

## Island Planning Strategy

### Duty to Co-operate: Statement of Common Ground

#### 1.0 Introduction

- 1.1 The *Localism Act 2011* places a legal duty on planning authorities and other prescribed bodies to cooperate with each other on strategic planning issues that cross administrative boundaries. It is expected that engagement and cooperation will be constructive, active and ongoing.
- 1.2 In accordance with the NPPF (paragraph 24), public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. This forms part of each local planning authority's evidence for their emerging Local Plans.
- 1.3 The NPPF states that the Government expects joint working on areas of common interest and paragraph 20 lists four key areas: housing, infrastructure provision, community facilities and the environment. All of these are relevant to the Isle of Wight.

#### 2.0. List of parties involved

- 2.1 In line with paragraph 27 of the National Planning Policy Framework (NPPF), this Statement of Common Ground (SoCG) is a jointly agreed statement between **New Forest National Park Authority** and Isle of Wight Council in relation to the Pre-Submission Draft (Regulation 19) Island Planning Strategy (IPS) 2022-2037 and the representations submitted by **New Forest National Park Authority** in response to that consultation.
- 2.2. The SoCG documents the strategic planning and/or cross-boundary matters being addressed between these parties and sets out the progress in co-operating to address these and where agreement has been reached.
- 2.3. Both the Isle of Wight Council and **New Forest National Park Authority** are also required to publish 'Duty to Cooperate (DtC) Statements' setting out how this legal duty has been fulfilled in the preparation of their respective Local Plans and this SoCG should be read in conjunction with the Duty to Cooperate Statement that accompanies the Isle of Wight Council's Submission version of the Island Planning Strategy.

#### What does this document include?

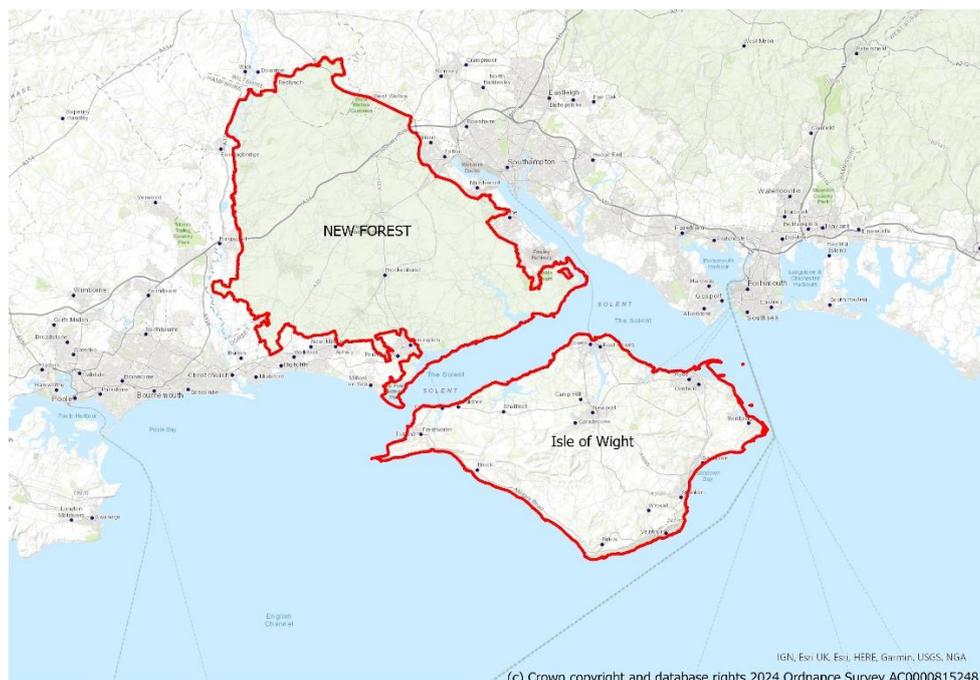
- 2.4. Section 3 sets out a map of the respective administrative areas (where relevant).
- 2.5. Section 4 sets out the cross boundary matters covered by this SoCG and sets out where agreement has been reached on these issues.

- 2.6. Appendix 1 sets out the Regulation 18 and Regulation 19 representations received from **New Forest National Park Authority**.

