood plan, or inconsistent with NPPF?</p> <p>Have you alternative allocation in mind to replace them?</p>	<p>Please indicate agreement in principle with the following submission:</p> <p>Allocated sites should be policy, neighbourhood plan and NPPF compliant.</p> <p>Once the above is agreed I will assist as requested; however, if the allocation process has been properly carried out (which may, or may not, be the case) the information requested should already be known by those asking the question.</p>	<p><i>Extract paragraph 44: However, no specific sites have been identified, which makes it difficult to engage with this concern, other than at a high level.</i></p> <p><i>Extract paragraph 45: As already discussed, site allocations establish the principle of development but do not override other relevant IPS policies.</i></p> <p><i>Extract paragraph 46: I note that there are some ‘made’ Neighbourhood Plans covering some of the settlements on the Island. I have not reviewed those Neighbourhood Plans and so do not know whether any of the allocations are inconsistent with them.</i></p> <p><i>Even if that were to be the case, the legal position is that where two parts of the development plan conflict, priority is to be given to the most recent part of</i></p>	<p>No proposed change.</p>

			<p><i>the development plan: s.38(5) PCPA 2004. Thus, an allocation in the IPS would prevail over any earlier policies in a Neighbourhood Plan.</i></p> <p><i>Extract paragraph 47: 'Whilst some NPPF policies set out strict tests.....other policies simply require matters to be brought into account (such as where there may be a loss of best and most versatile agricultural land, which would need to be "recognised", as explained in para 180(b) of the NPPF). I assume those policies have already been considered by the Council in selecting its proposed allocations. For the most part, they call for a planning balance to be drawn across a range of relevant factors rather than a prescriptive preclusion of particular sites or developments. Unless the Council now considers that it cannot justify an allocation, having regard to relevant policies in the NPPF, I see no good reason to remove those allocations.'</i></p>	
<p>v). 'local need' should not be ID [identified] by use of the loW Housing Needs Assessment as to do so would be inconsistent with policy and NPPF.</p>	<p>Can you please set out why this is inconsistent with:</p> <ol style="list-style-type: none"> 1. the policy (and which policy) and 2. NPPF for our consideration 	<p>The DIPS seeks to concentrate the majority of the housing number assessed by the standard method within settlement boundaries. Although development in the 'wider</p>	<p><i>Extract paragraph 52: 'If the concern is not so much with the approach in Policy AFF1, but relates to reliance on the most recent LHNA (which was undertaken in 2022) as one</i></p>	<p>No proposed change.</p> <p>The IPS glossary contains the following definition, which Cllr Spink has previously requested:</p>

		<p>rural area' may be counted against the housing requirement, development is only supported where there is shown to be an 'identified specific local need' (i.e. a local community need within the parish in which the application site is situated). The housing need assessments produced by 'Hearn' are based on the figure produced by the standard method and do not establish an additional need of the local community within the parish).</p>	<p><i>of the data sources that Policy H5 identifies can be used to inform an alternative mix of affordable housing to the target mix in Policy H5 (which is 80% for social / affordable rent and 20% for other affordable housing products), I am not aware of any reason why the LHNA should not be used for this purpose.</i></p> <p><i>The LHNA was carried out for the Council by consultants using relevant guidance in the NPPF and the PPG to look at the nature and extent of affordable housing needs. In the absence of any specific criticisms of the contents of the LHNA, I see no reason why the Council should not use it to help make decisions arising under Policy H5.'</i></p>	<p>Specific local need that has been identified - a local community need within the Parish in which the application land is sited that has been identified by a local housing needs assessment and/or surveys.</p> <p>Policy AFF1 contains the following text:</p> <p>Where local data is available for a settlement in a parish level housing needs survey, the make-up of the on-site affordable housing is expected to fully take this into account to help inform the type and mix of affordable homes secured through policies H5 and H8. Where this is not available it is expected that undertaking a local housing survey will be explored in agreement with the council and parish, town or community council and with the agreement of all parties, could be funded by the developer</p>
		<p><u>Additional Points for Consideration.</u></p> <p>G2 DIPS includes Calbourne, Shalfleet, and Wellow as 'sustainable rural settlements'. Planning applications in the above areas have been</p>		<p>No proposed change</p> <p>These 'additional points for consideration' did not form part of the Full Council motion agreed on 20 March 2024 and therefore have not been considered.</p>

<p>Page 40</p>		<p>found by the IoW Planning Authority, and by the Planning Inspector, not to be sustainable. Accordingly, it is wrong in principle for these areas to be listed as sustainable rural settlements.</p> <p>The Cabinet Member's report for Full Council was, and is, misleading for the reasons set out below. Paragraphs 59-64 refer to 'exceptional circumstances' and rely on the Advice of KC, and 'demographic work', both of which were commissioned by the council. No reference is made, however, to the existence or contents of the Advice obtained by the local West Wight Community, which severely criticised the 'Council's Advice and Demographic report'. Reports for Full Council should be balanced and fair, thus enabling a reasoned decision to be taken. It is wrong for Full Council only to be informed of one possible view.</p>		
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RE THE ISLAND PLANNING STRATEGY LOCAL PLAN

FURTHER ADVICE (4)

INTRODUCTION

1. I am asked to advise the Isle of Wight Council (“the Council”) on some further matters concerning the preparation of the Island Planning Strategy Local Plan (“the IPS”). The IPS, as prepared by the Council’s Cabinet, was presented to Full Council at its meeting on 20 March 2024 with a recommendation from Cabinet that the IPS be approved for publication under Regulation 19 of the Local Planning (England) Regulations 2012 (SI 2012/767), for representations to be made, as a prelude to its submission for independent examination.
2. However, Full Council raised some issues that they required Cabinet to consider and then make changes to the IPS or, if Cabinet considered the changes (or any of them) to be unsuitable for inclusion in the IPS, to explain why no such changes were being proposed, prior to the IPS being further considered by Full Council no later than the end of April 2024.
3. At the present time, there are no published draft Minutes of the Full Council decision, but I have been provided with officers’ understanding of the issues that Full Council has raised.
4. Full Council was also provided at its meeting on 20 March 2024 with an Advice Note dated 15 February 2024 from Lambert Smith Hampton (“the LSH Advice Note”) on housing need matters, in the light of changes made to the National Planning Policy Framework (“NPPF”) with regard to guidance on when it may be appropriate to depart from the Standard Method to calculate an area’s Local Housing Need (“LHN”). I am asked to advise on whether the LSH Advice Note provides an adequate basis to support the conclusions

expressed in my Further Advice (3) dated 27 December 2023 that the changes to the NPPF did not justify changing the Council's approach to the identification of LHN for the purposes of the IPS.

RELEVANT CONTEXT

5. The Council's current Local Plan is the Island Plan Core Strategy, which was adopted in March 2012, shortly before the publication of the first version of the NPPF. The Core Strategy has a plan period to 31 March 2027. Since 2018 the Council has been working on the preparation of the IPS to replace the Core Strategy. The Council's most recent Local Development Scheme ("LDS"), which was updated in February 2024, envisages that the IPS will be submitted for independent examination in August 2024, which would potentially allow it to be adopted by October 2025. However, that timetable assumed that Full Council would have endorsed the IPS (as recommended by Cabinet) at its meeting on 20 March 2024. The fact that this did not happen may cause some slippage in the timetable to adoption.

6. Paragraph 15 of the NPPF expects that *"The planning system should be genuinely plan-led"* and that *"Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings."* Whilst the issue of whether a development plan is up-to-date (or not) is not simply (or even mainly) a matter of chronology, it is almost inevitable that a plan prepared well over a decade ago is unlikely to fully reflect the Island's current needs or to address the issues facing the Island in a way that reflects current policy aims and ambitions. It is also the case that the lack of a 5 year housing land supply on the Island in recent years (or failure to meet the Housing Delivery Test) has meant that the Council has not been able to apply all of the policies of the Core Strategy and many have been displaced by the NPPF's presumption in favour of sustainable development (as set out in para 11 of the NPPF). There is therefore merit in the Council achieving an up-to-date new Local Plan as soon as practicable so that a policy framework can be put in place that will

allow decisions to be genuinely plan-led, addressing current needs and priorities, and reflecting local aspirations.

