



Purpose: For Decision

# Full Council Report

Date	<b>20 APRIL 2022</b>
Title	<b>PUBLISHING THE ISLAND PLANNING STRATEGY FOR PUBLIC REPRESENTATION AND SUBMISSION TO THE PLANNING INSPECTORATE</b>
Report of	<b>CABINET MEMBER FOR PLANNING AND COMMUNITY ENGAGEMENT</b>

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## EXECUTIVE SUMMARY

1. A new local plan, the draft Island Planning Strategy, has been prepared to replace the Island Plan Core Strategy. The draft Island Planning Strategy has been prepared taking into account the significant level of public consultation undertaken to date. For the Island Planning Strategy to be adopted and be used it must go through formal stages as directed by statute.
2. This report is seeking a decision from Full Council to agree to publish the attached Island Planning Strategy for a period of representation and subsequently to submit the plan to the Planning Inspectorate for an independent examination. This follows the recommendations from the Cabinet following its meeting on 14 April 2022.
3. Adopting the Island Planning Strategy will give the Council new planning policies to determine planning applications and, should it be adopted with the proposed level of housing, it will enable the Council to demonstrate a five year land supply, meet the minimum threshold of the Housing Delivery Test and have an up-to-date plan. Achieving these three things will mean the Council would no longer have to have regard to the tilted balance of the policy presumption under paragraph 11(d) of the National Planning Policy Framework in favour of sustainable development as set out in national planning policy when determining planning applications due to the inability to demonstrate a five year land supply. There would, of course, be no change to the requirement to apply the statutory test for determining planning applications set out in section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 as amended.

## RECOMMENDATION

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| <ol style="list-style-type: none"><li>4. To approve the recommendations from the Cabinet following its decision at its meeting on 14 April 2022 and to agree to publish the draft Island Planning Strategy in Appendix 1 (subject to any amendments made by the Cabinet decision on 14 April 2022) for the regulation 19 period for representation at</li></ol> |
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the earliest practical opportunity and following the end of the period for representation submit the required information to the Planning Inspectorate.

5. 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.

## BACKGROUND

6. 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.
7. 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.
8. 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 is in the process of preparing a new local plan, the Island Planning Strategy (IPS), 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. The Government has set a deadline for all local authorities to have an up-to-date plan in place by the end of 2023.
9. Since 2018 the Council, as local planning authority (LPA), has determined planning applications under the tilted balance of the '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.
10. 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 presumption in favour of sustainable development.

### The stages of local plan preparation

11. 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 (twice), to ensure maximum public engagement in the preparation of the plan.*

## **Regulation 19 Publication of a local plan**

*This report seeks authority to publish the draft plan for a period of 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.*

## **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.*

12. 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.
13. The tests of soundness are:
  - a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's 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.

14. To be positively prepared a plan must be “a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs”. The NPPF expects strategic policy-making authorities to follow the standard method for assessing local need. However, the [Planning Practice Guidance](#) asks whether the use of the standard method for strategic policy making purposes is mandatory. In response to that question it states:

“No, if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances”.

15. Paragraph 61 of the NPPF states

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

16. The issue of whether or not to pursue a position based on exceptional circumstances is something that has been suggested in the responses to the regulation 18 stage consultations.
17. The number of new homes proposed in the plan is an average of 479 per year. This represents a minor reduction from the previously consulted upon figure of 486, which itself is a reduction from the 641-figure included in the first Regulation 18 version of the plan. Following the publication of the latest affordability ratios in late March 2022, the standard method calculates the Isle of Wight’s housing figure to be per year.
18. This housing requirement planned for is lower than the identified need as calculated by the standard method due to the restricted ability of the island housing market to build houses (as evidenced by historic delivery rates over the past 20 years and a wide range of barriers that exist).
19. There is no one cause of the deliverability issues mentioned above that can easily be ‘fixed’ and it is a combination of factors, all broadly consequent upon the fact that the Island is, by virtue of being an island, a localised market with particular economic challenges which hamper the delivery of higher levels of housing. These market issues are compounded by the difficulties of securing funding for increased levels of affordable housing, which in other neighbouring authorities may allow for additional housing to be provided. It is important to note that the multi-layered

nature of the causes of under-delivery on the Island are unique.

20. If the Council were to argue exceptional circumstances and calculate its own housing number, it would still, as set out in paragraph 61 of the NPPF, be required to reflect current and future demographic trends and market signals. It is the current and future demographic trends (such as in-migration to the Island) that some advocating arguing exceptional circumstance suggest we should not be taking into account.
21. Officers have received external QC advice on whether pursuing exceptional circumstances or accepting the standard method, but evidencing why it cannot be delivered, would be considered to be a sound approach. The advice received was that accepting the standard method, but evidencing why it couldn't be delivered would have a greater chance of success than basing a position on arguing exceptional circumstances.
22. Officers consider that the draft Island Planning Strategy, in appendix 1, is a sound plan and is therefore capable of being published for representation under regulation 19.