### Background

- 2.7. A new local plan, the Island Planning Strategy (IPS), is being prepared to replace the Island Plan Core Strategy which was adopted in 2012. The Council began the process of preparing the Draft 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.
- 2.8. Since 2018 the 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 either not been able to demonstrate an adequate Housing Land Supply (HLS) or is below the Housing Delivery Test (HDT) threshold for delivery of new homes.
- 2.9. Adopting the IPS with a new island realistic housing requirement will reset the HDT calculation and the LPA will then be able to meet the minimum HDT threshold, whilst also demonstrating an adequate HLS in relation to the planned growth within the IPS. 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.
- 2.10. The draft IPS has been through extensive public consultation, including two separate periods at Regulation 18 in 2018/9 and 2021, both of which incorporated a full draft plan and proposals map.

### **3.0. Strategic Geography**



- 3.1 This Statement of Common Ground (SoCG) is an agreed statement between **New Forest National Park Authority** as the Local Planning Authority for the National Park area and the Isle of Wight Council in relation to issues and matters associated with the emerging Island Planning Strategy. The respective planning administrative areas of the two parties are shown in the map above.
- 3.2 The comments and representations **New Forest National Park Authority** made to the Regulation 18 and Regulation 19 stages of the Island Planning Strategy are set out in Appendix 1. The key strategic matters are set out in the following section.

#### **4.0 Strategic Matters**

- 4.1 The Isle of Wight Council and **New Forest National Park Authority** agree that the following are the key strategic matters for the two planning authorities:
- i. meeting objectively assessed housing needs;
  - ii. commercial development and impact of the Solent Freeport;
  - iii. infrastructure provision including Cross Solent transport;
  - iv. consistency / availability of habitat mitigation measures

##### **(i) Meeting objectively assessed housing needs**

- 4.2 It is common ground between **New Forest National Park Authority** and Isle of Wight Council that each local planning authority is located in a separate housing market area (HMA), as supported by the Planning for South Hampshire (PfSH) Spatial Position Statements (SPS) of 2016<sup>1</sup> and 2023<sup>2</sup> and the Isle of Wight Housing Needs Assessment 2022<sup>3</sup> (particularly Section 4).
- 4.3 The evidence base for the 2016 SPS identifies three separate housing market areas (HMAs) within the PfSH area. These are the Isle of Wight HMA, the Southampton HMA (which includes Southampton, New Forest, Test Valley, Eastleigh and western parts of Winchester and Fareham) and the Portsmouth HMA (which includes Portsmouth, Havant, Gosport, East Hampshire and eastern parts of Winchester and Fareham). Parts of the New Forest National Park are also located within the previously defined South East Dorset HMA (centred on Bournemouth, Christchurch & Poole) and the South Wiltshire HMA (centred on Salisbury).
- 4.4 Whilst the 2016 SPS was prepared in line with the 2012 National Planning Policy Framework (NPPF), it is common ground that the three identified HMAs remain relevant for the purposes of the duty to cooperate and continue to be

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<sup>1</sup> <https://www.push.gov.uk/wp-content/uploads/2022/05/PUSH-Spatial-Position-Statement-2016.pdf>

<sup>2</sup> [PfSH Spatial Position Statement 2023 - Partnership for South Hampshire \(push.gov.uk\)](https://www.push.gov.uk/wp-content/uploads/2023/05/PfSH-Spatial-Position-Statement-2023-Partnership-for-South-Hampshire.pdf)

<sup>3</sup> <https://iwc.iow.gov.uk/documentlibrary/download/isle-of-wight-local-housing-needs-assessment-may-20221>

used consistently in recent years across PfSH authorities in local plan preparation.

- 4.5 The Isle of Wight Housing Needs Assessment (GL Hearn, 2022) para 1.4 summarises that the evidence identifies the Isle of Wight as being in a separate housing market to other local authority areas on the mainland and this conclusion is supported by the Isle of Wight Council and the New Forest National Park Authority.

*‘In combination, internal migration, travel to work, and house price data suggest an Housing Market Area (HMA) comprising the Isle of Wight alone and no other geographies. This is consistent with the 2014 Strategic Housing Market Assessment (SHMA) and Housing Needs Assessment 2018 (HNA 2018).’*

The main body of the report para 4.50 identifies that *‘There are, therefore, reasonably strong relationships between the Isle of Wight and Portsmouth and Southampton in terms of house prices, commuting, and migration. However, they remain a relatively small percentage of the total.’*

Paragraph 4.51 continues that *‘The evidence therefore supports the conclusion that the Isle of Wight forms its own HMA.’*