7. In order for the IPS to be adopted, it will need to undergo independent examination, and the examining Inspector will need to conclude that the contents of the IPS are “*sound*” (or that the IPS can be modified so as to ensure that it is “*sound*”). Soundness will be tested by the Inspector having regard to the tests set out in paragraph 35 of the NPPF. These address whether the IPS is positively prepared, justified, effective, and consistent with national policy.
8. Thus, whilst the Council has a wide discretion in formulating the contents of the IPS, and for many planning issues there may be a number of different ways in which a desirable objective can be achieved, so allowing scope for different planning judgments on those issues, the contents of the IPS will need to meet the soundness tests to the satisfaction of the independent examining Inspector if it is to be successfully adopted. In assessing potential changes to the current draft of the IPS it is therefore necessary to consider whether those changes would improve (or would hinder) the prospects of the IPS being found to be sound. Changes that would make it harder to satisfy one or more of the soundness tests will be difficult to justify, given the timescale and resource implications of the IPS being found to be unsound and unable to be adopted.
9. Regulation 8 of the LPER 2012 draws a distinction between the “*policies*” of a local plan and the “*reasoned justification*” for those policies. Regulation 8(2) LPER 2012 requires that a local plan “*must contain a reasoned justification of the policies contained in it.*” The LPER 2012 do not prescribe how the distinction between policies and their reasoned justification should be shown in a local plan, but it is conventional to set out the policies themselves in one form (such as in upper case text or in text boxes) and the reasoned justification in a different form (such as supporting paragraphs of narrative, either preceding or following the policy to which they relate. The IPS adopts the approach of having the policies in text boxes (with each policy having an

alphabetic and numeric reference followed by a title) followed by paragraphs of text to explain the purpose of and context for the policy.

10. The LPER 2012 do not generally define the content of what can be included in a “*policy*”, but Regulation 2(1) LPER 2012 does give a specific definition of a “*site allocation policy*”, which means “*a policy which allocates a site for a particular use or development*”. Regulation 5(1)(b)(iv) LPER 2012 also explains the purpose of a site allocation policy and of a development management policy, which is that they “*are intended to guide the determination of applications for planning permission.*” There is no definition of a development management policy, but it is clear that it is a policy that will apply to the decision-making stage on individual planning applications.
11. The IPS includes some site allocation policies in relation to specific sites for housing and employment development, including in Policies H2, KPS1 and KPS2.
12. S.19(1B) and s.19(1C) Planning & Compulsory Purchase Act 2004 require a local planning authority to identify its strategic priorities for the development and use of land in its area and to have policies to address those priorities in its development plan documents. Such policies are generally referred to as strategic policies and the IPS has chosen to use a positive tick mark to indicate which of its policies are strategic policies.
13. The Court of Appeal held in R (Cherkley Campaign Ltd) v Mole Valley District Council [2014] EWCA Civ 567 (per Richards LJ at paras 16 and 17) that the reasoned justification in a local plan is not part of a policy, that it cannot contain policy or “*trump*” policy, and it cannot contain requirements or criteria that are not to be found in the policy itself (or if such text is included it cannot be applied so as to prevent a proposal which accords with the policy from being in accordance with the development plan). Its purpose is to explain the policies and it may therefore be relevant to the proper interpretation of a policy. Thus, if a local planning authority wishes to set out criteria or requirements that are intended to be used to guide the determination of

planning applications, those matters should be set out in a policy and not relegated to the reasoned justification.

14. Having regard to these matters of general context, I now turn to the specific issues raised in my Instructions.

ASSESSMENT: ALLOCATED SITES AND SETTLEMENT BOUNDARIES

15. Policy G2 of the IPS is a strategic policy concerned with *“Priority Locations for Housing Development and Growth”*. It identifies that *“The focus for sustainable housing growth is within the settlement boundaries of the island’s Primary and Secondary settlements and the Rural Service Centres”*. These settlements and centres are identified by name. Policy G2 also provides:

“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.”

16. Policy G2 also lists the Sustainable Rural Settlements by name. Policy G2 deals with *“Development proposals for non-allocated sites”* by requiring that they:

“1. Be located within the settlement boundaries of the Primary Settlements, Secondary Settlements and Rural Service Centres (as shown on the Policies Map); and

2. Clearly contribute to delivering the Island’s identified housing need, economic aspirations or achieving Island-wide regeneration aspirations; and

3. Make as much use as possible of previously developed land in line with H9; and

4. Deliver all policy requirements of the Island Planning Strategy.”

17. The draft submission Policies Map has not yet been published but I assume it will delineate the settlement boundaries for each of the Primary Settlements, Secondary Settlements, and Rural Service Centres. It appears from the supporting text in para 6.14 of the IPS that the allocated sites have been incorporated into the settlement boundaries of the settlements to which they relate.

18. Policy H2 is a non-strategic policy which addresses “*Sites Allocated for Housing*”. It provides:

“The sites listed in Appendices 1 and 2, and shown on the Policies Map, are allocated for residential or residential-led mixed use development. Proposals for these sites should demonstrate how they will deliver an appropriately phased development in accordance with:

- a) site specific allocation Policies KPS1 & KPS2;*
- b) where relevant, the site specific allocation requirements set out in Appendix 3;*
- c) the generic allocation requirements set out in Policy H3;*
- d) all other relevant policy requirements set out in this plan.*

The yield identified in Appendices 1 and 2 are for indicative purposes only and the final number of homes or other development provided will be determined through the planning application process. Not every allocation has site specific requirements, and these sites will be expected to deliver a scheme that aligns with Policy H3.”

19. Policy KPS1 is concerned with the former prison site at Camp Hill and Policy KPS2 is concerned with a site at Newport Harbour. Policy H3 sets out general requirements for residential or housing-led mixed use developments.

20. Para 6.15 of the supporting text states:

“The location of a potential development site within a settlement boundary is the first test in establishing the suitability of a site, in principle, for development. Once this principle is established more detailed issues covered by other policies in the Island Planning Strategy such as design, density and potential impact on the surrounding area and the environment are considered. If, on the planning balance, the development proposal is unacceptable in relation to these detailed issues it will be refused.”

21. I understand that Full Council wishes Cabinet to consider supplementing this text with the following:

“Therefore, in this respect, both a sites allocation in this Plan together with due consideration by the Planning Committee of other relevant policies (within this Plan and the NPPF) shall be required in order for planning permission to be given i.e. a sites allocation in this plan shall not alone constitute a material consideration in the decision of whether to give planning permission.”

22. This additional wording appears to focus on site allocations rather than on any unallocated sites, albeit both categories are dealt with by Policy G2. By setting out what *“shall be required”* before a positive planning decision can be made and specifying what *“shall not alone”* be considered when making planning decisions, it is clearly seeking to impose additional requirements on the operation of Policy G2. This is not a proper purpose for text within the reasoned justification, having regard to the Cherkley case. Thus, if the additional text were to come forward, that would need to be done by making additions to Policy G2 itself.

23. However, turning to the substance of the two changes sought, the first element is saying that the decision maker (i.e. the Planning Committee) dealing with a proposal on an allocated site will also need to give *“due consideration”* to other relevant policies, both in the IPS and in the NPPF, before granting permission. This is an unnecessary change in relation to the

policies of the IPS because Policy H2(d) already requires that, for allocated housing sites, proposals must show how the development will be delivered in accordance with *“all other relevant policy requirements set out in this plan”*. Whilst there is no similar direct reference to the NPPF, Policy G1 does state that *“Planning applications that accord with the policies in the Island Planning Strategy (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.”* Not only does this reflect the statutory presumption in s.38(6) PCPA 2004, its reference to other material considerations is clearly wide enough to embrace the NPPF. Para 2 of the NPPF states that it is a material consideration to be taken into account when making planning decisions.