#### The content of the draft Island Planning Strategy

23. As a result of the previous public and stakeholder consultation in 2019, 2021 and ongoing evidence base updates the IPS has been revised, with some of the headline changes summarised below:
  - Three new strategic policies covering:
    - The Isle of Wight Biosphere - given the fundamental importance that the IW Biosphere designation plays in showcasing the environmental benefits of the island and the associated key role that the environment will play in the islands ability to achieve net zero, strategic policy BIO1 sets out how this designation must be considered by all development coming forward on the island;
    - Affordable Housing – setting a clear definition of what 'affordable' housing is on the island rather than using the Government definition and encouraging Town & Parish Councils to undertake local Housing Needs Surveys to help inform affordable housing provision (Policy AFF1);
    - Infrastructure - to ensure that infrastructure provision is supported across the island and that development makes an appropriate contribution (which could be physical or financial, or both) strategic policy INF1 will ensure that new infrastructure is provided or existing is upgraded;
  - Revisions to policy C11 (sustainable construction of new development) to set new thresholds and require new development to meet Net Zero targets;
  - A new policy requiring planning permission for change of use from Class C3 residential to Short term let holiday accommodation for properties being in such a use for over 140 days a year, but with support for such applications only within

the identified core tourist accommodation areas;

- A review of all the potential housing sites through the Strategic Housing Land Availability Assessment, resulting in a number of potential housing sites being re-classified and revisions to some proposed site allocations including reduced yields to allow for Biodiversity Net Gain provision;
- Minor reduction in the annual housing number from 486dpa to 479dpa as a result of including the latest completed monitoring year (2020/21) into the housing requirement calculation; and
- A number of sites that were identified for allocation in the early stages of plan preparation (in 2019) have been granted planning permission since the last consultation in 2021. This has resulted in the proportion of homes planned for in the IPS that already have planning permission increasing from 15 per cent to 30 per cent.

24. The draft IPS continues to include policies designed to address a number of issues facing the Island and to give a clear steer on how the Council wishes to move forward. These draft policies include:

- EV2 requiring at least 10% biodiversity net gain from new development;
- EV7 protecting the Local Green Spaces suggested by the community with the same level of protection as Green Belt;
- EV10 protecting 11 different gaps between settlements across the island from development;
- EV12 Support for Dark Skies park status;
- C15 requiring major development to consult with the local community in advance of submission;
- G2 focusing growth within settlement boundaries and no in principle support for development immediately adjacent the 'hard' settlement boundaries;
- G5 requiring developers to build out planning permissions to agreed programmes;
- H9 supporting the principle of development on all brownfield land;
- E7 supporting a range of commercial uses within town centres to increase vitality and footfall; and
- T5 requiring electric car charge points in all new major residential and commercial development.

25. The draft IPS also includes proposed allocations of land for a range of uses, including new homes. Appendix 2 of this report shows the sites that are proposed for allocation that do not already have planning permission. It is through the

allocations the Council can demonstrate how it will deliver the plan and also allows the change in approach to much 'harder' settlement boundaries.

26. 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 and where relevant proposed wording changes to increase scores on the ISA scoring matrix, strengthen policies and remove ambiguity, and these changes have been incorporated in the latest version of the IPS.

## CORPORATE PRIORITIES AND STRATEGIC CONTEXT

### Provision of affordable housing for Island Residents

27. 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. The IPS therefore proposes policies that allow for deeper discounting of new homes to make them Isle of Wight affordable (which evidence shows from 70 to 50 per cent of market value) and supports a new affordable housing product called first homes, which also allow for deeper discounts to first time buyers.
28. 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.

### Responding to climate change and enhancing the biosphere

29. The Island's UNESCO Biosphere status is based upon the interaction between humans and the environment, and the Council's current planning policies have shaped that interaction and helped to secure Biosphere status.
30. The IPS seeks to go further and embed the 17 UNESCO sustainable development goals where relevant. The IPS includes a dedicated policy recognising the Biosphere status and the role it now has in shaping the Island's future.
31. The IPS will play a key role in helping the Council achieve its Mission Zero Climate and Environment Strategy, given the policies of the IPS will guide not only the location of new development, but alongside other regulatory regimes also the way it is built and uses energy.
32. The Mission Zero Climate and Environment Strategy recognises the role the IPS will need to play in delivering the intended outcomes. The IPS contains policies covering renewable energy, heat projects, smart grid infrastructure and energy storage systems. There are also policies promoting sustainable and active transport across the Island. Through its policies the IPS will also be critical in ensuring new development is sustainably built.

