

Gosport Borough Council Pre-submission Local Plan Hampshire County Council Response Schedule – September 2014										
1. To which part of Plan does this representation relate?			2. Do you think the Local Plan is:				3. Tests of soundness			
a. Para	b. Policy	c. Document	a. Legally compliant		b. Sound		a. positive	b. justified	c. effective	d. consistent
			Yes	No	Yes	No				
12.102	Policy LP45 Flood Risk and Coastal Erosion		X			X			X	X
<b>4. Why is the Local Plan not legally compliant or unsound?</b>										
<p>This paragraph currently states that “Proposals for SuDS also require approval from the SuDS Approval Body (SAB) which in this case is Hampshire County Council. The application to the SAB should be progressed at the same time as a planning application”.</p> <p>As per the HCC representation on paragraph 12.31, this is currently not the case and so needs to be deleted from the Local Plan Policy LP45 supporting text. The SuDS Approval Body (SAB) does not yet exist and is waiting for secondary legislation to be passed, therefore at this time SuDS do not require HCC approval and HCC are not providing a pre-SAB adoption role. It is important that this is made clear in the supporting text. Approval of SuDS on new development is the same as it currently is through the planning process, i.e. the Local Planning Authority with the Environment Agency. This position has been recently reinforced in a Government consultation document on the future of SuDS.</p>										
<b>5. What changes are necessary to make the Local Plan legally compliant or sound?</b>										
<p>HCC as LLFA requests that Gosport Borough Council removes the following sentence from this paragraph as this part of the Flood and Water Management Act (FWMA) is not yet enacted and therefore no approval is required as the SAB does not exist. HCC will not be approving SuDS until it becomes a SAB through the enactment of secondary legislation, should that ever transpire:</p> <p><del>“Proposals for SUDs also require approval from the SuDS Approval Body (SAB) which in this case is Hampshire County Council. The application to the SAB should be progressed at the same time as a planning application”</del></p>										
<b>6. Speak at EIP?</b>		No	X	Yes		If Yes, on what grounds?				