24. Thus, properly understood, Policy G2 already requires (in conjunction with Policies H2 and G1) the decision maker to base a decision concerning an allocated site on not only the fact of the allocation but also on the requirements of other IPS policies and any relevant policies in the NPPF. The IPS clearly has to be read as a whole. The first element of the change sought is therefore unnecessary. The second element of the change sought is effectively the converse of the first element. It is also unnecessary because it obviously follows that if other policies have to be satisfied, the site allocation will not be the only consideration when making an individual decision.

25. Whilst the suggested text does not appear to be directed at non-allocated sites, it is also to be noted that, for such sites, Policy G2(4) already requires that they *“Deliver all policy requirements of the Island Planning Strategy”*. This ensures that merely being located within a settlement boundary will not suffice for a non-allocated site and all other policy requirements will need to be addressed.

26. The suggested wording is also inappropriate in so far as it suggests that the fact that a site is allocated *“shall not alone constitute a material consideration”*. Clearly, the allocation has to be a material consideration, because that is the very purpose of a site allocation policy. It is to *“guide”* (but not dictate) the determination of planning applications, in accordance with

Regulation 5 LPER 2012. If by this additional wording is meant that the allocation shall not be the “only” material consideration, this would not be a particular problem in itself but I repeat the point that such wording is unnecessary because that position is already set out in the policies themselves.

27. If it was desired to add anything to the reasoned justification to make that point quite clear, this could be done by adding words such as “(see in particular Policy H2(d) as regards allocated sites and Policy G2(4) as regards non-allocated sites)” after the words “are considered” in the second sentence of para 6.15 of the reasoned justification. However, such an addition would only be for the avoidance of doubt because para 1.11 of the reasoned justification is already explicit that:

“It is important to set out that any planning application submitted should consider all relevant policies of the Island Planning Strategy. While the plan has sought to avoid a lot of cross-referencing within policies, it is acknowledged that many of the policies in the plan are interlinked and therefore no one policy should be considered in isolation.”

28. I therefore consider that there is no need to add any further wording to this part of the IPS to explain the stance that is taken in relation to site allocations. It would not be appropriate to add the suggested wording to the reasoned justification because they are concerned with requirements for decision-making under the IPS and those requirements are already articulated in the policies themselves.

ASSESSMENT: WINDFALL SITES

29. Full Council wishes Cabinet to consider restricting windfall sites in the wider rural area to cases which satisfy IPS policies on rural exceptions, infills, first homes, self/custom build, and new homes. The glossary to the IPS defines “Windfall sites” as “Sites of under 10 units not specifically identified in the development plan”. It is unclear whether Full Council had the 10 unit limit in

mind or was concerned with all non-allocated sites (other than sites with planning permission, which would be existing commitments). I have therefore assumed that the concern does not only apply to windfall sites of under 10 units but to all sizes of site. I have assumed that the wider rural area is intended to be a reference to all parts of the IPS area that lie outside of settlement boundaries.

30. As noted above, Policy G2 sets out clear restrictions on housing development outside of settlement boundaries. Such development, regardless of size, has to satisfy two criteria: (i) the development must meet *“a specific local need that has been identified”* and (ii) the development must satisfy one of the exceptions in Policies H4, H6, H7, or H9. These cover infill opportunities (Policy H4), single homes (a) for rural workers, (b) re-using a rural building, (c) re-using a heritage asset, or (d) providing exceptional design (Policy H6), development of rural exception sites or First Homes exception sites (Policy H7), or development of housing on previously developed land, meeting specified criteria where the site is outside of settlement boundaries (Policy H9). The glossary to the IPS defines a specific local need that has been identified as *“a local community need within the Parish in which the application land is sited that has been identified by a local housing needs assessment and/or surveys.”*

31. Policy G2 does not refer to self-build and custom-build dwellings outside of settlement boundaries but Policy H10 does make provision for such development *“if they meet a specific local need that has been identified.”* Irrespective of responding to Full Council’s concerns, it would be sensible to address this apparent inconsistency of approach, presumably by adding a reference to Policy H10 as one of the exceptions listed in Policy G2.

32. If this was done, it is not easy to see what further restriction Full Council wishes to see because any windfall site in the wider rural area (i.e. outside of the settlement boundaries) will already have to satisfy the local need requirement and the criteria set out in the listed exceptions policies.

33. If the concern is that only windfall sites of less than 10 units should be permitted to come forward via this route (so applying the “*windfall*” definition in the IPS glossary), it is hard to see how this would be a justified ceiling. Policy G2 already requires that a specific local need is identified for the development and the glossary explains how that is to be done at parish level. If a local housing need assessment or survey shows that the scale of local need is for 10 units or more, it is difficult to see what the planning rationale would be for limiting the proposal to no more than 9 units, having regard to the safeguards already built into the listed exceptions policies.
34. The listed exceptions already include criteria which would regulate the scale of development coming forward. Policy H4 requires that “*the development is generally expected to be between one and three dwellings*” and that “*Any proposal which fails to respect the character of the area will be refused*”. Policy H6 is limited to “*Single new homes in the countryside*”. Policy H7 does not have a size limit but requires Rural Exception Sites to be “*proportionate to the scale of the settlement or rural area they are meeting an identified specific local need for*” and requires First Homes Exception Sites to be “*proportionate in size*”. Policy H9 requires (on sites outside of settlement boundaries) that “*the scale and built form of any replacement reflects the scale and built form of existing buildings on site being replaced*” or if there are no buildings that the “*development does not detract from the character and setting of the area.*” Policy H10 (assuming it is brought into the exceptions in Policy G2) also requires a specific local need to be identified, and whilst it does envisage that schemes of 10 or more units could come forward, it requires a cohesive design, via a plot passport or a design code, in such cases. The Council would be able to use these tools to resist development that was out of scale. In addition, Policy C1(c) requires all development to “*respect the character of the area*”, which provides a further safeguard against self-build/custom-build proposals that are of an excessive scale for their locality.
35. Consequently, I do not consider a specific numerical limit is a necessary restriction to be added to the policy approach to windfalls in the wider rural area. Any limit would run the risk of being arbitrary, especially in the context

that it would only apply in cases where there was specific local evidence of a higher level of need than that limit would allow and the development was not of a scale that it was out of character for the locality. Applying such a limit so as to exclude identified needs from being met in such circumstances would be likely to be regarded by an Inspector as not positively prepared, and not justified by the evidence, and so at risk of being found to be unsound.

ASSESSMENT: SIZE OF RURAL EXCEPTION SITES

36. As noted above, Policy H7 requires that Rural Exception Sites “*should be proportionate to the scale of the settlement or rural area they are meeting an identified specific local need for*” but no numeric limit is set by the Policy.

37. The glossary in the NPPF defines rural exception sites as “*Small sites used for affordable housing in perpetuity where sites would not normally be used for housing...*” but does not seek to circumscribe what might qualify as a “*small*” site. The IPS glossary uses the same definition.

38. Para 7.78 of the reasoned justification of the IPS, supporting Policy H7, states:

“For the purposes of this policy, the council considers small sites to be sites with a net gain of up to 20 dwellings in total (including market housing). In circumstances where there is a significant specific local need that has been identified and a lack of supply of affordable housing, this figure could be increased if the proposal was proportionate to the scale of the settlement or rural area it was serving. Where this is proposed the council strongly advocates the use of its pre-application advice service, to ensure that all parties are clear about the issues at the earliest possible point in the process.”

39. Full Council has asked Cabinet to consider deleting para 7.78 of the reasoned justification on the basis that it is inconsistent with the definition of a rural exception site. I take it that Full Council’s concern is that a scheme of 20 units

(or potentially more) is incapable of being consistent with the need for a “*small site*”.

40. I note that the NPPF definition of a rural exception site has chosen not to specify a quantitative limit for what will be a “*small site*”, whether by site area or by dwelling capacity. The IPS glossary (understandably) takes the same approach. This would suggest it is a matter for judgment, depending on the particular local context.

41. Policy H7 applies to all land outside of settlement boundaries, being land where (in accordance with Policy G2) housing development would not normally be permitted (unless one or more of the exception policies is satisfied and there is a local need).