33. The IPS rightly protects the natural environment, especially those areas of highest quality and will implement the principles of biodiversity net gain. There is also further opportunity for overlap between the Mission Zero Climate and Environment Strategy and the IPS through the Local Nature Recovery Strategy, which the Council will produce under the Environment Act (2021).

#### Economic Recovery and Reducing Poverty

34. 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

35. 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 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

36. The [Corporate Plan 2021 - 2025](#) sets out the administration'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
37. 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 and parish councils.
  - Complete all Island consultation on draft Island plan by and seek adoption through the formal process by September 2023.
38. 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

39. As previously set out, a draft local plan must go through formal stages which include public consultation.
40. The first draft IPS was published for consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations between 3 December 2018 and 25 February 2019. Around 9,340 individual comments were received from around 3,800 respondents.
41. As a result of the consultation a number of changes were made to the draft IPS following undertaking further evidence base work. These changes included not planning for the number of new homes calculated using the Government's standard method calculation and the removal of the suggested new garden communities. Because these changes were considered so significant, a second 'regulation 18 consultation' was held.
42. This second regulation 18 consultation was undertaken from Friday 30 July until Friday 1 October 2021, and over 2,800 individual comments were received. Whilst this is a significant number of comments it is considerably less than the number received for the first consultation. Planning staff presented at over 20 separate meetings and together with drop-in sessions held by the Cabinet Member for Planning and Community Engagement, over 600 people attended these events to hear about the draft IPS and have the opportunity to ask questions.

43. The draft IPS in front of Councillors has experienced a clear evolution between the first draft and the current version, and this change was strongly shaped by the consultation responses.
44. It should be noted that there will also be further opportunity for public engagement in the process, as those who make representation on the regulation 19 version of the plan can request to participate in the public examination once the plan is submitted.
45. As set out in the Planning Inspectorate's [Procedure Guide for Local Plan Examinations](#), the plan that is published for consultation at regulation 19 stage should be the plan that the LPA intends to submit to the Planning Inspectorate for examination. This is a key premise of delivering an efficient examination timetable.
46. Section 20(2) of the PCPA specifically states that the LPA must not submit the plan unless they think it is ready for independent examination. Having considered the regulation 19 consultation responses, the LPA should only submit a plan if they consider it to be sound and there will not be long delays during the examination because significant changes or further evidence work are required.
47. Should the regulation 19 period for representation responses identify any issue(s) that is so fundamental as to affect the soundness of the IPS, or the change would represent a significant Island-wide benefit, officers would advise the Cabinet Member for Planning and Community Engagement and the Cabinet and a further cabinet decision may be required. Any changes required to address the issue(s) and make the plan sound would be brought before Full Council for consideration and agreement to publish for public consultation and submission, along with the rest of the plan to the Planning Inspector.
48. Given the nature of the issues that the IPS covers there are likely to be representations at the regulation 19 stage that object to the IPS. Councillors will be mindful that there is a difference between whether the plan is sound in the planning sense and whether members of the public agree with it.

#### SCRUTINY COMMITTEE VIEW

49. A previous iteration of the draft IPS has been considered by a specially convened task and finish group, which operated under specific terms of reference. The task and finish group's report was considered by the Corporate Scrutiny Committee on 15 December 2021. The Cabinet Member for Planning and Community Engagement has also provided a formal response to the task and finish group's recommendations.
50. The task and finish group's report was also treated as a formal comment on the draft IPS, and has influenced the content of the IPS moving forward and the content of some of the supporting material that will accompany the next iteration of the IPS.

#### FINANCIAL / BUDGET IMPLICATIONS

51. 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 both the consultation and the examination process following submission.

## LEGAL IMPLICATIONS

52. 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 representation is one of these actions.
53. 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.
54. If Full Council has objections to the plan as presented, then it must inform the Executive Leader of those objections and give instructions requiring the Cabinet to reconsider it. The Cabinet may then submit a revised plan with reasons for consideration by Full Council or inform Full Council of Cabinet's disagreement to Full Council's objections, again with reasons.
55. Full Council cannot vote through a different version of the plan until the statutory cooling off process has been followed. It is only at a subsequent meeting of Full Council that it can overrule the Cabinet's recommendations.

## EQUALITY AND DIVERSITY

56. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
57. The draft IPS has been subject to an equality impact assessment (appendix 3) 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.
58. 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

59. Once adopted the IPS will contain planning policies that may be relevant to future plans for Isle of Wight Council owned property and land.
60. 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.