- 4.6 Being located within separate HMAs does not preclude further assessment of meeting housing needs between **New Forest National Park Authority** and Isle of Wight Council, however it does limit the power and strength of the key functional linkages between places where people live and work, with the Solent being a key barrier that prevents significant overlap of the Isle of Wight HMA with the Southampton and Portsmouth HMAs.
- 4.7 On the issue of objectively assessed housing needs, Planning Practice Guidance stipulates that three distinct areas should be covered when considering this issue under the Duty to Cooperate:
- A. the capacity within the strategic policy-making authority area(s) covered by the statement to meet their own identified needs
  - B. the extent of any unmet need within the strategic policy-making authority area(s); and
  - C. agreements (or disagreements) between strategic policy-making authorities about the extent to which these unmet needs are capable of being redistributed within the wider area covered by the statement.
- 4.8 A: As a national park authority, the **New Forest National Park Authority** does not have a Local Housing Need (LHN) derived by the Government standard method, as these apply to ‘local authority’ areas, rather than ‘local planning authority’ areas (the New Forest National Park Authority is the latter, but not the former). In the adopted New Forest National Park Local Plan 2016 – 2036 it is detailed that a jointly commissioned (NFNPA & New Forest District Council)

assessment of housing need concluded that over a 20 year period, the ‘policy off’ objectively assessed housing need for the National Park area is 63 dwellings per annum, or 1,260 homes over the plan period. The adopted plan plans for growth of **800 homes, or 40dpa**, across the plan period, leaving an ‘**unmet need**’ of **23 dpa, or 460 homes** across the 20 year plan period. This position was supported by the Government-appointed Planning Inspectors who examined the Authority’s draft Local Plan in 2019 due to the range of designations within the New Forest National Park. The NFNPA is therefore unable to meet its own identified needs in full.

4.9 A: For Isle of Wight Council, the Local Housing Need (LHN) derived by the Government standard method (SM) for the Isle of Wight is currently **703 dpa (March 2024)**, which equates to **10,545 homes** across the 15-year plan period. The Island Planning Strategy does not dispute the SM for the Isle of Wight as the relevant housing need, however due to constraints of the housing market on the island it is planning for a housing requirement of **453 dpa**, equating to **6,795 homes** across the 15-year plan period. The Isle of Wight Council is therefore unable to meet its own identified needs.

4.10 The table below sets out the extent of unmet need within the respective areas for the Island Planning Strategy plan period of 2022-2037 (noting that the New Forest National Park Local Plan covers the period 2016-2036):

B: Unmet need		NFNPA		IOW Council		Combined	
		Annual	Plan period (15)	Annual	Plan period (15)	Annual	Plan period
1	LHN (NF SHMA)	63	945	703	10,545	766	11,490
2	Housing requirement (emerging or adopted)	40	600	453	6,795	493	7,395
3	Unmet need (1 minus 2)	23	345	250	3,750	273	4,095

**C. New Forest National Park Authority and Isle of Wight Council** have agreed that it is not possible for the unmet need of **New Forest National Park Authority (equating to 23 dwellings per annum)** to be redistributed either in its entirety or partially, within the administrative area of the Isle of Wight Council.

**C. New Forest National Park Authority and Isle of Wight Council** have agreed that it is not possible for the unmet need of **the Isle of Wight Council (equating to 250 dwellings per annum)** to be redistributed either in its entirety or partially, within the administrative area of New Forest National Park Authority. The NPPG resource on the ‘Natural Environment’ acknowledges that the NPPF’s policies protecting National Parks may mean that it is not possible to meet others objectively assessed needs for development in full through the plan-making process in National Parks. Paragraph 41 goes on confirm that

National Parks, '*...are unlikely to be suitable areas for accommodating unmet [housing] needs from adjoining (non-designated) areas.*' Given the wide range of designations within the New Forest National Park, the Authority will not be in the position to accommodate unmet housing needs from surrounding authorities.

- 4.11 The fundamental principles behind the agreements detailed above are due to the separate housing market areas that the Isle of Wight and **New Forest National Park Authority** are situated in, the high degree of self-containment of the island for both internal migration (80%) and travel to work (90%) and the impact of the physical separation of the island from the mainland, especially the associated cost of travel across the Solent.
- 4.12 Notwithstanding the ability or otherwise of the parties respective administrative areas to have the physical capacity to meet any unmet need, the issues highlighted above in combination mean that it would not be sustainable or deliverable to do so, and would risk the plan being unsound. [IPS Housing evidence papers C & D](#) also add further context on this issue.

