

Issue 01 The Duty to co-operate, legal requirements and the relationship between the LP3, LP2, the Core Strategy and other Planning Documents**1.1 Has the Duty to Co-operate been complied with?**

The Joint Promoters (JP) are satisfied that FBC has complied with the Duty to Co-operate.

1.2 Have any cross-boundary strategic issues been identified? If so are they clearly identified in LP3?

JP make no further comment.

1.3 Has LP3 been prepared in accordance with:

- the local development scheme
- the Council's Statement of Community Involvement (SCI)
- national legislation and policy in the NPPF
- the Sustainable Community Strategy
- the public sector equality duty?

JP consider that FBC have prepared LP3 in accordance all necessary guidance documents.

1.4 Is LP3 based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances? Is there clear evidence demonstrating how and why the preferred strategy for Welborne was selected?

JP consider that LP3 has been prepared following a sound process of sustainability appraisal and testing, which was also extensively dealt with as part of the Core Strategy process. The Core Strategy sets the overall development strategy for Fareham. LP3 is consistent with Policy CS13 (North of Fareham Strategic Development Area).

1.5 Have the requirements of the Habitats Regulations been satisfied? The Appropriate Assessment Report (HRA04) advises that it cannot be concluded that the ecological integrity of the site will not be adversely affected with regard to wastewater treatment and discharge impacts on the Solent Maritime SAC (paragraph 7.2.4). How is this uncertainty reflected in LP3 and how will a satisfactory outcome be achieved?

Discussions between Natural England, FBC and JP are continuing. There is every prospect of agreement being reached on all technical issues relating to the HRA.

1.6 Is the relationship between LP3, the submission LP2 and the adopted Core Strategy sufficiently clear and consistent?

All Local Plan documentation is very clear about the relationship between the submission LP3, LP2 and the adopted Core Strategy.

- 1.7 The draft Welborne Design SPD has been prepared and there are a number of references to it (and to other SPDs) in the policies of LP2. However, these SPDs will have less weight than LP2 when adopted because they have not been through the same statutory process. Would it be more appropriate for any specific references to 'non-statutory' SPDs to be made within the supporting text rather than within a 'statutory' policy'?**

JP agree that it would be appropriate for references to non-statutory SPDs to be made in the supporting text rather than within statutory policy.

- 1.8 What is the status of the South Hampshire Strategy and how much weight should be attached to its contents? Does LP3 reflect the aspirations for the wider South Hampshire area?**

JP consider that the South Hampshire Strategy informed the Core Strategy which was found sound and is adopted by FBC. LP3 simply seeks to operationalise the Core Strategy. The South Hampshire Strategy properly informs both the LP1 Core Strategy and LP3 The Welborne Plan.