## SECTION 17 CRIME AND DISORDER ACT 1998

61. It is considered that decision of whether to publish the draft IPS or not will not have a direct implication in relation Section 17 of the Crime and Disorder Act 1998 (as amended by Police and Justice Act 2006). However, the IPS does include policies relating to design and 'designing out crime' in new development.

## OPTIONS

62. It is considered that the following options are available to Councillors:
  1. To approve the recommendations from the Cabinet following its decision at its meeting on 14 April 2022 and to agree to publish the draft Island Planning Strategy in appendix 1 (subject to any amendments made by the Cabinet decision on 14 April 2022) for the regulation 19 period for representation at the earliest practical opportunity and following the end of the period for representation submit the required information to the Planning Inspectorate.
  2. 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 Housing, so long as they do not materially alter the intention of the version agreed by Full Council.
  3. To not agree at this meeting to publish the draft Island Planning Strategy in appendix 1 (subject to any amendments made by the Cabinet decision on 14 April) for the regulation 19 period for representation at the earliest practical opportunity and following the end of the period for representation submit the required information to the Planning Inspectorate but;

To inform the Leader of the Cabinet of the objection(s) which Full Council has to the draft Island Planning Strategy submitted by the Cabinet and to instruct the Leader of the Cabinet to require the Cabinet to reconsider, in the light of those suggested changes, and the reasoning for them, the draft Island Planning Strategy submitted to it and, within ten working days beginning on the day after the Leader of the Cabinet receives such instructions, to:

- (a) submit a revision of the draft plan as amended by the Cabinet (the "revised draft plan") with the Cabinet's reasons for any amendments made to the draft plan, to the authority for Full Council's consideration; or

- (b) inform Full Council of any disagreement that the Cabinet has with any of Full Council's objections and the Cabinet's reasons for any such disagreement.

## RISK MANAGEMENT

63. 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 an appropriate evidence base and the draft IPS in appendix 1 is considered by officers to be sound and therefore capable of being submitted to the Planning Inspectorate following the regulation 19 period for representation.
64. 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 helps to mitigate against the plan being found unsound. It is the view of officers, which is supported by QC advice, that this approach has a greater likelihood of success over not accepting the standard method and arguing 'exceptional circumstances'.
65. It is recognised that there may be changes to national planning policy in the intervening period between the regulation 19 stage and adoption, which could impact on the approaches set out in the IPS. Should the policy landscape change the Council may wish to not proceed with the IPS as written and prepare an alternative local plan. 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.
66. If the draft Island Planning Strategy is referred back to Cabinet to consider changes proposed by Full Council, the changes will need to be assessed to determine whether the accompanying Integrated Sustainability Appraisal (ISA) and a Habitats Regulation Assessment (HRA) will also need updating. Depending upon the scale of the changes a further six-week public consultation period will be required prior to undertaking the regulation 19 stage. In such an event, once completed the revised IPS will be brought back to the Cabinet and if agreed onto Full Council for consideration and agreement to publish for the regulation 19 period for representation and subsequent submission to the Planning Inspectorate.
67. Should the IPS not be progressed in a timely manner it will mean that the Council have to continue to determine planning applications using the tilted balance of the presumption in favour of sustainable development for longer. It will also mean that the Council may not achieve the Government's expectation of local authorities having an up-to-date plan by 2023, although the risk is unknown as the Government have not indicated what, if any, sanctions would be put in place on the local authority if this is not achieved.

## EVALUATION

68. Successfully adopting the IPS will give the Council new policies to use in the way it considers planning applications and give the Council an up-to-date local plan. Publishing the draft IPS for the regulation 19 period of representation is a significant

step on this journey and to towards the outcomes expressed in the Corporate Plan and other key corporate plans and strategies.

69. Once adopted the IPS will reset the Council's housing numbers and it is forecast that the Council will then be able to demonstrate a five-year land supply and meet the minimum threshold of the Housing Delivery Test. Under these circumstances the Council will no longer be operating under the tilted balance of the presumption in favour of sustainable development of the National Planning Policy Framework.
70. To not publish the draft IPS for the regulation 19 period of representation and then submit the plan would push back the Council's ability to move away from the tilted balance of the presumption in favour of sustainable development. It would also mean that the certainty a local plan can give to developers, affordable housing providers and communities would also be delayed.
71. Hence the recommendation of this report is for Full Council to endorse the IPS as drafted and to undertake the regulation 19 stage period for representation.

#### APPENDICES ATTACHED

72. [Appendix 1](#) – The draft Island Planning Strategy  
[Appendix 2](#) – Policy H2 and IPS Appendix 2, sites allocated for housing (without planning permission) – map booklet  
[Appendix 3](#) - The Equality Impact Assessment of the draft Island Planning Strategy

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