(ii) Commercial development and impact of the Solent Freeport

- 4.13 The majority of the New Forest National Park and the whole of the Isle of Wight are located within the Solent Freeport 'outer boundary'. **New Forest National Park Authority** and Isle of Wight Council have agreed that though there may be commercial needs arising in the future from the development of the Solent Freeport, these are not currently quantified but may occur over the period covered by the Island Planning Strategy. Isle of Wight Council and **New Forest National Park Authority** have agreed to continue to cooperate on resolving any matters arising for commercial development arising from this designation.
- 4.14 Whilst there is no standard approach to defining a functional economic market area, evidence shows that approximately 90% of all commuting journeys on the Isle of Wight take place on the island, with weak commuting links to other areas. Coupled with separate housing market areas, it is agreed by both parties that the Isle of Wight Council and **New Forest National Park Authority** operate in different economic market areas for the purposes of plan-making.
- 4.15 The parties acknowledge the additional costs to businesses setting up on the island, the limited labour supply availability and the higher transport costs for businesses make the island a less attractive location for meeting commercial needs from the mainland.

(iii) Infrastructure provision including Cross Solent transport

- 4.16 The Isle of Wight Council and **New Forest National Park Authority** have agreed to work together to address issues arising in maintaining and improving Cross Solent ferry transport for commercial and passenger traffic. It is acknowledged by the parties that future development needs may arise in relation to cross Solent transport and the authorities will work together to find

satisfactory solutions, especially around key transport nodes within or adjacent to each area that support cross Solent travel:

- *Yarmouth & Lymington Wightlink car ferry terminals*

- 4.17 The parties agree that the ongoing preparation of Local Transport Plans both on the island and in Hampshire will be fundamental in ensuring that sustainable cross-Solent travel measures that go beyond plan-making are taken forward in a positive manner.

(iv) Consistency and availability of habitat mitigation measures

Nutrient neutrality

- 4.18 Following case law in 2018 and evidence creating uncertainty around the contribution of new development on the island to deteriorating water quality (eutrophication) in the Solent and the effect this is having on internationally designated sites, there is a requirement for new development to demonstrate that it will not cause a likely significant effect on the integrity of these sites. Development needs to demonstrate that it would prevent a net increase in nutrients and therefore be 'nutrient neutral'. The Isle of Wight Council has produced a [position statement](#) that provides full details on this issue.
- 4.19 One way in which development can demonstrate 'nitrate neutrality' is to purchase 'credits' from strategic nitrate credit sites. There are currently five strategic nitrate credit sites located on the island that have sold or are selling nitrate credits that can be purchased to offset development located on the mainland. As set out in the position statement, the Isle of Wight Council undertakes a monitoring role for these sites and secures this through completion of a Section 106 agreement. Not all of these sites are available for development in the New Forest National Park to purchase mitigation credits from. On the relevant mitigation sites the **New Forest National Park Authority** is a party to these overarching Section 106 agreements.
- 4.20 Both parties agree that the Isle of Wight Council will only perform a monitoring role for current and future strategic nitrate credit sites that can be used to offset development located within **New Forest National Park Authority's** administrative area. Natural England have confirmed the areas of the New Forest National Park where the water quality impacts of planned new development can legitimately be off-set on parts of the Isle of Wight
- 4.21 Both parties agree to continue to work with PfSH through the Natural Environment Group to coordinate the provision of strategic nitrate credit solutions across Hampshire and the Isle of Wight in the medium to long term.

Biodiversity Net Gain (BNG) – strategic credit sites

- 4.22 In line with national policy and the Environment Act 2021, the Island Planning Strategy contains a policy requirement for development to provide a minimum of 10% net gain for biodiversity (Policy EV2 Ecological Assets and

Opportunities for Enhancement). One way of development meeting their BNG obligation will be through the purchase of off-site BNG 'credits'.

- 4.23 The Isle of Wight is currently a location for one strategic BNG credit site and further such sites may come forward. Equally, strategic BNG credit sites may come forward on the mainland, possibly within **New Forest National Park Authority's** administrative area. The owners / operators of these strategic BNG credit sites are able to sell BNG credits to development within both the Isle of Wight and **New Forest National Park Authority's** administrative areas. This will be in accordance with national guidance on BNG units and the spatial multiplier which incentivises local delivery.
- 4.24 Both parties agree that where strategic BNG credit sites come forward in their respective administrative areas, they will provide the requisite monitoring of those credit sites and secure that through planning conditions or planning obligations.