42. Thus, in principle, Policy H7 could (if there was evidenced local need identified) be applied to land outside of the settlement boundaries of a Rural Service Centre (such as Brading or Wroxall) or to land within or adjacent to a Sustainable Rural Settlement (such as Shalfleet or Whitwell), noting that Sustainable Rural Settlements do not have their own settlement boundaries. According to Census 2021, Brading has a population of 1,906 persons, Wroxall 1,709 persons, Shalfleet 661 persons and Whitwell 660 persons. Whilst it is a matter of planning judgment, even for the smaller of these settlements, a development of an additional 20 or so dwellings, which is likely to be achievable on a site of less than 1 hectare, could be reasonably regarded as a “*small site*”, noting the safeguard in Policy H7 that development would in any event need to be “*proportionate to the scale of the settlement*”.

43. In addition, para 7.78 of the reasoned justification does not override the policy requirement that a rural exception site needs to be proportionate to the scale of the settlement or rural area in question. It also refers to sites of “up to 20 dwellings in total” rather than using that figure as a minimum threshold below which any and every site would be a “*small site*”. I would accept that a scheme for 20 or so dwellings might be disproportionate to some of the smaller settlements within Policy G2, such as Wellow or Newchurch. To

reflect this, and to avoid it being suggested that para 7.78 is seeking to oust or supplant the test in Policy H7, it would be open to the Council add to word “*generally*” to the first sentence, so that it reads “...*the council considers small sites to be generally sites with a net gain of...*”. However, such an addition could be seen as strictly unnecessary, given the existing reference to “*up to 20 dwellings*”.

ASSESSMENT: REMOVAL OF ALLOCATED SITES FROM THE IPS

44. Full Council has expressed a concern that some of the allocated sites are not compliant with IPS policies, or are contrary to neighbourhood plans, or are inconsistent with NPPF policies (such as on best and most versatile agricultural land), and that Cabinet should therefore consider their removal from the IPS. However, no specific sites have been identified, which makes it difficult to engage with this concern, other than at a high level.

45. As already discussed, site allocations establish the principle of development but do not override other relevant IPS policies. If there are development management policies that would make it difficult, in practice, to see how an allocated site could ever come forward in a way which satisfied their detailed criteria, that would be a matter that would bear on the principle of development, and it would not be desirable for the IPS to put forward such a position. An allocation which is unlikely to be achievable would not be an effective policy in terms of the soundness tests. However, policies which do not challenge the principle of the allocation, but which do seek to influence and regulate how the detailed development comes forward are not objectionable. It may well be that on some allocated sites, some parts of the site are not appropriate for built development because of environmental constraints, but unless those constraints throw into question the achievability of the allocation broadly in line with the capacity assumed in the Council's housing trajectory, this would not be a good reason for rejecting the allocation.

46. I note that there are some ‘made’ Neighbourhood Plans covering some of the settlements on the Island. I have not reviewed those Neighbourhood Plans

and so do not know whether any of the allocations are inconsistent with them. Even if that were to be the case, the legal position is that where two parts of the development plan conflict, priority is to be given to the most recent part of the development plan: s.38(5) PCPA 2004. Thus, an allocation in the IPS would prevail over any earlier policies in a Neighbourhood Plan. That said, it would be usual to expect any such conflicts to be identified during the preparation of the IPS so that a view can be taken on whether, as a matter of planning judgment, it is appropriate for the IPS to override the earlier Neighbourhood Plan. Regulation 8(5) LPER 2012 contains a mechanism to allow this to be done by identifying which policies of a new local plan are intended to supersede earlier policies of the development plan.

47. As regards any inconsistencies with the policies in the NPPF, it is obviously the case that the NPPF is not site-specific. It may have policies which apply to specific areas of land within the plan area (such as its policies for National Landscapes (previously AONBs) or its policies for the Heritage Coast). Other policies in the NPPF are more generic (such as its policies on heritage assets or on irreplaceable habitats). Whilst some NPPF policies set out strict tests (such as on the loss of irreplaceable habitats, which is only justified where there are “*wholly exceptional reasons*”, as explained in para 186(c) of the NPPF), other policies simply require matters to be brought into account (such as where there may be a loss of best and most versatile agricultural land, which would need to be “*recognised*”, as explained in para 180(b) of the NPPF). I assume those policies have already been considered by the Council in selecting its proposed allocations. For the most part, they call for a planning balance to be drawn across a range of relevant factors rather than a prescriptive preclusion of particular sites or developments. Unless the Council now considers that it cannot justify an allocation, having regard to relevant policies in the NPPF, I see no good reason to remove those allocations.

ASSESSMENT: THE IDENTIFICATION OF LOCAL NEED

48. Full Council has asked Cabinet to consider how local housing need is identified and has suggested that it should not be identified by use of the Local Housing Needs Assessment (“LHNA”) because that would be inconsistent with policy and with the NPPF.
49. There is some uncertainty as to the extent of this concern. The concept of LHN has a particular meaning in the NPPF, much of which is related to the use of the Standard Method (“SM”) (as set out in the Planning Practice Guidance (“PPG”). This issue is addressed in my initial Advice dated 22 December 2021, my Further Advice (2) dated 24 October 2022, and my Further Advice (3) dated 27 December 2023. To the extent that Full Council’s concern is that the identification of LHN is inconsistent with the NPPF, this is misconceived. The Council has identified LHN by use of the SM, in line with the NPPF and the PPG.
50. The IPS does not, in fact, set out the scale of the current LHN (paras 3.15 and 7.59 report the position as at 2022 when the LHN was 665 dwellings per annum) but para 7.5 of the reasoned justification notes that it is a figure which the Council *“believes it is undeliverable by the island housing market... The plan therefore identifies a more island realistic housing requirement of 453 dwellings per annum which it believes is at the upper limits of what is deliverable by the island housing market across the whole plan period.”* On a point of detail, it is likely that the LHN, derived by use of the SM, has increased slightly since my Further Advice (3) dated 27 December 2023, because new affordability ratios were published on 25 March 2024, which show worsening affordability on the Island in 2023 compared to 2022. This would not, however, change the rationale set out in para 7.5 of the IPS for setting the housing requirement below the level of LHN.
51. However, it does not appear that the calculation of the LHN is at the heart of Full Council’s concern. The concern may relate more to the issue of affordable housing, where Policy AFF1 sets out a definition of affordable housing which expects greater discounts from market sales or market rents

than the minimum discounts referred to in the definition of affordable housing in the glossary of the NPPF. That definition is then used in the affordable housing policy (Policy H5). However, the NPPF definition of affordable housing does not set out maximum discounts. In relation to affordable housing for rent, it refers to a level “*at least 20% below local market rents*”. In relation to discounted market sales housing, it refers to a discount of “*at least 20% below local market value*”. In relation to other affordable routes to home ownership, it refers to “*a price equivalent to at least 20% below market value*”. In all of these cases, the NPPF does not preclude greater discounts from being provided. Thus, if the Council has locally derived evidence which shows that greater discounts are required to make housing affordable to those persons on the Island who have a qualifying housing need, the NPPF does not preclude a policy definition that requires such greater discounts. The reasoned justification for Policy AFF1 (which precedes the Policy) suggests that the Council does have such local evidence. Whilst this is, no doubt, a matter that will be tested as part of the examination of the IPS, I see no reason why the Council should withdraw Policy AFF1 or its approach of seeking greater discounts for affordable housing. If affordable housing was only required to provide the lower discounts referred to in the NPPF definition and, if as a result such housing was not affordable to those with qualifying housing needs, then Policy H5 would not be effective because it would not deliver affordable housing to those in need, and a policy that was not effective would not be sound.

52. If the concern is not so much with the approach in Policy AFF1, but relates to reliance on the most recent LHNA (which was undertaken in 2022) as one of the data sources that Policy H5 identifies can be used to inform an alternative mix of affordable housing to the target mix in Policy H5 (which is 80% for social/affordable rent and 20% for other affordable housing products), I am not aware of any reason why the LHNA should not be used for this purpose. The LHNA was carried out for the Council by consultants using relevant guidance in the NPPF and the PPG to look at the nature and extent of affordable housing needs. In the absence of any specific criticisms of the contents of the LHNA, I see no reason why the Council should not use it to

help make decisions arising under Policy H5. The LHNA also presented figures on the LHN derived by use of the SM but (as the IPS explains) the LHN has not been used by the Council to set its housing requirement, so this aspect of the LHNA is of only background relevance.