#### Mitigating recreational impacts on the New Forest's designated sites

- 4.25 Over 50% of the New Forest National Park is designated as being of international importance for nature conservation (Special Protection Area, Special Area of Conservation and Ramsar sites). The increase in recreational pressures from planned new development has been highlighted as a threat to the integrity of these internationally designated sites.
- 4.26 Local planning authorities in and around the New Forest have commissioned a range of research reports to assess the recreational impacts of planned new development and these reports are available at [Research into recreational use of the New Forest's protected habitats – New Forest National Park Authority \(newforestnpa.gov.uk\)](https://www.newforestnpa.gov.uk/research-into-recreational-use-of-the-new-forest-protected-habitats). This research defines a 13.8 kilometre 'zone of influence' from the edge of the designated sites within which planned development is required to address recreational impacts on the integrity of the New Forest's sites. This zone of influence is endorsed by Natural England and it **excludes** the whole of the Isle of Wight due to the geographic barrier of Southampton Water and the Solent.

### **5.0 Governance arrangements for the cooperation process**

- 5.1 This SoCG has been prepared and agreed at officer level between the Isle of Wight Council and **New Forest National Park Authority** in advance of the publication for Regulation 19 of the Draft Island Planning Strategy.
- 5.2 This SoCG will be subject to member sign off at both parties prior to submission of the Draft Island Planning Strategy under Regulation 22.
- 5.3 Whilst not a formal member of PfSH, the Isle of Wight Council continues to be represented in cross-Solent groups covering a variety of topics. At Officer level, Isle of Wight Council and **New Forest National Park Authority** are both represented on the working groups listed below and will continue to engage through these forums on a wide variety of issues:

- HIPOG
- Development Plans Group
- PfSH Natural Environment Group
- Solent Forum
- Bird Aware Steering Group

## 6.0 Timelines for review / updates to the Statement of Common Ground

- 6.1 This draft SoCG has been prepared for publication with the Regulation 19 version of the Draft Island Planning Strategy and associated evidence base so that the local community and stakeholders can see how cross-boundary issues are being discussed / assessed between relevant parties.
- 6.2 It is anticipated that a further review of the SoCG will be undertaken once **New Forest National Park Authority** have formally submitted representations during the Regulation 19 period of representation. As noted in paragraph 5.2, that version will be subject to member sign off.
- 6.3 It is also anticipated that a similar statement will be prepared as **New Forest National Park Authority** progresses with its own Local Plan review and this would provide an opportunity to update this Statement and review any strategic planning matters where appropriate, post adoption of the Island Planning Strategy.

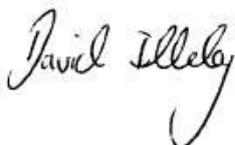
## Signatories (Officer level pre-Regulation 19)

For the Isle of Wight Council:



Name: James Brewer  
 Date: 21 May 2024  
 Position: Planning Policy Manager

For New Forest National Park Authority:



Name: David Illsley  
 Date: 3 July 2024  
 Position: Policy & Conservation Manager

## Appendix 1

### Regulation 18 representations

#### Representations from New Forest National Park Authority (NFNPA)

- 3.2. NFNPA responded to the Regulation 18 consultation which was undertaken between 3 December 2018 and 28 January 2019. The response and key themes raised included:
1. Consider the strategy should add reference to the wider sub-regional, regional, national and international context and acknowledge the New Forest National Park and its proximity.
  2. Policy protecting Seascapes and Landscapes should give wider recognition to all nationally designated landscapes and add reference to the National Park and the Council's legal duty of regard towards its purposes and that development outside nationally protected landscapes can still impact on them.
  3. Add reference to the island being located close to the National Park and any proposals having a detrimental impact on the aims and objectives of this national designation would have to be assessed.
- 3.2. NFNPA responded to the Regulation 18 consultation which was undertaken between 30 August and 1 October 2021. The response and key themes raised included:
1. NFNPA officers met with the Isle of Wight Council in April 2021 to discuss whether under the Duty to Cooperate there were any cross border matters or issues that the Isle of Wight Local Plan may need to consider in its Local Plan review. No substantive matters were identified.
  2. From a housing perspective, officers from both Councils agreed that it would not be appropriate as 'neighbouring' authorities for either to seek help from the other to deliver any unmet housing need that might arise, given that the respective housing markets are functionally as well as physically separated by the Solent.
  3. Note with interest the market capacity/delivery analysis informing the draft IoW Plan, its unique context in terms of the absence of volume housebuilders, and that the housing target below OAN reflects delivery capacity rather than a fundamental lack of potentially suitable land.
  4. Note for the record our appreciation for the constructive manner that IOW Council has engaged with the nutrient neutrality issue affected the wider Solent, as host authority to a number of private mitigation providers that are helping to unlock stalled housing development on the 'mainland'.