ASSESSMENT: THE LSH ADVICE NOTE

53. The LSH Advice Note (dated 15 February 2024) looks at a range of demographic data and market signals information subsequent to the publication of the 2014-based Sub National Population Projections (“SNPP”) and the 2014-based Household Projections (“HHP”), which are used to inform the SM calculation of LHN, to see whether that material might demonstrate that there are “*exceptional circumstances*” to justify the use of an alternative approach to the identification of LHN. The LSH Advice Note concludes that the material does not provide evidence of “*exceptional circumstances*”. The LSH Advice Note also goes on to consider, at a high level, whether an alternative approach, which took account of demographic trends and market signals, and also allowed for past under-delivery of housing on the Island, would be likely to result in a figure for LHN that was above or below the housing requirement in the IPS. Whilst that second exercise was high level and did not set out any detailed figures, it concluded that an alternative was likely to be higher than the IPS housing requirement.

54. I am aware that the LSH Advice Note has been criticised in an Advice dated 1 March 2024 from Mr Charles Streeten, an established planning barrister, on the basis that it takes too strict a view of what might amount to “*exceptional circumstances*”, does not consider the factors it discusses in combination to see whether collectively they amount to “*exceptional circumstances*”, and omits to consider certain other factors. Mr Streeten also expresses the view that some of those factors, including the proportion of residents aged over 65, the “*volatility*” of rates of net migration, the low cost of housing on the Island (both for sale and for rent), and potentially levels of overcrowding and levels of unmet affordable housing need, could constitute or contribute to the demonstration of “*exceptional circumstances*”. Mr Streeten does not seek to

address what a LHN figure would be if derived by an alternative approach to the SM but he does recognise (at para 14 of his Advice) that it might be higher or lower than the SM figure.

55. In considering these criticisms, it is important not to lose sight of the fact that the presence of “*exceptional circumstances*” (if shown to be justified) is not an end in itself. Where there are shown to be “*exceptional circumstances*”, it is then permissible (in line with para 61 of the NPPF) to use an alternative approach to the SM to identify an area’s LHN. However, that does not carry with it any implication that a LHN so derived will be lower than the LHN resulting from the SM. Nor does it carry any implication that a LHN so derived will be at a level that is similar to or lower than the housing requirement proposed in the IPS. In fairness, Mr Streeten recognises this point at para 13 of his Advice when he states “...*reliance on an alternative approach is only likely to make a difference if that alternative methodology justifies a LHN figure below approx. 450 [dwellings per annum].*”

56. I do not read the LSH Advice Note as seeking to apply a different test of “*exceptional circumstances*” to that set out in the NPPF. However, this is somewhat besides the point. What matters is whether, as a matter of planning judgment, formed initially by the Council in preparing the IPS but then potentially tested by an Inspector at examination of the IPS, the demographic data and market signals information presented in the LSH Advice Note demonstrate “*exceptional circumstances*”. As the plan-making authority, it is for the Council to apply that test, having regard to the terms of the NPPF and the material presented by LSH.

57. I would agree with Mr Streeten that it is necessary to look at matters comprehensively and that a combination of unexceptional matters, when viewed individually, might collectively amount to “*exceptional circumstances*”. I also agree that looking at absolute figures is relevant as well as looking at relative comparisons with other local authority areas. How they are evaluated, and whether any of the information is more (or less) important or weighty than any other element, is a matter for planning judgment.

58. With regard to the proportion of elderly residents, the LSH Advice Note shows (in Tables 4 and 5) that the Island does have a high proportion of residents aged over 65, albeit that some other areas on the South Coast, including the New Forest and Dorset, have higher proportions. The LSH Advice Note does not directly address how this factor might influence the scale of housing need (differently to what is already embedded in the SM), but I note that LSH were provided with a copy of my Further Advice (3), where I posed that question (at para 21) having set out my own views (at para 20). I have inferred from the fact that para 2.1.11 of the LSH Advice Note sets out that its purpose includes addressing the points raised in my Further Advice (3) that LSH are in general agreement with my view that the age structure of the Island's population is already adequately accounted for in the SM. However, it would be prudent to ask LSH to confirm that this is indeed their position.

59. With regard to the “*volatility*” in the levels of net migration on an annual basis (as shown in Table 8 and Figure 8 of the LSH Advice Note), the variance around the years affected by the Covid pandemic would not seem to be remarkable, given the disruption to ‘normal’ patterns of behaviour that occurred during those years. It would seem from Figure 6 that the 2014-based SNPP have assumed a ‘flatter’ pattern of net migration, of about 1,000 persons per annum, than has occurred in fact, and that even with the reduced levels of net migration during the pandemic affected years, actual net migration (as shown in Figure 8) has been somewhat higher than the SNPP projections. It is hard to see any reason why this divergence would point to a reduced LHN compared to the SM (let alone compared to the housing requirement in the IPS).

60. With regard to levels of affordability, Figure 12 shows that in general terms changes in affordability on the Island are following a similar pattern to changes in both the South East and in England. Whilst the Island is more affordable in absolute terms than some other areas, including some (but not all) coastal areas in the South East (as shown by Tables 12 and 13), its affordability ratio (relative to median earnings) is poor (and has recently

worsened in the latest ONS data for 2023). It is hard to see why a poor affordability ratio would point to a reduced LHN compared to the SM (let alone compared to the housing requirement in the IPS).

61. With regard to over-crowding and unmet affordable housing need, these are matters considered in more detail in the LHNA. Figure 14 of the LSH Advice Note shows that there is considerable unmet affordable housing need on the Island. It is hard to see why this would point to a reduced LHN compared to the SM (let alone compared to the housing requirement in the IPS).

62. Whilst the Council will need to form its own view on what are ultimately matters of planning judgment, it is my view that the LSH Advice Note does support the Council's approach of not seeking to pursue an argument that there are "*exceptional circumstances*" to justify departing from the SM in calculating the Island's LHN. Nor is there any reason to consider that an alternative exercise would produce a LHN that was lower than the SM figure or lower than the housing requirement in the IPS.

2 April 2024

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**RE THE ISLAND PLANNING
STRATEGY LOCAL PLAN**

FURTHER ADVICE (4)

Justin Thorne

**Strategic Manager of Legal Services &
Deputy Monitoring Officer**

Isle of Wight Council

County Hall

Newport

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PO30 1UD

Appendix 2: Schedule of main changes to Draft Island Planning Strategy (IPS) March 2024

Appendix 2

This document contains a schedule of the main changes (excluding basic typographical and editorial amendments) to the Draft IPS Regulation 19 submission version from the Draft IPS document that was considered at Full Council in October 2022.

Section 1 Introduction

- New paragraphs 1.4 & 1.5 to introduce economic and housing challenges the island faces

Section 2 The Island and the issues we face

- Paragraphs 2.7, 2.17, 2.28 & 2.42 – updates with most recent statistics
- Figure 2.1 – updated to include latest monitoring statistics

Section 3 How the IPS reflects Corporate priorities

- Policy AFF1 – wording revision to reflect Housing Affordability SPD and parish level housing needs surveys
- Updates to regeneration area housing numbers in table at paragraph 3.48

Section 4 Environment

- Paragraph 4.16 – addition of reference to Heritage at Risk register
- Policy EV2 – strengthening of policy wording relating to Local Nature Recovery Strategy (LNRS)
- Policy EV11 and supporting paragraphs – renamed and revised to reflect change in name from AONB to IOW National Landscape
- Policy EV13 – revision of bullet (g) to add explicit requirement for new development to separate foul and surface water and the later to not be connected to the sewer unless no other feasible option is available
- Policy EV13 & new paragraph 4.104 – inclusion of allocation of land for a new Water Recycling Plant in Sandown (on Southern Water land directly adjacent to the existing WwTW).
- Policy EV14 – revision of bullet (d) policy wording to add explicit requirement for new development to separate foul and surface water

Section 5 Community

- Policy C1 – addition in bullet (g) of reference to swift bricks and bee bricks in new development
- Policy C4 supporting text – inclusion of reference to collection of financial contributions towards primary healthcare infrastructure
- Policy C10 – addition of wording to flag energy security and resilience. ***This change addresses ITEM 7 of the FULL COUNCIL MOTION agreed in November 2022 over proposed revisions to the Draft IPS.***
- Policy C10 – wording revision to strengthen role of designated areas in steering location of large scale renewable schemes
- Policy C11 - addition of wording to flag energy security and resilience. ***This change addresses ITEM 7 of the FULL COUNCIL MOTION agreed in November 2022 over proposed revisions to the Draft IPS.***

- Policy C11 – addition of wording relating to net zero being secured on average across a development site (and supporting paragraph 5.75)

Section 6 Growth

- Policy G3 – addition of requirement to make financial contributions to new or expanded primary healthcare facilities in line with NHS ICB requirements at the time of application (addition of new paragraph 6.24 to support this policy revision)
- Policy G5 updated to reflect the Levelling Up & Regeneration Act and new legislation that aids LPAs in ensuring permissions granted are built out. ***This change addresses ITEM 3 of the FULL COUNCIL MOTION agreed in November 2022 over proposed revisions to the Draft IPS.***

Section 7 Housing

- Policy H1 update to housing requirement in the plan – reduced from 479 dwellings per annum to 453 dwellings per annum as another years monitoring data to feed into calculation
- Policy H1 adjustments to figures in sources of supply
- Policy H1 addition of Nettlestone & Seaview as 6th and Yarmouth and Thorley as 7th designated neighbourhood area
- Table 7.1 and paragraph 7.7 revised to reflect updated indicative development trajectory
- Paragraph 7.10 updates to windfall statistics to incorporate a further year's monitoring
- New paragraph 7.11 to provide small sites detail as required by NPPF
- Paragraph 7.19 addition of words to reflect key priority sites are public sector owned and medium – long term opportunities within the plan period
- Policy KPS2 addition of criterion (k) to reflect historic area appraisal
- Policy H3 addition of reference to collection of contributions towards primary care facilities where existing capacity is exceeded
- Policy H5 change to expected tenure split to reflect more affordable / social rent properties (80/20 split) as set out in Housing Affordability SPD. ***This change addresses ITEM 2 of the FULL COUNCIL MOTION agreed in November 2022 over proposed revisions to the Draft IPS.***
- Policy H5 addition of sources of data/information that should be used to inform any on site affordable housing mix
- Policy H5 addition of reference to affordable housing being delivered in a 'tenure blind' way
- Policy H5 addition of local connection criteria requirement for affordable housing
- Policy H10 addition of reference to locational policies helping to steer where self-build will be supported and also inclusion of 'plot passport' approach

Section 8 Economy

- No proposed changes

Section 9 Transport

- Policy T2 revisions to policy and supporting text to reflect recent announcement of funding for Green Link

Section 10 Monitoring & Delivery

- Update to annual housing threshold to 453 dpa
- Update AONB references to National Landscape
- Addition of Policy C9 Education Provision policy performance indicator
- Corrections to employment land allocation site titles
- Inclusion of jobs target (based on information within the Employment Land Study Update 2022) for monitoring purposes of policy E1

Appendices 1 & 2

- Revisions to reflect updates to monitoring and permissions granted in the last 12 months

Appendix 3

- Revisions to reflect policy changes around health contributions and addition of site specific guidance for allocated site HA119 (Pennyfeathers) following expiration of planning permission

Appendix 4

- Revised to reflect updates to monitoring and permissions granted in the last 12 months

Appendices 5 & 6

- No proposed changes

Glossary

- Addition of definitions for:
 - Local Connection Criteria
 - Plot passport

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Changes to the Draft Island Planning Strategy as a result of Policy & Scrutiny recommendations

On 12 December 2023, the Policy and Scrutiny Committee for Neighbourhoods and Regeneration agreed the following list of recommendations in relation to the content of the Draft Island Planning Strategy. Each recommendation

- a) That Cabinet consider how the DIPS might be amended to address the issues starkly highlighted by the recent flooding.

Policies EV13 & EV14 have already been revised and strengthened to cover the issue of ensuring surface water from new development does not go into the combined sewer system. Further wording has been added to policy C1 to reiterate key points around separation of foul and surface water and alignment with the SuDS SPD.

- 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.

References added in section 1.15 and in supporting text for policies EV13, EV14 & EV15 (paragraph 4.106) to the IOW SFRA, Flood Risk Management Strategy, SuDS SPD and Enforcement Strategy. Wording added to criterion (d) of policy EV14 to reference SuDS SPD.

- c) That Cabinet consider weaving modular housing into the options and type of housing design and make additional reference within the DIPS.

Wording added to criterion (a) of policy C1 and policy H3 to reference modular housing and support for such a house type coming forward on sites where appropriate.

- d) That Cabinet incorporate the completed Bay Plan, to mirror the approach taken in including the Ryde Plan in the draft strategy, and any additional local plans.

Wording added to Policy E10 & new paragraph 8.108 to reference The Bay Area Place Plan to ensure development aligns with the principles, values and objectives of the place plan.

- 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.

The recent Levelling Up and Regeneration Act contains specific legislation relating to sewage capacity that falls outside of planning control and the requirement for water companies to ensure upgrades to infrastructure to tackle issues relating to sewage and nitrates. Reference has been added to sewage capacity in Policy INF1.

- f) That Cabinet ensure Military Road is treated as an essential transport link.

Additional criterion and wording added to policy T2 to list Military Road as a place where infrastructure improvements are planned or will be supported and identify it 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.

Criterion (d) of policy EV5 and paragraph 4.58 amended from 15m to 50m buffer to ancient woodland

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Equality Impact Assessment: Draft Island Planning Strategy

Before carrying out an Equalities Impact Assessment (EIA), you should familiarise yourself with the [guidance](#). This document should be in **plain English**, include **Stakeholder** involvement and be able to stand up to **scrutiny** (local and/or court) if/when challenged to ensure we have met the councils public sector equality duty.

An Equality Impact Assessment (EIA) should be completed when you are considering:

- developing, reviewing or removing policies
- developing, reviewing or removing strategies
- developing, reviewing or removing services
- developing, reviewing or removing a council function/system
- commencing any project/programme

Assessor(s) Name and job title:

James Brewer, Planning Policy Manager

Directorate and Team/School Name:

Communities

Name, aim, objective and expected outcome of the programme/ activity:

Name: Draft Island Planning Strategy

Aim: The Isle of Wight Council sets out a clear vision for the future of the Island through its Corporate Plan and Regeneration Strategy, and the aim of the Island Planning Strategy is to set out in land use terms how the council will achieve its vision.

Objective: The objective of the plan is to set out a series of policies that can be used by developers when preparing planning proposals and guide the Local Planning Authority when determining planning applications across the Island and away from operating under the National Planning Policy Framework's 'presumption in favour of sustainable development'.

Expected outcome: The expected outcome of the plan is that it will pass through the required stages including consultation and an independent examination before being formally adopted by the Isle of Wight Council. Once adopted the statutory development plan can give certainty to local communities over how their area is expected to change over the life of the plan.

Reason for Equality Impact Assessment (tick as appropriate)

This is a **new** policy/strategy/service/system function proposal



Equality and Diversity considerations

Describe the ways in which the groups below may be impacted by your activity (**prior to mitigation**). The impact may be negative, positive or no impact.

Protected Characteristic	Negative, positive or no impact (before mitigation/intervention) and why?	Does the proposal have the potential to cause unlawful discrimination (is it possible that the proposal may exclude/restrict this group from obtaining services or limit their participation in any aspect of public life?)	How will you advance the equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not.	What concerns have been raised to date during consultation (or early discussions) and what action taken to date?	What evidence, analysis or data has been used to substantiate your answer?	Are there any gaps in evidence to properly assess the impact? How will this be addressed?	How will you make communication accessible for this group?	What adjustments have been put in place to reduce/advance the inequality? <i>(Where it cannot be diminished, can this be legally justified?)</i>
<p>Page 70</p> <p>Age (restrictions/difficulties both younger/older)</p>	<p>Positive</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p> <p>However, there are aspects of the plan that could make proposals contribute to the opportunities for equality for this group and for this reason these have been noted. This is in respect of facilitating independent living.</p>						

<p>Disability a) Physical b) Mental health (must respond to both a & b)</p>	<p>Positive</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p> <p>However, there are aspects of the plan that could make proposals contribute to the opportunities for equality for this group and for this reason these have been noted. This is in respect of facilitating independent living.</p>
<p>Race (including ethnicity and nationality) Page 71</p>	<p>Positive</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p> <p>However, there are aspects of the plan that could make proposals contribute to the opportunities for equality for this group and for this reason these have been noted. This is in respect of planning for Gypsy, Traveller and Travelling Showpeople sites and pitches.</p>
<p>Religion or belief (different faith groups/those without a faith)</p>	<p>No impact</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p>
<p>Sex (Including Trans and non-binary – is your language inclusive of trans and non-binary people?)</p>	<p>No impact</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p>
<p>Sexual orientation</p>	<p>No impact</p>	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p>

(is your language inclusive of LGB groups?)		The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.
Pregnancy and maternity	No impact	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p>
Marriage and Civil Partnership	No impact	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p>
Gender reassignment	No impact	<p>The draft Island Planning Strategy is required to be in general conformity with national planning policy and guidance.</p> <p>The plan is a series of policies against which development proposals will be considered. It will be the proposals themselves that introduce new development that may have an impact on the protected characteristic, rather the plan itself.</p>

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In order to identify the needs of the groups, you will need to review data, statistics, user feedback, population data, complaints data, staffing data (SAPHRreports@iow.gov.uk), community/client data, feedback from focus groups etc. When assessing the impact, the assessment should come from an evidence base and not through opinion or self-knowledge.

H. Review

How are you engaging people with a wide range of protected characteristics in the development, review and/or monitoring of the programme/ activity?

The draft Island Planning Strategy has been subject to an equalities impact assessment which demonstrates that no negative impacts on the protected characteristics are expected from the document. Negative impacts are also not expected to arise from the act of publishing the draft Island Planning Strategy, and publication for a period of public representation will provide the opportunity for any issues relating to equality to be raised.

It is intended that the consultation on the submission version of the Draft Island Planning Strategy will run for a statutory period of 6 weeks during April and May 2024.

The Island has an ageing population and a high percentage of people with mobility problems, which in turn is placing increased demands on services. Through its policies the council wants to ensure that future development contributes to creating environments that are accessible to all generations (and associated health issues) and by doing so improve residents' health and wellbeing.

There are specific aspects of Gypsies and Travellers cultural traditions and preferences which need specific consideration, such as the preference for living in a caravan or working from home and the need to provide space suitable for both sustained periods of settled living whilst also facilitating a nomadic lifestyle.

Date of next review: Summer 2024 after the period of public representation has finished

H. Sign-off

Head of Service/Director/Headteacher sign off & date:

Name: *Ollie Boulter*

Date: 1 March 2024

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Isle of Wight Council Forward Plan – April 2024 – Version 2

The Forward Plan is a list of all Key Decisions that are due to be considered no earlier than 28 clear working days from the date of this notice by the appropriate Decision Making Body or individual including those deemed to be key decisions.

A list of all Council Members can be found on the Council’s web site from this link

The Leader of the Council (also responsible for Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships) is Cllr Phil Jordan.

Other members of the Cabinet are:

Deputy Leader and Cabinet Member for Housing and Finance - Cllr Ian Stephens

Cabinet Member for Adult Social Care and Public Health – Cllr Debbie Andre

Cabinet Member for Children's Services, Education and Corporate Functions – Cllr Jonathan Bacon

Cabinet Member for Economy, Regeneration, Culture and Leisure - Cllr Julie Jones-Evans

Cabinet Member for Planning, Coastal Protection and Flooding - Cllr Paul Fuller

Cabinet Member for Climate Change, Biosphere and Waste- Cllr Lora Peacey-Wilcox

Cabinet Member for Regulatory Services, Community Protection and ICT – Cllr Karen Lucioni

Any items highlighted in yellow are changes or additions to the previous Forward Plan

*Any decisions that are intended to be made in private with the exclusion of press and public, where for example personal or commercially sensitive information is to be considered, in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012, will require the publication of specific notices, including the reason(s) for the meeting to be held in private.

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
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Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Sale of Plot A2, Island Technology Park, Whippingham IOW</p> <p>Sale of the last plot of employment land at this site to Island Distribution Limited</p>	<p>Cabinet Member for Economy, Regeneration, Culture and Leisure</p> <p>Councillor Julie Jones-Evans Date 1st added: 12 January 2024</p>	9 Feb 2024			Part exempt Appendix 2 will contain confidential agreed heads of terms
<p>Potential Property Disposal Programme</p> <p>A proposed three year programme of WVC owned sites which may be sold. This report seeks approval to sell the sites in principle, with a further report being brought forward for each site, seeking council approval for the proposed terms prior to disposal.</p>	<p>Deputy Leader Cabinet Member for Housing and Finance</p> <p>Councillor Ian Stephens Date 1st added: 18 March 2024</p>	15 Apr 2024	Leader signed authority_Redacted		Open
<p>Island Planning Strategy</p> <p>As the Draft IPS was not agreed on 5 October, Full Council is to specify its objections and to formally refer the matter back to the Cabinet.</p>	<p>Cabinet</p> <p>Full Council</p> <p>Cabinet Member for Planning, Coastal Protection and Flooding Date 1st added: 17 March 2022</p>	18 Apr 2024	General Exception Notice (Reg 10)	Internal and External Full public consultation	Open

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Micro Mobility Contract for the Solent and E-Scooter Trial Extension</p> <p>Approval for the extension of the current e-scooter trial until 2026 and delegation of the micro mobility (e-scooters and public bike share) contract award for the Island, as a part of the Solent sub-region, to the Director of Community Services in consultation with the Portfolio Holder for Transport and Infrastructure, Highways PFI and Transport Strategy,.</p>	<p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships)</p> <p>Councillor Phil Jordan Date 1st added: 22 March 2024</p>	<p>19 Apr 2024</p>			<p>Open</p>
<p>Future Governance Report</p> <p>To consider moving to a Committee system for Council decision-making from May 2024</p>	<p>Full Council</p> <p>Extraordinary Meeting of Full Council</p> <p>Date 1st added: 7 November 2023</p>	<p>20 Mar 2024</p>	<p>1 May 2024</p>	<p>Internal External Public</p>	<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Adoption of three LCWIPs (East Cowes & Whippingham; Cowes, Gurnard & Northwood; Brading, Bembridge & St Helens) as a Supplementary Planning Documents (SPD)</p> <p>Following a period of public consultation, Cabinet to be asked to adopt three separate Local Cycling and Walking Infrastructure Plans (LCWIP) for East Cowes & Whippingham; Cowes, Gurnard & Northwood; and Brading, Bembridge & St Helens as Supplementary Planning Documents (SPD) that post adoption can be used as a material consideration in planning decisions.</p>	<p>Cabinet</p> <p>Cabinet Member for Planning, Coastal Protection and Flooding Date 1st added: 1 March 2023</p>	<p>9 May 2024</p>		<p>Prior to the cabinet decision, a formal 6 week public consultation in the LCWIPs will have taken place in line with Planning legislation for the adoption of SPDs, including consultation with a number of statutory consultees</p>	<p>Open</p>
<p>The adoption of the Newport Harbour Masterplan Supplementary Planning Document</p> <p>Whether to adopt the draft Newport Harbour Masterplan as a supplementary planning document</p>	<p>Cabinet</p> <p>Cabinet Member for Economy, Regeneration, Culture and Leisure Date 1st added: 7 September 2022</p>	<p>9 May 2024</p>			<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Post 16 Transport Policy Statement Consultation</p> <p>Proposed updates to the Post 16 Transport Policy Statement aligning with Department for Education statutory guidance. The proposed changes have been subject to a public consultation.</p>	<p>Cabinet</p> <p>Cabinet Member for Children's Services, Education and Corporate Functions Date 1st added: 5 July 2023</p>	<p>9 May 2024</p>		<p>Internal Council Services Public/Service Users Stakeholders Town, Parish or Community Councils</p>	<p>Open</p>
<p>Childcare Sufficiency Assessment 2024-25</p> <p>The purpose of the report is to provide an overview of Early Years childcare sufficiency on the Isle of Wight. The LA has a statutory duty to ensure there are sufficient Early Years childcare places that are accessible to parents. This duty is presented through this report to elected council members and is made available to parents.</p>	<p>Cabinet</p> <p>Cabinet Member for Children's Services, Education and Corporate Functions Date 1st added: 6 December 2023</p>	<p>9 May 2024</p>			<p>Open</p>

Public

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Draft Health Contributions SPD</p> <p>Following a period of public consultation, Cabinet to be asked to adopt an SPD, prepared in partnership with the NHS Hampshire & IOW Integrated Care Board, that seeks financial contributions from qualifying new development towards new or extended primary care infrastructure in areas where there are existing capacity issues.</p>	<p>Cabinet</p> <p>Cabinet Member for Planning, Coastal Protection and Flooding Date 1st added: 12 January 2024</p>	<p>9 May 2024</p>		<p>Prior to the cabinet decision, a formal 6-week public consultation on the Draft SPD will have taken place in line with Planning legislation for the adoption of SPDs, including consultation with a number of statutory consultees and the general public</p>	<p>Open</p>
<p>Draft Sustainable Drainage Systems SPD</p> <p>Following a period of public consultation, Cabinet to be asked to adopt an SPD that sets out the sustainable drainage principles and design solutions required from new development of all scales that will reduce the amount of surface water entering the combined sewer and help mitigate flooding.</p>	<p>Cabinet</p> <p>Cabinet Member for Planning, Coastal Protection and Flooding Date 1st added: 12 January 2024</p>	<p>9 May 2024</p>		<p>Prior to the cabinet decision, a formal 6-week public consultation on the Draft SPD will have taken place in line with Planning legislation for the adoption of SPDs, including consultation with a number of statutory consultees and the general public</p>	<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>District 4 TRO review - Alverstone, Arreton, Lake, Newchurch, Sandown and Shanklin</p> <p>TRO proposals and public feedback</p>	<p>Cabinet</p> <p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships)</p> <p>Date 1st added: 7 November 2023</p>	<p>9 May 2024</p>		<p>Town and Parish Councils Ward Councillors Public</p>	<p>Open</p>
<p>School Transport Policy Consultation</p> <p>Proposed updates to School Transport policy (for compulsory school age children) following revisions to Department for Education statutory guidance. The proposed changes have been subject to a public consultation.</p>	<p>Cabinet</p> <p>Cabinet Member for Children's Services, Education and Corporate Functions</p> <p>Date 1st added: 18 March 2024</p>	<p>9 May 2024</p>		<p>Public/Service Users Stakeholders Town, Parish and Community Councils Internal Council Services</p>	<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Holiday Activity & Food (HAF) Programme Grant recommendations – Summer & Christmas 2024</p> <p>The purpose of the report is to seek approval for grant awards to organisations offering holiday activity and food schemes to benefit eligible Free School Meal (FSM) children during the Summer & Christmas 2024 school holidays, funded by the Department for Education Holiday Activity & Food (HAF) programme.</p>	<p>Cabinet</p> <p>Cabinet Member for Children's Services, Education and Corporate Functions</p> <p>Date 1st added: 22 March 2024</p>	<p>9 May 2024</p>			<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Household Support Fund and Community Resilience Fund 2024/25</p> <p>Due to the recent extension in the Household Support Fund (HSF) provision by central government the current delegations in place requiring formal sign off from the Director of Childrens Services and the cabinet member for that portfolio area. With the Responsibility for the HSF having transferred to Adult Social Care and Housing directorate from 01/02/2024 this delegation needs to be update. In addition a decision to approve the proposal that the same arrangements as are in place for the HSF will be applied to the Community Resilience Fund which as recently allocated as part of the full council decision at budget setting. This will enable both funds to be managed and administered alongside each other as this will avoid a duplication of resource and provide for consistency in allocation.</p>	<p>Cabinet</p> <p>Cabinet Member for Adult Social Care and Public Health</p> <p>Date 1st added: 18 March 2024</p>	<p>9 May 2024</p>		<p>Stakeholders</p>	<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Local Electric Vehicle Infrastructure (LEVI) Fund Project</p> <p>Approval to proceed with the LEVI Fund project for circa 500 electric vehicle charge points to be installed across the Island. Likewise, the approval to delegate the contract award decision to the Strategic Director for Community Services in consultation with the Portfolio Holder for Transport and Infrastructure, Highways PFI and Transport Strategy</p>	<p>Cabinet</p> <p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships) Date 1st added: 22 March 2024</p>	<p>9 May 2024</p>			<p>Open</p>
<p>Zero Emission Bus Regional Area (ZEBRA) Fund Project</p> <p>Approval to proceed with the Department for Transport ZEBRA Fund project for 22 electric buses for the Island, covering three principal bus routes operated by Southern Vectis, principally serving Newport, Ryde, Cowes and East Cowes.</p>	<p>Cabinet</p> <p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships) Date 1st added: 22 March 2024</p>	<p>9 May 2024</p>			<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>District 2 TRO review - Carisbrooke</p> <p>TRO proposals and public feedback</p>	<p>Cabinet</p> <p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships)</p> <p>Date 1st added: 15 February 2024</p>	<p>13 Jun 2024</p>		<p>Town, Parish or Community Councils Ward Councillors Public</p>	<p>Open</p>
<p>District 6 TRO Review - Brighstone, Freshwater, Rookley, Shalfleet, Shorwell, Totland and Yarmouth</p> <p>TRO proposals and public feedback</p>	<p>Cabinet</p> <p>Leader (with responsibility Transport and Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships)</p> <p>Date 1st added: 7 November 2023</p>	<p>13 Jun 2024</p>		<p>Town and Parish Councils Ward Councillors Public</p>	<p>Open</p>
<p>Isle of Wight Alcohol and Drug Services</p> <p>Cabinet will be asked to approve the planned budget for the re-procurement of Isle of Wight Alcohol and Drug Services for the Island.</p>	<p>Cabinet</p> <p>Cabinet Member for Adult Social Care and Public Health</p> <p>Date 1st added: 18 March 2024</p>	<p>11 Jul 2024</p>		<p>As part of the re-procurement, focus groups have been held with service users and used their feedback to influence the evaluation of the contract under PSR.</p>	<p>Open</p>

Title and Summary of Proposed Decision	Decision Making Body and name of relevant Cabinet Member	Meeting Date/Proposed Publishing Date	Relevant documents submitted to decision maker to be considered*	Consultees (including town and parish councils) and Consultation Method	May report or part of report be dealt with in private? If so - why?
<p>Better Care Fund (BCF) 2023 – 2025 Midway Update</p> <p>The Better Care Fund (BCF) programme supports the Isle of Wight Council (IWC) and Integrated Care Board (ICB) to successfully deliver integrated working that best supports Island residents. The requirements of the BCF are set by NHS England (NHSE), including details on financial and contractual arrangements. The BCF has historically been a 1 year plan but the DHSC changed the BCF to a 2 year plan for 2023 to 2025. The Cabinet is asked to note the 2023/25 BCF midway Update</p>	<p>Cabinet</p> <p>Cabinet Member for Adult Social Care and Public Health Date 1st added: 13 October 2023</p>	<p>11 Jul 2024</p>			<p>Open</p>
<p>Isle of Wight AONB Management Plan 2025-30</p> <p>To approve the Isle of Wight AONB Management Plan 2025-30 – a statutory requirement</p>	<p>Full Council</p> <p>Cabinet Member for Climate Change, Biosphere and Waste Date 1st added: 5 March 2024</p>	<p>20 Nov 2024</p>		<p>Public Consultation</p>	<p>Open</p>